Policy Committee Meeting

Asheboro City Board of Education May 13, 2021

Agenda

- 1. Call to Order
- 2. Policy 1710/4020/7230 Discrimination and Harassment Prohibited by Federal Law
- 3. Policy 2127 Board Member Technology Use
- 4. Policy 3230/7330 Copyright Compliance
- 5. Policy 3460 Graduation Requirements
- 6. Policy 3620 Extracurricular Activities and Student Organizations
- 7. Policy 4400 Attendance
- 8. Policy 5070/7350 Public Records Retention, Release and Disposition
- 9. Policy 5071/7351 Electronically Stored Information Retention (NEW)
- 10. Policy 6210 Organization of School Nutrition Services
- 11. Policy 6220 Operation of School Nutrition Services
- 12. Policy 6230 School Meal and Competitive Foods Standards
- 13. Policy 6450 Purchase of Services
- 14. Policy 7560 Permitted Salary Deductions for Absences and Discipline of Certain Exempt Employees
- 15. Adjourn

DISCRIMINATION AND HARASSMENT PROHIBITED BY FEDERAL LAW

The board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring, and inviting school environment to facilitate student learning and achievement. The board prohibits discrimination on the basis of race, sex, color, national origin, religion, disability, or age (40 or older), and will provide equal access to the Boy Scouts and other designated youth groups as required by law.

The board will not tolerate any form of unlawful discrimination or harassment in any of its education activities or programs. All forms of prohibited discrimination and harassment are subject to this policy except the following, for which the board has established more specific policies.

- Discrimination and harassment on the basis of sex is addressed in policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex.
- Discrimination and harassment in employment is addressed in policy 7232, Discrimination and Harassment in the Workplace.

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

- Complaints of sexual harassment will be brought in accordance with the processes established in policies 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, and 1726/4036/7237, Title IX Sexual Harassment Grievance Process.
- Employee allegations of discrimination or harassment will be addressed using the process established in policy 7232, Discrimination and Harassment in the Workplace.
- Allegations regarding or related to the identification, evaluation, educational placement, or free appropriate public education of a student under Section 504 or the IDEA may be raised through the system of procedural safeguards established under policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, (for Section 504 complaints) or in accordance with the procedures described in *Parents Rights & Responsibilities in Special Education*, published by the NC Department of Public Instruction (for IDEA complaints).

The board takes seriously all reports of unlawful discrimination and harassment and directs school officials to take prompt action to investigate and remedy violations of this policy. The

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superintendent is responsible for providing effective notice of this policy to students, parents, and employees.

The board encourages students, visitors, and other non-employee individuals who believe that they may have been discriminated against or harassed in violation of this policy, (including on the basis of disability, as specified in policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities), to report such conduct as soon as possible through the process provided in Section B of this policy. Employees who believe that they may have been discriminated against or harassed should report through the process provided in policy 7232, Discrimination and Harassment in the Workplace. Individuals who have witnessed or who have reliable information that another person has been subject to unlawful discrimination or harassment may report the conduct to an individual designated in Section B of this policy.

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

A. PROHIBITED BEHAVIOR

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

1. Discrimination

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

2. Harassment

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

the school system.

Examples of behavior that may constitute harassment include, but are not limited to, acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Harassment may occur through electronic means, such as through the Internet, email, or text message. Legitimate age-appropriate pedagogical techniques are not considered harassment.

3. Application of the Policy

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

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

B. REPORTING DISCRIMINATION OR HARASSMENT

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

Mandatory Reporting by School Employees

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

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

3. Preliminary Inquiry

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

C. COMPLAINTS OF DISCRIMINATION AND HARASSMENT

- 1. A student, visitor, or other non-employee individual who believes he or she is the victim of unlawful discrimination or harassment in violation of this policy, or any person who has witnessed or who has reliable information that another person has been subject to unlawful discrimination or harassment under this policy, may make a formal written complaint to any of the following persons:
 - a. the principal or assistant principal of the school at which either the alleged victim or alleged perpetrator attends or is employed;
 - b. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the basis of a disability; or
 - c. for claims of other forms of prohibited discrimination, the applicable civil rights coordinator as established in Section I of this policy.

If a written complaint alleges that the perpetrator is an employee, the school official receiving the complaint shall notify the senior human resources official without delay.

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

A written complaint alleging that an employee has been discriminated against or harassed will be addressed in accordance with policy 7232, Discrimination and Harassment in the Workplace.

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

general process for resolving complaints provided in policy 1742/5060, Responding to Complaints, not this policy.

3. Time Period for Making a Complaint

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

D. SCHOOL OFFICIALS' RESPONSE TO REPORTS AND COMPLAINTS OF DISCRIMINATION OR HARASSMENT

1. Investigation

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

a. The principal or designee or site supervisor will be the investigator when the alleged perpetrator is a student or third party. The senior human resources official or designee will be the investigator when the alleged perpetrator is an employee. The superintendent may determine that individual circumstances warrant the assignment of a different investigator.

Notwithstanding the above designations, (1) if the alleged perpetrator is the senior human resources official, the superintendent will be the investigator, and (2) if the alleged perpetrator is the superintendent or a member of the board, the board chair shall direct the board attorney to investigate, unless the board chair determines that outside counsel should be engaged to investigate.

- b. As applicable, the investigator shall immediately notify the Section 504, ADA, or other relevant coordinator of the complaint, and, as appropriate, may request assistance from the coordinator in conducting the investigation.
- c. If the investigator, after interviewing the complaining party and/or the alleged victim and consulting with the board attorney, determines that the allegations submitted, even if factual, do not constitute discrimination or harassment as defined in this policy or policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, school officials shall address

the matter outside the scope of this policy. Information regarding the investigator's determination and the process for addressing the complaint will be provided to the complaining party.

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

The investigator shall consider all the evidence collected, the context in which the alleged incidents occurred, the age and maturity of the parties, and any other relevant circumstances, and in consultation with the board attorney as appropriate, shall determine whether the alleged act(s) constitutes a violation of this policy, policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, and/or any other board policy or expected standard of student or employee behavior.

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

2. Investigator's Findings

- a. If the investigator finds that discrimination occurred, the investigator shall take or recommend steps to address the discrimination.
- b. If the investigator finds that harassment occurred and created a hostile environment, the investigator shall assign or recommend appropriate disciplinary consequences for the perpetrator and/or take or recommend other reasonable measures to eliminate the hostile environment and prevent its recurrence.
- c. If the investigator finds that the conduct did not violate this policy but violated policy 4329/7311, Bullying and Harassing Behavior Prohibited, or another board policy or expected standard of conduct, the investigator shall assign or recommend discipline or other action appropriate to the violation.
- d. The investigator shall make a record of the evidence and findings of the investigation and the assigned or recommended discipline and/or other remedial action and provide a copy to the appropriate civil rights coordinator. If the investigator recommends a disciplinary consequence

- or remedial action that is beyond his or her authority, the investigator shall provide a copy of the record to the superintendent for further action.
- e. The investigator shall inform the alleged victim and alleged perpetrator of the outcome of the investigation.
- 3. Steps to Reasonably End Discrimination or Harassment
 - a. The superintendent is responsible for taking or causing appropriate action to be taken in response to discrimination and harassment in violation of this policy. Appropriate action must include:
 - reasonable, timely, age-appropriate corrective action intended to end the discrimination or harassment and prevent it from recurring;
 - ii. as needed, reasonable steps to address the effects of the discrimination or harassment on the victim; and
 - iii. as needed, reasonable steps to protect the victim from retaliation as a result of the complaint.
 - b. Appropriate steps to end discrimination and harassment may include, but are not limited to, separating the parties, providing counseling for the parties, and/or taking disciplinary action against a perpetrator determined to have violated this policy. The superintendent may take non-punitive measures to end or prevent instances of discrimination or harassment regardless of whether any individual has been found responsible for the discrimination or harassment. The superintendent also may implement or direct the implementation of classroom-wide, school-wide, or school system-wide responses such as additional staff training, harassment prevention programs, and other measures reasonably calculated to end the behavior, eliminate a hostile environment and its effects if one has been created, and prevent recurrence of the behavior.
 - c. The applicable civil rights coordinator shall encourage victims of discrimination and harassment to report any subsequent problems and may conduct follow-up inquiries as warranted to determine if there have been any new incidents of discrimination or harassment or any instances of retaliation.

E. APPEALS

1. If the alleged victim is dissatisfied with the outcome of the investigation, he or she

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

- 2. Student victims may appeal the superintendent's decision to the board in accordance with subsection E.5.a of policy 1740/4010, Student and Parent Grievance Procedure. Employees may appeal the superintendent's decision to the board in accordance with subsection E.4.a of policy 1750/7220, Grievance Procedure for Employees.
- 3. Any student or employee subject to discipline for violating this policy will be accorded all rights provided by law.

F. RETALIATION PROHIBITED

The board prohibits retaliation against any person for making a report or complaint of a violation of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of a reported violation of this policy. No reprisals will be taken by the board against a 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.

G. TRAINING AND PROGRAMS

The board directs the superintendent to establish training and other programs that are designed to prevent discrimination and harassment and to foster an environment of understanding and respect for all members of the school community. Information about the prohibited conduct and complaint procedure in this policy and those in policies 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, and 1726/4036/7237, Title IX Sexual Harassment Grievance Process, must be included in the training plan.

As funds are available, the board will provide students, employees, and volunteers who have significant contact with students with additional training regarding the board's efforts to address discrimination and harassment and will create programs to address these issues. The training or programs should (1) provide examples of behavior that

constitutes discrimination or harassment; (2) teach employees to identify groups that may be the target of discrimination or harassment; and (3) train school employees to be alert to locations where such behavior may occur, including locations within school buildings, at school bus stops, on cell phones, and on the Internet.

H. RECORDS

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

I. CONTACTS FOR INQUIRIES

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

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

- Title IX Coordinator
 Director for Support Services
 1126 S. Park Street, Asheboro, NC 27203
 (336) 625-5104
- Section 504 Coordinator
 Director of Exceptional Child Services
 1126 S. Park Street, Asheboro, NC 27203
 (336) 625-5104
- ADA Coordinator
 Director of Exceptional Child Services
 1126 S. Park Street, Asheboro, NC 27203
 (336) 625-5104
- Age Discrimination Coordinator
 Executive Director for Human Resources
 1126 S. Park Street, Asheboro, NC 27203

(336) 625-5104

5. Coordinator for Other Non-discrimination Laws Executive Director for Human Resources 1126 S. Park Street, Asheboro, NC 27203 (336) 625-5104

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

4000 Maryland Ave, SW Washington, DC 20202-1475

Telephone: 202-453-6020 TDD: 800-877-8339 FAX: 202-453-6021 Email: OCR.DC@ed.gov

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; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seg., 34 C.F.R. pt. 100; Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance, U.S. Education, Department of Office for Civil Rights (1994),available https://www2.ed.gov/about/offices/list/ocr/docs/race394.html; Notice of Non-Discrimination, U.S. Department of Education, Office for Civil Rights (2010); Dear Colleague Letter (Harassment and Bullying), U.S. Department of Education, Office for Civil Rights (2010), available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf; G.S. through -407.18; 126-16; 16 N.C.A.C. 6E .0107; Parent Rights & Responsibilities in Special Education, (N.C. Dept. of Public Instruction, Exceptional Children Division), available at https://ec.ncpublicschools.gov/parent-resources/parents-rights-handbook

Cross References: 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), Responding to Complaints (policy 1742/5060), Grievance Procedure for Employees (policy 1750/7220), Prohibition Against Retaliation (policy 1760/7280), Hearings Before the Board (policy 2500), Staff-Student Relations (policy 4040/7310), School Plan for Management of Student Behavior (policy 4302), Bullying and Harassing Behavior Prohibited (policy 4329/7311), Visitors to the Schools (policy 5020), Community Use of Facilities (policy 5030), Discrimination and Harassment in the Workplace (policy 7232)

Adopted:

A. BOARD MEMBER USE OF SCHOOL SYSTEM TECHNOLOGICAL RESOURCES

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

1. Responsible Use of School System Technological Resources

Whenever a board member uses school system computers or other technology devices or accounts or accesses the school network or the Internet using school system resources, the board member must comply with the rules for use listed in Section B of policy 3225/4312/7320, Technology Responsible Use. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive.

2. Privacy Expectations when Using School System Technological Resources

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

B. BOARD MEMBER USE OF PERSONAL TECHNOLOGICAL RESOURCES FOR SCHOOL SYSTEM BUSINESS

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

1. Definition of Personal Technology Devices and Accounts

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

2. School System ESI on Personal Technology Devices and Accounts

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

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

C. BOARD MEMBER USE OF PERSONAL SOCIAL MEDIA

The board recognizes that board members may engage in the use of personal social media to communicate with friends, family, and/or the community. Board members are expected to exercise good judgment in their online interactions, remaining mindful of their ethical obligations as described in policy 2120, Code of Ethics for School Board Members.

1. Definition of Personal Social Media

For purposes of this policy, "personal social media" means any social media networks, tools, or activities that are not under the control of the school system. Social media refers to the various online technology tools that enable people to communicate easily over the Internet to share information and resources. It includes, but is not limited to: personal websites, blogs, wikis, social networking sites, online forums, virtual worlds, video-sharing websites, and any other Internet-based applications which allow the exchange of user-generated content.

2. Guidelines for All Types of Personal Social Media Use

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

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

conduct that violates board policy or administrative procedures or state and federal laws.

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

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

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

- a. When presenting information on personal social media, board members should clearly indicate that the information posted reflects the views of the individual board member and is neither endorsed by the board nor necessarily reflective of the views of the board or of an official board policy.
- b. A personal social media platform that allows comments from the community may elicit complaints or inquiries from parents or interested citizens concerning school matters. In such cases, the board member should refer the complainant to the appropriate school system administrator in accordance with policy 2122, Role of Board Members in Handling Complaints.
- c. Board members should be aware that when they use a personal social media account in their capacity as a public official and allow community members to post comments publicly on the account, they may be creating a "public forum" for speech protected by the First Amendment. If a "public forum" is created, the board member must be careful not to engage in viewpoint discrimination by, for example, deleting a community member's comment because the board member does not like the view expressed in the comment or blocking only certain individuals from being able to post based on their views. Board members are encouraged to consult with an attorney to create viewpoint-neutral rules to govern their school system business-related personal social media accounts.

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

Cross References: Code of Ethics for School Board Members (policy 2120), Role of Board Members in Handling Complaints (policy 2122), Technology Responsible Use (policy 3225/4312/7320), Use of Personal Technology to Conduct School Business (policy 3228/7323), Student Records (policy 4700), Public Records – Retention, Release, and Disposition (policy 5070/7350), Electronically Stored Information Retention (policy 5071/7351)

Adopted:

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

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

A. FAIR USE

- 1. Unless allowed as "fair use" under federal law, permission must be acquired from the copyright owner prior to copying copyrighted material. Fair use is based on the following standards:
 - a. the purpose and character of the use;
 - b. the nature of the copyrighted work;
 - c. the amount of and the substantiality of the portion used in relation to the copyrighted work as a whole; and
 - d. the effect of the use upon the potential market for, or value of, the copyrighted work.
- 2. The superintendent or designee shall provide information and training to personnel and students, as appropriate, on the fair use of copyrighted materials, including in the following circumstances:
 - a. single and multiple copying for instructional purposes;
 - b. copying for performances and displays;
 - c. off-air recording of copyrighted programs;
 - d. use of "for home use only" videotapes or DVDs;
 - e. computer software;

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f. copyrighted materials on the Internet and on-line databases;

g. reproduction and loan of copyrighted materials by school media centers;

and

h. preparation of educational multimedia projects using portions of

copyrighted works.

B. BUDGET

The budget recommended by the superintendent to the board must include sufficient funds for purchasing copyrighted materials as a necessary budget expense.

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

Cross References: Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), Web Page Development (policy 3227/7322), Integrity and Civility (policy 4310), Network Security (policy 6524), Staff Responsibilities (policy 7300), Budget Planning and Adoption (policy 8100)

Adopted: January 9, 2014

Revised: January 11, 2018

The board recognizes the importance of setting rigorous graduation requirements to help ensure that students are receiving an education that will prepare them to be career and college ready and productive members of society.

In order to graduate from high school, students must meet the following requirements:

- 1. successful completion of all course unit requirements as described in Section A; and
- 2. successful completion of cardiopulmonary resuscitation instruction.

The principal shall ensure that students and parents are aware of all graduation requirements. Guidance School counseling program staff shall assist students in selecting their high school courses to ensure that students are taking all of the required units and selecting electives consistent with their post-graduation plans. For students who have transferred to the school system during high school or who, for other reasons, have completed course work outside of the school system, the principal shall determine what course work will be applied as credit toward graduation. The principal shall consider the requirements of the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5) and the requirements of subsection C.3 of this policy in determining the graduation requirements for children of military families.

A. COURSE UNITS REQUIRED

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

In accordance with policy 3101, Dual Enrollment, and State Board of Education requirements, students may earn certain high school credit for college courses completed. In addition, students may earn credit for certain high school courses in the Future-Ready Core Course of Study completed while in middle school, as authorized by the State Board of Education. Students also have the opportunity to meet course unit requirements without completing the regular period of classroom instruction by demonstrating mastery of the course material in accordance with policy 3420, Student Promotion and Accountability, and State Board of Education requirements.

All awards of high school course credit must be consistent with State Board of Education requirements. Any inconsistency between board policy and State Board graduation requirements will be resolved by following the State Board requirements. While the board

endeavors to keep its policy up to date with current State Board of Education graduation requirements, students should verify current requirements with their school counselors when planning course schedules or making other decisions based on graduation requirements.

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

Courses Required*	State Requirements	Local
	·	Requirements
English	4 sequential (English I, II, III, and IV)	
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course	
	aligned with the student's post-high school plans.)**	
	(A principal may exempt a student from this math	
	sequence. Exempt students will be required to pass	
	NC Math 1 and 2 and two other application-based	
	math courses or selected CTE courses, as identified	
	on the NC DPI math options chart.)***	
Science	3 (a physical science course, Biology, and	
	earth/environmental science)	
Social Studies	4 (including: (1) a founding principles course which	
	shall be either American History: Founding Principles,	
	Civics and Economics or Founding Principles of the	
	United States of America and North Carolina: Civic	
	Literacy;† (2) two American history courses which	
	shall be either (a) American History I and II, (b)	
	American History I or II and another Social Studies	
	course, or (c) American History and another Social	
	Studies course; and (3) World History)	
Health/P.E.	1	
Electives	6 (2 electives must be any combination of Career and	
	Technical Education, Arts Education, or World	
	Language; 4 must be from one of the following:	
	Career and Technical Education, J.R.O.T.C., Arts	
	Education, or any other subject area or cross-	
	disciplinary course. A four-course concentration is	
	recommended.)±	
Total Credits	22	28

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

^{**} Students who are learning disabled in math may have other options for meeting the four mathematics credits requirement. See DPI memo of August 24, 2016 available at http://bit.ly/DPIMemo, and the math option chart liked below.

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

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

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

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

Courses Required	State Requirements	Local
		Requirements
English	4 sequential (English I, II, III, and IV)	
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course	
	aligned with the student's post-high school plans.)**	
	(A principal may exempt a student from this math	
	sequence. Exempt students will be required to pass	
	NC Math 1 and 2 and two other application-based	
	math courses or selected CTE courses, as identified	
	on the NC DPI math options chart.)***	
Science	3 (a physical science course, Biology, and	
	earth/environmental science)	
Social Studies	4 (including (1) a founding principles course which	
	shall be either American History: Founding Principles,	
	Civics and Economics or Founding Principles of the	
	United States of America and North Carolina: Civic	
	Literacy;† (2) an American History course which shall	
	be either (a) American History I, (b) American History	
	II, or (c) American History; (3) World History;± and (4)	
	Economics and Personal Finance^)	
Health/P.E.	1	
Electives	6 (2 electives must be any combination of Career and	
	Technical Education, Arts Education, or World	
	Language; 4 must be from one of the following:	
	Career and Technical Education, J.R.O.T.C., Arts	
	Education, or any other subject area or cross-	
	disciplinary course. A four-course concentration is	
	recommended.)‡	
Total Credits	22	28

^{*} Certain Advanced Placement (AP) courses will satisfy specific graduation requirements. See SBE policy GCS-L-008.

- [†] The founding principles courses, American History: Founding Principles, Civics and Economics and_Founding Principles of the United States of America and North Carolina: Civic must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses. See SBE Policy GRAD-004.
- ± It is strongly recommended that students take World History in the first year of their high school Social Studies course sequence due to the nature of the adoption of the new Social Studies Standard Course of Study effective in 2021-2022.
- ^ This course must, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education.

^{**} Students who are learning disabled in math may have other options for meeting the four mathematics credits requirement. See DPI memo of August 24, 2016 available at http://bit.ly/DPIMemo, and the math option chart liked below.

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

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

3. <u>Future-Ready Core Course of Study Credits Required for Students Entering Ninth</u> Grade for the First Time in 2021-2022

Courses Required	State Requirements	Local Requirements
<u>English</u>	4 sequential (English I, II, III, and IV)	<u>Requirements</u>
<u>Mathematics</u>	4 (NC Math 1, 2, and 3 and a fourth math course	
	aligned with the student's post-high school plans.)**	
	(A principal may exempt a student from this math	
	sequence. Exempt students will be required to pass	
	NC Math 1 and 2 and two other application-based	
	math courses or selected CTE courses, as identified	
	on the NC DPI math options chart.)***	
<u>Science</u>	3 (a physical science course, Biology, and	
	<u>earth/environmental science)</u>	
Social Studies	4 (including: Founding Principles of the United States	
	of America and North Carolina: Civic Literacy;†	
	Economics and Personal Finance; American History;	
	and World History)	
Health/P.E.	<u>1</u>	
<u>Electives</u>	6 (2 electives must be any combination of Career and	<u>6</u>
	Technical Education, Arts Education, or World	
	Language; 4 must be from one of the following:	
	Career and Technical Education, J.R.O.T.C., Arts	
	Education, or any other subject area or	
	crossdisciplinary course. A four-course concentration	
	<u>is</u>	
	recommended.)‡	_
Other Requirements	Completion of IEP objectives	
	<u>Career Portfolio</u>	
Total Credits	22	<u>28</u>

^{* &}lt;u>Certain International Baccalaureate (IB), Advanced Placement (AP), and Cambridge International Examination (CIE) courses will satisfy specific graduation requirements. See SBE Policy GRAD-008.</u>

- † This course must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses. See SBE Policy GRAD-004. † This course must, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education.
- Students seeking to complete minimum course requirements for UNC universities must complete two credits of a single world language.

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

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

<u>4.</u> Future-Ready Occupational Course of Study Credits Required for Students Entering Ninth Grade prior to 2020-2021 (only available to certain students with disabilities who have an IEP)

Courses Required	State Requirements	Local
		Requirements
English	4 (including English I, II, III, and IV)	
Mathematics	3 (including Introduction to Math, NC Math I, and	
	Financial Management)	
Science	2 (including Applied Science and Biology)	
Social Studies	2 (including American History I and American History	
	II* OR (1) American History: Founding Principles,	
	Civics and Economics or Founding Principles of the	
	United States of America and North Carolina: Civic	
	Literacy; and (2) American History I or American	
	History II or American History)**	
Health/P.E.	1	
Career/Technical	4 (Career/Technical Education electives)	
Occupational	6 (including <u>(1)</u> Occupational Preparation I <u>or</u>	
Preparation	Employment Preparation I: Science; (2) Occupational	
	Preparation II or Employment Preparation II:	
	Citizenship IA and Employment Preparation II:	
	Citizenship IB; (3) Occupational Preparation III or	
	Employment Preparation III: Citizenship IIA and	
	Employment Preparation III: Citizenship IIB; and (4)	
	Occupational Preparation IV or Employment	
	Preparation IV: Math, II, III, and IV, which require 150	
	hours of school-based training, 225 hours of	
	community-based training, and 225 hours of paid	
	employment)***	
Work Hours***	<u>600</u>	
Electives	0	6
Other Requirements	Completion of IEP objectives	
	Career Portfolio	
Total Credits	22	28

^{*} Applicable only to students entering the ninth grade for the first time prior to 2017-18.

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

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

4.<u>5.</u> Future-Ready Occupational Course of Study Credits Required for Students Entering Ninth Grade for the First Time in 2020-2021 (only available to certain students with disabilities who have an IEP)

Courses Required	State Requirements	Local
		Requirements
English	4 (including English I, II, III, and IV)	
Mathematics	3 (including Introduction to Math, NC Math I, and	
	Financial Management)	
Science	2 (including Applied Science and Biology)	
Social Studies	2 (including (1) a founding principles course which	
	shall be either American History: Founding	
	Principles, Civics and Economics or Founding	
	Principles of the United States of America and North	
	Carolina: Civic Literacy and (2) Economics and	
	Personal Finance)	
Health/P.E.	1	
Career/Technical	4 (Career/Technical Education electives)	
Occupational	6 (including (1) Occupational Preparation I or	
Preparation	Employment Preparation I: Science; (2) Occupational	
	Preparation II or Employment Preparation II:	
	Citizenship IA and Employment Preparation II:	
	Citizenship IB; (3) Occupational Preparation III or	
	Employment Preparation III: Citizenship IIA and	
	Employment Preparation III: Citizenship IIB; and (4)	
	Occupational Preparation IV or Employment	
	Preparation IV: Math, II, III, and IV, which require 150	
	hours of school-based training, 225 hours of	
	community-based training, and 225 hours of paid	
	employment)***	
Electives	0	6
Other Requirements	Completion of IEP objectives	
	Career Portfolio	
Total Credits	22	28

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

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

Courses Required	State Requirements	Local
		Requirements
<u>English</u>	4 (including English I, II, III, and IV)	
<u>Mathematics</u>	4 (including Introduction to Math, NC Math I, and	
	Financial Management and Employment Preparation	
	IV: Math (to include 150 work hours))	
<u>Science</u>	3 (including Applied Science, Biology, and	
	Employment Preparation I: Science (to include 150	
	work hours))	
Social Studies	4 (including Founding Principles of the United States	
	of America and North Carolina: Civic Literacy,	
	Economics and Personal Finance, Employment	
	Preparation II: Citizenship IA (to include 75 work	
	hours), and Employment Preparation II: Citizenship	
	IB (to include 75 work hours))	
Health/P.E.	<u>1</u>	
Career/Technical	4 (Career/Technical Education electives)	
<u>Additional</u>	2 (including Employment Preparation III: Citizenship	
<u>Employment</u>	IIA (to include 75 work hours) and Employment	
Preparation*	Preparation III: Citizenship IIB (to include 75 work	
	hours))	
<u>Electives</u>	<u>0</u>	<u>6</u>
Other Requirements	Completion of IEP objectives	
	• Career Portfolio	
Total Credits	<u>22</u>	<u>28</u>

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

B. HIGH SCHOOL END -OF-COURSE AND OTHER TESTING

High school students must take all end-of-course (EOC) tests and Career and Technical Education (CTE) State Assessments required by the State Board of Education and pursuant to policy 3410, Testing and Assessment Program.

C. SPECIAL CIRCUMSTANCES

The board adopts the following policies with regard to graduation.

Honor Graduates

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

2. Students with Disabilities

Graduation requirements must be applied to students with disabilities to the extent required by state and federal law and State Board policy.

3. Children of Military Families

In order to facilitate the on-time graduation of children of military families, the board adopts the following policy provisions for students to whom the Interstate Compact on Educational Opportunity for Military Children applies.

a. Waiver Requirements

Specific course work required for graduation will be waived if similar course work has been satisfactorily completed in another school system. If a waiver is not granted, school administrators shall provide the student with reasonable justification for the denial. If a waiver is not granted to a student who would qualify to graduate from the sending school, the superintendent or designee shall provide the student with an alternative means of acquiring the required course work so that the student may graduate on time.

b. Testing Requirements for Graduation

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

c. Transfers During Senior Year

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

4. Early Graduation

Graduation prior to that of one's class may be permitted on the basis of criteria approved by the board upon recommendation by the superintendent upon recommendation by the principal.

Students seeking to graduate with fewer than 28 credits may be permitted to do so under criteria approved by the superintendent upon recommendation by the principal. These students shall meet all state graduation requirements.

5. Graduation Certificates

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

6. Diploma Endorsements

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

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

Cross References: Goals and Objectives of the Educational Program (policy 3000), Dual Enrollment (policy 3101), Testing and Assessment Program (policy 3410), Student Promotion and Accountability (policy 3420), Citizenship and Character Education (policy 3530), Children of Military Families (policy 4050)

Adopted: January 9, 2014

Revised: August 14, 2014, May 12, 2016, March 9, 2017, March 8, 2018, July 9, 2020, January 14, 2021

EXTRACURRICULAR ACTIVITIES AND STUDENT ORGANIZATIONS

Policy Code:

3620

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 and 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 exceeded the number of absences allowed by policy 4400, Attendance failed to meet 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

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

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

A student participating in high school interscholastic athletics may participate only on the team consistent with the gender on the student's birth certificate unless otherwise permitted under North Carolina High School Athletic Association rules and regulations.

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 non-instructional 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. Efforts should be made to assure equity for all student groups is maintained.

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

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

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

For purposes of this section, a noncurriculum-related student group is one that is not directly related to the curriculum. A student group will be considered curriculum-related only if (1) the group's subject matter is taught in a regularly offered course or relates to the curriculum as a whole; (2) participation in the group is required as part of a course; or (3) participation in the group results in course credit.

C. SPECIAL CIRCUMSTANCES

Students with Disabilities

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

2. Transitioning Military Children Students

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

- a. providing information about extracurricular activities to transitioning incoming military children; 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-47(4), -390.2, -407.5; 16 N.C.A.C. 6E .0204; State Board of Education Policy ATHL-001; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000 N.C. High School Athletic Association Handbookk, available at https://www.nchsaa.org/students-and-parents/rules-and-regulations; Middle/Junior High School Athletic Manual (NCDPI), available at

https://sites.google.com/dpi.nc.gov/nchealthyschools/athletics

Cross References: Parental Involvement (policy 1310/4002), Race and Equity (policy 1705), 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), 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

ATTENDANCE Policy Code: 4400

School attendance and class participation are an integral part of academic achievement and the teaching-learning process. Regular attendance develops patterns of behavior essential to professional and personal success in life. Regular attendance by every student is mandatory: the State of North Carolina requires that every child in the State between the ages of seven (or younger if enrolled) and 16 years attend school.

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

A. ATTENDANCE RECORDS

School officials will keep an accurate record of attendance, including accurate attendance records in each class. <u>Students will be considered in attendance if present at least half of the instructional day on-site in the school or at a place other than the school attending an authorized school-related activity.</u>

To be in attendance during remote instruction days, students must:

- (1) complete their daily assignments, either online or offline; and/or
- (2) have a daily check-in through two-way communication with
 - (a) the homeroom teacher for grades K-5; or
 - (b) each course teacher, as scheduled, for all other grade levels.

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

B. LATE ARRIVALS AND EARLY DEPARTURES

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

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

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

C. EXCUSED ABSENCES

When a student must miss school, a written excuse signed by a parent or guardian must be presented to the teacher or principal designee within 2 days after returning from an absence. Absences due to extended illness may also require a statement from a physician health care practitioner. An absence may be excused for any of the following reasons:

- 1. personal illness or injury that makes the student physically unable to attend school;
- 2. isolation ordered by the local health officer or by the State Board of Health;
- death in the immediate family;
- 4. medical or dental appointment;
- 5. attendance at the proceedings of a court or administrative tribual is the student is party to the action or participation under subpoena as a witness in a court proceeding;
- 6. observance of an event required or suggested by the religion of the students or the student's parent(s);
- 7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal;
- 8. pregnancy and related conditions or parenting, when medically necessary;

9. a minimum of two days each academic year for visitation with the student's parent or legal guardian if the student is not identified as at risk of academic failure because of unexcused absences and the student's parent or legal guardian (a) is an active duty member of the uniformed services as defined by policy 4050, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting.

Extended illnesses generally require a statement from a physician. Once a student has accumulated more than 15 absences in a school year (or more than five consecutive absences), a doctor's note, or other documentation approved by the principal, will be needed to excuse further absences. This standard does not apply to medically fragile students as defined in the North Carolina School Attendance and Student Accounting Manual and approved by the principal.

In the case of excused or unexcused absences, short-term out-of-school suspensions, and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her school work. (See also policies 4110, Immunization and Health Requirements for School Admission, and 4351, Short-Term Suspension.) The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

C.D. SCHOOL-RELATED ACTIVITIES

While recognizing the importance of classroom learning, the board also acknowledges that out-of-classroom, school-related activities can provide students with valuable experiences not available in the classroom setting. All classroom activities are important and difficult, if not impossible, to replace if missed. It is the intention of the board of education that classes missed be kept to an absolute minimum through close scrutiny and a monitoring system on the part of the principal. The following school-related activities will not be counted as absences from either class or school:

- 1. field trips sponsored by the school;
- 2. job shadows and other work-based learning opportunities, as described in G.S.115C-47(34a);
- school-initiated and scheduled activities;

- 4. athletic events requiring early dismissal from school;
- 5. Career and Technical Education student organization activities approved in advance by the principal; and

6. in-school suspension.

<u>In addition, students participating in disciplinary techniques categorized as in-school</u> suspensions will not be counted as absent.

E. MAKEUP WORK

In the case of excused absences, short-term out-of-school suspensions, and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her missed work. (See also policies 4110, Immunization and Health Requirements for School Admission, and 4351, Short-Term Suspension.) Assignments missed due to participation in school-related activities also are eligible for makeup by the student. The teacher shall determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

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

D.F. Excessive Unexcused Absences

Class attendance and participation are critical elements of the educational process and may be taken into account in assessing academic achievement. Students are expected to be at school on time and to be present at the scheduled starting time for each class.

The principal will notify parents and take all other steps required by G.S. 115C-378 for excessive, <u>unexcused</u> absences.

Any school disciplinary consequences for unexcused absences will be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall

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

G. CHRONIC ABSENTEEISM

Because class attendance and participation are critical elements of the educational process, any absences, whether excused or unexcused, can have a negative impact on a student's academic achievement. Regular attendance must be prioritized within each school and encouraged throughout the community. School administrators shall monitor and analyze attendance data to develop and implement strategies for reducing chronic absenteeism. Such strategies should involve engaging students and parents, recognizing good and improved attendance, providing early outreach to families of students missing school, and identifying and addressing barriers to attendance.

If a student is absent from school for five or more days in a semester, the principal or a committee established by the principal shall consider whether the student's grades should be reduced because of the absences. The principal or committee shall review other measures of academic achievement, the circumstances of the absences, the number of absences, and the extent to which the student completed missed work. A committee may recommend to the principal and the principal may make any of the following determinations:

- 1. the student will not receive a passing grade for the semester;
- the student's grade will be reduced;
- the student will receive the grade otherwise earned; or
- 4. the student will be given additional time to complete the missed work before a determination of the appropriate grade is made.

H. SPECIAL CIRCUMSTANCES

1. Students with Chronic Health Problems

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

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Students with excused absences due to documented chronic health problems are exempt from this policy. In addition,

Students Experiencing Homelessness

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

3. Attendance Requirements for Extracurricular Activities

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

E. TARDIES

The principal is responsible for handling tardies and for establishing relevant school procedures that are in compliance with the NC School Attendance and Student Accounting Manual. Students are expected to be at school on time and to be present at the scheduled starting time for each class and be present for the entire school day.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.; G.S. 115C-47, -84.2, -288(a), -375.5, -378 to -383, -390.2(d), -390.2(l), -390.5, -407.5; 130A-440; 16 N.C.A.C. 6E .0102, .0103, .0106; State Board of Education Policies ATND-000, -003, NCAC-6E.0104

Cross References: Extracurricular Activities and Student Organizations (policy 3620), Education for Pregnant and Parenting Students (policy 4023), Children of Military Families (policy 4050), Immunization and Health Requirements for School Admission (policy 4110), Homeless Students (policy 4125), Student Behavior Policies (policy 4300), Short-Term Suspension (policy 4351)

Other Resources: NC DPI Multi-Tiered System of Support Implementation Guide, available at https://www.livebinders.com/play/play/2052295?tabid=180c26e7-0236-1ff0-3f53-291910458e28#anchor

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

Revised: April 10, 2008, May 14, 2009, September 10, 2009, November 10, 2011, June 13, 2013, July 9, 2015, July 14, 2016, September 14, 2017, August 16, 2018, February 14, 2019, January 9, 2020, January 14, 2021

PUBLIC RECORDS – RETENTION, RELEASE, AND DISPOSITION

Policy Code:

5070/7350

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

A. PUBLIC RECORD DEFINED

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

Though the school improvement plan is a public record, the school safety components of the plan are not public records subject to public records law. Schematic diagrams, as described in G.S. 115C-105.53 and -105.54, and emergency response information, as described in G.S. 115C-47(40) and -105.54, are also not considered public records subject to public records law.

The official records of students are not public records subject to inspection and examination. (For additional information regarding the release of information about students, see policy 4700, Student Records.) Further, any written material containing the identifiable scores of individual students on any test taken pursuant to the state testing program described in Chapter 115C, Article 10A of the North Carolina General Statutes is not a public record. Any test that is developed, adopted, or provided as part of the state testing program is not a public record until the State Board of Education designates that the test is released.

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

- 1. Name.
- 2. Age.
- 3. The date of original employment or appointment.

- 4. The terms of any past or current contract by which the employee is employed, whether written or oral, to the extent that the board has the written contract or a record of the oral contract in its possession.
- 5. Current position.
- 6. Title.
- 7. Current salary (includes pay, benefits, incentives, bonuses, deferred compensation, and all other forms of compensation paid to the employee).
- 8. The date and amount of each increase or decrease in salary with the board.
- 9. The date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the board.
- The date and general description of the reasons for each promotion with the board.
- 11. The date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the board. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board setting forth the specific acts or omissions that are the basis of the dismissal.
- 12. The office or station to which the employee is currently assigned.

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

B. Designation of Records Officer

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

Duties of the Records Officer

The duties of the records officer include the following:

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

- b. determining the most cost-effective means of storing and retrieving public records that include confidential information;
- c. providing training, consultation, and guidelines to school officials who respond to or are otherwise involved in public records requests;
- determining the actual cost of providing copies of public records in various forms, such as paper or electronic media, in which the school system is capable of providing the records;
- e. determining the cost of a request for copies of public records when a special service charge is applicable or when the school system is voluntarily creating or compiling a record as a service to the requester; and
- f. reviewing appeals of any denial of a request for public records.

2. Other Duties

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

- a. will not impede the school system's ability to permit public inspection and examination of public records; and
- b. provides a means of obtaining copies of such records.

C. REQUESTS FOR PUBLIC RECORDS

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

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

D. FEES FOR COPIES OF PUBLIC RECORDS

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

E. ELECTRONIC MAIL LISTS

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

F. DESTRUCTION OF PUBLIC RECORDS

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

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 14-113.8(6); 115C-47(40),-105.27(a2); -105.53, -105.54,÷ - 109.3, -174.13, -319 to -321, -402; 132-1 to -9; Records Retention and Disposition Schedule for Local Education Agencies, N.C. Department of Natural and Cultural Resources (1999), available at t

https://archives.ncdcr.gov/documents/local-education-agencies-schedule

https://archives.ncdcr.gov/government/retention-schedules/local-government-

schedules#localschedules General Records Schedule for Local Government Agencies, N.C.

Department of Natural and Cultural Resources (2019), available at

https://archives.ncdcr.gov/government/retention-schedules/local-government-

schedules/general-records-schedule-local-government

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

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

Revised: October 11, 2007, January 9, 2014, August 13, 2015, May 12, 2016, July 12, 2018,

February 13, 2020

Public record-keeping requirements and federal and state law require that the school system properly manage its electronically stored information ("ESI"). To the extent required by law, school personnel shall maintain ESI in accordance with this policy and/or the applicable records retention and disposition schedule(s) ("Schedule") issued by the North Carolina Department of Natural and Cultural Resources.

A. System-Wide E-mail Retention and Employee Responsibility for ESI

All e-mails produced and received using the school system email system are the property of the school system and will automatically be retained by the school system for a minimum of three years. In some cases, business-related e-mails must be retained longer, according to the Schedule, and individual employees are required to review the Schedule and save such e-mails, in hard copy or electronic format, for the applicable time period. For ESI other than e-mail, each employee shall retain such records, in hard copy or electronic format, for the time period required by the Schedule.

B. LITIGATION HOLDS FOR ESI

The school system will have an ESI team. The ESI team is a designated group of individuals who implement and monitor litigation holds, which are directives not to destroy ESI that might be relevant to a pending or imminent legal proceeding. The ESI team must include a designated administrator, the school board attorney, and a member from the technology department. In the case of a litigation hold, the ESI team shall direct employees and the technology department, as necessary, to suspend the normal disposition procedure for all related records.

C. INSPECTION OF ESI

Any requests for ESI records should be made in writing and will be reviewed by the records officer (see policy 5070/7350, Public Records – Retention, Release, and Disposition), in consultation with the school board attorney if needed, and released in accordance with North Carolina public records laws.

D. DELEGATED AUTHORITY

The board of education delegates to the superintendent or designees the right to implement and enforce additional procedures or directives relating to ESI retention consistent with this policy.

5071/7351

Legal References: Fed. R. Civ. P. 16, 26, 33, 37, 45; North Carolina Public Records Act, G.S. 132; *E-Mail as a Public Record in North Carolina: A Policy for Its Retention and Disposition*, N.C. Department of Natural and Cultural Resources (2009), available at https://archives.ncdcr.gov/government/digital-records/digital-records-policies-and-guidelines; *Records Retention and Disposition Schedule for Local Education Agencies*, N.C. Department of Natural and Cultural Resources (1999), available at

https://archives.ncdcr.gov/documents/local-education-agencies-schedule; General Records Schedule for Local Government Agencies, N.C. Department of Natural and Cultural Resources (2019), available at

https://archives.ncdcr.gov/government/retention-schedules/local-government-schedules/general-records-schedule-local-government

Cross References: Public Records – Retention, Release, and Disposition (policy 5070/7350)

Adopted:

The superintendent or designee shall establish school nutrition services consistent with board goals as provided in board policy 6200, Goals of School Nutrition Services, and state and federal laws and regulations. Duties related to the nutrition services will be included in appropriate job descriptions. Each principal and cafeteria manager is responsible for the school nutrition services program in his or her school, under the supervision of the director of child nutrition.

The superintendent shall verify that all school nutrition services personnel are certified and trained in accordance with law.

Legal References: Healthy, Hunger-Free Kids Act of 2010, P.L. 111-29660; G.S. 115C-36

Cross References: Goals of School Nutrition Services (policy 6200)

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

Revised: January 8, 2015

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

Policy Code: **6220**

- beverages, as defined in G.S. 115C-264.1 and to foods grown or raised within North Carolina.
- 8. Child Nutrition Program (CNP) funds will be used only for the purposes authorized by law. Indirect costs, as defined by law, will not be assessed to the CNP unless the program has a minimum of one month's operating balance.
- 9. The price for meals will be determined in accordance with federal law.
- 10. Nonprogram foods will be priced to generate sufficient revenues to cover the cost of those items. A nonprogram food is defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account.
- 11. All school nutrition services will be operated on a non-profit basis for the benefit of the CNP. School nutrition services are those that are operated from 12:01 a.m. until the end of the last 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 for the Child Nutrition Program 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 child 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 child'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 child 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. 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. A copy of the meal charges policy and any applicable procedures will be available to parents 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 http://childnutrition.ncpublicschools.gov/regulations-policies/usda-policy-memos; G.S. 115C-47(7), 47(22), -263, -264, -264.1, -426, -450, -522; 16 N.C.A.C. 6H .0104; State-Board of Education Policy NCAC 6H.0004

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

All employees or other individuals who select foods or beverages to be sold to students on a school campus during the school day shall select and procure such foods and beverages in a manner consistent with the goals established by the board in policy 6200, Goals of School Nutrition Services, and policy 6140, Student Wellness, and with all state and federal laws and regulations. Additionally, in furtherance of the board's goals, the board establishes the following standards for school meals and other foods sold or available on school campuses.

A. SCHOOL MEAL REQUIREMENTS

Meals and snacks provided through the National School Lunch, School Breakfast, and After School Snack Programs must comply with all federal nutrition standards applicable to the respective program, including meal component requirements and dietary standards.

B. FOODS OTHER THAN SCHOOL MEALS

Definitions

a. School day

As used in this policy, "school day" means the period from midnight through 30 minutes after the dismissal bell rings.

b. Competitive foods

Competitive foods are all foods and beverages, other than meals reimbursed through the federally-funded school nutrition programs, available for sale to students on campus during the school day.

Foods Sold From Midnight Until the End of the Last Lunch Period

The sale of food and beverages between midnight and the end of the last lunch period is the responsibility of the Child Nutrition Program (CNP), and the CNP will retain the proceeds. No foods or beverages may be sold to students on any school campus during that time period except through the Child Nutrition Program. The school principal and CNP personnel shall ensure that all competitive foods, including vended *a la carte* and all other *a la carte* or supplemental food and beverages, sold during that time period-meet the federal Smart Snacks nutrition standards.

3. Foods Sold Between the Last Lunch Period and the End of the School Day

Each year, through its School Nutrition Program Annual Agreement, the board will establish accountability for the sale of competitive foods during the period between the end of the last lunch period and the end of the school day. All foods sold during that period must comply with the federal Smart Snacks nutrition standards. This includes foods sold in vending machines (see subsection B.4, below), in school stores, and in other sales venues on the school campus.

4. Foods Sold After the School Day

Foods sold after the school day are not subject to the federal Smart Snacks standards but are subject to any school rules established pursuant to policy 6140, Student Wellness.

5. Vending Sales During the School Day

In elementary schools, no beverage or snack vending to students is permitted outside of the School Nutrition Program.

In middle and high schools, all vended snack foods and beverages sold during the school day must meet the federal Smart Snacks standards and any more restrictive state requirements.

Bottled water must be available in every school that has beverage vending.

6. Fund-Raising Activities Involving Food or Beverages

All fund-raising activities that involve the sale of food or beverages to students must occur outside the school day. Tokens of exchange for foods or beverages to be delivered later in the day also are prohibited during the school day.

Fund-raising activities that are conducted after the school day are not required to comply with the federal Smart Snacks nutrition standards, but are subject to policy 6140, Student Wellness, and any school rules established pursuant to that policy.

7. Foods Brought from Home for School Events

Each school principal may establish standards for food and beverages brought from home to be shared for classroom events or parties during the school day or for extracurricular activities after school. The board encourages principals to establish rules that are consistent with the Smart Snacks nutrition standards.

8. Responsibility for Compliance with the Limits on the Sale of Competitive Foods

The limitations on the sale of competitive foods during the school day established by law and this policy are intended to encourage students to develop healthy eating habits and to ensure the ability of the schools to provide nutritious meals at the lowest possible cost.

All employees, student groups, volunteers, school support organizations, and other parties within the school environment must comply with the restrictions and conditions on the sale of competitive foods to students during the school day imposed by federal and state law, this policy, and the terms of the board's School Nutrition Program Annual Agreement.

The superintendent shall hold each principal responsible for consistent enforcement of this policy.

9. Consequences for Non-Compliance with the Limits on the Sale of Competitive Foods

Employees will be subject to disciplinary sanctions for violating the requirements pertaining to the sale of competitive foods as described in this or other relevant board policy, the board's School Nutrition Program Annual Agreement, or federal or state law or regulation. Discipline may include suspension or dismissal for repeated willful violations. The superintendent may take all reasonable steps necessary to prevent violation of the competitive foods rules by any student or student group, volunteer, school support organization, or other party.

If a school is found by the North Carolina Department of Public Instruction to be in violation of the rules pertaining to the sale of competitive foods as established in federal or state law or <u>regulation State Board of Education Policy NCAC-6H.0004</u> and the violations results in a monetary sanction against the Child Nutrition Program, the superintendent may require the school's principal to reimburse the Child Nutrition Program from the operating account of the school.

Nothing in this policy is intended to regulate or limit foods that students bring from home as part of a bag lunch.

Legal References: Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq.*; Healthy, Hunger-Free Kids Act of 2010, P.L. 11-296, 7 C.F.R. Part 210; National School Lunch Act, 42 U.S.C. 1751, *et seq.*; G.S. 115C-47(7), -47(22), -263, -264, -264.2, -264.3; 16 N.C.A.C. 6H .0104; State Board of Education Policyies CHNU-002, NCAC-6H.0004; *Eat Smart: North Carolina's Recommended Standards for All Foods Available in School*, NC Department of Health and Human Services, NC Division of Public Health (2004)

Cross References: Student Wellness (policy 6140), Goals of School Nutrition Services (policy

6200)

Adopted: June 11, 2015

Updated: November 12, 2015, September 14, 2017

Services will be purchased in a manner consistent with the board's purchasing goals. Competitive bidding is not required for the purchase of services; however, contracts for services will be made under conditions which foster competition among potential providers when feasible and after careful pricing.

For all purchases and contracts, the board will comply with current federal and state laws.

Contracts entered into with entities or individuals to provide a driver education program for students must be awarded on a competitive basis through requests for proposals to contract and in accordance with the requirements of State Board of Education Policy DRIV-001.

This policy does not apply to contracts for architectural, engineering, surveying, and construction management at risk services, which are governed by policy 9110, Use and Selection of Architects, Engineers, Surveyors, and Construction Managers At Risk.

Legal References: <u>2 C.F.R. 200.317-200.326</u>; G.S. 115C-36; 143-64.31; 147 art. 6E, art. 6G; <u>16</u> N.C.A.C. 6E .0303; State Board of Education Policy DRIV-001

Cross References: Goals of the Purchasing Function (policy 6400), Federal Grant Administration (policy 8305), Use and Selection of Architects, Engineers, Surveyors, and Construction Managers At Risk (policy 9110)

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

Revised: October 13, 2016, November 9, 2017, May 9, 2019

PERMITTED SALARY DEDUCTIONS FOR ABSENCES AND DISCIPLINE OF CERTAIN EXEMPT EMPLOYEES

Policy Code:

7560

The board will comply with the requirements of the Fair Labor Standards Act (FLSA) and applicable state laws and State Board of Education policies. A school employee who is classified as an exempt employee subject to the salary basis requirement of the FLSA must receive the full salary for any workweek in which the employee performs any work, subject to the exceptions listed below. Exempt employees need not be paid for any workweek in which they perform no work.

The board prohibits making improper deductions from the salaries of exempt employees.

A. DEDUCTIONS FROM PAY

The following information applies only to exempt employees subject to the FLSA salary requirements as described in 29 C.F.R. Part 541 Subpart G.

- 1. The board will make partial or full day deductions from the pay of an exempt employee if: the employee accrues paid leave; the employee is absent for personal reasons or because of illness or injury; and the employee does not use accrued leave because of one of the following reasons:
 - a. permission for its use has not been sought or has been sought and denied;
 - b. accrued leave has been exhausted; or
 - c. the employee chooses to use leave without pay.
- 2. In addition, the board may make deductions from the pay of an exempt employee in the following circumstances:
 - a. to offset amounts the employee received as jury fees, witness fees, or military pay;
 - b. during the initial or final week of employment;
 - c. for penalties imposed in good faith for infractions of safety rules of major significance; or
 - d. for unpaid disciplinary suspension of one or more full days imposed in good faith for infractions of workplace conduct rules.

B. Reporting Improper Deductions

If an employee believes that an improper deduction has been made to his or her salary, the employee should report this information to his or her direct supervisor as soon as possible. Any supervisor who receives a report of an alleged improper deduction must notify the payroll department immediately.

Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for the improper deduction.

If the complaining employee is not satisfied with the investigation concerning improper deductions, he or she may file a grievance pursuant to policy 1750/7220, Grievance Procedure for Employees.

Legal References: Fair Labor Standards Act of 1938, as amended, 29 U.S.C. 201 *et seq.*, 29 C.F.R. Part 541; *North Carolina Public Schools Benefits and Employment Policy Manual* (N.C. Dept. of Public Instruction, current version), available at https://www.dpi.nc.gov/districts-schools-support/district-human-capital/employee-policy

Cross References: Grievance Procedure for Employees (policy 1750/7220), Leave (policy 7510), Family and Medical Leave (policy 7520), Military Leave (policy 7530), Voluntary Shared Leave (policy 7540)

Adopted:

ASHEBORO CITY BOARD OF EDUCATION Asheboro City Schools Professional Development Center

May 13, 2021 7:30 p.m.

6:15 p.m. - Policy Committee 6:45 p.m. - Finance Committee

I. Opening

- A. Call to Order
- B. Moment of Silence
- C. Pledge of Allegiance
- *D. Approval of Agenda

II. Special Recognition and Presentations

- A. Points of Pride Ms. Leigh Anna Marbert, Public Information Officer
- B. Community Partnership Ms. Vanessa Brooks, Family Engagement Specialist
- C. Apple of Excellence Ms. Chandra Manning, Beginning Teacher Coordinator/Curriculum Specialist
- D. Asheboro City Schools Teachers of the Year Dr. Aaron Woody, Superintendent

III. Public Comments

A. Citizens who signed up to address the Board will be called on to make comments. Each individual speaker will be allowed three minutes for remarks. Issues or concerns involving personnel matters are not appropriate for the public comment setting.

IV. *Consent Agenda

- A. Approval of Minutes April 15, 2021 Board of Education
- **B** Personnel
- C. Policies Recommended for Approval:
 - Policy 1300 Governing Principle Parental Involvement
 - Policy 1310/4002 Parental Involvement
 - Policy 1500 Governing Principle Safe, Orderly, and Inviting Environment
 - Policy 1510/4200/7270 School Safety
 - Policy 1600 Governing Principle Professional Development
 - Policy 1700 Governing Principle Removal of Barriers
 - Policy 1740/4010 Student and Parent Grievance Procedure
 - Policy 1742/5060 Responding to Complaints
 - Policy 1750/7220 Grievance Procedure for Employees
 - Policy 1760/7280 Prohibition Against Retaliation
 - Policy 4001 Equal Educational Opportunities
 - Policy 4023 Education for Pregnant and Parenting Students
 - Policy 7232 Discrimination and Harassment in the Workplace
 - Policy 7820 Personnel Files
- D. Career and Technical Education Plan Budget for 2021-2022
- E. Budget Amendment S-08
- F. Budget Amendment F-03

V. *Action Items

A. Asheboro City Schools Mental Health Plan – Ms. Suzanne Cash, Mental Health Specialist, and Ms. Kimberly Clodfelter, Mental Health Specialist

VI. Information, Reports, and Recommendations

- A. Asheboro High School Graduation Plans Dr. Aaron Woody, Superintendent
- B. Policies for 30-Day Review Dr. Drew Maerz, Director of Testing and Accountability
 - Policy 3000 Goals and Objectives of the Educational Program
 - Policy 3102 Online Instruction
 - Policy 4202/5029/7272 Service Animals in Schools
 - Policy 4328 Gang-Related Activity
 - Policy 4333 Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety
 - Policy 4335 Criminal Behavior
 - Policy 4345 Student Discipline Records
 - Policy 4353 Long-Term Suspension, 365-Day Suspension, Expulsion
 - Policy 7335 Employee Use of Social Media
 - Policy 7503 Remote Working
- VII. Superintendent's Report Dr. Aaron Woody, Superintendent
 - A. Board Update
- VIII. Board Operations Mr. Michael B. Smith, Chairman
 - A. Calendar of Events
- IX. Adjournment

Asheboro City Schools Board of Education meetings are paperless. All information for the board meetings may be viewed at http://www.asheboro.k12.nc.us under Board of Education the Friday following the board meeting.

^{*}Item(s) requires action/approval by the Board of Education

ASHEBORO CITY BOARD OF EDUCATION Asheboro City Schools Professional Development Center

May 13, 2021 7:30 p.m.

Addendum

6:15 p.m. - Policy Committee 6:45 p.m. - Finance Committee

- I. Opening
- II. Special Recognition and Presentations
- III. Public Comments
- IV. *Consent Agenda
 - B. Personnel (Addendum Added)
 - G. Noncompetitive Funds Request (Sole Source Waiver) ELLevation (Added)
 - H. Noncompetitive Funds Request (Sole Source Waiver) Curriculum Associates (Added)
 - I. Asheboro High School Phase III Construction Contract with J.M. Thompson (Added)
- V. *Action Items
- VI. Information, Reports, and Recommendations
- VII. Superintendent's Report
- VIII. Board Operations
 - IX. Adjournment

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^{*}Item(s) requires action/approval by the Board of Education





Points of Pride May 13, 2021

Tanush Sriram – State Winner in the NC Science and Engineering Fair

Congratulations to Tanush Sriram for placing third in the Technology division and for receiving two special recognitions at the NC Science and Engineering Fair. Tanush placed second in the Water Conservation category and first in the Master of Engineering category!

Jaysin Martin Selected for NC Honors Band

Jaysin Martyn, a sophomore at Asheboro High School and son of Amanda Martyn (BAL), has been selected by competitive audition for the 2021 NC All-State Honors Band. Jaysin is the first AHS clarinet player to make the All-State Band in 25 years. "Jaysin is a remarkably talented musician and we expect great things from him," said Phil Homiller, ACS Band Director. The NC All-State Honors Band is an annual ensemble made up of the finest musicians from all schools (public and private) of all size classifications, selected through competitive auditions from the top musicians in each of the seven districts in NC.

ACS Celebrates Teachers During Teacher Appreciation Week

During the week of May 3, Asheboro City Schools recognized Teacher Appreciation Week by giving candy grams to all staff members. Candies were labeled with encouraging and uplifting words and phrases to show our appreciation for our incredible staff. In the wake of one of the most challenging school years in our district's history, we wish to expressly thank our dedicated staff who have persevered with grace, kindness, and care.

ACS Recognizes Children's Mental Health Awareness Week

In support of Children's Mental Health Awareness Week during the week of May 3, ACS shared resources with principals and teachers focused on debunking myths and misperceptions about children's mental health. The district came together to "flip the script" by wearing green on Friday, May 7 to show a united front to promote mental wellness for our school community.

COVID-19 Vaccines for Students

ACS proudly partnered with Randolph County Public Health to host a COVID-19 vaccination clinic for students ages 16 year and up on Tuesday, May 4 from 9-11 a.m. in the new gym on the campus of Asheboro High School. Randolph County Public Health officials provided approximately 50 doses of the Pfizer vaccine free of charge to students 16 and up with written parental consent. This unique partnership was then highlighted during a monthly call with communications practitioners from NCDPI, NCDHHS, and school districts statewide on the same day.

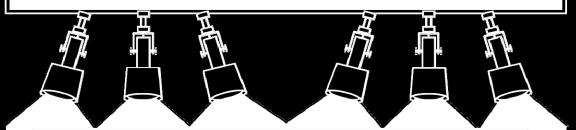
ACS Participates in May Day Celebration

On May 1, district leaders participated in the annual May Day Celebration at the former Central School 10 a.m. - 4 p.m. The event was free and open to the community. There were a number of family-friendly activities for children of all ages. ACS had a table where we shared information about summer school, summer feeding, kindergarten orientation, and employment and volunteer opportunities. We are grateful to our community partners for inviting us to be a part of this special event.

ACS Celebrates School Nurses

The district lifted up school nurses during National School Nurse Day on May 12. National School Nurse Day is a time when we celebrate and recognize the contributions that school nurses make and thank them for their support and dedication. This year we especially want to place special emphasis on uplifting our hard-working school nurse team. They have been critical in helping the district manage the impacts of COVID-19. We wish to recognize school nurses: Lashonda McDonald, Veronica Loflin, Heather Meisch, Terri Otto Kahn, Kaitlyn Wicker, and Meredith Baird.

May 13, 2021



Special Recognitions and Presentations

Points of Pride

Leigh Anna Marbert, Public Information Officer, will share the monthly Points of Pride report, highlighting a number of student, staff, and district achievements.

Community Partnership Feature

Vanessa Brooks, Family Engagement Specialist and Volunteer Coordinator, will recognize our advisory councils who have been critical this past school year in response to the COVID-19 global pandemic.

Apple of Excellence First-Year Teacher

Chandra Manning, Beginning Teacher Coordinator and Curriculum Specialist, will recognize our Apple of Excellence First-Year Teacher.

ACS Teachers of the Year

Dr. Aaron Woody, Superintendent, will recognize school-level Teachers of the Year and announce the Asheboro City Schools 2021 Teacher of the Year and finalist.

Asheboro City Schools Board of Education Asheboro City Schools Professional Development Center April 15, 2021

Budget and Finance Committee

Board Members attending in person:

Michael Smith, Chairman Baxter Hammer, Vice Chair Linda Cranford

Ryan Patton (6:20 p.m.) Gwen Williams Archie Priest, Jr. (6:15 p.m.)

Dr. Beth Knott Gus Agudelo (6:35 p.m.)

Board Members absent:

Gidget Kidd Art Martinez Phillip Cheek

Staff Members attending in person:

Dr. Aaron Woody Sandra Spivey Anthony Woodyard

Donna Gentry Carla Freemyer Lee Clark
Dr. Wendy Rich Dr. Drew Maerz Will Castro

Ed Keller Kristen Wright

Chairman Smith welcomed all in attendance and called the meeting to order at 6:12 p.m.

Ms. Spivey began by thanking the Randolph County Commissioners for their generosity and continued support of the Asheboro High School renovation project. The Commissioners voted at their April 5, 2021 meeting to approve a project budget of \$29.7 million for renovations to the original Asheboro High School building.

Ms. Spivey presented a proposed budget request for the 2021-2022 school year for local current expense appropriation, capital outlay appropriation, and the supplemental tax rate. Included in the local current expense increase request is continuation costs of \$120,000 as well as \$330,000 for a 1% local supplement increase for all employees. No change was requested in capital outlay appropriation or for the supplemental tax rate. Upon motion by Mr. Hammer and seconded by Ms. Cranford, the Board unanimously approved the request as presented.

Ms. Spivey presented a proposed increase in the bus driver pay schedule for the 2021-2022 school year of fifty cents per hour for all bus drivers as well as an incentive to other classified employees of fifty cents more per hour when driving a bus. Upon motion by Mr. Agudelo and seconded by Mr. Patton, the Board unanimously approved the proposal as presented.

Ms. Spivey reviewed the contract to audit accounts from Anderson, Smith & Wike, PLLC included in the consent agenda of this evening's Board of Education meeting. After seeking competitive bids, we are recommending Anderson, Smith & Wike, PLLC as our audit firm for the next three years. Anderson, Smith & Wike, PLLC currently provides audit services for 60 out of 115 school districts in North Carolina. The contract will provide a cost savings over the previous audit contract.

Ms. Spivey reviewed the planned budget information for the ESSER II and III applications (Elementary and Secondary School Emergency Relief Fund). This grant submission is due by May 7, 2021. These

funds must be used to address learning loss, provide summer school for 2021, improve air quality, prepare for long-term closure activities, purchase technology, prepare for response to COVID-19, address facility repairs needed to minimize the transmission of the virus, address the unique needs of special populations, and provide additional mental health services. The ESSER II and III budget application was presented in Board of Education meeting for approval consideration.

Ms. Spivey reviewed the following three items related to the Asheboro High School Phase III Renovation project. Budget Amendment CO-02 includes the additional \$25,268,840 approved by the Randolph County Commissioners on April 5, 2021. The project budget details the expenditure categories for the overall project budget of \$29,468,840. The recommendation for the intent to award the General Contractor Contract to J.M. Thompson, the lowest bidder, will be presented in this evening's Board of Education meeting for approval consideration.

There being no further business, the meeting was adjourned at 6:40 p.m.

Policy Committee

Board Members attending in person:

Michael Smith, Chairman Baxter Hammer, Vice Chair Linda Cranford Ryan Patton Gwen Williams Dr. Beth Knott

Archie Priest, Jr. Gus Agudelo

Board Members absent:

Art Martinez Gidget Kidd Phillip Cheek

Staff Members attending in person:

Dr. Aaron Woody Dr. Drew Maerz Carla Freemyer
Dr. Wendy Rich Donna Gentry Leigh Anna Marbert

Anthony Woodyard Sandra Spivey Lee Clark

Ed Keller Will Castro

The meeting was called to order at 6:45 p.m. and Dr. Maerz presented the following policy amendments:

- Policy 3000 Goals and Objectives of the Educational Program: Minor language updates; Updated legal references.
- Policy 3102 Online Instruction: Added language regarding remote learning.
- Policy 4202/5029/7272 Service Animals in Schools: Updated titles of referenced policies and cross references.
- Policy 4328 Gang-Related Activity: Updated titles of referenced policies and cross references.
- Policy 4333 Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety: Updated cross references.
- Policy 4335 Criminal Behavior: Updated cross references.
- Policy 4345 Student Discipline Records: Updated cross references.
- Policy 4353 Long-Term Suspension, 365-Day Suspension, Expulsion: Updated cross references.
- Policy 7335 Employee Use of Social Media: Added approved video-conferencing platforms to

list of electronic means to consider when communicating with students; Updated referenced policies; Updated cross references.

• Policy 7503 – Remote Working: Updated cross references.

These policies will be presented to the Board for 30-day review in May.

There being no further business, the meeting was adjourned at 7:05 p.m.

Board of Education Meeting

Board Members attending in person:

Michael Smith, Chairman Baxter Hammer, Vice Chair Gus Agudelo Linda Cranford Archie Priest, Jr. Ryan Patton

Gwen Williams Dr. Beth Knott

Scott Eggleston

Board Members absent:

Art Martinez Gidget Kidd Phillip Cheek

Staff Members attending in person:

Dr. Aaron Woody

Donna Gentry

Dr. Wendy Rich

Dr. Drew Maerz

Will Gester

Lee Clark Will Castro Ed Keller

Carla Freemyer Deanna Wiles Chandra Manning

Sarah Beth Robbins Leigh Anna Marbert

Staff Members attending virtually:

Barbara Skelly Ray Horton Robin Harris
Vanessa Brooks Christina Kinley MacKenzie Palmer

Ron Dixon Julie Brady

Opening

Chairman Smith called the meeting to order at 7:32 p.m. and welcomed all in attendance, then followed with a moment of silence and The Pledge of Allegiance.

Upon motion by Ms. Williams and seconded by Dr. Knott, the Board unanimously approved the meeting agenda.

Special Recognitions

Community Partner Spotlight: Randolph Health, Prevo Drug, and Randolph County Public Health were recognized as the Community Partners for their assistance in providing COVID-19 vaccination opportunities for our employees.

Points of Pride: The following Points of Pride were presented by Ms. Leigh Anna Marbert, Public Information Officer.

We have all students back in Plan A!: Since the beginning of the 2020-2021 school year, we have been working to have all students in grades K-12 back in school for full-time, in-person instruction and WE ARE THERE! On March 22, we welcomed elementary students, and on April 6, our 6-12 students for face-to-face instruction. Smiling students, excited teachers, and relieved families have filled our campuses these last few weeks. While we still have approximately 25 percent of our student body participating virtually in ACCESS Ed, we hope they will eventually be comfortable with face-to-face instruction and join us for the remainder of the 2020-2021 school year!

Mrs. Brooks and Mrs. Williams Receive Mentor Awards: Family Engagement Specialist, Vanessa Brooks, and Asheboro City Board of Education member, Gwen Williams, received the Julia Ella Morgan Hardy Outstanding Mentor Award from the Russell E. Murphy, Sr. Youth Camps on March 23. Mr. Willie Gladden, program director of the camps, said he was grateful for Ms. Brooks and Ms. Williams for their commitment to ensuring all students have opportunities for youth development.

AHS Students Inducted into the National Honors Society: Thirty-one students were inducted into the National Honors Society on March 23 in an intimate celebration in the Performing Arts Center at Asheboro High School. We wish to congratulate our students on this prestigious achievement:

Seniors: Jordan Barrett Riggins, Leslie Castillo Barrientos, Janiya Jackson, Yanna Mulles, Noor Ramzan, Victor Santiago, Bryan Vargas Elvira, and Reagan White

Juniors: Brandon Aguilar Guitierrez, Maggie Allred, Sarah Beth Allred, Madison Arroyo, Emma Brady, Alonzo Castro Perez, Crystal Estrada Dubon, Fatima Galvin Ruiz, Adam Goodman, Jeanette Graham, Claudia Harrell, Tatiana Jimenez, Madison Koskelowski, Jocelyn Lemus, Veronica Lizardo, Tiffany Martindale, Luis Martinez Aguirre, Kendall Norman, Kashish Singh, Joana Vargas Salinas, Rolando Hernandez Ovalle, Luke Hurley, and Roxana Vazquez Acuna

AHS Renovation and Construction Update: At the April 5 meeting of the Randolph County Commissioners, the Commissioners approved \$29.7 million to support the renovation of the original Asheboro High School building. This funding will be used to upgrade a number of infrastructure systems including HVAC, plumbing, and electrical. Work is scheduled to begin by July 7. Last week (April 5), the units for our mobile campus began to arrive and are being installed. Students are scheduled to transition back to the original structure from our mobile campus by January 2023.

Public Comments

There were no requests to address the Board.

Consent Agenda

The following items were presented for approval under the Consent Agenda. Upon motion by Ms. Cranford, and seconded by Mr. Priest, the Board unanimously approved the following items as presented:

A. Minutes for the March 11 and March 19, 2021 Board of Education meetings and Legislative Breakfast.

B. Personnel:

*I. RESIGNATIONS/RETIREMENTS/SEPARATIONS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Cortez	Mireida	AHS	Mathematics	6/4/2021
Howard	Tony	CO/LP	Bus Driver/Custodian	6/30/2021
Ritter	Lora	NAMS	6th Grade	6/4/2021
Staggs	Pepper Jo	DLL	Kindergarten	6/4/2021
Urban	Deborah	ECDC	After School Assistant (part-time)	6/4/2021
Alvardo	Al	AHS	Custodian	4/6/2021
Byrum	Georgia	SAMS	Business	6/4/2021
Dawson	Julia "	SAMS	Media Specialist	9/30/202
DeLeon	Elizabeth	AHS	Custodian	4/6/2021
Salinas- Pavon	Cinthia	CWM	After School Assistant (part-time)	4/16/202

*II. APPOINTMENTS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Lopienski	John	NAMS	Non-Faculty Coach - Wrestling	4/5/2021
Bean	Delores	CO	Substitute/\$85 per day	4/16/2021
Hoover	Dale	CO	Bus Driver	4/20/2021
Rush	Karla	CO	Substitute/\$85 per day	4/16/2021
Smith	Princess	CO	Substitute/\$85 per day	4/16/2021

*III. ADMINISTRATOR CONTRACTS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Brady	Julie	CWM	Principal	7/1/2021 - 6/30/2025
Dawalt	Keisha	BAL	Assistant Principal	8/1/2021 - 6/30/2025
Evans	Ann	GBT	Principal	7/1/2021 - 6/30/2025
McHenry	Rhonda	GBT	Assistant Principal	7/1/2021 - 6/30/2025
Tuft	Chris	BAL	Principal	7/1/2021 - 6/30/2025

- C. *2020-2021 Audit Contract with Anderson, Smith and Wike, PLLC.
- **D.** *Budget Amendment S-07.
- E. *Budget Transfer Report (presented for informational purposes only).
- F. *Federal Budget Amendment F-02.
- **G.** * Asheboro High School Course Additions for 2021-2022.

^{*}A copy is made a part of these materials

Action Items:

- **A.*** Dr. Wendy Rich, Assistant Superintendent of Curriculum and Instruction, presented plans for the end-of-grade/end-of-course assessments and 2021 summer school. Upon motion by Ms. Williams and seconded by Ms. Cranford, the proposed plans were approved as presented.
- **B.** *ESSER II and ESSER III (American Rescue Plan Funds) information was presented by Ms. Sandra Spivey, Finance Officer. Upon motion by Mr. Hammer and seconded by Mr. Agudelo, the Board unanimously approved the proposed plans as presented.
- C. *A resolution supporting local control of school calendars was developed at the Board's request and presented by Dr. Aaron Woody, Superintendent. The resolution requests that Asheboro City Schools have flexibility in determining the school calendar. Upon motion by Ms. Cranford and seconded by Mr. Hammer, the resolution was unanimously approved as presented and will be delivered to our state representatives.
- **D.** Ms. Sandra Spivey presented information regarding the upcoming Phase III construction project at Asheboro High School. The following items related this project were discussed and approved as listed:
 - Budget Amendment CO-02 Upon motion by Mr. Patton and seconded by Ms. Williams, the Board unanimously approved Budget Amendment CO-02.
 - Project Renovation Budget Upon motion by Mr. Hammer and seconded by Mr. Agudelo, the Board unanimously approved the Project Renovation Budget.
 - Intent to Award Construction Contract to J.M. Thompson Upon motion by Mr. Hammer and seconded by Mr. Agudelo, the Board unanimously approved the intent to award construction contract to J.M. Thompson.

Information, Reports, and Recommendations

- **A.** Dr. Drew Maerz, Director of Testing and Accountability, presented the following policies for 30-day review.
 - Policy 1300 Governing Principle Parental Involvement
 - Policy 1310/4002 Parental Involvement
 - Policy 1500 Governing Principle Safe, Orderly, and Inviting Environment
 - Policy 1510/4200/7270 School Safety
 - Policy 1600 Governing Principle Professional Development
 - Policy 1700 Governing Principle Removal of Barriers
 - Policy 1740/4010 Student and Parent Grievance Procedure
 - Policy 1742/5060 Responding to Complaints
 - Policy 1750/7220 Grievance Procedure for Employees
 - Policy 1760/7280 Prohibition Against Retaliation
 - Policy 4001 Equal Educational Opportunities
 - Policy 4023 Education for Pregnant and Parenting Students
 - Policy 7232 Discrimination and Harassment in the Workplace
 - Policy 7820 Personnel Files
- **B.** * The findings of a civil rights review conducted at Asheboro High School were presented by Ms. Sarah Beth Robbins, CTE Administrator/Curriculum & Instructional Management Coordinator.
- C. * A presentation on the Science of Reading was provided by Ms. Deanna Wiles, Director of K-12 Curriculum, and Ms. Chandra Manning, Beginning Teacher Coordinator and Curriculum Specialist.
- **D.** An Asheboro High School Phase III Construction Update was provided by Mr. Ed Keller, Maintenance Director.

^{*}A copy is made a part of these minutes.

E. Ms. Julie Brady, Principal of C.W. McCrary Elementary School, and Mr. Ron Dixon, Principal of South Asheboro Middle School, provided updates on students returning to campus under Plan A.

Superintendent's Report: Dr. Aaron Woody, Superintendent, reported the following:

- The Superintendent expressed his pride in the excellent work by Asheboro City Schools employees particularly over the last year while dealing with COVID-19. He noted that our system continues to move forward and lead by example.
- The Superintendent reported that the recent Cognia review conducted at Asheboro High School went very well.
- On March 26, a community forum was held at the George Washington Carver Community Enrichment Center to address violence in our neighborhoods. A number of Asheboro City Schools' administrators participated. We continue to look for ways to engage our students.
- The Superintendent noted that the renovation plans for Asheboro High School are moving forward. We are currently planning for the relocation of classes to the mobile campus located on the former practice field.

Board Operations

A. Chairman Smith reviewed the calendar of upcoming events, noting the next board meeting is May 13, 2021.

Closed Session

Under NC General Statue 143-318.11.A1 to present disclosure of information that is privileged or confidential pursuant to the laws of this State or of the United States of not considered a public record within the Meaning of Chapter 132 of the General Statues, the Board will enter closed session to discuss personnel matters.

Upon motion by Mr. Agudelo and seconded by Mr. Hammer, the Board unanimously approved to move to closed session at 9:34 p.m.

Adjournment

There being no further business and upon motion by Mr. Hammer and seconded by Ms. Williams, the Board unanimously approved to adjourn at 10:24 p.m.

Chairman		

^{*}A copy is made a part of these minutes

Asheboro City Schools Personnel Transactions May 13, 2021

*A. NON-CAREER STATUS TEACHERS RECOMMENDED FOR CONTINUED EMPLOYMENT - 1 YEAR CONTRACT

LAST	FIRST	SCHOOL	SUBJECT
Black	Kimberly	AHS	Mathematics (part-time)
Cagle	Kimberly	AHS	Mathematics
Downey	Sarah	AHS	Chorus
Dunn	Tina	AHS	Exceptional Children
Goard	Nicholas	AHS	Social Studies
Hoffman	Kimberly	AHS	Marketing
Jessup	Christopher	AHS	NOVA
Kao	Hsuan	AHS	Chinese
Kearns	Julie	AHS	Exceptional Children
Moser	Jennifer	AHS	Exceptional Children
Scherer	Wesley	AHS	Social Studies
Settle	Ma'Kira	AHS	Exceptional Children
Smith	Tucker	AHS	Band
Tomlin	Charo	AHS	Business
York	Hal	AHS	JROTC
LAST	FIRST	SCHOOL	SUBJECT
Blocker	Allison	BAL	Kindergarten
Boucher	Holly	BAL	Music
Green	Ilona	BAL	1st grade
Hamilton	Kathleen	BAL	Exceptional Children
Reynosa	Rosa	BAL	2nd grade Dual Language
Saunders	Corey	BAL	Physical Education
LAST	FIRST	SCHOOL	SUBJECT
Favasuli	James	CO	School Psychologist (part-time)
Johnson	Pamela	CO	EC Program Facilitator (part-time)
Skelly	Barbara	CO	Lead EC Program Specialist
Smith	Cheron	CO	EC Program Facilitator
Sula	Teresa	СО	EC Program Facilitator
LAST	FIRST	SCHOOL	SUBJECT
Ambuehl	Staci	CWM	Speech
Clark	Stephanie	CWM	3rd grade
Joyner	Nicholas	CWM	1st grade
, Mulkey	Brandy	CWM	Art
, Pulliam	, Zara	CWM	Exceptional Children
Sheppard	Lea	CWM	5th grade
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LAST	FIRST	SCHOOL	SUBJECT
Banks	Kelley	DLL	2nd grade
Garner	Haley	DLL	1st grade
Jobe	Natalie	DLL	Music
Kennedy	Darian	DLL	Exceptional Children
Lee	Beverly	DLL	Exceptional Children
Swartwood	Sean	DLL	Physical Education
Wysong	Brandon	DLL	3rd grade
LAST	FIRST	SCHOOL	SUBJECT
Brown	Olivia	GBT	1st grade
Clayton	Lauren	GBT	2nd grade
Felice	Samantha	GBT	School Counselor
Icenhour	Udenia	GBT	Exceptional Children
Joyce	Keichelle	GBT	Exceptional Children
Kidd	Bethany	GBT	Kindergarten
Nixon	Denise	GBT	5th grade
Seabolt	Emily	GBT	1st grade
Williams	Danielle	GBT	4th grade
			-
LAST	FIRST	SCHOOL	SUBJECT
Beccera	Hermelinda	LP	1st grade Dual Language
Hazlett	Jada	LP	2nd grade
King	Melinda	LP	Kindergarten
Manal	Caitlin		
Vogel	Caltilli	LP	Art
vogei	Caltiin	LP	Art
LAST	FIRST	SCHOOL	SUBJECT
LAST	FIRST	SCHOOL	SUBJECT
LAST Bennett	FIRST Cody	SCHOOL NAMS	SUBJECT Mathematics
LAST Bennett Carroll	FIRST Cody Ryan	SCHOOL NAMS NAMS	SUBJECT Mathematics Social Studies
LAST Bennett Carroll Dingess	FIRST Cody Ryan Tiffany	SCHOOL NAMS NAMS NAMS	SUBJECT Mathematics Social Studies Social Studies/Science
LAST Bennett Carroll Dingess Hankins	FIRST Cody Ryan Tiffany Mindy	SCHOOL NAMS NAMS NAMS NAMS	SUBJECT Mathematics Social Studies Social Studies/Science Mathematics
LAST Bennett Carroll Dingess Hankins Hollifield	FIRST Cody Ryan Tiffany Mindy Jacob	SCHOOL NAMS NAMS NAMS NAMS	SUBJECT Mathematics Social Studies Social Studies/Science Mathematics English Language Arts
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LAST Bennett Carroll Dingess Hankins Hollifield Hutton Kirkman Lawrence McPhatter Nelson Reedy LAST Davis	FIRST Cody Ryan Tiffany Mindy Jacob Carly Morganne Patrick Vernon Jennifer Karen FIRST Lydia	SCHOOL NAMS NAMS NAMS NAMS NAMS NAMS NAMS NAMS	SUBJECT Mathematics Social Studies Social Studies/Science Mathematics English Language Arts Music Exceptional Children Social Studies Science English Language Arts Science SUBJECT Speech
LAST Bennett Carroll Dingess Hankins Hollifield Hutton Kirkman Lawrence McPhatter Nelson Reedy LAST Davis Greene	FIRST Cody Ryan Tiffany Mindy Jacob Carly Morganne Patrick Vernon Jennifer Karen FIRST Lydia Jesseca	SCHOOL NAMS NAMS NAMS NAMS NAMS NAMS NAMS NAMS	SUBJECT Mathematics Social Studies Social Studies/Science Mathematics English Language Arts Music Exceptional Children Social Studies Science English Language Arts Science English Language Arts Science SUBJECT Speech Social Studies
LAST Bennett Carroll Dingess Hankins Hollifield Hutton Kirkman Lawrence McPhatter Nelson Reedy LAST Davis Greene Hagood	FIRST Cody Ryan Tiffany Mindy Jacob Carly Morganne Patrick Vernon Jennifer Karen FIRST Lydia Jesseca Dustin	SCHOOL NAMS NAMS NAMS NAMS NAMS NAMS NAMS NAMS	SUBJECT Mathematics Social Studies Social Studies/Science Mathematics English Language Arts Music Exceptional Children Social Studies Science English Language Arts Science SUBJECT Speech Social Studies Social Studies
LAST Bennett Carroll Dingess Hankins Hollifield Hutton Kirkman Lawrence McPhatter Nelson Reedy LAST Davis Greene Hagood Harris	FIRST Cody Ryan Tiffany Mindy Jacob Carly Morganne Patrick Vernon Jennifer Karen FIRST Lydia Jesseca Dustin Centerra	SCHOOL NAMS NAMS NAMS NAMS NAMS NAMS NAMS NAMS	SUBJECT Mathematics Social Studies Social Studies/Science Mathematics English Language Arts Music Exceptional Children Social Studies Science English Language Arts Science SUBJECT Speech Social Studies Social Studies Exceptional Children
LAST Bennett Carroll Dingess Hankins Hollifield Hutton Kirkman Lawrence McPhatter Nelson Reedy LAST Davis Greene Hagood Harris Honeycutt	FIRST Cody Ryan Tiffany Mindy Jacob Carly Morganne Patrick Vernon Jennifer Karen FIRST Lydia Jesseca Dustin Centerra Aleah	SCHOOL NAMS NAMS NAMS NAMS NAMS NAMS NAMS NAMS	SUBJECT Mathematics Social Studies Social Studies/Science Mathematics English Language Arts Music Exceptional Children Social Studies Science English Language Arts Science SUBJECT Speech Social Studies Social Studies Exceptional Children English Language Arts
LAST Bennett Carroll Dingess Hankins Hollifield Hutton Kirkman Lawrence McPhatter Nelson Reedy LAST Davis Greene Hagood Harris	FIRST Cody Ryan Tiffany Mindy Jacob Carly Morganne Patrick Vernon Jennifer Karen FIRST Lydia Jesseca Dustin Centerra	SCHOOL NAMS NAMS NAMS NAMS NAMS NAMS NAMS NAMS	SUBJECT Mathematics Social Studies Social Studies/Science Mathematics English Language Arts Music Exceptional Children Social Studies Science English Language Arts Science SUBJECT Speech Social Studies Social Studies Exceptional Children

Shue Angela SAMS Exceptional Children

*B. NON-CAREER STATUS TEACHERS RECOMMENDED FOR CONTINUED EMPLOYMENT - 2 YEAR CONTRACT

LAST	FIRST	SCHOOL	SUBJECT
Garner	Tony	AHS	Advanced Manufacturing
Walker	Amber	AHS	School Counselor
LAST	FIRST	SCHOOL	SUBJECT
Lyons-Lehman	Megan	BAL	Media
Price	Calin	BAL	5th grade
Wagoner	Lauren	BAL	Speech
Wodecki	Cassandra	BAL	3rd grade
LAST	FIRST	SCHOOL	SUBJECT
Cash	Suzanne	СО	Mental Health Specialist
LAST	FIRST	SCHOOL	SUBJECT
Asbill	Kristen	CWM	Kindergarten
Kimberly	Walls	CWM	Exceptional Children
LAST	FIRST	SCHOOL	SUBJECT
Hunt	Ashley	DLL	2nd grade
Martinez	Esmeralda	DLL	Kindergarten
Swails	Elizabeth	DLL	3rd grade
LAST	FIRST	SCHOOL	SUBJECT
Hager	Stephanie	GBT	1st grade
Scroggins	Mary	GBT	Speech
LAST	FIRST	SCHOOL	SUBJECT
Bingham	Mari	LP	4th grade
LAST	FIRST	SCHOOL	SUBJECT
Callahan	Mattison	NAMS	Math/Science
Columbia	Lori	NAMS	Instrucitional Facilitator
Davis	Catherine	NAMS	English Language Arts/Social Studies
Longerbeam		147 (1415	Eligiisii Laliguage Al (5/30clai 3(uules
	Janet	NAMS	Band
Rouse			
Rouse Sheffield	Janet	NAMS	Band
	Janet Ra'Tasha	NAMS NAMS	Band Agri Science
Sheffield	Janet Ra'Tasha Gary	NAMS NAMS NAMS	Band Agri Science Science
Sheffield Walker	Janet Ra'Tasha Gary Emily	NAMS NAMS NAMS NAMS	Band Agri Science Science Science
Sheffield Walker LAST	Janet Ra'Tasha Gary Emily	NAMS NAMS NAMS NAMS	Band Agri Science Science Science Subject
Sheffield Walker LAST Carr	Janet Ra'Tasha Gary Emily FIRST Sean	NAMS NAMS NAMS NAMS SCHOOL SAMS	Band Agri Science Science Science Subject Mathematics

Tucker Lakisha SAMS Exceptional Children

*C. NON-CAREER STATUS TEACHERS RECOMMENDED FOR CONTINUED EMPLOYMENT - 4 YEAR CONTRACT

LAST Carrouth Edwards Robbins Winsley	FIRST Megan Matthew William Nicole	SCHOOL AHS AHS AHS AHS	SUBJECT English English Language Learners School Counselor English
·			-
LAST	FIRST	SCHOOL	SUBJECT
Watson	Elizabeth	BAL	3rd grade
LAST	FIRST	SCHOOL	SUBJECT
Carranza	Javier	CWM	4th grade
Beverly	Jackson	CWM	Reading Specialist
beveriy	Jackson	CVVIVI	reading Specialist
LAST	FIRST	SCHOOL	SUBJECT
Boozer	Laura	DLL	Speech
			·
LAST	FIRST	SCHOOL	SUBJECT
Little	Tracy	ECDC	Pre-K/Exceptional Children
LAST	FIRST	SCHOOL	SUBJECT
Kiser	Kaitlyn	GBT	4th grade
Patton	Kelly	GBT	Academically Gifted
Sargent	Tressie	GBT	2nd grade
LAST	FIRST	SCHOOL	SUBJECT
Casbarro	Samantha	LP	Kindergarten
Fesperman	Candice	LP	3rd grade
O'Neal	Andrea	LP	Speech
Parrish	Melanie	LP	Music
LAST	FIRST	SCHOOL	SUBJECT
Steele	Frank	NAMS	Exceptional Children
LAST	FIRST	SCHOOL	SUBJECT
Hoogkamp	Brett	SAMS	Physical Education
Thompson	Kelly	SAMS	Health Science
Tufts	Elizabeth	SAMS	Exceptional Children
*D DESIGNATIONS	/DETIDEN/ENITS/	CEDADATIONS	

*D. RESIGNATIONS/RETIREMENTS/SEPARATIONS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Banty	Elizabeth	LP	3rd grade	6/4/2021
Cook	Kathryn	LP	4th grade	6/4/2021

Gentry Hall Neff Neilson Sharp Tuft Weaver	Donna Nicholas Margeaux Doris Allison Jennifer Dennis	CO CO AHS GBT GBT DLL DLL/SAMS	Executive Assistant to the Superintendent Computer Technician English After-School Program Assistant (part-time) Exceptional Children Kindergarten Custodian	8/31/2021 6/9/2021 5/7/2021 6/4/2021 6/4/2021 5/31/2021 4/29/2021
*E. APPOINTMEN	TS			
LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Breedlove	Julia	CO	Computer Technician	4/27/2021
Hoffmire	Jessica	LP	Kindergarten	8/17/2021
Switzer	Donna	LP	1st grade	8/9/2021
*F. LEAVES OF AB	SENCE			
LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Shoffner	Keane	AHS	Custodian	5/4/2021 - 8/1/2021
G. TRANSFERS				
LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Castro	Wigman	СО	Computer Technician to Asst. Network Analyst	5/1/2021
Higgs	Gayle	AHS to LP	Assistant Principal	8/1/2021
King	Laura	CWM to LP	5th grade to 4th grade	8/17/2021

Asheboro City Schools Personnel Transactions - ADDENDUM May 13, 2021

*A. NON-CAREER STATUS TEACHERS RECOMMENDED FOR CONTINUED EMPLOYMENT - 1 YEAR CONTRACT

LAST	FIRST	SCHOOL	SUBJECT
Hoffman	Kimberly	AHS	Marketing

*D. RESIGNATIONS/RETIREMENTS/SEPARATIONS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Arellano	Jose	AHS	Custodian	6/30/2021
Westmorland	Jessica	AHS	English	6/4/2021

***E. APPOINTMENTS**

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Brashier	Kathryn	LP	1st grade	8/17/2021

G. TRANSFERS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Kinley	Christina	CO	Mgr. of EIS to Accountability and Student Info. Coord.	7/1/2021
Maerz	Drew	СО	Dir. of Testing/Accountability to Dir. of Support Serv.	7/1/2021

*H. ADMINISTRATIVE CONTRACT RENEWALS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Cash	David (DR)	SAMS	Assistant Principal	7/1/21 - 6/30/25

*I. ADMINISTRATIVE APPOINTMENTS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Scott	Christopher	CO	Director of Facilities and Maintenance	6/1/2021

ASHEBORO CITY SCHOOLS CERTIFIED APPOINTMENTS May 13, 2021

NAME COLLEGE/DEGREE LICENSURE

Hoffmire, Jessica Appalachian State University K-6

B: Recreation Management

UNC – Greensboro

M: Teaching and Learning

Ms. Jessica Hoffmire is recommended to teach kindergarten at Lindley Park Elementary for the 2021-2022 school year. Ms. Hoffmire began her teaching career as a 5th grade teacher at Lindley Park Elementary and served in that capacity for four years. The past three years she has taught 4th grade at Uwharrie Charter Academy. Prior to becoming a teacher, Ms. Hoffmire was an environmental educator at the North Carolina Zoo. Ms. Hoffmire is excited to return to Asheboro City Schools and Lindley Park Elementary. Welcome home Ms. Hoffmire.

NAME COLLEGE/DEGREE LICENSURE

Switzer, Donna Pfeiffer University K-6

B: Elementary Education

Ms. Donna Switzer is recommended to teacher first grade at Lindley Park Elementary for the 2021-2022 school year. Ms. Switzer has been an instructional assistant at Lindley Park Elementary since 2019, serving as a long-term substitute in first grade for a large portion of the 2020-2021 school year. She previously worked as an instructional assistant at Ramseur Elementary and The Dream Center. Ms. Switzer is described as a strong planner and known for sharing innovative ideas for student engagement. We are pleased to welcome Ms. Switzer to this new role, as she officially begins her career as a classroom teacher.

ASHEBORO CITY SCHOOLS CERTIFIED APPOINTMENTS - ADDENDUM May 13, 2021

NAME COLLEGE/DEGREE LICENSURE

Brashier, Kathryn University of Kansas K-6

B: Early Childhood Education

Ms. Kathryn Brashier is recommended to teach first grade at Lindley Park Elementary School for the 2021-2022 school year. Ms. Brashier currently teaches first grade in Rowan-Salisbury Schools where she is completing her second year of teaching. She is described as being a reflective teacher who develops positive relationships with students, parents and staff. Outside the classroom, Ms. Brashier coached a Step Team of 30 elementary students, which included leading practices, choreographing routines and conducting team building activities. Ms. Brashier is relocating to the area and is excited to continue her teaching career at Lindley Park Elementary School. Welcome Ms. Brashier!

ASHEBORO CITY SCHOOLS ADMINISTRATIVE APPOINTMENTS May 13, 2021

NAME COLLEGE/DEGREE

Scott, Christopher South University

B: Business Administration M: Business Administration

Mr. Christopher Scott is recommended to serve Asheboro City Schools as the Director of Facilities and Maintenance. Mr. Scott spent several years as the maintenance manager at Energizer, followed by experience as an operations manager at French Broad Chocolates and assistant plant manager at Neyra Industries. Mr. Scott brings a professional skill set that aligns well with Asheboro City Schools. His strengths in planning, budgeting, project management, and problem solving will greatly benefit the team. He is described by his colleagues as collaborative, motivational, detail oriented and a good communicator. We are pleased to welcome Mr. Scott to Asheboro City Schools!

Policies For Approval

A system of excellent schools involves parents in decisions regarding their own children, the educational program and the schools. Unless otherwise stated in specific policies, references to "parents" also include persons acting in the place of parents, such as legal guardians or legal custodians. The board's vision for involving parents is expressed through the following board policies:

Governing Principles	(policy 1100)
Parental Involvement	(policy 1310/4002)
Title I Parent and Family Engagement	(policy 1320/3560)
Discrimination and Harassment Prohibited by Federal Law	(policy 1710/4020/7230)
Title IX Nondiscrimination on the Basis of Sex	(policy 1720/4030/7235)
Title IX Sexual Harassment –	
Prohibited Conduct and Reporting Process	(policy 1725/4035/7236)
Title IX Sexual Harassment Grievance Process	(policy 1726/4036/7237)
Nondiscrimination on the Basis of Disabilities	(policy 1730/4022/7231)
Student and Parent Grievance Procedure	(policy 1740/4010)
Responding to Complaints	(policy 1742/5060)
Public Participation at Board Meetings	(policy 2310)
Policy Development	(policy 2410)
Adoption of Policies	(policy 2420)
Curriculum Development	(policy 3100)
Innovation in Curriculum and Instruction	(policy 3110)
Selection of Textbooks and Instructional Materials	(policy 3200)
Parental Inspection of and Objection to Instructional Materials	(policy 3210)
Technology Responsible Use	(policy 3225/4312/7320)
School Trips	(policy 3320)
Evaluation of Student Progress	(policy 3400)
Students at-Risk of Academic Failure	(policy 3405)
Student Promotion and Accountability	(policy 3420)
School Improvement Plan	(policy 3430)
Class Rankings	(policy 3450)
Alternative Learning Programs/Schools	(policy 3470/4305)
Religious-Based Exemptions from School Programs	(policy 3510)
Special Education Programs/Rights of Students with Disabilities	1
Comprehensive Health Education Program	(policy 3540)
Counseling Program	(policy 3610)
Extracurricular Activities and Student Organizations	(policy 3620)
Equal Educational Opportunities	1
Age Requirements for Initial Entry	(policy 4100)
Discretionary Admission	(policy 4130)

Policy Code: 1300

School Assignment	(policy 4150)
Release of Students from School	(policy 4210)
Student Insurance Program	(policy 4220)
Student Behavior Policies	
School Plan for Management of Student Behavior	(policy 4302)
Bullying and Harassing Behavior Prohibited	(policy 4329/7311)
School-Level Investigations	(policy 4340)
Parental Involvement in Student Behavior Issues	(policy 4341)
Removal of Student During the Day	(policy 4352)
Long-Term Suspension, 365-Day Suspension, Expulsion	(policy 4353)
Student Discipline Hearing Procedures	(policy 4370)
Attendance	(policy 4400)
Student Fees	(policy 4600)
Student Records	(policy 4700)
Surveys of Students	(policy 4720)
Parent Organizations	(policy 5010)
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)
Bus Routes	(policy 6321)
Student Assignment to Buses	(policy 6322)
Naming Facilities	(policy 9300)

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: August 1, 2007, January 20, 2009, June 30, 2009, December 1, 2009, September 30, 2014, January 8, 2015, August 10, 2017

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 activities designed by school personnel to involve them, such as parent conferences, in order to encourage effective communication.

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

- meaningful two-way communication between home and school;
- promotion of responsible parenting;
- 3. involvement of parents and guardians in student learning;
- 4. promotion of volunteering;
- 5. involvement of parents and guardians in school decisions that affect children and families;
- parental training;
- 7. community collaboration; and
- 8. promotion of student health awareness.

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

A. PARENT COMMUNICATION AND CONFERENCES

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

The principal or designee shall strive, through oral or written communication or other means, to include the parents of students identified as at-risk in the implementation and review of academic and/or behavioral interventions for their children, in accordance with policy 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.

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

B. PARENTAL NOTIFICATION

Each principal or designee of a Title I school shall effectively notify parents of all parental rights and other required information regarding Title I schools and programs, in accordance with federal law. Parents of students in Title I schools shall receive a copy of the system-wide Title I parent and family engagement policy (policy 1320/3560) and the school-wide parent involvement plan.

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

- parental rights related to student records (see policy 4700, Student Records);
- 2. parental rights related to student surveys (see policy 4720, Surveys of Students);
- 3. the approximate dates of any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance, (b) administered and scheduled in advance by the school administration, and (c) not necessary to protect the immediate health and safety of students;
- 4. the schedule of pesticide use on school property and their right to request notification of nonscheduled pesticide use (see policy 9205, Pest Management);
- 5. student behavior policies, the Code of Student Conduct, and school standards and rules (see policies in the 4300 series);
- 6. the permissible use of seclusion and restraint in the schools (see regulation 4302-R, Rules for Use of Seclusion and Restraint in Schools);

- 7. policy 4329/7311, Bullying and Harassing Behavior Prohibited;
- 8. policy 1740/4010, Student and Parent Grievance Procedure;
- 9. the dates of the system-wide and state-mandated tests that students will be required to take during that school year, how the results from the tests will be used and the consequences thereof, and whether each test is required by the State Board of Education or by the local board;
- 10. grading practices that will be followed at the school and, for parents of high school students, the method of computing the grade point averages that will be used for determining class rank (see policies 3400, Evaluation of Student Progress and 3450, Class Rankings);
- 11. available opportunities and the enrollment process for students to take advanced courses and information explaining the value of taking advanced courses;
- 12. if applicable, that their child will be provided advanced learning opportunities in mathematics or will be placed in an advanced mathematics course;
- 13. a clear and concise explanation of the North Carolina testing and accountability system that includes all information required by federal law;
- 14. a report containing information about the school system and each school, including, but not limited to₇:
 - a. the following information both in the aggregate and disaggregated by category: student achievement, graduation rates, performance on other school quality and/or student success indicators, the progress of students toward meeting long-term goals established by the state, student performance on measures of school climate and safety, and, as available, the rate of enrollment in post-secondary education;
 - the performance of the school system on academic assessments as compared to the state as a whole and the performance of each school on academic assessments as compared to the state and school system as a whole;
 - c. the percentage and number of students who are:
 - i. assessed,
 - ii. assessed using alternate assessments,
 - iii. involved in preschool and accelerated coursework programs, and

- iv. English learners achieving proficiency;
- d. the per pupil expenditures of federal, state, and local funds;
- e. teacher qualifications.
- 15. the grade earned by the school on the most recent annual report card issued for it by the State Board of Education if the grade was a D or F;
- 16. supportive services available to students, including guidance, counseling and health services (see policy 3610, Counseling Program);
- 17. information about meningococcal meningitis and influenza, including the causes, symptoms, and vaccines, how the diseases are spread, and places where parents and guardians may obtain additional information and vaccinations for their children;
- 18. 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;
- 19. how to reach school officials in emergency situations during non-school hours;
- 20. information about and an application form for free and reduced price meals and/or free milk (see policy 6225, Free and Reduced Price Food Services);
- 21. information about the school breakfast program;
- 22. information about the availability and location of free summer food service program meals for students when school is not in session;
- for parents of children with disabilities, procedural safeguards (see also policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities);
- 24. information on the availability of the asbestos management plan and planned or in-progress inspections, re-inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities;
- 25. education rights of homeless students (see policy 4125, Homeless Students);
- 26. the content and implementation of the local school wellness policy (see policy

6140, Student Wellness);

- 27. their right to take four hours of unpaid leave from their jobs every year in order to volunteer in their child's school as stated in G.S. 95-28.3 (see policy 5015, School Volunteers);
- 28. 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);
- 29. that the school system provides equal access to its facilities, programs and activities to the Boy Scouts and other designated youth groups (see policy 1710/4021/7230, Discrimination and Harassment Prohibited by Federal Law); and
- 30. the availability of and the process for requesting a waiver or reduction of student fees (see policy 4600, Student Fees).

C. OPPORTUNITIES TO WITHHOLD CONSENT/OPT OUT

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

- 1. release of student directory information about their child for school purposes or to outside organizations (see policy 4700, Student Records);
- release of their child's name, address, and telephone listing to military recruiters or institutions of higher education (see policy 4700, Student Records);
- 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;
- 4. their child's participation in academic or career guidance or personal or social counseling services of a generic nature offered to groups of students (e.g., peer relations strategies offered to all sixth graders). However, parental notification and permission are not required for: (a) short-duration academic, career,

personal, or social guidance and counseling and crisis intervention that is needed to maintain order, discipline, or a productive learning environment; (b) student-initiated individual or group counseling targeted at a student's specific concerns or needs; 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;

- 5. their child's participation in non-Department of Education-funded surveys concerning protected topics (see policy 4720, Surveys of Students);
- 6. their child's participation in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance; (b) administered and scheduled in advance by the school administration; and (c) not necessary to protect the immediate health and safety of students;
- 7. the collection, disclosure, or use of their child's personal information for marketing purposes (see policy 4720, Surveys of Students); and
- 8. release of their child's free and reduced-price meal information to State Medicaid or State children's health insurance program (SCHIP).

Any parent or legal guardian 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;
- 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 surveys funded by the Department of Education that are conducted concerning protected topics (see policy 4720, Surveys of Students);
- 9. disclosure of students' free and reduced price lunch eligibility information or eligibility status; and
- 11. students' independent access to the Internet, as described in policy 3225/4312/7230, Technology Responsible Use.

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 USC 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. 10620 U.S.C. 7908; G.S. 90-21.1; 95-28.3; 115C-47(47), -47(51), -47(54), -47(58), -81.25, -81.30, -81.36, -105.41, -109.1, 174.26(d) -307(c), -375.4, -390.2, -391.1, -407.16; State Board of Education Policies KNEC-002, PRNT-000, 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), Technology Responsible Use (policy 3225/4312/7320), Evaluation of Student Progress (policy 3400), Students at Risk of Academic Failure (policy 3405), Class Rankings (policy 3450), Special Education Programs/Rights of Students with Disabilities (policy 3520), Comprehensive Health Education Program (policy 3540), Counseling Program (policy 3610), Extracurricular Activities and Student

Organizations (policy 3620), Homeless Students (policy 4125), Student Insurance Program (policy 4220), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Student Behavior Policies (4300 series), Rules for Use of Seclusion and Restraint in Schools (regulation 4302-R), Bullying and Harassing Behavior Prohibited (policy 4329/7311), Student Fees (policy 4600), Student Records (policy 4700), Surveys of Students (policy 4720), School Volunteers (policy 5015), Registered Sex Offenders (policy 5022), Administering Medicines to Students (policy 6125), Student Wellness (policy 6140), Free and Reduced Price Meal Services (policy 6225), Pest Management (policy 9205)

Adopted: April 14, 2011

Revised: March 14, 2013, August 8, 2013, August 14, 2014, January 8, 2015, May 12, 2016, March 9, 2017, July 13, 2017, March 8, 2018, December 13, 2018, January 9, 2020, August 13, 2020

A system of excellent schools creates and maintains a safe and orderly environment where staff and students are focused on and excited about learning. The board's vision for creating and maintaining a safe, orderly and inviting environment is expressed through the following board policies:

School Safety
Title IV Nandicerimination on the Pacis of Cov. (nalicy 1720/1020/722E)
Title IX Sexual Harassment –
Prohibited Conduct and Reporting Process(policy 1725/4035/7236)
Identification Card System(policy 1520)
Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230)
Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231)
School Trips(policy 3320)
School Improvement Plan(policy 3430)
Conflict Resolution(policy 3431)
Alternative Learning Programs/Schools(policy 3470/4305)
Citizenship and Character Education(policy 3530)
Focus on Students(policy 4000)
Service Animals in Schools(policy 4202/5029/7272)
Release of Students from School(policy 4210)
Communicable Diseases – Students(policy 4230)
Student Sex Offenders(policy 4260)
Student Behavior Policies(policy 4300)
Authority of School Personnel(policy 4301)
School Plan for Management of Student Behavior(policy 4302)
Integrity and Civility(policy 4310)
Disruptive Behavior(policy 4315)
Tobacco Products – Students(policy 4320)
Drugs and Alcohol(policy 4325)
Gang-Related Activity(policy 4328)
Bullying and Harassing Behavior Prohibited(policy 4329/7311)
Theft, Trespass and Damage to Property(policy 4330)
Assaults, and Threats(policy 4331)
Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety(policy 4333)
Use of Unmanned Aircraft (Drones) (policy 4334/5035/7345)
Criminal Behavior(policy 4335)
Student Searches(policy 4342)
Student Discipline Records(policy 4345)
Short-Term Suspension(policy 4351)

Policy Code: 1500

Removal of Student During the Day	(policy 4352)
Long-Term Suspension, 365 Day Suspension, Expulsion	(policy 4353)
Requests for Readmission of Students Suspended for 365-Days or Expelled	(policy 4362)
Visitors to the Schools	(policy 5020)
Registered Sex Offenders	(policy 5022)
Smoking and Tobacco Products	(policy 5026/7250)
Weapons and Explosives Prohibited	(policy 5027/7275)
News Media Relations	(policy 5040)
Emergency Closings	(policy 5050)
Relationship with Other Governmental Agencies	(policy 5100)
Relationship with Law Enforcement	(policy 5120)
Collections and Solicitations	(policy 5220)
Operation of Student Food Services	(policy 6220)
Goals of Student Transportation Services	(policy 6300)
Safety and Student Transportation Services	(policy 6305)
Drivers	(policy 6315)
Bus Routes	(policy 6321)
Transportation Service/Vehicle Contracts	(policy 6340)
Organization of Equipment, Materials and Supplies Services	(policy 6510)
Hazardous Materials	(policy 6540)
Discrimination and Harassment in the Workplace	(policy 7232)
Drug-Free and Alcohol-Free Workplace	(policy 7240)
Drug and Alcohol Testing of Commercial Motor Vehicle Operators	(policy 7241)
Staff Responsibilities	(policy 7300)
School Administrator Contracts	(policy 7425)
Planning to Address Facility Needs	(policy 9000)
Facility Design	(policy 9020)
Care and Maintenance of Facilities	(policy 9200)
Care and Maintenance of Grounds and Outdoor Equipment	(policy 9210)
Security of Facilities	(policy 9220)

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, May 14, 2020

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

A. SUPERVISION OF STUDENTS

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

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

B. SUPERVISION OF VISITORS

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

C. SAFETY OF SCHOOL BUILDINGS AND GROUNDS

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

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

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

D. ESTABLISHING PROCESSES TO ADDRESS POTENTIAL SAFETY CONCERNS AND EMERGENCIES

1. Responding to Student Altercations and Other Threats to Safety

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

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

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

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

2. School Rules

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

3. Training for Staff and Students

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

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

4. Safety Equipment

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

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

The board, in coordination with local law enforcement and emergency management agencies, will adopt a school risk management plan relating to incidents of school violence for each school in the school system. The superintendent must provide the Department of Public Safety's Division of Emergency Management (Division) with emergency response information it requests for the school risk management plan and updated emergency response information when such updates are made. The superintendent must also provide the Division and local law enforcement schematic diagrams, including digital schematic diagrams, of all school facilities and updates of the schematic diagrams when the school system makes substantial facility modifications, such as the addition of new facilities or modifications to doors or windows. Schematic diagrams must meet any standards established by the Department of Public Instruction for the preparation and content of the diagrams. In addition, the superintendent shall provide local law enforcement with (1) either keys to the main entrance of all school buildings or emergency access to key storage devices for all school buildings and (2) updated access to school buildings when changes are made to the locks of the main entrances or to the key storage devices.

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

6. Reporting Risks to the School Population

Students should notify any staff member of any acts of violence, harassment, or

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

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

School officials shall investigate and act upon any report of such behavior, including, when appropriate, reporting criminal activities to law enforcement, the State Board, the State Superintendent of Public Instruction, and the superintendent or designee (see policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, 1725/4035/7236, Title IX Sexual Harassment — Prohibited Conduct and Reporting Process, 1726/4036/7237, Title IX Sexual Harassment Grievance Process, 4040/7310, Staff-Student Relations, 4329/7311, Bullying and Harassing Behavior Prohibited, 4335, Criminal Behavior, and 7232, Discrimination and Harassment in the Workplace).

7. Potential Threats of Registered Sex Offenders

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

8. Student Behavior Standards

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

Legal References: G.S. 14-208.18; 115C-36, -47, -105.49, -105.53, -105.54, -166, -167, -288, -289.1, -307, -390.3, -391.1, -521, -524, -525; State Board of Education Policies SSCH-000, SCFC-005

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

Workplace (policy 7232), Occupational Exposure to Hazardous Chemicals in Science Laboratories (policy 7265), Staff Responsibilities (policy 7300), Security of Facilities (policy 9220)

Other Resources: *Practical Information on Crisis Planning: A Guide for Schools and Communities*, U.S. Department of Education Office of Safe and Drug-Free Schools (January 2007), available at http://www2.ed.gov/admins/lead/safety/crisisplanning.html

Adopted: July 14, 2011

Revised: June 13, 2013; April 10, 2014; May 14, 2015, July 14, 2016, September 14, 2017, January 11, 2018, June 13, 2019

A system of excellent schools provides continuous professional development and training to help personnel gain the skills and knowledge needed to meet State Board and local board expectations, especially as they relate to improving student performance. The board's vision for professional development, including its relationship to improving student success, is expressed through the following board policies.

School Safety	(policy 1510/4200/7270)
Professional and Staff Development	(policy 1610/7800)
Discrimination and Harassment Prohibited by Federal Law	(policy 1710/4020/7230)
Title IX Sexual Harassment Grievance Process	(policy 1726/4036/7237)
Lesson Planning	(policy 3120)
Evaluation of Instructional Programs	(policy 3140)
Technology in the Educational Program	
Copyright Compliance	(policy 3230/7330)
Use of Personal Technology to Conduct School Business	(policy 3228/7323)
School Improvement Plan	
Alternative Learning Programs/Schools	
Comprehensive Health Education Program	(policy 3540)
Injury and Loss Prevention	(policy 4201/7271)
Child Abuse and Related Threats to Child Safety	(policy 4240/7312)
Bullying and Harassing Behavior Prohibited	policy 4329/7311)
Emergency Epinephrine Auto-Injector Devices	(policy 5024/6127/7266)
Public Records – Retention, Release, and Disposition	
Student Health Services	(policy 6120)
Administering Medicines to Students	(policy 6125)
Network Security	(policy 6524)
Hazardous Materials	(policy 6540)
Drug and Alcohol Testing of Commercial Motor Vehicle Operators	(policy 7241)
Occupational Exposure to Bloodborne Pathogens	(policy 7260)
Occupational Exposure to Hazardous Chemicals in Science Laboratories	(policy 7265)
Teacher Contracts	(policy 7410)
School Administrator Contracts	(policy 7425)
Evaluation of Licensed Employees	(policy 7810)
Evaluation of Non-Licensed Employees	(policy 7815)

Legal References: G.S. 115C-36, -47

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

Policy Code: **1600**

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

Revised: July 12, 2012, March 12, 2015

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:

Race and Equity	(policy 1705)
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	(policy1726/4036/7237)
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	**
Equal Educational Opportunities	**
Tuition for Discretionary Admissions	
Bullying and Harassing Behavior Prohibited	The state of the s
Service Animals in Schools	**
Student Fees	
Support Services	\(\frac{1}{2}\)
Goals of Student Health Services	
Student Health Services	· · · · · · · · · · · · · · · · · · ·
Goals of Student Food Services	**
Operation of Student Food Services	**
Free and Reduced Price Food Services	, ,
Goals of Student Transportation Services	
Participation by Historically Underutilized Businesses	
Vendor Lists	· · · · · · · · · · · · · · · · · · ·
Discrimination and Harassment in the Workplace	, ,
Crowdfunding on Behalf of the School System	The state of the s
Facility Design	, ,
Bidding for Construction Work	
Participation by Minority Businesses	(policy 9125)

Legal References: G.S. 115C-36

Policy Code: 1700

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

A. OPTIONS FOR RESOLVING COMPLAINTS

The board strives to resolve concerns and complaints of students and parents whenever possible. To this end, the board has provided opportunities for students and parents to express their concerns through processes established in board policies. Policy 1742/5060, Responding to Complaints, identifies these different processes, including a mechanism for resolving complaints in an informal manner.

While the board encourages resolutions of complaints through informal means, it recognizes that, at times, a formal process may be necessary for certain types of complaints or if the informal process did not produce satisfactory results. This policy provides a complaint procedure that may be used as described below.

Any parent or student who has questions about the options for proceeding with a complaint or concern may contact the principal or superintendent for further information and copies of all applicable board policies.

B. **DEFINITIONS**

1. Days

Days are working days, exclusive of Saturdays, Sundays, vacation days, or holidays, as set forth in the school calendar. In counting days, the first day will be the first full working day following the receipt of the grievance. After May 1, time limits will consist of all weekdays (Monday – Friday) so that the matter may be resolved before the close of the school term or as soon thereafter as possible.

2. Final Administrative Decision

A final administrative decision is a decision of a school employee from which no further appeal to a school administrator is available.

3. Grievance

A grievance is a formal complaint regarding specific decisions made by school personnel that alleges that such decisions have adversely affected the person making the complaint. A grievance includes, but is not limited to, circumstances such as when a student or parent believes that board policy or law has been misapplied, misinterpreted or violated. The term "grievance" does not include any matter for which the method of review is prescribed by law, for which there is a more specific board policy providing a process for addressing the concern, or

1740/4010

Policy Code:

upon which the board is without authority to act.

4. Grievant

The grievant is the parent, student or group of parents or students submitting the grievance.

5. Parent

All references to parent include a student's parent, legal guardian, legal custodian, or another caregiver adult authorized to enroll a student under policy 4120, Domicile or Residence Requirements.

C. TIMELINESS OF PROCESS

The number of days indicated at each step of the grievance process should be considered a maximum, and every effort should be made to expedite the process.

Failure by a school system official at any step to communicate a decision within the specified time limit will permit the grievant to appeal the grievance to the next step unless the official has notified the grievant of the delay and the reason for the delay, such as the complexity of the investigation or report. The official shall make reasonable efforts to keep the grievant apprised of progress being made during any period of delay. Delays that interfere with the exercise of the grievant's legal rights are not permitted.

Failure by the grievant at any step of the process to appeal a grievance to the next step within the specified time limit will be considered acceptance of the decision at the current step, unless the grievant has notified appropriate school system the official of a delay and the reason for the delay and the official has consented in writing to the delay.

D. GENERAL REQUIREMENTS

- 1. No reprisals of any kind will be taken by the board or by an employee of the school system against any grievant or other student or employee because of his or her participation in a grievance filed and decided pursuant to this policy.
- 2. All meetings and hearings conducted pursuant to this policy will be private.
- The board and school system officials will consider requests to hear grievances from a group of grievants, but the board and officials have the discretion to hear and respond to grievants individually.
- 4. The grievant may have a representative, including an attorney, at any stage of the grievance. However, if the grievant intends to be represented by legal

counsel, he or she must notify the appropriate school official in advance so that school personnel also will have the opportunity to be represented by legal counsel. At any meeting or hearing during the grievance process, a student grievant may be accompanied by a parent as well as a representative.

E. PROCESS FOR GRIEVANCE

1. Filing a Grievance

- a. Whenever a student or parent believes that he or she has been adversely affected by a decision of a school employee, the student or parent may file a grievance as provided in this policy.
- b. A grievance must be filed as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the grievance. For a grievance submitted after the 30 day period that claims a violation, misapplication or misinterpretation of state or federal law, the superintendent or designee shall determine whether the grievance will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school system to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations. However, students, and parents should recognize that delays in filing a grievance may significantly impair the ability of the school system to investigate and respond effectively to such complaints.
- c. A student or parent who has a grievance must provide the following information in writing to the principal: (1) the name of the school system employee or other individual whose decision or action is at issue; (2) the specific decision(s) or action(s) at issue; (3) any board policy, state or federal law, state or federal regulation, or State Board of Education policy or procedure that the parent or student believes has been misapplied, misinterpreted or violated; and (4) the specific resolution desired. If there is not a specific decision or action at issue and no concern that state or federal law has been misapplied, misinterpreted or violated, then the procedure established in policy 1742/5060 is appropriate, and the principal shall address the concern following that policy.
- d. Even if the principal is the employee whose decision or action is at issue, the student or parent must submit the grievance first to the principal in order for the principal to address the issue within the formal process. If, however, the grievance claims that a state or federal law has been misapplied, misinterpreted or violated, the student or parent may submit

the grievance directly to the superintendent or designee.

e. If a student or parent wants to initiate a formal grievance regarding a decision by the superintendent that directly and specifically affects the student or parent, the general process described in this policy will be used, except that the grievance will be submitted to the assistant superintendent of human resources, who shall forward the grievance to the board chairperson.

2. Investigation

- a. The principal shall schedule and hold a meeting with the grievant within five school days after the grievance has been filed with the principal.
- b. The principal shall conduct any investigation of the facts necessary before rendering a decision.

3. Response by Principal

- a. The principal shall provide a written response to the grievance within 10 days of meeting with the grievent. The response will include the principal's decision regarding resolution of the grievance and the basis for the decision. In responding, the principal may not disclose information about other students or employees that is considered confidential by law.
- b. A copy of the grievance and the principal's response will be filed with the superintendent.

4. Response by Superintendent

- a. If the grievant is dissatisfied with the principal's decision, the grievant may appeal the decision to the superintendent. The appeal must be made in writing within five days of receiving the principal's decision.
- b. The superintendent may review the written documents and respond or the superintendent may schedule and hold a conference with the grievant, principal and any other individuals the superintendent determines to be appropriate within five school days after receiving the appeal
- c. The superintendent shall provide a written response within 10 days after receiving the appeal. In responding, the superintendent may not disclose information about other students or employees that is considered confidential by law.

5. Appeal to the Board

If the grievant has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, the grievant will have the right to appeal a final administrative decision to the board of education (see subsection E.5.a, Mandatory Appeals, below). If a grievant has not alleged such specific violations, he or she may request a board hearing, which the board may grant at its discretion (see subsection E.5.b, Discretionary Appeals, below).

a. Mandatory Appeals

- 1) If the grievant is dissatisfied with the superintendent's response to his or her grievance and has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, the grievant may appeal the decision to the board within five days of receiving the superintendent's response.
- 2) A hearing will be conducted pursuant to policy 2500, Hearings Before the Board.
- 3) The board will provide a final written decision within 30 days of receiving the appeal unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

b. Discretionary Appeals

- 1) If the grievant is dissatisfied with the superintendent's response to his or her grievance but has *not* alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, then within five days of receiving the superintendent's response, the grievant may submit to the superintendent a written request for a hearing before the board of education.
- The board chairperson will appoint a three- person panel to review the request and determine whether to (1) deny the appeal; (2) review the superintendent's decision on the written record only; or (3) grant a hearing. The panel will report the decision to the board. The board may modify the decision of the panel upon majority vote at a board meeting.

- If the board denies the appeal, the decision of the superintendent 3) will be final and the grievant will be notified within five days of the board's decision.
- 4) If the board decides to grant a hearing, the hearing will be conducted pursuant to policy 2500.
- 5) The board will provide a final written decision within 30 days of the decision to grant an appeal, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. NOTICE

The superintendent or designee is responsible for providing effective notice to students, parents and school system employees of the procedures for reporting and investigating grievances.

G. **RECORDS**

Appropriate records shall be maintained in accordance with state and federal law.

Legal References: G.S. 115C-45(c); 126-16; 150B-43 et seq.

Cross References: Responding to Complaints (policy 1742/5060), Domicile or Residence Requirements (policy 4120), Hearings Before the Board (policy 2500), Student Behavior Policies (4300 series)

Issued: June 1997

Revised: May 7, 2004; April 7, 2008; December 1, 2009; June 16, 2011; March 28, 2013,

September 12, 2013

A. OPPORTUNITIES TO ADDRESS CONCERNS AND COMPLAINTS

The board is committed to providing an effective means for parents and the community to voice concerns and complaints. The board also strives to resolve concerns and complaints whenever possible. To this end, the board has established the following processes:

- 1. informal resolutions of specific concerns (see section B, General Process, below);
- 2. public hearings and public comments at board meetings on subjects of concern to parents and the community (policy 2310, Public Participation at Board Meetings);
- 3. a procedure for parental concerns regarding the curriculum (policy 3210, Parental Inspection of and Objection to Instructional Materials);
- 4. specific processes for addressing disciplinary consequences (policies in the 4300 series);
- 5. processes as provided by law for students with disabilities (policies 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, 3520, Special Education Programs/Rights of Students with Disabilities, and 4307, Disciplinary Action for Exceptional Children/Students with Disabilities);
- 6. a grievance procedures for addressing concerns regarding specific decisions, especially when there are concerns that board policy or law has been misapplied, misinterpreted or violated (policy 1740/4010, Student and Parent Grievance Procedure÷ and
- 7. procedures for reporting and resolving complaints of discrimination, harassment, or bullying on the basis of sex, disability, or other personal characteristic (policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law; 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex; 1725/4035/7236, Title IX Sexual Harassment Prohibited Conduct and Reporting Process; 1726/4036/7237, Title IX Sexual Harassment Grievance Process; and 4329/7311, Bullying and Harassing Behavior Prohibited).

Numerous other policies provide opportunities for parental input, including policy 1310/4002, Parental Involvement.

B. GENERAL PROCESS

Complaints that are not specifically designated to be addressed in other policies should be addressed in the following manner.

- The complaint should be received and addressed at the level closest to which the complaint originated. For example, a complaint regarding a classroom issue should be heard first by the teacher. A complaint regarding the school in general should be addressed first by the principal.
- 2. Any board member or employee receiving a complaint should verify that the complaint has been appropriately referred to him or her and if not, assist the complainant by identifying the appropriate personnel to receive the complaint.
- Once appropriately referred, if the complainant is not satisfied with the response to the complaint, the complainant should be informed of the options for further review of the complaint.
- 4. A complaint or series of complaints that raise significant issues about the educational program or the operation of the schools is an opportunity to further examine the success of the school system in meeting its goals and objectives. When feasible, a group representing various perspectives and interests, such as teachers, administrators, students and parents, should discuss the issue and make recommendations to appropriate personnel or to the board.

The superintendent shall communicate the requirements in this policy to board members and employees on a regular basis.

Legal References: G.S. 115C-36, -47

Cross References: Parental Involvement (policy 1310/4002), 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 Student (policy 1730/4022/7231), and Parent Grievance Procedure (policy 1740/4010), Public Participation at Board Meetings (policy 2310), Parental Inspection of and Objection to Instructional Materials (policy 3210), Special Education Programs/Rights of Students with Disabilities (policy 3520), Student Behavior Policies (4300 series), Disciplinary Action for Exceptional Children/Students with Disabilities (policy 4307), Bullying and Harassing Behavior Prohibited (policy 4329/7311)

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

Reviewed by Policy Committee: October 11, 2007

Updated: February 12, 2009, July 12, 2012, June 9, 2016

It is the policy of the board, in keeping with the ultimate goal of serving the educational welfare of children, to develop and practice reasonable and effective methods of resolving difficulties that may arise among employees. The intent is to reduce potential areas of grievances and to establish and maintain recognized channels of communications between staff and administration. The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems that arise from time to time and affect employees.

A. INFORMAL RESOLUTION

It is desirable for an employee and his or her immediate supervisor to resolve problems through free and informal communication. When informal procedures fail or are inappropriate or when the employee requests formal procedures, a grievance will be processed pursuant to the steps set forth in this policy.

B. **DEFINITIONS**

1. Days

Days are the working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the aggrieved employee's employment calendar. In counting days, the first day will be the first full working day following receipt of the grievance. When a grievance is submitted on or after May 1, time limits will consist of all weekdays (Monday – Friday) so that the matter may be resolved before the close of the school term or as soon thereafter as possible.

2. Final Administrative Decision

A final administrative decision is a decision of a school employee from which no further appeal to a school administrator is available.

3. Grievance

A grievance is a formal written claim by an employee regarding specific decision(s) made by another employee and alleging that such decision(s) have adversely affected the person making the claim. A grievance may include, but is not limited to, the following allegations:

- a. that there has been a violation, misapplication or misinterpretation of state or federal law or regulations, school board policy or administrative procedure;
- b. that an employee's employment status or the terms or conditions of his or her employment have been adversely affected; or

Policy Code: 1750/7220

c. that there exists a physical condition that jeopardizes an employee's health or safety or that interferes with an employee's ability to discharge his or her responsibilities properly and effectively.

The term "grievance" does not apply to any matter for which the method of review is prescribed by law, for which there is a more specific board policy providing a process for addressing the concern, or upon which the board of education is without authority to act.

4. Grievant

The grievant is the employee(s) making the claim.

5. Parties in Interest

"Parties in interest" refers to the grievant and the person against whom the grievance is filed.

C. TIMELINESS OF PROCESS

Failure by a school system official at any step to communicate a decision within the specified time limit will permit the grievant to appeal the grievance to the next step unless the official has notified the grievant of the delay and the reason for the delay, such as the complexity of the investigation or report. The official shall make reasonable efforts to keep the grievant apprised of progress being made during any period of delay. Delays may not impermissibly interfere with the exercise of the grievant's legal rights.

Failure by the grievant at any step to appeal a grievance to the next step within the specified time limit will be considered acceptance of the decision at that step, unless the grievant has notified the appropriate school system official of a delay and the reason for the delay and the official has consented in writing to the delay.

D. GENERAL REQUIREMENTS

- 1. At all times during the grievance process, Aall parties in interest and their representatives must conduct themselves in a professional manner, including respecting the confidentiality of personnel matters.
- 2. The board or an employee of the school system will take no reprisals of any kind against any party in interest or other employee on account of his or her participation in a grievance filed and decided pursuant to this policy.
- 3. Each decision will be in writing, setting forth the decision and reasons therefore,

and will be transmitted promptly to all parties in interest.

- 4. All meetings and hearings conducted pursuant to this policy will be private.
- 5. The board and administration will consider requests to hear grievances from a group of grievants, but have the discretion to hear and respond to grievants individually.
- 6. The board and administration will cooperate with the grievant and representative in the investigation of any grievance and will furnish the grievant or representative information pertinent to the grievance without cost to the grievant or the employee against whom the grievance is filed.
- 7. The grievant may have a representative, including an attorney, at any stage of the grievance. However, if the grievant intends to be represented by legal counsel, he or she must notify the appropriate school official in advance so that school personnel also will have the opportunity to be represented by legal counsel.
- 8. Should, in the judgment of the superintendent or designee, the investigation or processing of any grievance require the absence of the grievant and/or representative from regular work assignments, such absences will be excused without loss of pay or benefits.

E. PROCESS FOR GRIEVANCE

1. Filing a Grievance

- a. A grievance must be filed as soon as possible but no longer than 30 days after disclosure or discovery of the facts giving rise to the grievance. For a grievance submitted after 30 days that claims a violation, misapplication or misinterpretation of state or federal law, the superintendent or designee shall determine whether the grievance will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school system to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations. However, employees should recognize that delays in filing a grievance may significantly impair the ability of the school system to investigate and respond effectively to such complaints.
- b. All grievances must be in writing, and the written statement of grievance must remain the same throughout all steps of the grievance procedure. The written grievance must include the following information: (1) the name of the school system employee or other individual whose decision or action is at issue; (2) the specific decision(s), action(s) or physical

condition at issue; (3) any local board policy, state or federal law, state or federal regulation or State Board of Education policy or procedure that the grievant believes has been misapplied, misinterpreted or violated; and (4) the specific resolution desired. If there is not a specific decision, action or physical condition at issue or no concern that federal or state law, federal or state regulation, State Board of Education policy or procedure, or board policy or procedure has been misapplied, misinterpreted or violated, then the procedure established in policy 1742/5060, Responding to Complaints, is appropriate, and the principal or immediate supervisor shall address the concern following that policy.

c. The employee(s) shall present the grievance in writing to his or her immediate supervisor or the supervisor's designee, unless the grievance alleges that a state or federal law has been misapplied, misinterpreted or violated, in which case the grievance may be presented instead to the executive director for human resources (or to the superintendent if the employee's supervisor is the executive director for human resources). The person receiving the grievance hereinafter will be referred to as "official." Any grievance against the superintendent should be filed directly with the board in accordance with subsection E.4, below.

2. Response by Official

- a. The official shall arrange for a grievance file number to be assigned by the human resource office.
- b. In the event the official determines at the outset that review by the official is inappropriate, the official shall forward the formal grievance to the superintendent who will investigate and respond as provided below in subsection E.3.
- c. The official shall meet with the grievant at a mutually agreed-upon time within five days after receipt of the grievance.
- d. The official shall conduct any investigation of the facts necessary before rendering a decision.
- e. The official shall provide the grievant with a written response to the grievance within 10 days after the meeting.

3. Response by Superintendent

a. If the grievant is dissatisfied with the official's response, the grievant may appeal in writing the decision to the superintendent for review by the superintendent or designee within five days of receipt of the official's

response.

- b. The superintendent or designee shall arrange for a meeting with the grievant to take place within five days of the receipt of the appeal.
- c. The superintendent or designee shall conduct any investigation necessary before arriving at a decision. The superintendent or designee shall provide the grievant with a written decision within 10 days after the meeting with the grievant.

4. Appeal to the Board

If the grievant has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or board policy or procedure or has alleged that a specific decision of a school official adversely affects the grievant's employment status or the terms or conditions of his or her employment, the grievant shall have a right to appeal a final administrative decision to the board of education (see subsection E.4.a, Mandatory Appeals, below). If the grievant has not alleged such specific violations, he or she may request a board hearing, which the board may grant at its discretion (see subsection E.4.b, Discretionary Appeals, below).

a. Mandatory Appeals

- 1) If the grievant is not satisfied with the superintendent's response and has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board policy or procedure or has alleged that a specific decision of a school official adversely affects the grievant's employment status or the terms or conditions of his or her employment, the grievant may appeal in writing the decision to the board within 10 days of receiving the superintendent's response.
- 2) A hearing will be conducted pursuant to policy 2500, Hearings Before the Board.
- 3) The board will provide a final written decision within 30 days of receiving the appeal unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

b. Discretionary Appeals

- 1) If the grievant is not satisfied with the superintendent's response but has not alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board policy or procedure or has not alleged that a specific decision of a school official adversely affects the grievant's employment status or the terms or conditions of his or her employment, the grievant may submit to the superintendent a written request for a hearing before the board of education within
 - 10 days of receiving the superintendent's response.
- The board chairperson will appoint a three- person panel to review the request and determine whether to (1) deny the appeal; (2) review the superintendent's decision on the written record only; or (3) grant a hearing. The panel will report the decision to the board. The board may modify the decision of the panel upon majority vote at a board meeting.
- 3) If the board denies the appeal, the decision of the superintendent will be final and the grievant will be notified within five days of the board's decision.
- 4) If the board decides to grant a hearing, the hearing will be conducted pursuant to policy 2500.
- 5) The board will provide a final written decision within 30 days of the decision to grant an appeal, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. RECORDS

Appropriate records will be maintained in accordance with state and federal law. Legal

References: G.S. 115C-45(c); 126-16

Cross References: Responding to Complaints (policy 1742/5060), Hearings Before the Board (policy 2500)

Revised: May 7, 2004; June 30, 2008; December 1, 2009; March 28, 2013, September 12, 2013, March 11, 2016

Board members and employees are expected to be honest and ethical in the performance of their duties and to comply with applicable federal, state, and local laws, policies, and regulations. The board encourages employees to report possible financial improprieties, ethical violations, and other illegal practices and intends that employees who report such matters in good faith will not be subject to retaliation or other adverse employment consequences.

If an employee reasonably believes that (1) there has been a violation of federal, state, or local law, policy, or regulation, public policy, or an individual's ethical duties and (2) the violation is due to a practice, policy, act, or omission of the board of education, an individual board member, a school system employee, or an entity/person with whom the school system has a business relationship, the employee should report that matter in accordance with policy 1750/7220, Grievance Procedure for Employees, unless a policy with a more specific reporting or complaint procedure applies. Any complaint alleging a violation by the superintendent or the board should be filed with the board chair for investigation. The board chair will report the complaint to the board, and the board will authorize a prompt and thorough investigation or other action as necessary.

The board prohibits and will not tolerate any form of reprisal, retaliation or discrimination against any employee who (1) in good faith, has made or intends to make a report of wrongdoing described in this policy; or (2) has refused to carry out a directive which may constitute a violation of federal, state, or local law, policy, or regulation, or poses a substantial or specific danger to public health and safety.

To be protected by this policy, employees who report violations or suspected violations must be acting in good faith based on a reasonable belief that the reported information represents an unlawful activity, policy, or practice. The protection extends to those whose allegations are made in good faith but prove to be mistaken. The board reserves the right to discipline employees who know or have reason to believe that the report is inaccurate. Further, except as otherwise required by law, the provisions of this policy apply only to those situations in which an employee brings the alleged unlawful activity, policy or practice to the attention of school officials or the board and provides school officials or the board with a reasonable opportunity to investigate and correct the alleged unlawful activity. If necessary, school officials or the board may specify reasonable steps to protect the complaining employee from retaliation.

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

Legal References: Sarbanes-Oxley Act, 18 U.S.C. 1513(e); G.S. 115C-335.5; 126-5(c5), -84, -85, -86, -87, -88

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy

1710/4020/7230), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Grievance Procedure for Employees (policy 1750/7220), Code of Ethics for School Board Members (policy 2120), Board Member Conflict of Interest (policy 2121), Ethics and the Purchasing Function (policy 6401/9100), Discrimination and Harassment in the Workplace (policy 7232), Staff Responsibilities (policy 7300), Employee Conflict of Interest (policy 7730)

Adopted: October 9, 2008

Updated: July 12, 2012, July 14, 2016

The board affirms the principle that every student should be given an equal opportunity for a sound basic education. Furthermore, no student, on the basis of any characteristic protected by federal or state law will be excluded from participating in the programs and services of the school system or otherwise be subjected to discrimination under any educational program or activity conducted by the school system. The school system will treat its students without discrimination in accordance with applicable law with regard to course offerings, athletics, counseling, employment assistance, and extracurricular activities, and educational resources.

Any student or parent or guardian who feels that this policy has been misinterpreted, misapplied or violated may file a complaint in accordance with board policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law; policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex; policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities; or policy 1740/4010, Student and Parent Grievance Procedure, as appropriate.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Equal Educational Opportunities Act of 1974, 20 U.S.C. 1701 et seq.; Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title IV of the Civil Rights Act of 1964, 42 U.S.C. 2000c et seq.; 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; G.S. 115C-1, -367, -375.5, -407.15 through -407.18, -407.30; Leandro v. State, 346 N.C. 336 (1997); Parent Rights & Responsibilities in Special Education (N.C. Dept. of Public Instruction, Exceptional Children Division), available at https://ec.ncpublicschools.gov/parent-resources/parents-rights-handbook

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), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Student and Parent Grievance Procedure (policy 1740/4010), Education for Pregnant and parenting Students (policy 4023)

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

Revised: October 11, 2007, February 12, 2009, November 9, 2017

The board of education will provide all pregnant and parenting students with the same educational instruction as other students or its equivalent. Pregnant and parenting students shall not be discriminated against or excluded from school or any program, class, or extracurricular activity because they are pregnant or parenting students. School administrators shall provide assistance and support to encourage pregnant and parenting students to remain enrolled in school and graduate.

In accordance with State law, the district shall use, as needed, supplemental funds from the At-Risk Student Services allotment to support programs for pregnant and parenting students. Pregnant and parenting students shall be given excused absences from school for pregnancy and related conditions for the length of time the student's physician finds medically necessary. These absences include those due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent. Homework and make-up work will be made available to pregnant and parenting students to ensure that they have the opportunity to keep current with assignments and avoid losing course credit because of their absence from school and, to the extent necessary, a homebound teacher shall be assigned.

Legal References: Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 et seq., 34 C.F.R. pt. 106; G.S. 115C-375.5

Cross References: Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Equal Educational Opportunities (policy 4001), Attendance (policy 4400)

Adopted: November 8, 2007

Updated: November 13, 2014

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:

- 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
- the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

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

D. REPORTING DISCRIMINATION AND HARASSMENT

Applicants and employees should promptly report orally or in writing any instance of alleged or potential discrimination, including harassment, to their principal or supervisor or the senior human resources official. Upon receiving a written complaint, the principal, supervisor, or senior human resources official shall promptly investigate the written complaint and cause or recommend appropriate corrective action if the written complaint is substantiated. Oral reports of violations may be investigated at the discretion of the

school officials designated above. All reports and complaints of harassment under this policy will be investigated in a manner that protects the employee or applicant and maintains confidentiality to the greatest extent possible as permitted by law.

E. RETALIATION PROHIBITED

The board prohibits retaliation against any person for making a report or complaint of a violation of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of a reported violation of this policy. No reprisals will be taken by the board against a 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.*; G.S. 143-422.2

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:

PERSONNEL FILES Policy Code: 7820

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

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

A. RECORDS MAINTAINED

The following records must be maintained in the personnel file:

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

B. CERTAIN EMPLOYEE RECORDS MAINTAINED SEPARATELY

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

1. Pre-Employment Information

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

2. Criminal Record Check

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

3. Medical Information

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

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

4. Complaints/Reports of Harassment or Discrimination

The superintendent or designee shall maintain records of all reports and complaints of harassment and discrimination and the resolution of such complaints. Allegations of harassment or discrimination must be kept confidential to the extent possible. Employees involved in the allegations will be identified only to individuals who need the information to investigate or resolve the matter, or to ensure that due process is provided to the accused employee (see policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law,

1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex, 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, 1726/4036/7237, Title IX Sexual Harassment Grievance Process, and 7232, Discrimination and Harassment in the Workplace).

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

C. PLACEMENT OF RECORDS IN PERSONNEL FILE

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

- 1. the comment is signed and dated by the person who made the evaluation, commendation, complaint, or suggestion;
- 2. if the comment is a complaint, the employee's supervisor has attempted to resolve the issue raised therein and documentation of such efforts is attached with the supervisor's recommendation to the superintendent as to whether the complaint contains any invalid, irrelevant, outdated, or false information; and
- 3. the employee has received a copy of the evaluation, commendation, complaint, or suggestion five days before it is placed in the file.

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

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

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

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

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

D. Access to Personnel File

- 1. Every employee has the right to inspect his or her personnel file, including any portions of the file maintained in electronic format only, during regular working hours, provided that three days' notice is given to the human resources office.
- 2. The following persons may be permitted to access a personnel file without the consent of the employee about whom the file is maintained:
 - a. school officials involved in the screening, selection, or evaluation of the individual for employment or other personnel action;
 - b. members of the board of education, if the examination of the file relates to the duties and responsibilities of the board member;
 - c. the board attorney;
 - d. the superintendent and other supervisory personnel;
 - e. the hearing officer in a demotion or dismissal procedure regarding the employee; and
 - f. law enforcement and the District Attorney to assist in the investigation of a report made to law enforcement pursuant to G.S. 115C-288(g) or regarding an arson; an attempted arson; or the destruction of, theft from, theft of, embezzlement from, or embezzlement of any personal or real property owned by the board. Five days' written notice will be given to the employee prior to such disclosure.
- 3. No other person may have access to a personnel file except under the following circumstances:

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

- b. pursuant to a subpoena or court order; or
- c. when the board has determined, and the superintendent has documented, that the release or inspection of information is essential to maintaining the integrity of the board or the quality of services provided by the board.
- d. the superintendent or designee determines that disclosure to a court of law, or a state or federal administrative agency having a quasi-judicial function, is necessary to adequately defend against a claim filed by a current or former employee against the board or a school official or employee for any alleged act or omission arising during the course and scope of his or her official duties or employment. Such disclosures will be limited to those confidential portions of the personnel file of the employee who filed the claim and only to the extent necessary for the defense of the board.
- 4. Each request for consent to release records must be handled separately.
- 5. It is a criminal violation for an employee or board member to do either of the following:
 - a. knowingly, willfully, and with malice, permit any unauthorized person to have access to information contained in a personnel file; or
 - b. knowingly and willfully examine, remove, or copy a personnel file that he or she is not specifically authorized to access pursuant to G.S. 115C-321.

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

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

- 1. whether the teacher has met North Carolina qualification and licensing criteria for the grade level(s) and subject area(s) in which the teacher provides instruction;
- 2. whether the teacher is teaching under emergency or other provisional status through which North Carolina qualification or licensing criteria have been waived;
- 3. whether the teacher is teaching in the field of discipline of his or her certification;

and

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

F. PUBLIC INFORMATION

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

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

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

- 3. Volunteer records are not considered public records.
- 4. Unless an employee submits a written objection to the human resources office, the board also may make the following information available about each employee as part of an employee directory:
 - a. address;
 - b. telephone number;
 - c. photograph;
 - d. participation in officially recognized activities and sports; and
 - e. degrees and awards received.
- 5. Employees will be notified of their right to object before any such directory is compiled or revised.
- 6. Under no circumstances will the following be released pursuant to a public records request or as part of an employee directory:
 - a. personal identifying information, as defined in policy 4705/7825, Confidentiality of Personal Identifying Information; or
 - b. the name, address, or telephone number of a participant in the North Carolina Address Confidentiality Program.

G. REMOVAL OF RECORDS

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

Legal References: Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff *et seq.*; Elementary and Secondary Education Act, 20 U.S.C. 6312(e)(1)(A); G.S. 114-19.2; 115C-36, -47(18), -209.1, -288(g), -319 to -321, -325(b) and (o) (applicable to career status teachers), -325.2 and -325.9 (applicable to non-career status teachers); 16 N.C.A.C. 6C .0313

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), Confidential Information (policy 2125/7315), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records – Retention, Release, and Disposition (policy 5070/7350), Employee Health Certificate (policy 7120), Discrimination and Harassment in the Workplace (policy 7232), Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241), Occupational Exposure to Bloodborne Pathogens (policy 7260), Communicable Diseases – Employees (policy 7262), Family and Medical Leave (policy 7520), Petition for Removal of Personnel Records (policy 7821), Resignation (policy 7900)

Adopted: March 8, 2012

Revised: February 12, 2015, June 8, 2017

Career and Technical Education Department Local Application for Funding for 2021-2022 May 13, 2021

Asheboro City Schools Career & Technical Education department submits a Local Application for Funding to North Carolina Career & Technical Education on a biannual basis. Last year, the Asheboro City Board of Education approved a two-year local plan prior to submission to the state. Budgets, though, are submitted annually.

Asheboro City Schools Career & Technical Education would like to present the following 2021-2022 budgets for approval by the Asheboro City Board of Education. Below is a general explanation for each funding source. Please see the attached documents for itemized breakdowns.

- 1. **PRC 013: Personnel Budget** Career & Technical Education receives an allotted number of Months of Employment (MOE's). These are calculated based on our previous year's average daily enrollment for grades 8-12, though positions can be funded down to 6th grade. One month of employment=one MOE, so one 10-month teacher requires 10 MOE's.
- **2. PRC 014: Program Support Funds -** This is the state appropriated funding for Career & Technical Education. These funds are used for supporting Career & Technical Education program services and activities. Allotments are calculated by first providing \$10,000 for each Public School Unit (PSU) and the remainder is based on average daily enrollment for grades 8-12. Career awareness activities can be supported down to 5th grade.
- 3. PRC 017: Program Development, Coordination, Implementation or Improvement This is our federal funding for Career & Technical Education. These funds should be used to directly support Career & Technical Education program improvement or development. Allotments are based on the following breakdown: 70% allotted based on children, ages 5-17, who are in poverty. The other 30% is based on the proportion of children, ages 5-17, from the preceding year. PRC 017 can fund activities for children in grades 5-12 and post-secondary students.

Asheboro City Schools LEA CODE 761

			MOE Proposed
Teacher	Program	Fund	for 2020-21
ASHEBORO HIGH SCHOOL	DE and Madatina	04.2	10
Berrier, Wes	BE and Marketing	013	10
Blakely, Erica	HS	013	10
Brady, Belinda	HS	013	10
Hoffman, Kimberly	Marketing	013	10
Church, Leigh Anne	FCS	013	10
Fleming, Michael	TE	013	10
Garner, Tony	T&I (Advanced Manufacturing)	013	10
Hurley, Lori	FCS	013	10
Langdon, Julie	FCS	013	10
Morton, Rita	HS	013	10
Pack, Elizabeth	AG	013	12
Business at AHS	BE	013	10
Robbins, Jennifer	HS	013	10
Smith, Scott	TE	013	10
	, , ,	013	10
NORTH ASHEBORO MIDDLE			
Gibbs, Ryan	TE	013	10
Hatchett, Tresa	BE	013	10
Ag at NAMS	AG	013	10
SOUTH ASHEBORO MIDDLE			
Business/Tech at SAMS	BE	013	10
Campbell, Taylor	AG	013	10
Thompson, Kelly	HS	013	10
SUPPORT PERSONNEL			
Robbins, Sarah Beth	CIMC/SPC/CDC	013	6
McGowan, Courtney	CDC/SPC	013	11
2nd CDC	CDC	013	11
ZIId CDC	CDC	013	230
	Total MOE's Proposed		230
	MOE's allotted 2011-2012		231
	MOE's allotted 2012-2013		243
	MOE's allotted 2013-2014		240
	MOE's allotted 2014-2015		238
	MOE's allotted 2015-2016		240
	MOE's allotted 2016-2017		245
	MOE's allotted 2017-2018		243
	MOE's allotted 2018-2019		237
	MOE's allotted 2019-2020		232
	MOE's allotted 2020-2021		243
	MOE's alloted 2021-2022		234
	Estimated Number of MOE's Left		4

Fund Purpose	Program	Object	Location	Description	Proposed 2020-21 Budget
1 5120	014	131	000	INSTRUCTIONAL SUPPORT	\$ 1,150.00
1 5120	014	319	000	OTHER PROFESSIONAL/TECHNICAL SERVICES	\$ 2,500.00
1 5120	014	311	001	CONTRACTED SERVICES (Shredder/WBL Insurance	\$ 2,000.00
1 5120	014	332	000	TRAVEL	\$ 3,000.00
1 5120	014	333	000	FIELDTRIPS	\$ 2,000.00
1 5120	014	351	000	TUITION and FEES (credentials)	\$ 8,000.00
1 5120	014	379	000	OTHER INS AND JUDGEMENTS	\$ 500.00
1 5120	014	411	000	SUPPLIES & MATERIALS	\$ 21,904.38
1 5120	014	418	000	COMPUTER SOFTWARE & LICENSES	\$ 15,000.00
1 5120	014	422	000	REPAIR PARTS/MATERIALS	\$ 2,500.00
1 5120	014	462	000	NON-CAPITALIZED COMPUTER EQUIPMENT	\$ 8,000.00
				Total	\$ 66,554.38

Fund	Purpose	Program	Object	Location	Description	Proposed 2019-20 Budget
3	5120	017	191	000	Extended Year CDC	\$ 5,600.00
3	5120	017	192	000	CTSO Advisor Stipends	\$ 2,000.00
3	5120	017	211	000	EMPLOYERS SOC SEC	\$ 430.00
3	5120	017	221	000	EMPLOYERS RETIREMENT	\$ 1,288.00
3	5120	014	312	000	WORKSHOP EXPENSES	\$ 12,000.00
3	5120	017	333	000	FIELDTRIPS	\$ 5,000.00
3	5120	017	351	000	TUITION & FEES (Credentials)	\$ 12,000.00
3	5120	017	352	000	EMPLOYEE EDUCATION REIMBURSEMENT	\$ 3,000.00
3	5120	017	411	000	SUPPLIES & MATERIALS	\$ 39,344.00
						\$ 75,062.00

Budget Amendment Asheboro City Schools Administrative Unit State Public School Fund

The Asheboro City Board of Education at a regular meeting on the 13th day of May, 2021, passed the following resolution.

Be it resolved that the following amendment be made to the budget resolution for the fiscal year ending June 30, 2021.

REVENUE		•	07.574			
1.3100.000	State Allocation	\$	67,571			
		\$	67,571			
<u>EXPENDITURE</u>						
1.5350.016	Extended Day/Year Instruction - Summer Reading Camps	\$	61,218			
1.5210.063 1.5110.085	Special Instruction - Children With Special Needs		6,024			
1.5110.085	Regular Instruction - Early Grade Reading Proficiency	_	329			
		\$	67,571			
Total Appropriation in C	Current Budget	\$	34,872,106			
Total Increase/Decreas	se of above amendment		67,571			
Total Appropriation in C	Current Amended Budget	\$	34,939,677			
Passed by majority vote of the Board of Education of Asheboro City on the 13th day of May, 2021.						
			_			
	Chairman, Board of Education					
	Secretary		-			

Budget Amendment Asheboro City Schools Administrative Unit Federal Funds

The Asheboro City Board of Education at a regular meeting on the 13th day of May, 2021, passed the following resolution.

Be it resolved that the following amendment be made to the budget resolution for the fiscal year ending June 30, 2021.

	Secretary		-
	Chairman, Board of Education		
			_
Passed by majority v	ote of the Board of Education of Ashebo	oro City on the 13th day o	f May, 2021.
Total Appropriation in	n Current Amended Budget	\$	9,507,331.18
	ase of above amendment	*	4,519,476.00
Total Appropriation in	Current Budget	\$	4,987,855.18
		\$	4,519,476.00
EXPENDITURE 3.5110.171	Regular Curricular Services	\$	4,519,476.00
		\$	4,519,476.00
	2002.	·	
3.3600.171	ESSER II	\$	4,519,476.00

PUBLIC SCHOOLS OF NORTH CAROLINA



STATE BOARD OF EDUCATION Eric C. Davis, Chairman

DEPARTMENT OF PUBLIC INSTRUCTION Mark Johnson, Superintendent of Public Instruction

WWW.DPI.NC.GOV

TO Mackenzie Palmer-Senior Accountant

Asheboro City Schools-761

FROM Krystie Terry, Procurement Specialist

NC Department of Public Instruction

DATE May 7, 2021

APPROVAL OF REQUEST FOR AUTHORITZATION OF NONCOMPETITIVE PROCUREMENT PROPOSAL – ELLevation

As the pass-through entity for programs authorized under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA), the North Carolina Department of Public Instruction (DPI) may waive competitive procurement requirements for funding from authorized grant programs in accordance with Uniform Guidance §200.320 (2 CFR §200.320(f)(3)).

Based on information provided by Asheboro City Schools, the Federal Program Monitoring and Support (FPMS) Division and the Monitoring and Compliance section approves the request for authorization of the noncompetitive proposal for the vendor ELLevation for the period of availability of grant funds used to obtain this procurement. This was approved for Asheboro City Schools for Highly Specialized Professional Services. The expected cost of this contract is \$72,409.50 and is related to the Title III English Acquisition PRC (104).

Note that all procurements, including sole source procurements, must comply with the general procurement standards identified in Uniform Guidance §200.318 (2 CFR §200.318) and be adequately documented for potential review by auditors and/or monitors.

If you need additional information, please contact me (<u>Krystie.Terry@dpi.nc.gov</u>) or your Federal Program Administrator.

c: Tina Letchworth- Assistant Director – Federal Program Monitoring & Support Division

FEDERAL FUNDS NONCOMPETITIVE PROCUREMENT REQUEST

Submit the completed form via email to LeighAnn.Kerr@dpi.nc.gov (attach any additional documentation). One request must be submitted for each individual issue (e.g., one email / request per vendor); they cannot be combined.

LEA Name and Unit Number:
Name and Title of Individual Submitting Request:
Vendor Name:
Federal Funding Source (including PRC):
Scope of Work:
Deliverables:
Cost:

exception	pete Justification: Select one or more of the procurement policy provisions below that best describes the n to the Uniform Guidance bidding requirements for procuring goods or services valued \$10,000 or greater eral funds.
	Inadequate Competition: After solicitation of a number of potential sources, competition is determined to be inadequate. Bids were solicited and, no responsive bid is received, or only a single responsive bid is received and is rejected. Provide a copy of RFP or informal bid request, non-responsive answers, and, if one bid was received copy of the bid and reason for why it was rejected.
	Public Exigency: When life, safety or health of the public must be sustained through the immediate delivery of products or performance of services or a critical agency mandate, statutory or operational requirement must be fulfilled immediately.
	Highly Specialized Professional Services: The procurement of professional services should be conducted through a bid process, the requesting unit can demonstrate that such services, due to unique or special circumstances, can't be procured in this manner. A resume or other details about the unique qualifications of this supplier must be attached.
	Highly Specialized Technical Services: Another supplier cannot be chosen because the supplier provides services in connection with the assembly, installation or servicing of equipment of a highly technical or specialized nature.
	Proprietary Software / Hardware: The requested upgrade to proprietary software or hardware is available only from this supplier, which performs the service only on a direct basis. Attach documentation supporting that the hardware or software is proprietary and that only this supplier and can perform the requested upgrade.
	Equipment Continuity: The requesting unit seeks equipment that must be compatible with existing equipment and/or standardizing on equipment which is necessary to assure interchangeability of parts.
	Curriculum Continuity: The requesting unit seeks curriculum that must be compatible with existing materials.
	Amendment/Change Order: Requests, not covered under existing contract, where current supplier is best positioned based on skill, knowledge, familiarity with the project to provide the extra work resulting in a cost savings to the unit over the cost of a new supplier. This also includes amendments that result in an extension of the term due to the successor contract or bidding process being incomplete prior to expiration of the current contract.
	Other (Please Explain in Detail):

PUBLIC SCHOOLS OF NORTH CAROLINA



STATE BOARD OF EDUCATION Eric C. Davis, Chairman

DEPARTMENT OF PUBLIC INSTRUCTION Mark Johnson, Superintendent of Public Instruction

WWW.DPI.NC.GOV

TO Mackenzie Palmer-Senior Accountant

Asheboro City Schools-761

FROM Krystie Terry, Procurement Specialist

NC Department of Public Instruction

DATE May 11, 2021

APPROVAL OF REQUEST FOR AUTHORITZATION OF NONCOMPETITIVE PROCUREMENT PROPOSAL – Curriculum Associates

As the pass-through entity for programs authorized under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA), the North Carolina Department of Public Instruction (DPI) may waive competitive procurement requirements for funding from authorized grant programs in accordance with Uniform Guidance §200.320 (2 CFR §200.320(f)(3)).

Based on information provided by Asheboro City Schools, the Federal Program Monitoring and Support (FPMS) Division and the Monitoring and Compliance section approves the request for authorization of the noncompetitive proposal for the vendor Curriculum Associates for the period of availability of grant funds used to obtain this procurement. This was approved for Asheboro City Schools for Curriculum Continuity. The expected cost of this contract is \$109,191.50 and is related to ESSER III PRC (181).

Note that all procurements, including sole source procurements, must comply with the general procurement standards identified in Uniform Guidance §200.318 (2 CFR §200.318) and be adequately documented for potential review by auditors and/or monitors.

If you need additional information, please contact me (<u>Krystie.Terry@dpi.nc.gov</u>) or your Federal Program Administrator.

c: Tina Letchworth- Assistant Director – Federal Program Monitoring & Support Division

FEDERAL FUNDS NONCOMPETITIVE PROCUREMENT REQUEST

Submit the completed form via email to LeighAnn.Kerr@dpi.nc.gov (attach any additional documentation). One request must be submitted for each individual issue (e.g., one email / request per vendor); they cannot be combined.

LEA Name and Unit Number: Asheboro City Schools - 761
Name and Title of Individual Submitting Request: Dr. Wendy Rich, Assistant Superintendent of Curriculum and Instruction
Vendor Name: Curriculum Associates
Federal Funding Source (including PRC): ESSER III Funds - PRC 181
Scope of Work: i-Ready will be utilized to help address learning loss as a result of COVID-19. The high-quality assessments in this program will be admistered to our students 3 times a year and students will be placed on learning pathways in the program that addresses the skills and content they have missed or not mastered during the pandemic. Teachers support the pathway instruction and utlize the information to help meet the individual needs of their students.
Deliverables:
Cost: \$109,191.50

exception	npete Justification: Select one or more of the procurement policy provisions below that best describes the on to the Uniform Guidance bidding requirements for procuring goods or services valued \$10,000 or greater deral funds.
	Inadequate Competition: After solicitation of a number of potential sources, competition is determined to be inadequate. Bids were solicited and, no responsive bid is received, or only a single responsive bid is received and is rejected. Provide a copy of RFP or informal bid request, non-responsive answers, and, if one bid was received copy of the bid and reason for why it was rejected.
	Public Exigency: When life, safety or health of the public must be sustained through the immediate delivery of products or performance of services or a critical agency mandate, statutory or operational requirement must be fulfilled immediately.
	Highly Specialized Professional Services: The procurement of professional services should be conducted through a bid process, the requesting unit can demonstrate that such services, due to unique or special circumstances, can't be procured in this manner. A resume or other details about the unique qualifications of this supplier must be attached.
	Highly Specialized Technical Services: Another supplier cannot be chosen because the supplier provides services in connection with the assembly, installation or servicing of equipment of a highly technical or specialized nature.
	Proprietary Software / Hardware: The requested upgrade to proprietary software or hardware is available only from this supplier, which performs the service only on a direct basis. Attach documentation supporting that the hardware or software is proprietary and that only this supplier and can perform the requested upgrade.
	Equipment Continuity: The requesting unit seeks equipment that must be compatible with existing equipment and/or standardizing on equipment which is necessary to assure interchangeability of parts.
V	Curriculum Continuity: The requesting unit seeks curriculum that must be compatible with existing materials.
	Amendment/Change Order: Requests, not covered under existing contract, where current supplier is best positioned based on skill, knowledge, familiarity with the project to provide the extra work resulting in a cost savings to the unit over the cost of a new supplier. This also includes amendments that result in an extension of the term due to the successor contract or bidding process being incomplete prior to expiration of the current contract.
	Other (Please Explain in Detail):
. -	



Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum

AGREEMENT made as of the Fifteenth day of April in the year Two Thousand Twenty One (In words, indicate day, month and year.)

BETWEEN the Owner:

(Name, legal status, address and other information)

Asheboro City Schools 1126 South Park Street Asheboro, North Carolina 27203 Telephone Number: 336.625.5104 Fax Number: 336.625.9238

and the Contractor:

(Name, legal status, address and other information)

J. M. Thompson Co. 1002 East Chatham Street Cary, North Carolina 27511 Telephone Number: 919.851.1611 Fax Number: 919.859.9583

for the following Project: (Name, location and detailed description)

Asheboro High School Renovation - Phase 3 1221 South Park Street Asheboro, North Carolina 27203

The proposed work is as indicated in the Contract Documents and includes but is not limited to the renovation of 167,272 square feet of a 230,216 square foot multi-story high school building, Asheboro High School. Renovation will include hazardous material abatement, utility infrastructure upgrades (mechanical, electrical, plumbing, and fire protection), reconfiguration of space, overall accessibility improvements, updated finishes, and roof replacement. Existing program spaces will be updated to current state standards, while additional space will be allocated to developing school programs. Additionally included is all other work as shown, indicated, or reasonably implied on the drawings and/or specifications for a complete first class job.

The Architect:

(Name, legal status, address and other information)

Smith Sinnett Architecture 4600 Lake Boone Trail, Suite 205 Raleigh, North Carolina 27607 Telephone Number: 919.781.8582

The Owner and Contractor agree as follows.

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An Additions and Deletions Report that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

The parties should complete A101®-2017, Exhibit A, Insurance and Bonds, contemporaneously with this Agreement. AIA Document A201®-2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

TABLE OF ARTICLES

- 1 THE CONTRACT DOCUMENTS
- 2 THE WORK OF THIS CONTRACT
- 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
- 4 CONTRACT SUM
- 5 PAYMENTS
- 6 DISPUTE RESOLUTION
- 7 TERMINATION OR SUSPENSION
- 8 MISCELLANEOUS PROVISIONS
- 9 ENUMERATION OF CONTRACT DOCUMENTS

EXHIBIT A INSURANCE AND BONDS

ARTICLE 1 THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary, and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement, and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

ARTICLE 2 THE WORK OF THIS CONTRACT

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1 The date of commencement of the Work shall be: (Check one of the following boxes.)

l]	The date of this Agreement.
[]	X]	A date set forth in a notice to proceed issued by the Owner.
[]	Established as follows: (Insert a date or a means to determine the date of commencement of the Work.)

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of this Agreement.

§ 3.2 The Contract Time shall be measured from the date of commencement of the Work.

§ 3.3 Substantial Completion

§ 3.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Contractor shall achieve Substantial Completion of the entire Work:

(Check one of the following boxes and complete the necessary information.)

- [] Not later than () calendar days from the date of commencement of the Work.
- [X] By the following date: See 3.3.2 and Project Manual
- § 3.3.2 Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Contractor shall achieve Substantial Completion of such portions by the following dates:

Portion of Work **Substantial Completion Date** November 7th, 2022

Construction Commence - July 7th, 2021

Substantial Completion (Building)

December 7th, 2022

Civil 'C' Sheets & Applicable

Substantial Completion (Site) - June 25th, 2023

Specifications, (Modular Campus) Commence - January 25th, 2023

Completion (Site)

Completion (Building)

Completion (Site) - July 25th, 2023

§ 3.3.3 If the Contractor fails to achieve Substantial Completion as provided in this Section 3.3, liquidated damages, if any, shall be assessed as set forth in Section 4.5.

ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be Twenty-two million seven hundred seventy-four thousand, seven hundred sixty-eight dollars (\$ 22,774,768.00), subject to additions and deductions as provided in the Contract Documents with Clarification: Base Bid of \$23,216,000.00 less Value Engineering of (\$648,735.00) plus acceptance of Alternates 4B, \$135,280.00 and Alternate 6, \$72,223.00 for a Grand Total of \$22,774,768.00.

§ 4.2 Alternates

4.2.1 Alternates, if any, included in the Contract Sum:

Item	Price
Portions of Alternate No. 1: 1a, 1b, 1c, 3a,	\$0.00
3b, 3c, 4a, 4b.	
Alternate No. 04b - Existing Freight	\$135,280
Elevator Modification	
Alternate No. 06 – Wood Doors	\$72,223

§ 4.2.2 Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Agreement. Upon acceptance, the Owner shall issue a Modification to this Agreement. (Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)

Item Price Conditions for Acceptance

§ 4.3 Allowances, if any, included in the Contract Sum: (Identify each allowance.)

Item	Price
UP/A-1 Rock Removal/Disposal	\$3,420.00
UP/A-2 Unsuitable Soils	\$4,400.00
Removal/Disposal	
UP/A-3 Replacement with off-site suitable soil	\$2,380.00
UP/A-4 Replacement with ABC Stone	\$4,657.00

UP/A-5 Replacement with #57 Stone	\$2,587.50
UP/A-6 Biaxial Geo-Grid	\$181.25
UP/A-7a Undiscoverable Hazardous	\$12,400.00
Material Removal (LF)	
UP/A-7b Undiscoverable Hazardous	\$24,800.00
Material Removal (LF)	8
UP/A-8 Undiscoverable Hazardous	\$38,800.00
Material Removal (SF)	
UP/A-9 Slab Removal and Replacement	\$50,000.00
of Under slab 4" CI Waste Pipe	200 3
UP/A-10 Slab Removal and Replacement	\$11,650.00
of Overhead 4" CI Waste Pipe	,
UP/A-11 Slab Removal and Replacement	\$13,250.00
of Overhead 2" Copper Water Pipe	
UP/A-12 Floor Leveling Compound	\$39,900.00
UP/A-13 Topical Moisture Mitigation	\$17,600.00
System	
UP/A-14 Abrasive Blast Floor Preparation	\$10,850.00
A-15 Undiscoverable Existing Systems	\$40,000.00
and Utilities	,
A-16 Access Control Systems	\$75,000.00
A-17 Signage	\$60,000.00
A-18 Technology and Furnishings	\$50,000.00
A-19 Appliances	\$50,000.00
A-20 Bidirectional Amplification	\$125,000.00
A-21 Auditorium Seating Repair	\$130,000.00
A-22 Contingency	\$938,250.00
A-23 Booster Pump	\$50,000.00
300.50 (1986) 7000-00 (1970-0000 1970 1970 1970 1970 1970 1970 1970	

§ 4.4 Unit prices, if any:

(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price per Unit (\$0.00)
UP/A-1 Rock Removal/Disposal	20 cy	\$171.00
UP/A-2 Unsuitable Soils Removal/Disposal	250 cy	\$17.60
UP/A-3 Replacement with off-site suitable soil	100 cy	\$23.80
UP/A-4 Replacement with ABC Stone	100 cy	\$46.57
UP/A-5 Replacement with #57 Stone	50 cy	\$51.75
UP/A-6 Biaxial Geo-Grid	25 sy	\$7.25
UP/A-7a Undiscoverable Hazardous Material	1,000 lf	\$12.40
Removal (LF)		
UP/A-7b Undiscoverable Hazardous Material	2,000 lf	\$12.40
Removal (LF)		
UP/A-8 Undiscoverable Hazardous Material	10,000 sf	\$3.88
Removal (SF)		
UP/A-9 Slab Removal and Replacement of	500 lf	\$100.00
Under slab 4" CI Waste Pipe		
UP/A-10 Slab Removal and Replacement of	500 lf	\$23.30
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UP/A-11 Slab Removal and Replacement of	500 lf	\$26.50
Overhead 2" Copper Water Pipe		
UP/A-12 Floor Leveling Compound	15,500 sf	\$2.66
UP/A-13 Topical Moisture Mitigation System	10,000 sf	\$1.76
UP/A-14 Abrasive Blast Floor Preparation	5,000 sf	\$2.17

§ 4.5 Liquidated damages, if any:

(Insert terms and conditions for liquidated damages, if any.)

See Project Manual, Specification Section 007300 Supplementary Conditions, Page 007300-3, Paragraph 9.11 Liquidated Damages and Paragraph 9.12, Final Completion.

§ 4.6 Other:

(Insert provisions for bonus or other incentives, if any, that might result in a change to the Contract Sum.)

ARTICLE 5 PAYMENTS

§ 5.1 Progress Payments

- § 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.
- § 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:
- § 5.1.3 Provided that an Application for Payment is received by the Architect not later than the 25th day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the last day of the following month. If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner not later than thirty (30) days after the Architect receives the Application for Payment.

(Federal, state or local laws may require payment within a certain period of time.)

- § 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form, and supported by such data to substantiate its accuracy, as the Architect may require. This schedule of values shall be used as a basis for reviewing the Contractor's Applications for Payment.
- § 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.
- § 5.1.6 In accordance with AIA Document A201TM—2017, General Conditions of the Contract for Construction, and subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:
- § 5.1.6.1 The amount of each progress payment shall first include:
 - .1 That portion of the Contract Sum properly allocable to completed Work;
 - .2 That portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction, or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing; and
 - .3 That portion of Construction Change Directives that the Architect determines, in the Architect's professional judgment, to be reasonably justified.
- § 5.1.6.2 The amount of each progress payment shall then be reduced by:
 - .1 The aggregate of any amounts previously paid by the Owner;
 - .2 The amount, if any, for Work that remains uncorrected and for which the Architect has previously withheld a Certificate for Payment as provided in Article 9 of AIA Document A201–2017;
 - .3 Any amount for which the Contractor does not intend to pay a Subcontractor or material supplier, unless the Work has been performed by others the Contractor intends to pay;
 - .4 For Work performed or defects discovered since the last payment application, any amount for which the Architect may withhold payment, or nullify a Certificate of Payment in whole or in part, as provided in Article 9 of AIA Document A201–2017; and
 - .5 Retainage withheld pursuant to Section 5.1.7.

§ 5.1.7 Retainage

§ 5.1.7.1 For each progress payment made prior to Substantial Completion of the Work, the Owner may withhold the following amount, as retainage, from the payment otherwise due:

(Insert a percentage or amount to be withheld as retainage from each Application for Payment. The amount of retainage may be limited by governing law.)

See Project Manual, Specification Section 007300 Supplementary Conditions, Page 007300-3, Paragraph 9.3, Applications for Payment

§ 5.1.7.1.1 The following items are not subject to retainage:

(Insert any items not subject to the withholding of retainage, such as general conditions, insurance, etc.)

See Project Manual, Specification Section 007300 Supplementary Conditions, Page 007300-3, Paragraph 9.3, Applications for Payment

§ 5.1.7.2 Reduction or limitation of retainage, if any, shall be as follows:

(If the retainage established in Section 5.1.7.1 is to be modified prior to Substantial Completion of the entire Work, including modifications for Substantial Completion of portions of the Work as provided in Section 3.3.2, insert provisions for such modifications.)

See Project Manual, Specification Section 007300 Supplementary Conditions, Page 007300-3, Paragraph 9.3, Applications for Payment

§ 5.1.7.3 Except as set forth in this Section 5.1.7.3, upon Substantial Completion of the Work, the Contractor may submit an Application for Payment that includes the retainage withheld from prior Applications for Payment pursuant to this Section 5.1.7. The Application for Payment submitted at Substantial Completion shall not include retainage as

(Insert any other conditions for release of retainage upon Substantial Completion.)

See Project Manual, Specification Section 007300 Supplementary Conditions, Page 007300-3, Paragraph 9.3, Applications for Payment

- § 5.1.8 If final completion of the Work is materially delayed through no fault of the Contractor, the Owner shall pay the Contractor any additional amounts in accordance with Article 9 of AIA Document A201-2017.
- § 5.1.9 Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

§ 5.2 Final Payment

- § 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when
 - the Contractor has fully performed the Contract except for the Contractor's responsibility to correct .1 Work as provided in Article 12 of AIA Document A201–2017, and to satisfy other requirements, if any, which extend beyond final payment; and
 - .2 a final Certificate for Payment has been issued by the Architect.
- § 5.2.2 The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect's final Certificate for Payment, or as follows:

§ 5.3 Interest

User Notes:

Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located. (Insert rate of interest agreed upon, if any.)

ARTICLE 6 DISPUTE RESOLUTION

§ 6.1 Initial Decision Maker

The Architect will serve as the Initial Decision Maker pursuant to Article 15 of AIA Document A201–2017, unless the parties appoint below another individual, not a party to this Agreement, to serve as the Initial Decision Maker. (If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)

§ 6.2 Binding Dispute Resolution

For any Claim subject to, but not resolved by, mediation pursuant to Article 15 of AIA Document A201–2017, the method of binding dispute resolution shall be as follows: (Check the appropriate box.)

[]	Arbitration pursuant to Section 15.4 of AIA Document A201–2017
[]	X]	Litigation in a court of competent jurisdiction
[1	Other (Specify)

If the Owner and Contractor do not select a method of binding dispute resolution, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.

ARTICLE 7 TERMINATION OR SUSPENSION

§ 7.1 The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201–2017.

§ 7.1.1 If the Contract is terminated for the Owner's convenience in accordance with Article 14 of AIA Document A201–2017, then the Owner shall pay the Contractor a termination fee as follows: (Insert the amount of, or method for determining, the fee, if any, payable to the Contractor following a termination for the Owner's convenience.)

§ 7.2 The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201–2017.

ARTICLE 8 MISCELLANEOUS PROVISIONS

§ 8.1 Where reference is made in this Agreement to a provision of AIA Document A201–2017 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

§ 8.2 The Owner's representative:

(Name, address, email address, and other information)

Sandra Spivey, Finance Officer Asheboro City Schools 1126 South Park Street Asheboro, North Carolina 27203 Telephone Number: 336.625.5104 Email Address: sspivey@asheboro.k12.nc.us

§ 8.3 The Contractor's representative:

Init.

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User Notes:

(Name, address, email address, and other information)

Dickie Thompson, Executive Vice President J. M. Thompson Co. 1002 East Chatham Street Cary, North Carolina 27511 Telephone Number: 919.851.1611 Email: dthompson@jmthompson.com

§ 8.4 Neither the Owner's nor the Contractor's representative shall be changed without ten days' prior notice to the other party.

§ 8.5 Insurance and Bonds

- § 8.5.1 The Owner and the Contractor shall purchase and maintain insurance as set forth in AIA Document A101TM–2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, Exhibit A, Insurance and Bonds, and elsewhere in the Contract Documents.
- § 8.5.2 The Contractor shall provide bonds as set forth in AIA Document A101TM–2017 Exhibit A, and elsewhere in the Contract Documents.
- § 8.6 Notice in electronic format, pursuant to Article 1 of AIA Document A201–2017, may be given in accordance with AIA Document E203[™]–2013, Building Information Modeling and Digital Data Exhibit, if completed, or as otherwise set forth below:

(If other than in accordance with AIA Document E203–2013, insert requirements for delivering notice in electronic format such as name, title, and email address of the recipient and whether and how the system will be required to generate a read receipt for the transmission.)

§ 8.7 Other provisions:

ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS

- § 9.1 This Agreement is comprised of the following documents:
 - .1 AIA Document A101TM–2017, Standard Form of Agreement Between Owner and Contractor
 - .2 AIA Document A101TM–2017, Exhibit A, Insurance and Bonds
 - .3 AIA Document A201TM–2017, General Conditions of the Contract for Construction
 - 4 AIA Document E203[™]-2013, Building Information Modeling and Digital Data Exhibit, dated as indicated below:

(Insert the date of the E203-2013 incorporated into this Agreement.)

.5 Drawings

NumberTitleDateSee "Exhibit A"List of DrawingsSee "Exhibit A"

.6 Specifications

SectionTitleDatePagesSee "Exhibit B"List of SpecificationsSee "Exhibit B"See "Exhibit B"

.7 Addenda, if any:

	Number Addendum No. 1 Addendum No. 2 Addendum No. 3 Post Bid Addenda No. 1 (V.E.)	Date February 19, 2021 February 26, 2021 March 4, 2021 March 31st, 2021	Pages 1-60 1-111 1-118 1-5 plus attachmen	nts.
	Portions of Addenda relating to bidd Documents unless the bidding or pro-	ing or proposal requirements a oposal requirements are also en	re not part of the C umerated in this A	ontract rticle 9.
.8	Other Exhibits: (Check all boxes that apply and inclined required.)	ude appropriate information id	entifying the exhib	it where
		117, Sustainable Projects Exhib -2017 incorporated into this Ag		ed below:
	[] The Sustainability Plan:			
	Title	Date	Pages	
	[] Supplementary and other C	onditions of the Contract:		
	Document	Title	Date	Pages
	Exhibit C	Accepted Value	See	See
	Exhibit D	Engineering Conformed Documents	Attachment See Attachment	Attachment See Attachment
.9	Other documents, if any, listed below (List here any additional documents Document A201 TM –2017 provides the sample forms, the Contractor's bid to th	that are intended to form part hat the advertisement or invitati or proposal, portions of Addence	on to bid, Instructi la relating to biddi	ons to Bidders, ng or proposal

requirements, and other information furnished by the Owner in anticipation of receiving bids or proposals, are not part of the Contract Documents unless enumerated in this Agreement. Any such

documents should be listed here only if intended to be part of the Contract Documents.)

This Agreement entered into as of the day and year first written above.

	Dickie Thompson
OWNER (Signature)	CONTRACTOR (Signature)
Michael B. Smith, Board Chairman	Dickie Thompson, Executive Vice President
Asheboro City Schools,	J.M. Thompson Co.
(Printed name and title)	(Printed name and title)

Asheboro High School Renovation Phase III

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M4-05	FAN COIL AND FAN COIL LOOP SCHEMATIC AND SEQUENCE	01 Feb 2021
	4-PIPE DOAS UNIT SCHEMATIC	01 Feb 2021
	4-PIPE DOAS UNIT SCHEMATIC	01 Feb 2021
M4-07	4-PIPE DOAS UNIT, NO WHEEL	01 Feb 2021
01000000 Vesides	CONTROL SCHEMATICS UNIT VENTILATOR & MISC	01 Feb 2021
M4-09	FAN COIL PIPE LOOPS	01 Feb 2021
M5-01	DETAILS	01 Feb 2021
	DETAILS	01 Feb 2021
	DETAILS	01 Feb 2021
	UL PENETRATION DETAILS	01 Feb 2021
	AHU DETAILS	01 Feb 2021
	KITCHEN HOOD	01 Feb 2021
M6-02	KITCHEN HOOD	01 Feb 2021

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Asheboro High School Renovation Phase III	Smith Sinnett / 2018029
Asheboro, NC	
Asheboro City Schools	
Asheodia City Schools	
April 5, 2021	
M6-03 KITCHEN HOOD	01 Feb 2021
M6-04 KITCHEN HOOD	01 Feb 2021
M6-05 KITCHEN HOOD	01 Feb 2021
M7-01 MECHANICAL SCHEDULES	01 Feb 2021
M7-02 MECHANICAL SCHEDULES	01 Feb 2021
ELECTRICAL	
E0-00 ELECTRICAL LEAD SHEET	01 Feb 2021
E0-01 BASEMENT DEMOLITION PLAN PART A	01 Feb 2021
E0-02 BASEMENT DEMOLITION PLAN PART B	01 Feb 2021
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E2-13 FIRST FLOOR POWER PLAN PART C	01 Feb 2021
E2-14 FIRST FLOOR POWER PLAN PART D	01 Feb 2021
E2-21 SECOND FLOOR POWER PLAN PART A	01 Feb 2021

Asheboro High School Renovation Phase III Smith Sinnett / 2018029 Asheboro, NC Asheboro City Schools April 5, 2021 E2-22 SECOND FLOOR POWER PLAN PART B 01 Feb 2021 E2-23 SECOND FLOOR POWER PLAN PART C 01 Feb 2021 E2-24 ROOF POWER PLAN 01 Feb 2021 E3-01 BASEMENT FIRE ALARM PLAN PART A 01 Feb 2021 E3-02 BASEMENT FIRE ALARM PLAN PART B 01 Feb 2021 E3-03 BASEMENT FIRE ALARM PLAN PART C 01 Feb 2021 E3-04 BASEMENT FIRE ALARM PLAN PART D 01 Feb 2021 E3-05 BASEMENT FIRE ALARM PLAN PART E 01 Feb 2021 E3-11 FIRST FLOOR FIRE ALARM PLAN PART A 01 Feb 2021 E3-12 FIRST FLOOR FIRE ALARM PLAN PART B 01 Feb 2021 E3-13 FIRST FLOOR FIRE ALARM PLAN PART C 01 Feb 2021 E3-14 FIRST FLOOR FIRE ALARM PLAN PART D 01 Feb 2021 E3-21 SECOND FLOOR FIRE ALARM PLAN PART A 01 Feb 2021 E3-22 SECOND FLOOR FIRE ALARM PLAN PART B 01 Feb 2021 E3-23 SECOND FLOOR FIRE ALARM PLAN PART C 01 Feb 2021 E3-24 ROOF FIRE ALARM PLAN 01 Feb 2021 E4-01 DEMOLITION POWER RISER 01 Feb 2021 E4-02 NEW WORK POWER RISER 01 Feb 2021 E4-03 FIRE ALARM RISER/MATRIX 01 Feb 2021 E4-04 TELECOMMUNICATIONS RISER 01 Feb 2021 E5-01 LIGHTING FIXTURE SCHEDULE AND PANEL SCHEDULES 01 Feb 2021 E5-02 PANEL SCHEDULES 01 Feb 2021 E5-03 PANEL SCHEDULES 01 Feb 2021 E5-04 PANEL SCHEDULES 01 Feb 2021 E5-05 PANEL SCHEDULES 01 Feb 2021 E5-06 PANEL SCHEDULES 01 Feb 2021 E5-07 PANEL SCHEDULES 01 Feb 2021 E6-01 DETAILS 01 Feb 2021 E6-02 DETAILS 01 Feb 2021 E6-03 DETAILS 01 Feb 2021 E7-01 PERFORMANCE LIGHTING LAYOUT - ALTERNATE 03 01 Feb 2021 E7-02 PERFORMANCE LIGHTING RISER - ALTERNATE 03 01 Feb 2021 E7-03 PERFORMANCE RIGGING LAYOUT - ALTERNATE 03 01 Feb 2021 E7-04 PERFOMANCE RIGGING RISER - ALTERNATE 03 01 Feb 2021 FIRE PROTECTION

FP0-00 FIRE PROTECTION LEAD SHEET

FP1-31 FIRE PROTECTION ROOF PLAN

FP1-01 BASEMENT PLAN

FP1-11 FIRST FLOOR PLAN

FP1-21 SECOND FLOOR PLAN

01 Feb 2021

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1221 S Park St

Asheboro, North Carolina 27203

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Exhibit C - Final Value Engineering

Asheboro High School Phase 111 Renovation Asheboro City Schools / Board of Education

31-Mar-21

Item#	VE Item Description	QTY	UM	Unit	Unit Price		
1	Stainless rails to painted metal total:	1	LS	\$	(95,000.00		
2	Reduce wall tile per plan provide 03.17.2021	1	LS	\$	(53,200.00		
3	Change from copper to CPVC on mains & in wall	1	LS	\$	(85,000.00		
4	Manual lav faucets ILO electronic faucets	1	LS	\$	(6,500.00		
5	Manual flushometeres ILO dual action flush valves	1	LS	\$	(3,800.00		
6	Delete duct cleaning requiements	1	LS	\$	(22,000.00		
7	Provide AAON a PO before 06/01/2021	1	LS	\$	(16,485.00		
8	Provide barometric releif dampers ILO motorized (AAON)	1	LS	\$	(4,200.00		
9	Delete Need for BIM drawings	1	LS	\$	(21,000.00		
10	No condensate pumps in Aux. drain pans	1	LS	\$	(8,000.00		
11	No step down transformers for condensate pumps	1	LS	\$	(16,000.00		
12	Aluminum feeders ILO copper	1	LS	\$	(75,000.00		
13	Abandon Modular utilities	1	ls	\$	(19,800.00		
14	Alternate lighting package	1	LS	\$	(21,000.00		
15	VE for alternate gear package	1	LS	\$	(3,000.00		
16	Delete electrostatic paint from at the lockers	1	LS	\$	(25,000.00		
17	Delete Trophy cases	1	ls	\$	(87,000.00		
18	Delete Audio System for Gym	1	LS	\$	(25,000.00		
19	Reduce General Contingency			\$	(61,750.00		
1,3,604	Alternate 04B - Existing Freight Elevator Modifications			\$	135,280.00		
	Alternate 06 - Wood Doors			\$	72,223.00		

BASE BID	Ş.	\$23,216,000.00 \$ (648,735.00)			
LESS V.E. ADD ALTERNATES	\$	207,503.00			
TOTAL AWARD	\$22,774,768.00				

EXHIBIT D

NOTE:

The <u>Conformed Drawing Set</u>, <u>Volume I and Volume II</u>, along with the <u>Conformed Specification</u>, <u>Volume I and Volume II</u> have been delivered to J.M. Thompson Co. with this contract. They are marked POST BID CONSOLIDATED SET 04/30/2021 and POST BID CONSOLIDATED SPECIFICATIONS 04/30/2021 respectively.

These conformed documents include all addenda to date as listed in Article 9 of the contract. This includes the Post Bid Addenda #1 that captures the cost reduction revisions (V.E. Items) that are accepted by the Owner and listed in Exhibit C as attached to this contract. By executing this contract, the contractor recognizes receipt of these conformed sets and acknowledges that these sets accurately represent the intent of the cost reductions.

ATA° Document A312™ – 2010

SURETY:

of business)

(Name, legal status and principal place

Zurich American Insurance Company

Schaumburg, IL 60196-1056

Fidelity and Deposit Company of Maryland and

Attn: Surety Claims, 1299 Zurich Way, 5th Floor

Performance Bond

CONTRACTOR:

(Name, legal status and address)

J.M. Thompson Company 1002 East Chatham Street Cary, NC 27511

OWNER:

(Name, legal status and address)

Asheboro City Schools 1126 South Park Street Asheboro, NC 27203

CONSTRUCTION CONTRACT

Date: April 15, 2021

Amount: \$ 22,774,768.00 Twenty Two Million Seven Hundred Seventy Four Thousand Seven Hundred Sixty Eight and and 00/100 Dollars

Description:

(Name and location)

Asheboro High School Renovation - Phase 3 1221 South Park Street Asheboro, NC 27203

BOND

Company:

J.M. Thompson Signature:

Date: May 5, 2021

(Not earlier than Construction Contract Date)

Amount: \$ 22,774,768.00 Twenty Two Million Seven Hundred Seventy Four Thousand Seven Hundred Sixty Eight and and 00/100 Dollars None

X

Modifications to this Bond: CONTRACTOR AS PRINCIPAL

SURETY

(Corporate Seal)

Company:

(Corporate Seal)

Fidelity and Deposit Company of Maryland Zurich American Insurance Company

Signature: Name and

eora Debra S. Ritter

See Section 16

Name and RICHARD

Attorney-in-Fact Title:

Title: Attorney-In-Fact (Any additional signatures appear on the last page of this Performance Bond.)

(FOR INFORMATION ONLY — Name, address and telephone)

AGENT or BROKER:

Marsh & McLennan Agency LLC 5605 Carnegie Blvd., Suite 300 Charlotte, NC 28209 704-365-6213

OWNER'S REPRESENTATIVE:

(Architect, Engineer or other party:)

Smith Sinnett Architecture 4600 Lake Boone Trail, Suite 205 Raleigh, NC 27607

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An Additions and Deletions Report that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

Init.

1

- § 1 The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner for the performance of the Construction Contract, which is incorporated herein by reference.
- § 2 If the Contractor performs the Construction Contract, the Surety and the Contractor shall have no obligation under this Bond, except when applicable to participate in a conference as provided in Section 3.
- § 3 If there is no Owner Default under the Construction Contract, the Surety's obligation under this Bond shall arise after
 - the Owner first provides notice to the Contractor and the Surety that the Owner is considering declaring a Contractor Default. Such notice shall indicate whether the Owner is requesting a conference among the Owner, Contractor and Surety to discuss the Contractor's performance. If the Owner does not request a conference, the Surety may, within five (5) business days after receipt of the Owner's notice, request such a conference. If the Surety timely requests a conference, the Owner shall attend. Unless the Owner agrees otherwise, any conference requested under this Section 3.1 shall be held within ten (10) business days of the Surety's receipt of the Owner's notice. If the Owner, the Contractor and the Surety agree, the Contractor shall be allowed a reasonable time to perform the Construction Contract, but such an agreement shall not waive the Owner's right, if any, subsequently to declare a Contractor Default:
 - the Owner declares a Contractor Default, terminates the Construction Contract and notifies the Surety; .2 and
 - the Owner has agreed to pay the Balance of the Contract Price in accordance with the terms of the .3 Construction Contract to the Surety or to a contractor selected to perform the Construction Contract.
- § 4 Failure on the part of the Owner to comply with the notice requirement in Section 3.1 shall not constitute a failure to comply with a condition precedent to the Surety's obligations, or release the Surety from its obligations, except to the extent the Surety demonstrates actual prejudice.
- § 5 When the Owner has satisfied the conditions of Section 3, the Surety shall promptly and at the Surety's expense take one of the following actions:
- § 5.1 Arrange for the Contractor, with the consent of the Owner, to perform and complete the Construction Contract;
- § 5.2 Undertake to perform and complete the Construction Contract itself, through its agents or independent contractors;
- § 5.3 Obtain bids or negotiated proposals from qualified contractors acceptable to the Owner for a contract for performance and completion of the Construction Contract, arrange for a contract to be prepared for execution by the Owner and a contractor selected with the Owner's concurrence, to be secured with performance and payment bonds executed by a qualified surety equivalent to the bonds issued on the Construction Contract, and pay to the Owner the amount of damages as described in Section 7 in excess of the Balance of the Contract Price incurred by the Owner as a result of the Contractor Default; or
- § 5.4 Waive its right to perform and complete, arrange for completion, or obtain a new contractor and with reasonable promptness under the circumstances:
 - After investigation, determine the amount for which it may be liable to the Owner and, as soon as .1 practicable after the amount is determined, make payment to the Owner; or
 - .2 Deny liability in whole or in part and notify the Owner, citing the reasons for denial.
- § 6 If the Surety does not proceed as provided in Section 5 with reasonable promptness, the Surety shall be deemed to be in default on this Bond seven days after receipt of an additional written notice from the Owner to the Surety demanding that the Surety perform its obligations under this Bond, and the Owner shall be entitled to enforce any remedy available to the Owner. If the Surety proceeds as provided in Section 5.4, and the Owner refuses the payment or the Surety has denied liability, in whole or in part, without further notice the Owner shall be entitled to enforce any remedy available to the Owner.

- § 7 If the Surety elects to act under Section 5.1, 5.2 or 5.3, then the responsibilities of the Surety to the Owner shall not be greater than those of the Contractor under the Construction Contract, and the responsibilities of the Owner to the Surety shall not be greater than those of the Owner under the Construction Contract. Subject to the commitment by the Owner to pay the Balance of the Contract Price, the Surety is obligated, without duplication, for
 - .1 the responsibilities of the Contractor for correction of defective work and completion of the Construction Contract;
 - .2 additional legal, design professional and delay costs resulting from the Contractor's Default, and resulting from the actions or failure to act of the Surety under Section 5; and
 - .3 liquidated damages, or if no liquidated damages are specified in the Construction Contract, actual damages caused by delayed performance or non-performance of the Contractor.
- § 8 If the Surety elects to act under Section 5.1, 5.3 or 5.4, the Surety's liability is limited to the amount of this Bond.
- § 9 The Surety shall not be liable to the Owner or others for obligations of the Contractor that are unrelated to the Construction Contract, and the Balance of the Contract Price shall not be reduced or set off on account of any such unrelated obligations. No right of action shall accrue on this Bond to any person or entity other than the Owner or its heirs, executors, administrators, successors and assigns.
- § 10 The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and other obligations.
- § 11 Any proceeding, legal or equitable, under this Bond may be instituted in any court of competent jurisdiction in the location in which the work or part of the work is located and shall be instituted within two years after a declaration of Contractor Default or within two years after the Contractor ceased working or within two years after the Surety refuses or fails to perform its obligations under this Bond, whichever occurs first. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.
- § 12 Notice to the Surety, the Owner or the Contractor shall be mailed or delivered to the address shown on the page on which their signature appears.
- § 13 When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

§ 14 Definitions

- § 14.1 Balance of the Contract Price. The total amount payable by the Owner to the Contractor under the Construction Contract after all proper adjustments have been made, including allowance to the Contractor of any amounts received or to be received by the Owner in settlement of insurance or other claims for damages to which the Contractor is entitled, reduced by all valid and proper payments made to or on behalf of the Contractor under the Construction Contract.
- § 14.2 Construction Contract. The agreement between the Owner and Contractor identified on the cover page, including all Contract Documents and changes made to the agreement and the Contract Documents.
- § 14.3 Contractor Default. Failure of the Contractor, which has not been remedied or waived, to perform or otherwise to comply with a material term of the Construction Contract.
- § 14.4 Owner Default. Failure of the Owner, which has not been remedied or waived, to pay the Contractor as required under the Construction Contract or to perform and complete or comply with the other material terms of the Construction Contract.
- § 14.5 Contract Documents. All the documents that comprise the agreement between the Owner and Contractor.

§ 15 If this Bond is issued for an agreement between a Contractor and subcontractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

§ 16 Modifications to this bond are as follows:

(Space is provided below for additional signatures of added parties, other than those appearing on the cover page.)

CONTRACTOR AS PRINCIPAL

SURETY

Company: (Corporate Seal)

Company: (Corporate Seal)

Company: (Corporate Seal) Company: (Corporate Seal)

Signature: Signature: Name and Title: Name and Title: Address: Address:



SURETY:

of business)

(Name, legal status and principal place

Zurich American Insurance Company

Schaumburg, IL 60196-1056

Fidelity and Deposit Company of Maryland and

Attn: Surety Claims, 1299 Zurich Way, 5th Floor

Payment Bond

CONTRACTOR:

(Name, legal status and address)

J.M. Thompson Company P. O. Box 33066 Raleigh, NC 27636

OWNER:

(Name, legal status and address) Asheboro City Schools 1126 South Park Street

CONSTRUCTION CONTRACT

Date: April 15, 2021

Asheboro, NC 27203

Amount: \$22,774,768.00 Twenty Two Million Seven Hundred Seventy Four Thousand Seven Hundred Sixty Eight and and 00/100 Dollars

Description:

(Name and location)

Asheboro High School Renovation - Phase 3 1221 South Park Street

Asheboro, NC 27203

Company:

Signature:

Date: May 5, 2021

(Not earlier than Construction Contract Date)

Amount: \$ 22,774,768.00 Twenty Two Million Seven Hundred Seventy Four Thousand Seven Hundred Sixty Eight and and 00/100 Dollars None

Modifications to this Bond: CONTRACTOR AS PRINCIPAL

J.M. Thompson Company

SURETY

Company: (Corporate Seal) Fidelity and Deposit Company of Maryland and

See Section 18

Zurich American Insurance Company Signature:

Name and Debra S. Ritter Attorney-in-Fact Title:

(Any additional signatures appear on the last page of this Payment Bond.)

X

(FOR INFORMATION ONLY - Name, address and telephone)

(Corporate Seal)

AGENT or BROKER:

Name and RICH

Marsh & McLennan Agency LLC 5605 Carnegie Blvd., Suite 300 Charlotte, NC 28209 704-365-6213

OWNER'S REPRESENTATIVE:

(Architect, Engineer or other party:)

Smith Sinnett Architecture 4600 Lake Boone Trail, Suite 205 Raleigh, NC 27607

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An Additions and Deletions Report that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety. Owner or other party shall be considered plural where applicable.

- § 1 The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner to pay for labor, materials and equipment furnished for use in the performance of the Construction Contract, which is incorporated herein by reference, subject to the following terms.
- § 2 If the Contractor promptly makes payment of all sums due to Claimants, and defends, indemnifies and holds harmless the Owner from claims, demands, liens or suits by any person or entity seeking payment for labor, materials or equipment furnished for use in the performance of the Construction Contract, then the Surety and the Contractor shall have no obligation under this Bond.
- § 3 If there is no Owner Default under the Construction Contract, the Surety's obligation to the Owner under this Bond shall arise after the Owner has promptly notified the Contractor and the Surety (at the address described in Section 13) of claims, demands, liens or suits against the Owner or the Owner's property by any person or entity seeking payment for labor, materials or equipment furnished for use in the performance of the Construction Contract and tendered defense of such claims, demands, liens or suits to the Contractor and the Surety.
- § 4 When the Owner has satisfied the conditions in Section 3, the Surety shall promptly and at the Surety's expense defend, indemnify and hold harmless the Owner against a duly tendered claim, demand, lien or suit.
- § 5 The Surety's obligations to a Claimant under this Bond shall arise after the following:
- § 5.1 Claimants, who do not have a direct contract with the Contractor,
 - have furnished a written notice of non-payment to the Contractor, stating with substantial accuracy the amount claimed and the name of the party to whom the materials were, or equipment was, furnished or supplied or for whom the labor was done or performed, within ninety (90) days after having last performed labor or last furnished materials or equipment included in the Claim; and
 - have sent a Claim to the Surety (at the address described in Section 13).
- § 5.2 Claimants, who are employed by or have a direct contract with the Contractor, have sent a Claim to the Surety (at the address described in Section 13).
- § 6 If a notice of non-payment required by Section 5.1.1 is given by the Owner to the Contractor, that is sufficient to satisfy a Claimant's obligation to furnish a written notice of non-payment under Section 5.1.1.
- § 7 When a Claimant has satisfied the conditions of Sections 5.1 or 5.2, whichever is applicable, the Surety shall promptly and at the Surety's expense take the following actions:
- § 7.1 Send an answer to the Claimant, with a copy to the Owner, within sixty (60) days after receipt of the Claim, stating the amounts that are undisputed and the basis for challenging any amounts that are disputed; and
- § 7.2 Pay or arrange for payment of any undisputed amounts.
- § 7.3 The Surety's failure to discharge its obligations under Section 7.1 or Section 7.2 shall not be deemed to constitute a waiver of defenses the Surety or Contractor may have or acquire as to a Claim, except as to undisputed amounts for which the Surety and Claimant have reached agreement. If, however, the Surety fails to discharge its obligations under Section 7.1 or Section 7.2, the Surety shall indemnify the Claimant for the reasonable attorney's fees the Claimant incurs thereafter to recover any sums found to be due and owing to the Claimant.
- § 8 The Surety's total obligation shall not exceed the amount of this Bond, plus the amount of reasonable attorney's fees provided under Section 7.3, and the amount of this Bond shall be credited for any payments made in good faith by the Surety.
- § 9 Amounts owed by the Owner to the Contractor under the Construction Contract shall be used for the performance of the Construction Contract and to satisfy claims, if any, under any construction performance bond. By the Contractor furnishing and the Owner accepting this Bond, they agree that all funds earned by the Contractor in the performance of the Construction Contract are dedicated to satisfy obligations of the Contractor and Surety under this Bond, subject to the Owner's priority to use the funds for the completion of the work.

- § 10 The Surety shall not be liable to the Owner, Claimants or others for obligations of the Contractor that are unrelated to the Construction Contract. The Owner shall not be liable for the payment of any costs or expenses of any Claimant under this Bond, and shall have under this Bond no obligation to make payments to, or give notice on behalf of, Claimants or otherwise have any obligations to Claimants under this Bond.
- § 11 The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and other obligations.
- § 12 No suit or action shall be commenced by a Claimant under this Bond other than in a court of competent jurisdiction in the state in which the project that is the subject of the Construction Contract is located or after the expiration of one year from the date (1) on which the Claimant sent a Claim to the Surety pursuant to Section 5.1.2 or 5.2, or (2) on which the last labor or service was performed by anyone or the last materials or equipment were furnished by anyone under the Construction Contract, whichever of (1) or (2) first occurs. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.
- § 13 Notice and Claims to the Surety, the Owner or the Contractor shall be mailed or delivered to the address shown on the page on which their signature appears. Actual receipt of notice or Claims, however accomplished, shall be sufficient compliance as of the date received.
- § 14 When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.
- § 15 Upon request by any person or entity appearing to be a potential beneficiary of this Bond, the Contractor and Owner shall promptly furnish a copy of this Bond or shall permit a copy to be made.

§ 16 Definitions

- § 16.1 Claim. A written statement by the Claimant including at a minimum:
 - .1 the name of the Claimant;
 - .2 the name of the person for whom the labor was done, or materials or equipment furnished;
 - .3 a copy of the agreement or purchase order pursuant to which labor, materials or equipment was furnished for use in the performance of the Construction Contract;
 - .4 a brief description of the labor, materials or equipment furnished;
 - .5 the date on which the Claimant last performed labor or last furnished materials or equipment for use in the performance of the Construction Contract;
 - .6 the total amount earned by the Claimant for labor, materials or equipment furnished as of the date of the Claim;
 - .7 the total amount of previous payments received by the Claimant; and
 - .8 the total amount due and unpaid to the Claimant for labor, materials or equipment furnished as of the date of the Claim.
- § 16.2 Claimant. An individual or entity having a direct contract with the Contractor or with a subcontractor of the Contractor to furnish labor, materials or equipment for use in the performance of the Construction Contract. The term Claimant also includes any individual or entity that has rightfully asserted a claim under an applicable mechanic's lien or similar statute against the real property upon which the Project is located. The intent of this Bond shall be to include without limitation in the terms "labor, materials or equipment" that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental equipment used in the Construction Contract, architectural and engineering services required for performance of the work of the Contractor and the Contractor's subcontractors, and all other items for which a mechanic's lien may be asserted in the jurisdiction where the labor, materials or equipment were furnished.
- § 16.3 Construction Contract. The agreement between the Owner and Contractor identified on the cover page, including all Contract Documents and all changes made to the agreement and the Contract Documents.

- § 16.4 Owner Default. Failure of the Owner, which has not been remedied or waived, to pay the Contractor as required under the Construction Contract or to perform and complete or comply with the other material terms of the Construction Contract.
- § 16.5 Contract Documents. All the documents that comprise the agreement between the Owner and Contractor.
- § 17 If this Bond is issued for an agreement between a Contractor and subcontractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.
- § 18 Modifications to this bond are as follows:

(Space is provided below for additional CONTRACTOR AS PRINCIPAL	tional signatures of add	ded parties, other than those SURETY	appearing on the cover page.
Company:	(Corporate Seal)	Company:	(Corporate Seal)
Signature:		Signature:	
Name and Title: Address:		Name and Title: Address:	

ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by Robert D. Murray, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Raymond J. GARRUTO, Wendy E. LAHM, Debra S. RITTER, Martin D. PALLAZZA, Brad W. GIBSON, Angela Y. BUCKNER, Jenny SNELL, H. Thomas DAWKINS and Robert C. TRESHER, all of Charlotte, North Carolina, EACH, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland, in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 31st day of March, A.D. 2020.







ATTEST: ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: Robert D. Murray Vice President

Jawn & Brown

By: Dawn E. Brown Secretary

State of Maryland County of Baltimore

On this 31st day of March, A.D. 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, Robert D. Murray, Vice President and Dawn E. Brown, Secretary of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

anal sala

Constance A. Dunn, Notary Public My Commission Expires: July 9, 2023

Constance a. Dunn

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, <u>Attorneys-in-Fact</u>. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify of revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Secretary of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 5th day of May , 2021 .







By:

Brian M. Hodges Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
www.reportsfclaims@zurichna.com
800-626-4577



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 5/10/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

	this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).									
PRODUCER					CONTACT NAME:					
SIA Group, Inc. 827 Gum Branch Road					PHONE (A/C, No. Ext): 910-455-7576 FAX (A/C, No): 910-455-7481					
Jacksonville NC 28540					E-MAIL ADDRESS:					
						INSURER(S) AFFORDING COVERAGE				NAIC#
INSURED JMTHOMP-01						INSURER A: Penn National Mutual Casualty Insurance Company				14990
	M. Thompson Company			JMTHOMP-01	INSUR	Rв: Penn Na	ational Mutua	I Casualty Insurance Com	pany	14990
P	O Box 33066				INSURE	R c : Builders	Mutual Insur	ance Company		10844
Ra	aleigh NC 27636				INSURE	R D : Hanover	Insurance C	ompany		22292
					INSURER E :					
					INSURE	RF:				
	VERAGES CEF	RTIFI	CAT	E NUMBER: 2028526553				REVISION NUMBER:		
C	HIS IS TO CERTIFY THAT THE POLICIES NDICATED. NOTWITHSTANDING ANY RESTRICTED OR MAY BE ISSUED OR MAY EXCLUSIONS AND CONDITIONS OF SUCH	PFR	REME FAIN	NT, TERM OR CONDITION	OF AN	Y CONTRACT	OR OTHER	DOCUMENT WITH RESPE	OT TO	AU HOLL TIME
INSF		ADDL	SUBR	POLICY NUMBER		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)			***
Α	X COMMERCIAL GENERAL LIABILITY	Y	Y	CX90767651		11/1/2020	11/1/2021	EACH OCCURRENCE	\$ 1,000,	000
	CLAIMS-MADE X OCCUR						111112021	DAMAGE TO RENTED		
		-						PREMISES (Ea occurrence)	\$ 100,00	00
								MED EXP (Any one person) PERSONAL & ADV INJURY		200
	GEN'L AGGREGATE LIMIT APPLIES PER:			0				GENERAL AGGREGATE	\$ 1,000,	
	POLICY X PRO-							PRODUCTS - COMP/OP AGG	\$ 2,000,000	
	OTHER:							PRODUCTS - COMP/OP AGG	\$ 2,000,	000
Α	AUTOMOBILE LIABILITY	Y	Y	AX90767651		11/1/2020	11/1/2021	COMBINED SINGLE LIMIT	\$ 1.000.	000
	X ANY AUTO							(Ea accident) BODILY INJURY (Per person)	\$	-
	OWNED SCHEDULED AUTOS ONLY AUTOS							BODILY INJURY (Per accident)	\$	
	X HIRED X NON-OWNED AUTOS ONLY							PROPERTY DAMAGE	\$	
	AUTOS GIVET							(Per accident)	\$	
В	X UMBRELLA LIAB X OCCUR	Y	Y	UL90767651		11/1/2020	11/1/2021	EACH OCCURRENCE	\$ 10,000	
	EXCESS LIAB CLAIMS-MADE						111112021	AGGREGATE		
	DED X RETENTION\$ 10,000							AGGREGATE	\$ 10,000 \$	7,000
С	WORKERS COMPENSATION	Y		PWC101464300	11/1/2020	0 11/1/2021	X PER OTH-	D.		
AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE								E.L. EACH ACCIDENT	\$ 500,000	
	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N/A						E.L. DISEASE - EA EMPLOYEE		
	If yes, describe under DESCRIPTION OF OPERATIONS below						Ì	E.L. DISEASE - POLICY LIMIT	\$ 500,00	
D	Leased/rented equipment			IH6D37279403		11/1/2020	11/1/2021	limit per item	250,00	
	Installation floater							maximum limit	250,00	0
						ĺ		1	30,000	
and	DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) RE: Asheboro High School Renovations - Phase 3. Asheboro City Schools is included as Additional Insured as respects the general liability, automobile liability and umbrella liability with Waiver of Subrogation per written contract. Waiver of Subrogation applies to the Workers Compensation/Employers liability policy per written contract. A 30 day notice of cancellation will be provided to the certificate holder.									
CEF	ERTIFICATE HOLDER CANCELLATION									
Asheboro City Schools 1126 South Park St						SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE AUTHORIZED REPRESENTATIVE				



ACS NC School-Based Mental Health Initiative Plan

Senate Bill 476/Session Law 2020-7

Suzanne Cash and Kim Clodfelter May 13th, 2021





An act to require the State Board of Education to adopt a School-Based Mental Health Policy and to require K-12 school units to adopt and to implement a School-Based Mental Health Plan that includes a Mental Health Training Program and a Suicide Risk Referral Protocol.

Each K-12 public school unit (PSU) shall adopt and implement a plan for promoting student mental health and well being and for assessing and improving upon the effectiveness of supports for the mental and social/emotional health and substance abuse needs of its students and staff by July 2021.



School-Based Mental Health Legislative Policy SHLT-003

Policy Components:

- I. Local School Mental Health Improvement Plan:
 - A. Universal promotion of mental and social/emotional wellness and prevention through core instruction, curriculum, and environment.
 - B. Early intervention for social/emotional health.
 - C. Referral, treatment, and re-entry.
 - D. Suicide risk referral protocol that is provided to school personnel who work directly with students.
- II. School Mental Health Training Program.



Why Social/Emotional Learning (SEL)?

With the onset of COVID creating a break in normal schedules and an absence of regular peer interactions, we have seen an increase in referrals.

SEL supports school-based mental health and wellness of students and staff. SEL is asset-based, preventative, and proactive in promoting mental wellness and achievement in our school community. SEL is integrated throughout the layers of a multi-tiered system of support.



ACS SEL Vision

"To provide the ACS school community with social and emotional problem-solving skills and a supportive foundation for life-long social and emotional growth in a safe and nurturing environment."







Staff Training Requirements

- All staff must receive 6 hours of initial training (2021-2022 school year) and 2 hours of subsequent training annually.
- SISP (Specialized Instructional Support Personnel who serve in mental health related capacities within the schools) must receive additional training in several areas.



Training Topics

- Youth Mental Health
- Suicide Prevention
- Substance Abuse
- Teenage Dating Violence
- Child Sexual Abuse Prevention
- Sex Trafficking Prevention



Training Method

- Online training platform through SafeSchools by Vector Solutions.
- As staff complete courses, progress will be tracked to ensure policy requirements are met.

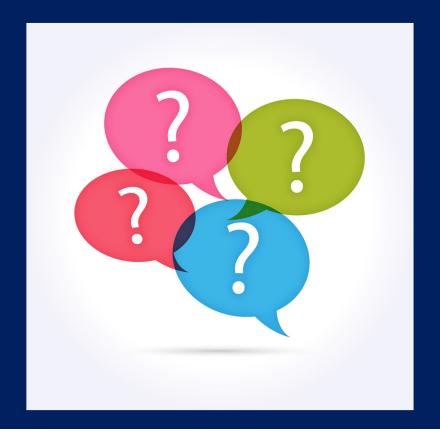


Proposed Training Schedule/Plan

Topic	All Staff	Additional SISP Requirements	Time Allotment	Proposed Format	Proposed Time Frame
Child Sexual Abuse Prevention	SafeSchools: Child Abuse: Mandatory Reporting		30 min.	Virtual	August
Suicide Prevention	SafeSchools: Youth Suicide: Awareness, Prevention and Postvention	RA/TA protocol training Say Something Gaggle	2 hr.	Virtual	August
Youth Mental Health	SafeSchools: Student Mental Health SafeSchools: Bullying: Recognition and Response SafeSchools: School Violence: Identifying and Addressing	Youth Mental Health First Aid	20 min. 52 min. 22 min.	Virtual Virtual	September
Substance Abuse	SafeSchools: Student Drug and Alcohol Abuse		30 min.	Virtual	October
Teen Dating Violence	SafeSchools: Dating Violence: Identification and Prevention		30 min.	Virtual	October
Sex Trafficking Prevention	SafeSchools: Human Trafficking Awareness		1 hr	Virtual	November



Questions





NC School Mental Health Initiative-Executive Summary

Senate Bill 476/ Session Law 2020-7

2021-2022

An act to require the State Board of Education to adopt a School-Based Mental Health Policy and to require K-12 public school units (PSU) to adopt and to implement a School-Based Mental Health Plan that includes a Mental Health Training Program and a Suicide Risk Referral Protocol.

Each K-12 PSU shall adopt and implement a plan for promoting student mental health and well being and for assessing and improving upon the effectiveness of supports for the mental and social emotional health and substance abuse needs of its students and staff by July 2021.

NC School Mental Health Initiative is aligned with the ACS Strategic Plan:

- Goal 5, Objective 2: to provide a system of support to ensure access to effective health and safety programs so that the physical, social, and emotional needs of students are met.
- Goal Strategy: To identify and support students at risk with social, emotional, behavioral, and academic needs in order to provide successful academic experiences that lead to graduation.

SHAPE (School Health Assessment and Performance Evaluation System) Quality Assessment Data:

• The SHAPE assessment is completed twice a year for our district and provides a snapshot of the multi-tiered services and supports (MTSS), staffing, financing, and data systems of school and district comprehensive school mental health systems.

Definition of Social Emotional Learning (SEL):

• SEL is the process through which all young people and adults acquire and apply the knowledge, skills, and attitudes to develop healthy identities, manage emotions, and achieve personal and collective goals, feel and show empathy for others, establish and maintain supportive relationships, and make responsible and caring decisions.

ACS Vision for SEL:

• "To provide the ACS school community with social and emotional problem-solving skills and a supportive foundation for life-long social and emotional growth in a safe and nurturing learning environment."

Core SEL Plan:

- The Elementary Core SEL Plan includes the following components: daily class meetings to build and maintain positive relationships and inclusion for all students AND weekly SEL lessons through Sanford Harmony and 6 Minute SEL programs. Counselors provide supplemental support to all students through classroom guidance.
- Secondary Core SEL Plan includes teacher lessons using 6 Minute SEL lessons, Second Step lessons, and EverFi.
- ACS utilizes the Panorama Educational Social and Emotional Learning platform to support student and adult SEL with research backed surveys and actionable data reports.

Staff-Level Professional Development Plan through Vector Online Training Modules:

- Six (6) hours total of the following information (first year) and two (2) hours for preceding years.
- All personnel (teachers, instructional support personnel, principals, and assistant principals) must receive (as defined Senate Bill 476):

- Intro to Mental Health (MH)
 - Definition
 - National and State Statistics
 - o Myths and Facts
 - Risk Factors
 - Protective Factors
 - Respond to Warning Signs
 - Resources
- Suicide Prevention
- Substance Abuse
- Teenage Dating Violence
- Sex Trafficking Prevention (every two (2) years on even number of years)
 - Child Sexual Abuse and Human Trafficking Prevention
 - Best practices from the field of prevention
 - The grooming process of sexual predators
 - The warning signs of sexual abuse and sex trafficking
 - How to intervene when sexual abuse or sex trafficking is suspected or disclosed
 - Legal responsibilities for reporting sexual abuse or sex trafficking and available resources for assistance
- Specialized Instructional Support Personnel (SISP) Level Professional Development Plan:
 - Required Courses/Topics:
 - SISP roles
 - Procedures/protocols for referring for MH and access for support
 - Intervention strategies for students (MTSS Matrix for SEL and MH)
 - Referral and follow up (MH supports)

Suicide and Threat Risk Protocol:

- The ACS threat assessment process is a systematic procedure for investigating, evaluating, and managing targeted violence for the purpose of preventing acts of violence and increasing school safety.
- The ACS risk assessment process is a systematic procedure for responding to self-injurious and suicidal ideation or behaviors.
- All school staff are trained to identify concerning behaviors and report to appropriate schoollevel administrative personnel (principals, assistant principals, counselors, and social workers).
 After initial reporting, staff members who have been trained in the threat and risk assessment procedures will then conduct the appropriate assessment and provide recommendations for response or intervention.

Memorandum of Understanding (MOU) with Local Management Entity (LME) or School-Based Mental Health Providers (agencies):

- School-Based Mental Health Partnerships (MOU copies provided in materials):
 - o Triad Therapy
 - o Wright's Care Services
 - Youth Unlimited
 - Amethyst
 - o Youth Haven

Action Items:

- The School-Based Mental Health plan must be adopted and implemented by July 1, 2021.
- PSU will upload the plan by September 15 with other Healthy Active Children Policy items.

MEMORANDUM OF UNDERSTANDING PROVISION OF SCHOOL-BASED MENTAL HEALTH IN ASHEBORO CITY SCHOOLS

This Memorandum of Understanding is entered into by Asheboro City Schools ("ACS") and Triad Therapy ("AGENCY") for the purpose of making available school-based mental health services during the school day to the benefit of certain qualified eligible students.

It is agreed that:

Asheboro City Schools and school-based principals maintain final authority in determining what services are delivered to students and by whom during the instructional day and/or while on school grounds in all circumstances, and reserves the right to deny School-Based Mental Health (SBMH) case managers, qualified professionals, or associate professionals access to any student at any time during the instructional day on or off school grounds. Students and their parents shall not be subject to "recruiting" by any agency for delivery of mental health services (before, during, or after school) based upon students' eligibility for Medicaid, Health Choice, or Private Insurance.

Asheboro City Schools will permit selected Mental Health Providers to deliver services to assigned students on school campuses with prior approval of Asheboro City Schools under the following conditions:

- 1. The AGENCY signs and adheres to all the guidelines set forth in a *Memorandum of Understanding* with Asheboro City Schools.
- The school-based mental health services to be delivered at school have been determined
 necessary by an interdisciplinary, qualified Child and Family Treatment Team via
 procedures and regulations set forth by Sandhills Mental Health LME including Consents
 for Release of Information among Asheboro City Schools, the Sandhills Center, and the
 AGENCY.
- 3. The AGENCY provides documentation that verifies licensure (when applicable) and continues to be listed on the approved (CABHA) Critical Access Behavioral Health Agency to Sandhills Mental Health LME. The AGENCY provides Asheboro City Schools a copy of its Certificate of Insurance, employee handbook, basic training, application procedures, clients' rights and confidentiality guidelines, conflict resolution/grievance/disciplinary action procedures, evaluation procedures, criminal background checks and policy regarding harm, abuse, neglect, and exploitation.
- 4. The AGENCY provides evidence prior to delivering services that employees have been trained in and meet the requirements of the AGENCY's employees, including training in an accepted curriculum of positive, preventive, and restrictive behavior intervention techniques. The AGENCY will provide a list of therapists and case management services personnel to deliver services. Evidence will also be provided prior to delivering services that employees have been trained in de-escalation techniques, either through Non-Violent Crisis Intervention, NC Intervention, or other sanctioned programs and meet the minimum requirements of the AGENCY. Agency employees must have completed criminal background checks and drug screening prior to reporting to school campuses.

- 5. Appropriate school system staff and community support services staff participate in the *Person Centered Plan* development during the Child and Family Teams prior to school-based mental health services being delivered and as a part of ongoing meeting of services. The Child and Family Teams shall specify the child's treatment needs, the AGENCY contact information, the case manager contact information, and the number of hours the child will be served. All school-based services provided will be consistent with the strategies used in the student's program of services specified in the ACS IEP, Behavioral Support Plan (BSP), Individual Student Service Plan (ISSP) or 504 Plan, if applicable. Behavioral interventions shall be student specific and determined by the Child and Family Team and incorporated in a written plan to be shared with Asheboro City Schools. Evaluation procedures for determining effectiveness of the intervention strategies are a requirement and will be negotiated in an initial planning meeting.
- 6. The AGENCY case manager calls the principal of the school <u>prior</u> to beginning services for each student to schedule an introduction of school-based mental health providers to appropriate school staff and the completion of the School-Based Mental Health Services Agreement. A Release of Information should be signed at the meeting allowing the school to have access to the Person Centered Plan and the AGENCY to have access to the IEP, if applicable.
- 7. The on-line Asheboro City Schools Employee handbook and other pertinent information about the school should be shared with the school-based mental health provider at this time. The school will agree to provide a space for school-based services to occur with the identified student(s).
- 8. The AGENCY notifies Asheboro City Schools of any temporary or permanent change in direct case management personnel by calling the school principal or designee at least one week prior to the change or earlier if possible. Asheboro City Schools' website provides a list of principals and assistant principals to the AGENCY.
- 9. The AGENCY will notify the school of any step down in hours of service or discontinuation of school-based services as soon as this determination has been made by the Child and Family Team, but not less than one week prior to the change in service. The AGENCY will adjust step-down plans according to a student's behavioral response to change in service. If behavior deteriorates, the step down plan will be adjusted accordingly.
- 10. Appropriate school-based staff and AGENCY staff will participate in unified treatment teams (IEP teams, 504 teams, Child and Family Teams) prior to school-based services being delivered and as a part of ongoing monitoring of services. Child and Family Teams meet according to guidelines and IEP /504 teams meet a minimum of once a year. Ongoing communication between the school and the AGENCY is a must.
- 11. Conflict resolution will be addressed first with the classroom teacher as soon as a concern arises and then the school-based mental health provider. If conflict persists, the school principal will become involved and contact the supervisor at the AGENCY and the Director of Support Services for Asheboro City Schools. If conflict still remains unresolved, the AGENCY will be asked to provide a different school-based mental health provider. If the AGENCY is unable to provide an acceptable and appropriate qualified or

associate professional to meet the child's needs within a reasonable time due to conflict or any other cause, the parent will be consulted and another agency with an Asheboro City Schools' *Memorandum of Understanding* will be asked to provide appropriate school-based services.

12. Asheboro City Schools bears no responsibility for any injury whatsoever to the case manager, qualified or associate professional in the course of carrying out his/her assigned duties. Liability insurance is provided by the AGENCY and the AGENCY bears sole responsibility and liability for any injury and/or accident suffered by the case manager, qualified or associate professional in the course of providing services on Asheboro City Schools' property, in any Asheboro City Schools related setting, or while participating in school functions off Asheboro City Schools' property. In addition, the AGENCY indemnifies and holds harmless Asheboro City Schools for any injury, including but not limited to injury to students, ACS personnel, visitors, other third persons or property whether owned by ACS or others, caused by the case manager, qualified, or associate professional while providing services pursuant to this Memorandum. The AGENCY agrees to provide a copy of its current applicable certificate(s) of insurance.

IN WITNESS WHEREOF, Asheboro City Schools and Triad Medical Group, PA have executed this agreement on the dates acknowledged below for the 2019-2020 school year.

ASHEBORO CITY SCHOOLS:	1 1
(low m. Word)	7/3//2020
Dr. Aaron Woody, Superintendent	Date
Carla F. Freeze	7/31/2020
Carla Freemyer, Executive Director of Human Services	Date
Triad Therapy, LLC Address: 350 North Cox Street Asheboro, NC 27203	
Phone #: 336-629-7774	
AGENCY REPRESENTATIVE(S):	
Chief Executive Officer	Date
Chief Operating Officer	Date 7/3/120
My tout and	7/31/20
Clinical Direction	Date /



Model Mental Health Training Program for Policy SHLT-003, SL 2019-245 and SL 2020-7

The following guidance and resources have been compiled to assist public school units (PSUs) in implementing State Board of Education Policy SHLT-003, North Carolina SL 2019-245, and North Carolina SL 2020-7. These are in addition to universal promotion of mental and social-emotional wellness and prevention through core instruction, curriculum, and positive school climate which establish the foundation for student and staff wellness. PSUs are encouraged to utilize the NC Healthful Living Essential Standards, Guidance Essential Standards and CASEL Core Competencies resources to support integration of mental and social-emotional wellness and prevention into academic instruction.

Training Selection and Implementation

In selecting trainings, look for programs that have evidence related to the desired outcomes and priority populations in your strategic plan. Youth.gov, an interagency working group of 21 federal agencies, provides the following guidance on <u>selecting evidence-based programs</u>.

Considerations in selecting trainings:

- The criteria used to designate programs as "evidence-based" vary across registries and reviews.
- No registry or review includes a complete listing of all possible programs, so consult multiple sources.
- Start with a needs assessment. Program registries and lists are useful tools, but thoughtful data-driven, strategic planning is most important in selecting trainings that best fit the needs of your school.
- Look for programs that address the underlying risk and protective factors and the conditions that drive or contribute to the content area in your community or school.
- Choose programs that match your population, setting, and culture and that are feasible in terms of capacity, resources, and readiness.

A list of evidence-based, evidence-supported trainings is included in this document. This list is not exhaustive and schools are not required to select from this list. Schools have the authority and responsibility to select evidence-supported, evidence-based trainings that best meet the needs of their school district. Note that some training options included are listed as *General* to indicate they are applicable for any school personnel. Others are listed as *SISP Specific* to indicate being primarily appropriate specifically for specialized instructional support personnel who serve in mental health related capacities within the schools. It is highly recommended that these specialized instructional support personnel also be aware of the training content being provided to other school personnel so that all staff have consistent information. Where appropriate, this might be accomplished by involving the specialized instructional support personnel in the delivery of professional learning opportunities for other school personnel.

MINIMUM TRAINING CONTENT REQUIRED

All Personnel

- Definition
- National & State statistics
- Myths & Facts
- Risk Factors
- Protective Factors
- Respond to Warning Signs*
- Resources

SISP

- * In addition to the areas included for all personnel, SISP training should be inclusive of the following within Respond to Warning Signs:
 - SISP Roles
 - Procedures/protocols
 - Intervention Strategies
 - Referral & Follow Up

Child Sexual Abuse and Human Trafficking Prevention

- Best practices from the field of prevention
- The grooming process of sexual predators
- The warning signs of sexual abuse and sex trafficking
- How to intervene when sexual abuse or sex trafficking is suspected or disclosed
- Legal responsibilities for reporting sexual abuse or sex trafficking, and available resources for assistance

Legislated Trainings Required (6 hrs. initial, 2 hrs subsequent annually per SHLT-003)	Training Format/Resource	Additional Resources
Youth Mental Health	GENERAL	Restorative Practices training and beginning implementation proposed for
	SafeSchools: Student Mental Health	2021-2022 school year.
	SafeSchools: Bullying: Recognition and Response	
	SafeSchools: School Violence: Identifying and Addressing	
	SISP Specific	
	Youth Mental Health First Aid	
Suicide Prevention	GENERAL	

	SafeSchools: Youth Suicide: Awareness, Prevention and Postvention	Gaggle Say Something QPR
	SISP Specific	
	Risk/Threat Assessment Procedural Training	
	Say Something Training	
	Gaggle Training	
Substance Abuse	SafeSchools: Student Drug and Alcohol Abuse	Red Ribbon Week
		SAVE Club call to action week
		Gaggle
		Say Something
Teenage Dating Violence	GENERAL	SAVE Club call to action week

	SafeSchools: Dating Violence: Identification and Prevention	Gaggle Say Something
	SISP Specific Support staff professional development	
In accordance with SL 2019-245 2 hrs every even numbered year	SafeSchools: Child Abuse: Mandatory Reporting	Prevent Child Abuse NC Online Training Pinwheels for Prevention
Child Sexual Abuse Prevention		

Sex Trafficking Prevention	SafeSchools: Human Trafficking Awareness	1,000 Eyes Training

Elementary MTSS Intervention Pathways for SEL

Social/Emotional Learning (SEL)

SEL Curriculum (Sanford Harmony, Second Step, 6 Minute SEL, Everfi)

> Counselor-led guidance classes

Panorama Surveys

Staff Wellness Wednesday

Targeted Social Skills Instruction (Second Step, Tier 2 Small groups)

Individual Social Skills Instruction

Mental Health

Panorama Surveys

Student-led SAVE Clubs

Prevention, wellness, and promotion

Group counseling/support groups

SBMH referrals

Risk/Threat Assessments **Positive Behavior** Interventions and Support (PBIS)

School-wide behavior expectations

Check-in/Check-out

Check and Connect

Core Instruction- all students, progress monitoring

Supplemental- small groups, interventions, progress monitoring

> Intensive- individualized, intervention, agency collaboration

Core

Tier 3

Policies For 30-Day Review

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;
- develop sufficient academic and career and technical skills to successfully engage in postsecondary 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

A. ONLINE INSTRUCTION GENERALLY

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

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

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

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

B. REMOTE LEARNING

Where authorized by law, schools may conduct classes remotely for all or part of a school year. Board policies remain in effect during periods of remote learning, except that the board reserves the right to deviate from any policy when adherence is impossible or impractical under the circumstances and the deviation is not inconsistent with law. To the extent practicable or when required by law, affected employees, students, and parents or guardians will be notified of the change in advance.

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

Cross References: Dual Enrollment (policy 3101)

Adopted: December 12, 2013

Revised: August 10, 2017, August 13, 2020

The board will make reasonable accommodations for qualified persons with disabilities in accordance with policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, and the requirements of state and federal law. An individual with a disability may be accompanied by his or her service animal on school property subject to the requirements of this policy. If necessary, the superintendent may establish administrative regulations for the use of service animals on school property.

Policy Code: **4202/5029/7272**

A. DEFINITION OF "SERVICE ANIMAL"

A "service animal" for purposes of this policy is any dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability or necessary to mitigate a disability. Federal regulation 28 C.F.R. 35.104 provides examples of types of work or tasks that would qualify. Service animals do not include any other species of animal, whether wild or domestic, trained or untrained, except that a miniature horse will be permitted for use as a service animal if reasonable modifications can be made after assessing the specific factors listed in 28 C.F.R. 35.136(i). Animals, whose sole function is to provide emotional support, well-being, comfort, companionship, or therapeutic benefits, or to act as a crime deterrent, are not service animals for the purposes of this policy.

B. Use of a Service Animal on School Property by Students and Employees

1. Introduction of a Service Animal

School administrators shall facilitate the introduction of an eligible service animal into the school environment. To promote a successful integration of the service animal into the educational program and to minimize unnecessary disruption, an employee or student with a disability who intends to bring a service animal to school during the school day is encouraged to follow these guidelines.

- a. The employee, student, or student's parent should notify the superintendent and the principal of the applicable school in writing at least 10 work days prior to the date proposed to bring the service animal onto school property.
- b. The employee, student, or student's parent should work with school personnel to create a plan addressing the presence of the service animal during the school day. A plan to integrate a service animal into the school environment should include the following:

Policy Code: 4202/5029/7272

- 1) appropriate training for school personnel and students regarding interaction with the service animal;
- 2) arrangements for meeting the service animal's basic needs during the school day;
- any necessary modifications to the educational program so that the employee or student with a disability may be accompanied by the service animal; and
- 4) when necessary, provisions for the presence of a handler other than the employee or student with the disability to control or care for the service animal.
- c. It is recommended, but not required, that the service animal wear identification to provide adequate notice to students, school personnel, and school visitors that the dog is a service animal.
- d. The service animal should be free of parasites and otherwise in good health.
- 2. Presence of a Service Animal on School Property

An employee or student with a disability accompanied by a service animal must meet the following requirements for a service animal to be present on school property.

- a. A student or employee who elects to be accompanied by a service animal will be expected to care for and supervise the animal. If a student is not capable of providing adequate care and supervision, the parent will be responsible for providing such care and supervision.
- b. If a student requires assistance from a parent or handler to control and care for the service animal while on school property, that individual must submit to a background screening, which may include a criminal history check in accordance with state law and any procedures established by the superintendent.
- c. The service animal must be on a leash or other mechanical restraint at all times. If mechanical restraint is not feasible due to a student's disability, the animal must be under other sufficient means of control.
- d. The service animal must be housebroken, under the control of its handler, and have received all necessary vaccinations as required by state law. The handler must ensure that the animal is in good health and has been

Policy Code: 4202/5029/7272

vaccinated against diseases common to that type of animal as recommended by the American Veterinary Medical Association. For example, dogs should have routine maintenance for flea and tick prevention, de-worming, and have annual examinations. In addition, the animal must be spayed or neutered. Dogs must wear a rabies tag. [NC Rabies Law – N.C. General Statute § 130A-185] If an animal other a dog is to be used as a service animal, the Superintendent must approve the health requirements regarding that animal.

The principal or designee shall notify all security personnel of the existence and possible locations of any service animals on school property.

C. USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY SCHOOL VISITORS

A school visitor who is an individual with a disability may be accompanied by a service animal in accordance with all applicable state and federal laws and regulations and with policy 5020, Visitors to the Schools. A service animal that is accompanying a school visitor may be properly excluded from school property for a reason(s) set forth in section E of this policy.

D. LIABILITY

The board may hold the owner or handler of a service animal liable for any property damage caused by the animal to the same extent required by other board policy or administrative rules that impose liability for property damage. In addition, either the owner or handler, or both, may be liable for personal injury caused by the animal or related to the presence of the animal on school property.

E. EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY

School personnel shall not ask an individual with a disability about the nature or extent of his or her disability or for proof of a service animal's training as a condition of allowing the animal onto school property. However, when not readily apparent to school personnel, a principal or designee may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform. Such inquiries may be made to confirm that the dog is a service animal and is rightfully present on school property.

A principal or designee may exclude a service animal from school property for the following reasons:

1. The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications.

Policy Code: 4202/5029/7272

2. The animal is out of control and the animal's handler does not take effective action to control it.

- The animal is not housebroken.
- 4. The presence or behavior of the animal fundamentally alters the service, program, or activity of the school system.

If a principal or designee excludes a dog or service animal from school property, the principal or designee must document the reasons for the exclusion and notify the superintendent. The superintendent or designee will make a determination on whether a service animal will be allowed to return to the school and, if reasonably possible, notify the individual with the disability in writing of the decision within five work days of the initial exclusion.

If the superintendent determines that an animal does not meet the definition of a service animal or that a service animal should be excluded for one or more of the reasons described in this section, the student's Section 504 or IEP Team shall meet to consider and document whether the animal's presence is necessary for the child to receive an appropriate education or to have equal access to the educational program and, if not, whether the child needs other aids and services or accommodations.

If a service animal is excluded, an individual with a disability will be provided the opportunity to participate in educational services, programs or activities as required by law without having the service animal on the premises.

F. APPEAL OF AN EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY

The superintendent's decision regarding exclusion of a service animal from school property in accordance with this policy may be appealed consistent with policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, and any other procedure established by the superintendent under policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 130A-185, 168 art. 1, 168A-3 through -7

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), School Volunteers (policy 5015), Visitors to the Schools (policy 5020)

Issued: April 19, 2012

Revised: June 11, 2015

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

A. PROHIBITED BEHAVIOR

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

Conduct prohibited by this policy includes:

- 1. wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, or other items with the intent to convey membership or affiliation in a gang;
- 2. communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang;
- 3. tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang (see policy 4330, Theft, Trespass, and Damage to Property);
- requiring payment of protection or insurance or otherwise intimidating or threatening any person related to gang activity (see policy 4331, Assaults and Threats);
- 5. inciting others to intimidate or to act with physical violence upon any other person related to gang activity (see policy 4331);
- soliciting others for gang membership; and

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

B. NOTICE

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

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

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

C. CONSEQUENCES

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

Disciplinary consequences for violations of subsections A.1, A.2 and A.6, above, shall be consistent with Section D of policy 4300, 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 these subsections.

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

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

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

Legal References: G.S. 115C-390.2

Cross References: Student Behavior Policies (policy 4300), Student Dress Code (policy 4316), Theft, Trespass, and Damage to Property (policy 4330), Assaults and Threats (policy 4331), Criminal Behavior (policy 4335)

Adopted: July 9, 2020

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

A. PROHIBITED BEHAVIOR

1. Weapons and Weapon-Like Items

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

- a. loaded and unloaded firearms, including guns, pistols, and rifles;
- b. destructive devices, as described in subsection B.2 of this policy, including explosives, such as dynamite cartridges, bombs, grenades, and mines;
- c. nuclear, biological, or chemical weapons of mass destruction as defined in G.S. 14-288.21(c);
- d. knives, including pocket knives, bowie knives, switchblades, dirks, and daggers;
- e. slingshots and slungshots;
- f. leaded canes;
- g. blackjacks;
- h. metal knuckles;
- i. BB guns;
- j. air rifles and air pistols;
- k. stun guns and other electric shock weapons, such as tasers;

- I. icepicks;
- razors and razor blades (except those designed and used solely for personal shaving);
- n. fireworks;
- o. gun powder, ammunition, or bullets;
- any sharp pointed or edged instruments except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance; and
- q. mace, pepper spray, and other personal defense spray that is (1) used for a purpose other than self-defense, as defined under G.S. 14-51.3., or (2) the principal or designee determines that the student intended to use it to harm, threaten harm, or create a disturbance.

Examples of other objects that may be considered weapons are box cutters and other types of utility blades and blowguns.

No student may knowingly or willfully cause, encourage, or aid another student to possess, handle, or use any of the weapons or weapon-like items listed above. A student who finds a weapon or weapon-like item, who witnesses another student or other person with such an item, or who becomes aware that another student or other person intends to possess, handle, or use such an item must notify a teacher or the principal immediately. Middle and high school students may also utilize the anonymous safety tip line for reporting risks to the school population.

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

2. Bomb Threats

Students are prohibited from

- making a bomb threat, regardless of whether the student intends to or has the means to carry out the threat;
- b. perpetrating a bomb hoax against school system property by making a report, knowing or having reason to know the report is false, that a bomb or other device designed to cause damage or destruction by explosion, blasting, or burning is located on school system property or at a school

system event;.

c. perpetrating a bomb hoax by concealing, placing, or displaying any device on school system property or at a school system event, so as to cause any person reasonably to believe the same to be a bomb or similar device intended to cause injury to persons or property; and

d. knowingly or willfully causing, encouraging, or aiding another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat, or perpetrate a bomb hoax must notify a teacher or the principal immediately.

3. Terrorist Threats

Students are prohibited from making a terrorist threat or perpetrating a terrorist hoax by:

- threatening to commit an act of mass violence on school property or at a school system event, regardless of whether the student intends to or has the means to carry out the threat;
- making a report, knowing or having reason to know the report is false, that an act of mass violence is going to occur on school property or at a school system event;
- c. making a report knowing or having reason to know the report is false, that a device, substance, or material designed to cause harmful or lifethreatening injury to another person is located on school system property or at a school system event-; or
- d. concealing, placing, disseminating, or displaying on school system property or at a school system event any device, substance, or material, so as to cause a reasonable person to believe the same to be a weapon of mass destruction or to be intended to cause harmful or life-threatening illness or injury to another person

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

4. Clear Threats to Student and Employee Safety

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

- a. theft or attempted theft by a student from another person by using or threatening to use a weapon;
- b. the intentional and malicious burning of any structure or personal property, including any vehicle;
- an attack or threatened attack by a student against another person wherein the student uses a weapon or displays a weapon in a manner found threatening to that person;
- d. an attack by a student on any employee, adult volunteer, or other student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury;
- e. an attack by a student on another person whereby the victim suffers obvious severe or aggravated bodily injury, such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain; or whereby the victim requires hospitalization or treatment in a hospital emergency room as a result of the attack;
- f. any intentional, highly reckless, or negligent act that results in the death of another person;
- g. confining, restraining, or removing another person from one place to another, without the victim's consent or the consent of the victim's parent, for the purpose of committing a felony or for the purpose of holding the victim as a hostage, for ransom, or for use as a shield;
- h. the possession of a weapon on any school property, including in a vehicle, with the intent to use or transmit for another's use or possession in a reckless manner so that harm is reasonably foreseeable;
- taking or attempting to take anything of value from the care, custody, or control of another person or persons, by force, threat of force, or violence, or by putting the victim in fear;

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

- k. the possession, manufacture, sale, or delivery, or any attempted sale or delivery, of a controlled substance in violation of Chapter 90 of the North Carolina General Statutes;
- I. any behavior resulting in a felony conviction on a weapons, drug, assault, or other charge that implicates the safety of other persons; and
- m. any other behavior that demonstrates a clear threat to the safety of others in the school environment.

B. Consequences

General Consequences

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

2. Specific Consequences Mandated by Law

As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies, in writing, the required 365-day suspension for an individual student on a case-by-case basis. The superintendent shall not impose a 365-day suspension if the superintendent determines that the student (1) took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, (2) delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or school personnel, and (3) had no intent to use the firearm or destructive device in a harmful or threatening way.

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

ounces, (4) missile having an explosive or incendiary charge of more than one-quarter ounce, (5) mine, or (6) similar device.

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

Legal References: Gun-Free Schools Act, 20 U.S.C. 7961; G.S. 14-17, -18, -27.21 through -27.30, -32, -33, -34 through -34.2, -41, -49, -49.1, -60, -69.1, -69.2, -87, -87.1, -132, -132.2, -202.1, -202.2, -208.18, -269.2, -277.5, -277.6, -283, -288.8, -288.21 -288.22, -288.23, -288.24; ch. 90 art. 5; 115C-47, -105.51, -276(r), -288, -307, -390.1, -390.2, -390.10

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

Adopted: May 11, 2000

Revised: April 8, 2004, November 8, 2007, December 10, 2009, October 13, 2011, May 14, 2015, July 14, 2016, May 11, 2017, June 13, 2019, February 13, 2020

Criminal or other illegal behavior is prohibited. Any student who the principal reasonably believes to have engaged in criminal behavior on school premises or at school activities will be subject to appropriate disciplinary action, as stated in applicable board policies, and may be criminally prosecuted.

School officials shall cooperate fully with any criminal investigation and prosecution. School officials shall independently investigate any criminal behavior that also violates school rules or board policy.

A. STUDENTS CHARGED WITH OR CONVICTED OF CRIMINAL BEHAVIOR

The superintendent and principal may take reasonable or legally required measures to preserve a safe, orderly environment when a student has been charged or convicted with a serious crime, regardless of whether the alleged offense was committed on school grounds or was related to school activities. Depending upon the circumstances, including the nature of the crime or alleged crime, the child's age, and the publicity within the school community, reasonable or legally required efforts may include changing a student's classroom assignment or transferring the student to another school. Transfer to the alternative school may be made in accordance with the criteria established in board policy 3470/4305, Alternative Learning Programs/Schools. The student will continue to be provided with educational opportunities unless and until the student is found to have violated board policy or school rules and is suspended or expelled in accordance with procedures established in board policy.

B. REPORTING CRIMINAL BEHAVIOR

A school employee is permitted to report to law enforcement an assault by a student on a school employee. Principals or other supervisors shall not, by threats or in any other manner, intimidate or attempt to intimidate the school employee from doing so.

Principals must immediately report to law enforcement when they haves personal knowledge or actual notice from school personnel that such acts have occurred on school property, regardless of the age or grade of the perpetrator or victim: (1) assault resulting in serious personal injury; (2) sexual assault; (3) sexual offense; (4) rape; (5) kidnapping; (6) indecent liberties with a minor; (7) assault involving the use of a weapon; (8) possession of a firearm in violation of the law; (9) possession of a weapon in violation of the law; and (10) possession of a controlled substance in violation of the law. A principal who willfully fails to make a required report to law enforcement will be subject to disciplinary action, up to and including dismissal.

The principal or designee shall notify the superintendent or designee in writing or by email of any report made to law enforcement. Such notice must occur by the end of the workday in which the incident occurred, when reasonably possible, but not later than the end of the following workday. The superintendent must inform the board of any such reports. In addition, the principal or designee must notify the parents or guardians of students who are alleged to be victims of any reported offenses.

Certain crimes must be reported to the State Board of Education in accordance with State Board of Education Policy SSCH-000.

Legal References: Gun-Free Schools Act, 7961; G.S. 14-17, -18, -27.21, -27.22, -27.24 through -27.27, -27.29, 27.30, -27.33, -32 through -34.10, -87, -202, -202.1, -202.2, -269.2; ch. 90 art. 5; 115C-47(56); -288(g); State Board of Education Policy SSCH-000

Cross References: Alternative Learning Programs/Schools (policy 3470/4305), Theft, Trespass and Damage to Property (policy 4330), Assaults and Threats (policy 4331), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), School-Level Investigations (policy 4340)

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

Updated: May 11, 2000; September 9, 2004, March 12, 2009, July 15 2010, January 13, 2011, January 12, 2012, June 13, 2013, July 14, 2016, May 11, 2017, September 14, 2017

A. RETENTION OF RECORDS AND REPORT OF DATA

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

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

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

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

B. DISCLOSURE OF RECORDS

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

C. REMOVAL OF RECORDS

1. End of Year Removal

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

- a. notice of any suspension for a period of more than 10 days and the record of the conduct for which the student was suspended;
- b. notice of any expulsion under G.S. 115C-390.11 and the record of the conduct for which the student was expelled; and

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

2. Expunging Records

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

- a request that the record be expunged is made to the superintendent or designee by the student's parent or guardian, or by the student if the student is at least 16 years old or is emancipated;
- b. the student either graduates from high school or is not suspended or expelled again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension; and
- c. the superintendent or designee determines that the maintenance of the record is no longer needed to adequately serve the child or to maintain safe and orderly schools.

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

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

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

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

Other Resources: *North Carolina Discipline Data Reporting Procedures*, N.C. Department of Public Instruction Safe and Healthy Schools Support Division, available at https://www.dpi.nc.gov/data-reports/discipline-alp-and-dropout-data

Adopted: October13, 2011

Revised: June 12, 2014, December 10, 2020

A. DEFINITIONS

1. Superintendent

For purposes of this policy, superintendent includes the superintendent and the superintendent's designee.

2. Principal

For purposes of this policy, principal includes the principal and the principal's designee.

3. Long-Term Suspension

A long-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for more than 10 school days. Disciplinary reassignment of a student to a full-time educational program that meets the academic requirements of the standard course of study established by the State Board of Education and that provides the student with the opportunity to make timely progress toward graduation and grade promotion is not a long-term suspension requiring the due process procedures set out in this policy, nor is an absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school).

Upon the recommendation of the principal, the superintendent may impose a long-term suspension on a student who willfully engages in a serious violation of the Code of Student Conduct and the violation either (1) threatens the safety of students, staff or school visitors, or (2) threatens to substantially disrupt the educational environment. The principal may recommend long-term suspension for a minor violation if aggravating circumstances justify treating the student's behavior as a serious violation.

If the offense leading to the long-term suspension occurred before the final quarter of the school year, the exclusion must be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurred during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.

4. 365-Day Suspension

A 365-day suspension is the disciplinary exclusion of a student from attending his or her assigned school for 365 calendar days. The superintendent may impose a 365-day suspension only for certain firearm and destructive device violations, as identified in policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety.

5. Expulsion

An expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purposes. Upon the recommendation of the superintendent, the board may expel a student who is 14 years of age or older for certain types of misbehavior as provided in policy 4325, Drugs and Alcohol, policy 4330, Theft, Trespass and Damage to Property, policy 4331, Assaults, Threats and Harassment, and policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, if the student's continued presence in school constitutes a clear threat to the safety of other students or employees. Additionally, a student who is subject to policy 4260, Student Sex Offenders, may be expelled if the student's continued presence in school constitutes a clear threat to the safety of other students or employees. During the expulsion, the student is not entitled to be present on educational property and is not considered a student of the school system.

B. DETERMINATION OF APPROPRIATE CONSEQUENCE

1. Principal's Recommendation

The principal may impose a short-term suspension or any other consequence that is consistent with policy 4351, Short-Term Suspension, policy 4302, School Plan for Management of Student Behavior, and the Code of Student Conduct. If the principal determines that a suspension of more than 10 days (either long-term or 365-day) or an expulsion is an appropriate consequence, the principal shall propose the disciplinary penalty based upon a review of the student's culpability and dangerousness and the harm caused by the student, plus any other mitigating or aggravating factors the principal finds relevant.

- a. Culpability of Student In assessing the culpability of the student for his or her behavior, the principal may consider criteria such as:
 - 1) the student's age;
 - 2) the student's ability to form the intent to cause the harm that occurred or could have occurred; and

- 3) evidence of the student's intent when engaging in the conduct.
- b. Dangerousness of the Student In assessing the dangerousness of the student, the principal may consider criteria such as:
 - the student's disciplinary or criminal record related to anti-social behavior or drugs and alcohol;
 - 2) whether a weapon was involved in the incident and if a weapon was involved, whether the student had the ability to inflict serious injury or death with the weapon;
 - 3) evidence of the student's ability to cause the harm that was intended or that occurred; and
 - 4) whether the student is subject to policy 4260, Student Sex Offenders.
- c. Harm Caused by the Student In assessing the severity of the harm caused by the student, the principal may consider criteria such as whether any of the following occurred:
 - 1) someone was physically injured or killed;
 - 2) someone was directly threatened or property was extorted through the use of a weapon;
 - someone was directly harmed, either emotionally or psychologically;
 - 4) educational property or others' personal property was damaged; or
 - 5) students, school employees or parents were aware of the presence of a weapon or of dangerous behavior on the part of the perpetrator.

After considering the above factors, the principal shall make a recommendation to the superintendent, stating the nature of the offense, the substance of the evidence involved and the length of suspension recommended. The principal also must consider and make a recommendation as to whether any alternative education services, counseling or other programs should be part of the consequence for violating board policy, the Code of Student Conduct, school standards or school rules.

If the principal recommends a 365-day suspension, he or she must identify the type of firearm or destructive device involved and the evidence substantiating that the student brought it to school grounds or to a school activity or possessed it on school grounds or at a school activity.

If the principal recommends an expulsion, he or she shall identify the basis for determining that there is clear and convincing evidence that the student's continued presence in school constitutes a clear threat to the safety of other students or employees.

2. Notice to the Student's Parent

The principal must provide to the student's parent written notice of the recommendation for long-term suspension, 365-day suspension or expulsion by the end of the workday during which the long-term suspension or expulsion is recommended when reasonably possible or as soon thereafter as practicable. The notice must be written in plain English and, when appropriate language resources are readily available, also in the parent's native language. The notice must contain the following 10 elements:

- a. the notice type, i.e., notice of long-term suspension, 365-day suspension or expulsion;*
- b. a description of the incident and the student's conduct that led to the recommendation;
- c. the specific provision(s) of the Code of Student Conduct that the student allegedly violated;
- d. the specific process by which the parent may request a hearing to contest the decision and the deadline for making the request;*
- e. the process by which the hearing will be held, including all due process rights to be accorded the student during the hearing;
- f. notice of the right to retain an attorney to represent the student in the hearing process;
- g. notice that an advocate, instead of an attorney, may accompany the student to assist in the presentation of the appeal;
- h. notice of the right to review and obtain copies of the student's educational records prior to the hearing;

i. a reference to policy 4345, Student Discipline Records, regarding the expungement of disciplinary records; and

j. the identity and phone number of a school employee whom the parent may call to obtain assistance in receiving a Spanish translation of the English language information included in the document.*

*This information must be provided on the notice in both English and Spanish.

3. Superintendent's Decision

The student or student's parent may request a hearing before the superintendent within three days of receiving notice from the principal of the recommendation for long-term suspension, 365-day suspension or expulsion. Any hearing held will follow the hearing procedures outlined in Section A of policy 4370, Student Discipline Hearing Procedures. A decision will be rendered before the long-term suspension is imposed.

If the student or parent makes a timely request for a hearing, the superintendent shall confirm that the charges against the student, if substantiated, could warrant the recommended disciplinary action and shall give the student and parent reasonable notice of the time and place of the hearing.

If neither the student nor the parent appears for a scheduled hearing after being given reasonable notice of the time and place of the hearing, the student and parent are deemed to have waived the right to a hearing.

If the student and parent fail to make a timely request for a hearing or if they waive the right to a hearing by failing to appear for a duly scheduled hearing, the superintendent shall review the circumstances of the recommended long-term suspension. Following this review, the superintendent (1) may impose the long-term or 365-day suspension if it is consistent with board policies and appropriate under the circumstances, (2) may impose another appropriate penalty authorized by board policy or (3) may decline to impose any penalty.

If the student or parent requests a postponement of the hearing, or if the request for the hearing is untimely, the hearing will be scheduled, but the student does not have the right to return to school pending the hearing.

Based on substantial evidence presented at the hearing, the superintendent shall decide whether to uphold, modify or reject the principal's recommendation. The superintendent shall immediately inform the principal of the decision regarding the recommended disciplinary penalty of a long-term or 365-day suspension and, when applicable, of any modifications to the penalty recommended by the

principal.

The superintendent shall send notice of the decision via certified mail to the student and parent. The notice must include:

- a. the basis of the decision, with reference to any policies or rules that the student violated;
- b. notice of what information will be included in the student's official record pursuant to G.S. 115C-402;
- c. notice of the student's right to appeal the decision and the procedures for such appeal;
- d. if the decision is to suspend the student for 365 days, notice of the student's right to petition the board for readmission under G.S. 115C-390.12;
- e. if applicable, notice that the superintendent or designee is recommending to the board that the student be expelled and any required notifications related to the expulsion if the student did not already receive such notice from the principal or designee; and
- f. if the student is to be suspended, notice of the superintendent's or designee's decision on whether to offer alternative education services to the student during the period of suspension, and, as applicable, a description of the services to be offered or the reason justifying the superintendent's or designee's decision to deny such services.

Following issuance of the decision, the superintendent shall implement the decision by authorizing the student's return to school upon the completion of any short-term suspension or by imposing the suspension reflected in the decision.

The superintendent shall offer alternative education services to any student who receives a long-term or 365-day suspension unless the superintendent provides a significant or important reason for declining to offer such services. Alternative education services are part-time or full-time programs that provide direct or computer-based instruction to allow the student to progress in one or more core academic courses. Such services may include programs described in policy 3470/4305, Alternative Learning Programs/Schools.

The student may appeal to the board the superintendent's decision not to provide alternative education services, as permitted by G.S. 115C-45(c)(1). Any appeal to the board must be made in writing within five days of receiving the

superintendent's decision. The superintendent shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. In advance of the hearing, the superintendent shall provide to the student and parent and to the board a written explanation for the denial of services along with any documents or other information supporting the decision. The hearing will be conducted pursuant to policy 2500, Hearings Before the Board. The board will provide to the student and parent and to the superintendent written notice of its decision within 30 days of receiving the appeal.

If the superintendent determines that expulsion is appropriate, the superintendent shall submit to the board a recommendation and the basis for the recommendation along with any proposal for alternative education services.

4. Hearings Before the Board

a. Long-Term or 365-Day Suspensions

A student or his or her parent may appeal an imposed long-term or 365-day suspension. The student or parent must appeal to the board in writing within three days of receiving the superintendent's decision. The superintendent shall inform the board chairperson of the request for an appeal and shall arrange in a timely manner a hearing before the board. The suspension need not be postponed pending the outcome of the appeal. The hearing will be conducted pursuant to Section B of policy 4370, Student Discipline Hearing Procedures. The board will provide to the student and parent and to the superintendent written notice of its decision not more than 30 calendar days after receiving the appeal.

b. Expulsions

The student or parent may request a hearing within five days of receiving notice of the superintendent's recommendation that the student be expelled. The hearing will be scheduled with the board within five days of the superintendent's receipt of the hearing request. The superintendent shall notify the student and parent of the date, time and place of the hearing. Any appeal of a long-term or 365-day suspension will be addressed in the same hearing. The hearing will be conducted pursuant to Section B of policy 4370.

If a hearing is not requested by the student or parent, the superintendent shall submit written evidence to support his or her recommendation to the board. The board may elect to request a hearing or to request additional records and documents.

When the board decides to expel a student, the board will document the basis for its determination that there is clear and convincing evidence that the student's behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. The board also will consider and make a written determination of whether alternative education services are to be provided to the expelled student. Regardless of whether the school system provides alternative education services, the board expects school system administrators to work with other agencies to help the student and parent identify other types of services that may be of assistance to the student. The board will send via certified mail to the student's parent a copy of the decision, notification of what information will be included in the student's official record, the procedure for expungement of this information under G.S. 115C-402, and notice of the right to petition for readmission pursuant to G.S. 115C-390.12.

C. EDUCATIONAL SERVICES FOR STUDENTS WITH DISABILITIES DURING LONG-TERM SUSPENSION, 365-DAY SUSPENSION OR EXPULSION

Students with disabilities recognized by the Individuals with Disabilities Education Act will receive educational services during periods of suspension or expulsion to the extent required by *Policies Governing Services for Children with Disabilities* and state and federal law.

D. REDUCING SUSPENSION AND EXPULSION RATES

Though the board believes that suspension or expulsion may be an appropriate and necessary consequence in certain situations, the board also recognizes that excessive use of suspension and expulsion may have a negative impact on academic achievement and graduation rates. Thus, the board encourages school administrators to find ways to reduce suspension and expulsion rates in the schools.

Legal References: U.S. Const. amend. XIV, § 1; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; N.C. Const. art. I, § 19; G.S. 14-208.18; 115C art. 9; 115C-45(c)(2), -47(55), -276(r), -288, -390.1, -390.2, -390.7, -390.8, -390.9, -390.10, -390.11, -390.12, -402; 130A-440; *Policies Governing Services for Children with Disabilities*. State Board of Education Policy EXCP-000

Cross References: Hearings Before the Board (policy 2500), Alternative Learning Programs/Schools (policy 3470/4305), Student Sex Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302), Drugs and Alcohol (policy 4325), Theft, Trespass and Damage to Property (policy 4330), Assaults and Threats (policy 4331), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), Criminal Behavior (policy 4335), School-Level Investigations (policy 4340), Student Discipline Records (policy 4345), Short-

Term Suspension (policy 4351), Student Discipline Hearing Procedures (policy 4370)

Adopted: November 10, 2011

Updated: July 14, 2016, September 14, 2017

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

The board acknowledges that school employees may engage in the use of social media during their personal time. School employees who use social media for personal purposes must be mindful that they are responsible for their public conduct even when not acting in their capacities as school system employees. All school employees, including student teachers and independent contractors shall comply with the requirements of this policy when using electronic social media for personal purposes. In addition, all school employees must comply with policy 4040/7310, Staff-Student Relations, when communicating with individual students through other electronic means, such as through voice, email, or text-messaging, or approved video-conferencing platform.

A. DEFINITIONS

Social Media

For the purposes of this policy, "social media" refers to the various online technology tools that enable people to communicate easily over the Internet to share information and resources. It includes, but is not limited to: personal websites, nonsystem-related website, blogs, wikis, social networking sites, online forums, virtual worlds, video-sharing websites, and any other Internet-based applications which allow the exchange of user-generated content. For purposes of this policy, it also includes any form of instant or direct messaging available through such applications. Examples of social media include, but are not limited to, Web 2.0 tools, Facebook, Twitter, LinkedIn, Flickr, YouTube Instagram, Google+, and social media components of learning management systems such as Moodle or Edmodo. The use of approved video-conferencing platforms is subject to policy 4040/7310, Staff-Student Relations.

2. School-Controlled Social Media

"School-controlled social media" are social media networks, tools, or activities that are under the direct control and management of the school system and that

create an archived audit trail.

3. Personal Social Media

"Personal social media" means any social media networks, tools, or activities that are not school-controlled.

B. Social Media Communications Involving Students

Employees are to maintain professional relationships with students at all times in accordance with policies 4040/7310, Staff-Student Relations, and 7300, Staff Responsibilities. The use of electronic media for communicating with students and parents is an extension of the employee's workplace responsibilities. Accordingly, the board expects employees to use professional judgment when using social media or other electronic communications and to comply with the following.

- 1. All electronic communications with students who are currently enrolled in the school system must be school-related and within the scope of the employees' professional responsibilities, unless otherwise authorized by this policy or policy 4040/7310, Staff-Student Relations.
- School employees may use only school-controlled social media or approved videoconferencing platforms to communicate directly with current students about school-related matters. (For exceptions regarding communication with students through video-conferencing platforms or other forms of electronic communication, e.g., email or texts, see policy 4040/7310, Staff-Student Relations.)
- 3. Employees are prohibited from knowingly communicating with current students through a personal social media or personal websites without parental permission. An Internet posting on a personal social media network or personal website intended for a particular student will be considered a form of direct communication with that student in violation of this policy unless the parent has consented to the communication. However, an employee may communicate with a student using personal social media to the extent the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, sport or religious organization.
- 4. An employee seeking to utilize and/or establish a non-school-controlled social media website for instructional or other school-related purposes must have prior written approval from the principal and the superintendent or designee and must

verify that the social media application's terms of service meet the requirements of policies 3220, Technology in the Educational Program, 3225/4312/7320, Technology Responsible Use, and 3227/7322, Web Page Development. If the website collects personal information from students under the age of 13, the use will not be approved unless the applicable requirements of the Children's Online Privacy Protection Act (COPPA) are met. The employee shall ensure that the website does not include or link to the employee's personal social media footprint. The site must be used for school-related purposes only.

C. EMPLOYEE PERSONAL USE OF SOCIAL MEDIA

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

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

School employees are prohibited from accessing social networking websites for personal use during instructional time.

D. POSTING TO SOCIAL MEDIA SITES AND PERSONAL WEBSITES

Employees who use social media or nonsystem-related website for personal purposes must be aware that the content they post may be viewed by anyone, including students, parents, and community members. Employees shall observe the following principles when communicating through social media:.

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

2. Employees shall not accept current students as "friends" or "followers" or otherwise connect with students on personal social media sites without parental permission, unless the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting.

- 3. Employees shall not knowingly allow students access to their personal social media sites that discuss or portray sex, nudity, alcohol, or drug use or other behaviors associated with the employees' private lives that would be inappropriate to discuss with a student at school.
- 4. Employees may not knowingly grant students access to any portions of their personal social media sites or personal websites that are not accessible to the general public without parental permission, unless the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting.
- 5. Employees shall be professional in all Internet postings related to or referencing the school system, students or their parents, and other employees.
- 6. Employees shall not use profane, pornographic, obscene, indecent, lewd, vulgar, or sexually offensive language, pictures or graphics or other communication that could reasonably be anticipated to cause a substantial disruption to the school environment.
- 7. Employees shall not use the school system's logo or other copyrighted material of the system on a personal social media site without express, written consent from the board.
- 8. Employees shall not post identifiable images of a student or student's family on a personal social media site without permission from the student and the student's parent or legal guardian. Employees may post such images on a school-controlled social media site only with prior permission of the employee's supervisor and in accordance with the requirements of federal and state privacy laws and policy 4700, Student Records.
- 9. Employees shall not use Internet postings to libel or defame the board, individual board members, students, or other school employees.
- 10. Employees shall not use Internet postings to harass, bully, or intimidate students or other employees in violation of policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, 1725/4035/7236, Title IX Sexual Harassment Prohibited Conduct and Reporting Process, 4329/7311, Bullying and Harassing Behavior Prohibited, and 7232, Discrimination and Harassment in the Workplace, or state and federal laws.

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

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

E. CONSEQUENCES

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

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

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

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), Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), Web Page Development (policy 3227/7322), Copyright Compliance (policy 3230/7330), Staff-Student Relations (policy 4040/7310), Bullying and Harassing Behavior Prohibited (policy 4329/7311), Student Records (policy 4700), Discrimination and AHarassment in the Workplace (policy 7232), Staff Responsibilities (policy 7300)

Adopted: December 15, 2011

Revised: August 29, 2012, December 12, 2013, March 12, 2015, June 9, 2016, October 5, 2017

REMOTE WORKING *Policy Code:* **7503**

Although it is the board's desire for school employees' work to be performed at their regularly assigned place of work as a matter of course, the board recognizes that in certain limited circumstances it may be practical, efficient, or necessary to allow or require authorized employees of the school system to work from an alternative work location via electronic means ("Remote Work"). This policy outlines the circumstances under which remote work arrangements may be made.

A. DEFINITIONS

- 1. "Alternative Work Location" is defined as a worksite other than an employee's regularly assigned place of work.
- "Eligible employee" is defined as an employee of the school system who has demonstrated satisfactory job performance, is in good standing, and can perform all of the employee's essential job duties at an alternative work location. In addition, to be an eligible employee, the employee must have an available and suitable designated workspace at the alternative work location and access to any computer and telecommunications equipment necessary for the completion of tasks.
- 3. "Remote work" is defined as the performance of the essential functions of an employee's job description at an alternative work location, typically the employee's residence, via electronic means in accordance with the employee's usual expected standards of performance and other approved or agreed-upon terms.
- 4. "Remote worker" is defined as an employee engaged in remote work on a temporary episodic or emergency basis.
- 5. "Remote work agreement" is defined as a written agreement that details the terms and conditions by which an employee is allowed to engage in remote work.

B. REMOTE WORK IN EMERGENCY SITUATIONS

When the superintendent or board determines that any employees cannot or should not work at their regularly assigned place of work as a result of natural disaster, inclement weather, public health emergency, or other situation that threatens the health and safety of employees, students, or the community, the superintendent or board may, consistent with state and federal law, permit or require individual employees or classes of employees to work remotely. Otherwise applicable remote work eligibility criteria will be deemed waived to the extent necessary for such employees. In the event the superintendent permits or orders any employee(s) to work remotely pursuant to this section, the superintendent shall notify the board of the decision and supporting rationale as soon as practical and before announcing the decision to any employees or the public.

The board reserves discretion to overrule or modify the superintendent's decision to permit or order any employee(s) to work remotely under this section.

If an employee's supervisor determines that the employee is unable to perform his or her essential job duties while working remotely, the employee may be required to take any available accrued leave, whether paid or unpaid, in accordance with policy 7510, Leave.

C. TEMPORARY EPISODIC REMOTE WORK ARRANGEMENTS

When deemed practical, efficient, or necessary, employees who are eligible under subsection A.2 may be approved to work via a remote work arrangement for limited time periods in accordance with the criteria established in Section D of this policy and other criteria consistent with this policy to be developed by the superintendent. Such criteria shall address suitability of job duties; cause; length, frequency, and/or calendar limitations; and other factors as determined by the superintendent and consistent with law. Approval of episodic remote work arrangements will be made on a non-precedential case-by-case basis and will be consistent with school system policies and procedures and state and federal law. Approval or denial of an episodic remote work arrangement will not be made on a preferential or discriminatory basis.

Principals have initial authority to allow an episodic remote work arrangement for eligible employees working at their schools. The superintendent or designee has initial authority to allow a remote work arrangement for any other eligible employee of the school system. A principal must inform the superintendent or designee any time the principal allows a remote work arrangement of more than two workdays. Any remote work arrangement for an employee that exceeds more than 20 workdays for a single episode or a cumulative total of 40 workdays in any 12 month period must be reported to the board. The superintendent or designee or board may terminate any remote work arrangement.

Teachers are only eligible to work remotely on optional or required teacher workdays, and only when the superintendent or designee designates the day as an eligible remote work day for teachers. Principals must still approve remote work when a teacher workday has been designated as remote work-eligible by the superintendent or designee.

D. GENERAL CONDITIONS ON REMOTE WORK

- Employees are prohibited from working remotely when they are identified as personnel whose physical presence at their regularly assigned place of work or at an alternate school system site is essential to the performance of their duties. In addition, no employee may work remotely on a full-time, permanent basis and no employee is entitled to work remotely as a replacement for leave to accommodate family care arrangements, sick leave, Family and Medical Leave, or Worker's Compensation leave.
- 2. Remote work is not an entitlement and is offered to the employee at the sole discretion of the school system. No employee will be permitted to work remotely

without first entering into a remote work agreement. Remote work arrangements are subject to termination at any time with reasonable notice given by the remote worker's supervisor.

3. Remote workers should obtain permission from their supervisor before removing school system equipment or supplies from the employee's regularly assigned place of work to use at an alternative work location. Remote workers are responsible for maintaining and protecting such school system equipment and returning it to the employee's regularly assigned place of work when the remote work period ends. Use of school system technological resources is governed by policy 3225/4312/7320, Technology Responsible Use. The school system may condition an employee's authorization to work remotely on the employee providing his or her own equipment if school system resources are not available for the employee to use.

All costs incurred by an employee to arrange an alternative work location and to work remotely are the employee's responsibility and will not be reimbursed unless otherwise required by law.

- 4. A remote worker's alternative work location must be safe, secure, and free of undue distractions. Although school officials will not conduct routine inspections of alternative work locations that are not owned or operated by the school system, the board reserves the right to inspect an employee's alternative work location when deemed necessary to ensure suitability and safety after giving the remote worker reasonable notice.
- 5. Work-related injuries that occur in the alternative work location must be reported to the remote worker's supervisor.
- 6. Remote workers shall be accessible by phone and email during work hours. In addition, attendance at the employee's regularly assigned place of work for onsite meetings, conferences, training sessions, and other school business activities may be required on scheduled Remote work days. Transportation for such attendance is the remote worker's responsibility.
- 7. Remote workers must adhere to the same policies and procedures established for all school system employees. A remote worker's performance will be monitored and assessed in the same manner as employees working from their regularly assigned place of work.
- 8. Remote workers must not deviate from the work schedule that would be expected of them at their regularly assigned place of work (including working hours, lunch breaks, etc.) unless specifically authorized to do so by their supervisor. Non-exempt employees under the Fair Labor Standards Act are not permitted to work off-the-clock while working remotely and will not be permitted to work overtime absent authorization from the employee's supervisor.

E. EMPLOYEES WITH DISABILITIES

This policy does not apply to remote work as an Americans with Disabilities Act (ADA) accommodation. If remote work is considered a reasonable accommodation pursuant to the ADA, the school system and employee will follow the school system's ADA process with respect to such accommodation. In addition, employees with disabilities who are required or permitted to work remotely by the superintendent or board will be provided reasonable accommodations as necessary to fulfill their job duties while working remotely.

This policy and any eligibility criteria or procedures developed by the superintendent to implement this policy are not intended to, and do not, confer any additional employment rights on any employee, including any right to work remotely or to be assigned to a job position that is suitable for remote work.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 et seq., 28 C.F.R. pt. 35

Cross References: Discrimination and Harassment Prohibited by Federal Lay (policy 1710/4020/7230), Nondiscrimination on the Basis of Disabilities (1730/4022/7231), Confidential Information (2125/7315), Technology Responsible Use (3225/4312/7320), Use of Personal Technology to Conduct School Business (3228/7323), Use of Equipment, Materials, and Supplies (6520), Workday and Overtime (7500), Leave (7510), Permitted Salary Deductions for Absences and Discipline of Certain Exempt Employees (7560)

Adopted: September 10, 2020

2020-2021

DATE		MEETING	TIME	LOCATION
Thursday	May 13	Board of Education Meeting	7:30 p.m.	PDC
Wednesday	May 19	AHS Athletic Commitment Ceremony	1:30 p.m.	AHS - Walker Commons
Thursday	May 27	AHS Senior Awards Night	6:30 p.m.	AHS - New Gym
JUNE				
Thursday	June 3	Graduation	7 p.m.	Lee J. Stone Stadium
Friday	June 4	Graduation - Rain Date	10 a.m.	Lee J. Stone Stadium
Friday	June 4	Retirement Ceremony - tentative upon graduation	8 a.m.	Lee J. Stone Stadium
Thursday	June 10	Board of Education Meeting	7:30 p.m.	SAMS Media Center