

ASHEBORO CITY BOARD OF EDUCATION

March 11, 2021

6:00 p.m.

Professional Development Center

I. Opening

A. Call to Order

II. Information, Reports, and Recommendations

A. Phase III Construction Bid Update

B. Budget Presentation

III. Adjournment

ASHEBORO CITY SCHOOLS

Budget Work Session

Asheboro City

Board of Education

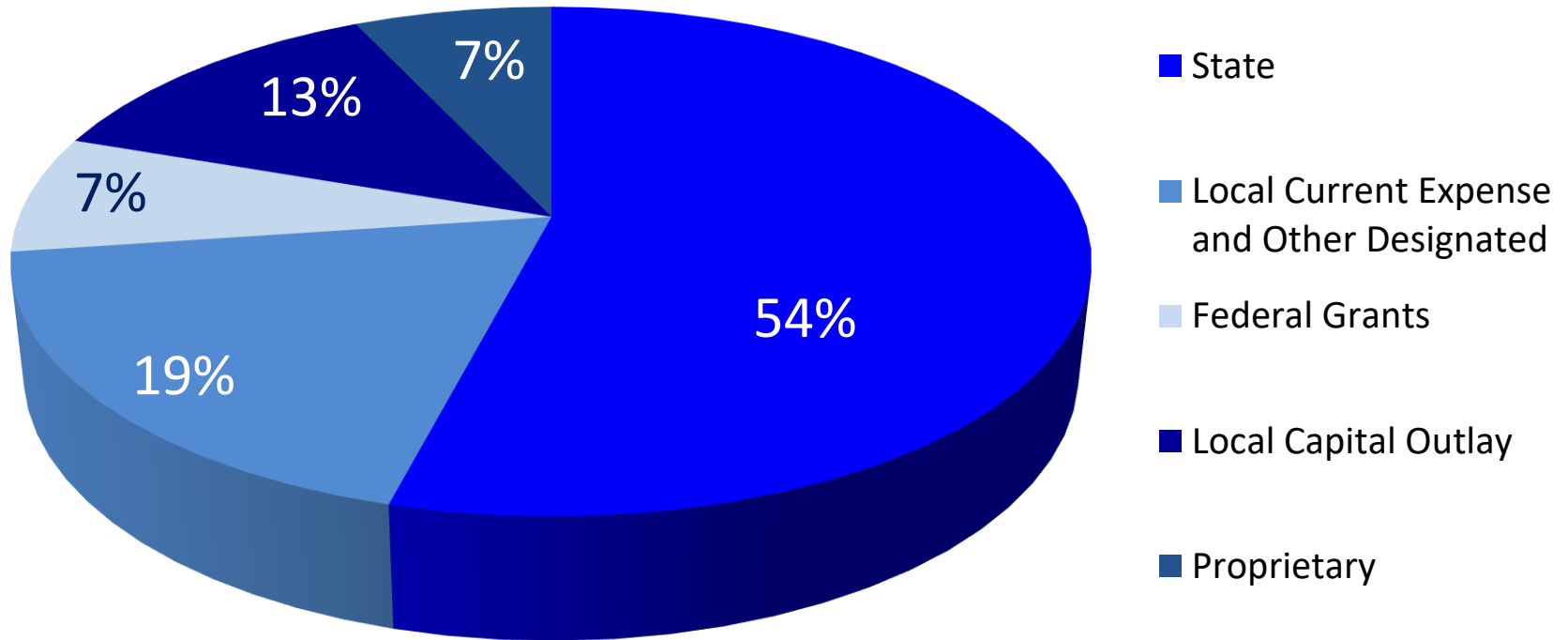
March 11, 2021

Asheboro City Schools

Budget Work Session

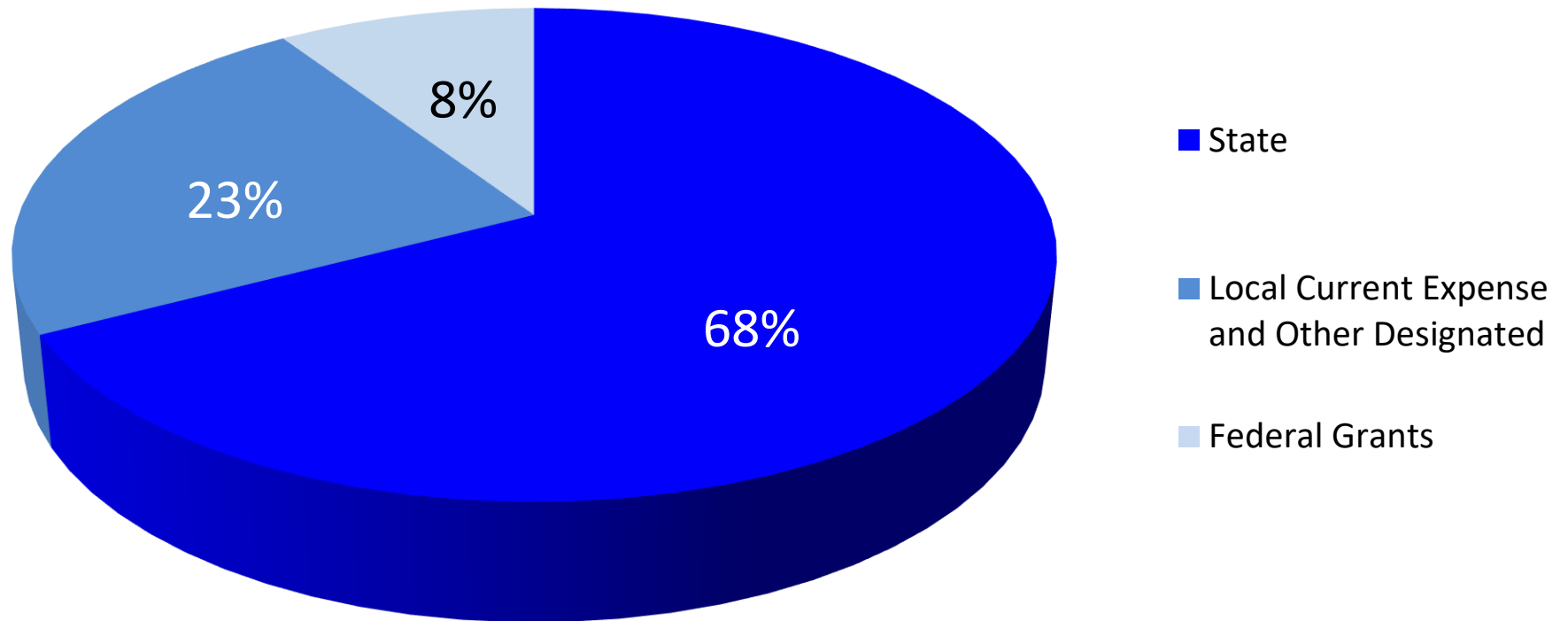
2020-2021 Total Budget by Fund

State	\$ 33,975,173
Local Current Expense and Other Designated	\$ 11,759,239
Federal Grants	\$ 4,702,261
Local Capital Outlay	\$ 7,983,316
Proprietary	\$ 4,400,000
Total	<u>\$ 62,819,989</u>



Asheboro City Schools
Budget Work Session
2020-2021 Operational Budget by Fund
(Excluding Capital Outlay and Proprietary)

State	\$ 33,975,173
Local Current Expense and Other Designated	\$ 11,759,239
Federal Grants	\$ 4,702,261
	<hr/>
	<u>\$ 50,436,673</u>



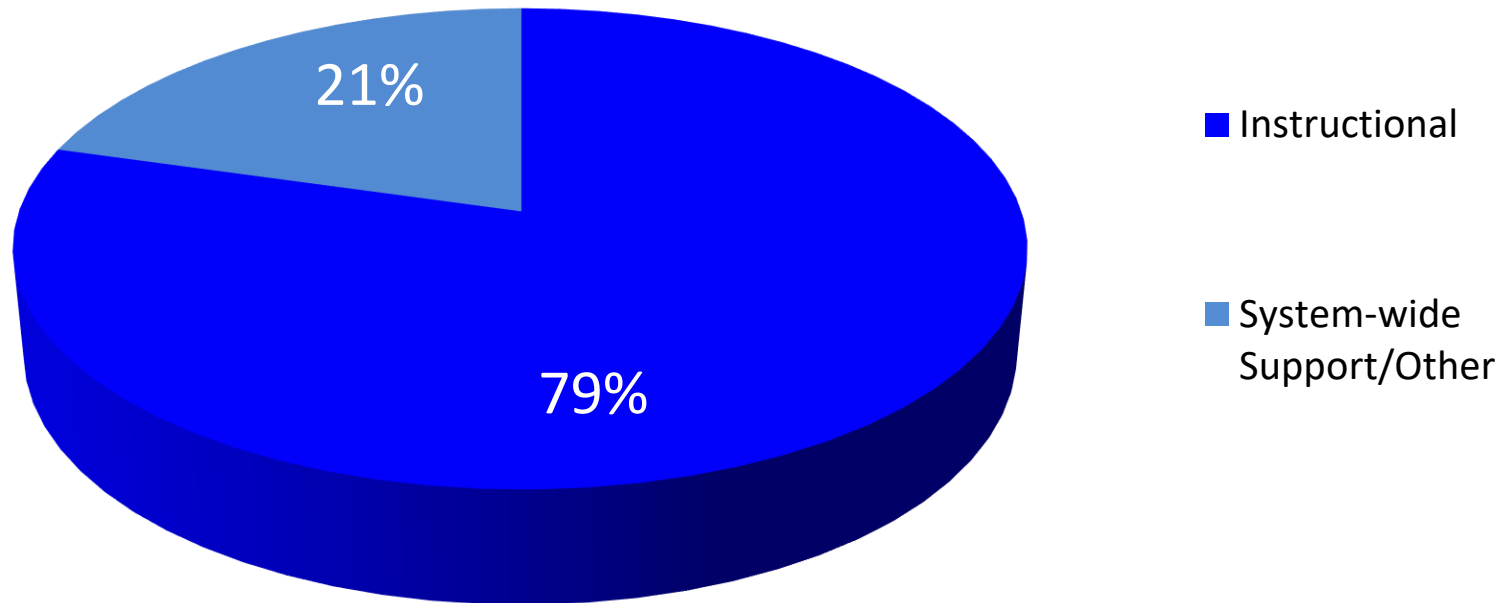
Asheboro City Schools
Budget Work Session
2020-2021 Operational Budget by Purpose
(Excluding Capital Outlay and Proprietary)

Instructional
System-wide Support/Other

\$ 40,060,097

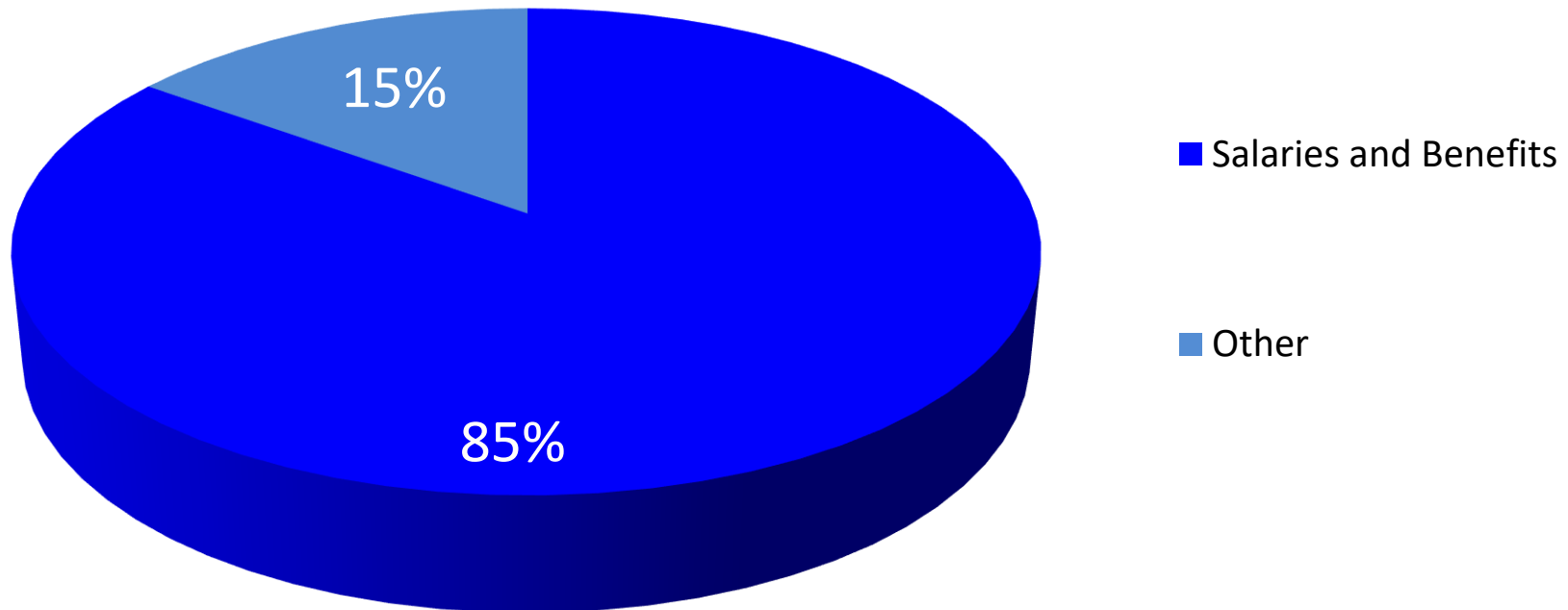
\$ 10,376,576

\$ 50,436,673



Asheboro City Schools
Budget Work Session
2020-2021 Operational Budget
Salaries and Benefits compared to Non-Salaries and Benefits
(Excluding Capital Outlay and Proprietary)

Salaries and Benefits	\$ 42,832,728
Other	\$ 7,603,945
	<hr/>
	<u>\$ 50,436,673</u>



Asheboro City Schools
Budget Work Session
Local Current Expense Appropriation

Year	Amount		Difference		% Change
2011-12	\$	4,367,466	\$	75,824	2%
2012-13	\$	4,506,116	\$	138,650	3%
2013-14	\$	4,490,951	\$	(15,165)	0%
2014-15	\$	4,552,805	\$	61,854	1%
2015-16	\$	4,667,005	\$	114,200	3%
2016-17	\$	4,827,759	\$	160,754	3%
2017-18	\$	5,071,869	\$	244,110	5%
2018-19	\$	5,366,169	\$	294,300	6%
2019-20	\$	5,730,285	\$	364,116	7%
2020-21	\$	6,010,459	\$	280,174	5%

Asheboro City Schools

Budget Work Session

Supplemental Tax Rate and Revenue

Year	Rate	Actual Revenue		Change	
2010-11	13.85	\$	2,869,018	\$	(60,106)
2011-12	13.85	\$	3,009,779	\$	140,761
2012-13	13.85	\$	2,988,237	\$	(21,542)
2013-14	13.85	\$	3,075,606	\$	87,369
2014-15	15.00	\$	3,302,183	\$	226,577
2015-16	15.00	\$	3,262,077	\$	(40,106)
2016-17	15.00	\$	3,257,656	\$	(4,421)
2017-18	15.00	\$	3,276,927	\$	19,272
2018-19	15.00	\$	3,305,451	\$	28,524
2019-20	14.39	\$	3,361,921	\$	56,470

\$.01/100 increase in tax rate equals approximately \$230,000

Current Tax Rate is 14.39 for 2020-2021.

Asheboro City Schools
Budget Work Session
Local Capital Outlay Appropriation

Year	Amount		Difference		% Change
2010-11	\$	803,694	\$	(16,549)	-2%
2011-12	\$	813,477	\$	9,783	1%
2012-13	\$	831,365	\$	17,888	2%
2013-14	\$	829,408	\$	(1,957)	0%
2014-15	\$	831,085	\$	1,677	0%
2015-16	\$	939,117	\$	108,032	13%
2016-17	\$	941,634	\$	2,517	0%
2017-18	\$	943,870	\$	2,236	0%
2018-19	\$	965,120	\$	21,250	2%
2019-20	\$	970,712	\$	5,592	1%
2020-21	\$	983,574	\$	12,862	1%

Asheboro City Schools
Budget Work Session
Budget Accomplishments for 2020-2021

1:1 Student Devices Grades Pre-K thru 12th grade

Remote Learning Support - Staff Devices and Digital Resources

\$350 Bonus to all employees

Construction Design - Asheboro High School Renovation

Roof Replacement - North Asheboro Middle

Roof Replacement - McCrary Elementary

Chiller Replacement - Balfour Elementary

Deck Replacements - Across the District

Fire Alarm Replacements - Teachey, Lindley Park, Loflin, McCrary

Asheboro City Schools
Budget Work Session
Budget Considerations for 2021-2022

Average Daily Membership

K-3 Class Size Requirements and Enhancement Teachers

Salary and Benefit Rate Changes

Local Supplements

Capital Outlay

ASHEBORO CITY BOARD OF EDUCATION
Asheboro City Schools Professional Development Center

March 11, 2021

7:30 p.m.

6:00 p.m.: Budget Planning and Finance Committee Meeting

6:45 p.m.: Policy Committee Meeting

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 Partner Spotlight - Ms. Leigh Anna Marbert, Public Information Officer
- C. National Board Certification Recognition – Ms. Chandra Manning, Curriculum Specialist and Beginning Teacher Coordinator

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 – February 11, 2021 Board of Education Meeting
- B. Personnel
- C. AIG Plan Addendum
- D. Policies for Approval – Dr. Drew Maerz, Director of Testing and Accountability
 - Policy 1720/4030/7235 – Title IX Nondiscrimination on the Basis of Sex
 - Policy 1725/4035/7236 – Title IX Sexual Harassment – Prohibited Conduct and Reporting Process
 - Policy 1726/4036/7237 – Title IX Sexual Harassment Grievance Process
 - Policy 2120 – Code of Ethics for School Board Members
 - Policy 2121 – Board Member Conflict of Interest
 - Policy 3410 – Testing and Assessment Program
 - Policy 3620 – Extracurricular Activities and Student Organizations
 - Policy 4040/7310 – Staff-Student Relations
 - Policy 4600 – Student Fees
 - Policy 5070/7350 – Public Records – Retentions, Release, and Disposition
- E. Sole Source Waiver – Sylvan Learning
- F. Budget Amendment S-06

V. *Action Items

- A. 2022-2023 School Calendar –Dr. Drew Maerz, Director of Testing and Accountability

VI. Information, Reports, and Recommendations

- A. School Nutrition Update – Sandra Spivey, Finance Officer

VII. Superintendent's Report - Dr. Aaron Woody, Superintendent

VIII. Board Operations - Mr. Michael Smith, Chairman
A. Calendar of Events

IX. Adjournment

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

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.

ASHEBORO CITY BOARD OF EDUCATION
Asheboro City Schools Professional Development Center

March 11, 2021
7:30 p.m.

ADDENDUM

6:00 p.m.: Budget Planning and Finance Committee Meeting

6:45 p.m.: Policy Committee Meeting

- I. Opening**
- II. Special Recognition and Presentations**
- III. Public Comments**
- IV. *Consent Agenda**
 - B. Personnel (Addendum added)
 - G. 2021-2022 New Courses Request for Asheboro High School (Added)
- V. *Action Items**
- VI. Information, Reports, and Recommendations**
- VII. Superintendent's Report**
- VIII. Board Operations**
- IX. Adjournment**

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

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Points of Pride

March 11, 2021

AHS Student Advances to Regional Science Fair

South Asheboro Middle School student, Tanush Srirarm, advanced to the Regional Science Fair on Saturday, February 25 with his project, "Drip, Drip, Drip, Splish, Splash." His project tested various irrigation systems to determine which would be more effective in the development and growth of basil plants.

AHS Band Students Make All-County Band

Four AHS Band students have been selected, through competitive audition, for the Central District Bandmasters Association (CDBA) 2021 All-District Honors Band.

- Freddy Kelley, 12th Grade, Bassoon
- Carter Crisco, 12th Grade, French Horn
- Jaysin Martin, 10th Grade, Clarinet
- Meghan Prochnau, 9th Grade, Bassoon

Celebrating School Social Worker Week

March 7-13 is School Social Work Week. "Beacon of Hope: School Social Workers – Lighting the Way" is this year's theme for School Social Work Week 2021. School social workers are able to light the way, emphasizing the whole child. They collaborate with other professionals to support students and families with needed services. Above all, school social workers work to enhance the social and emotional growth and academic outcomes of all students.

Read Across America Day

To celebrate Read Across America Day this year, Charles W. McCrary Elementary School hosted a LIVE streamed event with guest speakers on Wednesday, March 3. Guest readers from all across our community had an opportunity to read with our students!

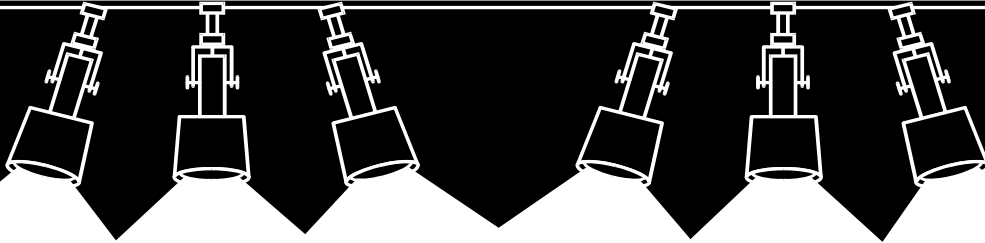
National School Breakfast Week

This year's National School Breakfast Week theme is, "Score Big with School Breakfast," a reminder that school breakfast provides a healthy and energizing start to the day for students. Studies show that students who eat school breakfast are more likely to:

- Reach higher levels of achievement in reading and math
- Score higher on standardized tests
- Have better concentration and memory
- Be more alert
- Maintain a healthy weight

School nutrition professionals and students will show their enthusiasm for school breakfast from March 8-12 as the district celebrates National School Breakfast Week with special menus, activities, and more.

March 11, 2021



Community Partner Spotlight:

We are pleased to recognize the Asheboro Rotary Club for their generous donation of dictionaries to each third-grade student in Asheboro City Schools.

Pack Earns National Board Certification

Ms. Chandra Manning, Beginning Teacher Coordinator and Curriculum Specialist, will recognize Mrs. Elizabeth Pack who has earned certification through the National Board of Professional Teaching Standards.

**Asheboro City Schools
Board of Education
Asheboro City Schools Professional Development Center
February 11, 2021**

Special Joint Session with the Randolph County Commissioners

Board Members attending in person:

Michael Smith, Chairman	Baxter Hammer, Vice Chairman	Gus Agudelo
Phillip Cheek	Linda Cranford	Gidget Kidd
Dr. Beth Knott	Art Martinez	Archie Priest, Jr.

Board Members attending virtually:

Ryan Patton	Gwen Williams
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Staff Members attending in person:

Dr. Aaron Woody	Sandra Spivey	Anthony Woodyard
Donna Gentry	Lee Clark	Will Castro
Ed Keller		

Staff Members attending virtually:

Carla Freemyer	Leigh Anna Marbert
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Randolph County Commissioners attending in person:

Darrell Frye, Chairman	David Allen	Maxton McDowell
Hope Haywood	Kenny Kidd	

Other County Employees attending in person:

Hal Johnson, County Manager	Will Massie, Assistant County Manager, Finance Officer
Sarah Pack, Clerk	Ben Morgan, Attorney

Others attending:

Fred Jernigan	Rhonda Angerio (virtually)
Smith Sinnett Representatives	

Opening:

Chairman Smith welcomed all in attendance. Mr. Darrell Frye, Chairman of the Randolph County Board of Commissioners, called the meeting to order at 6:07 p.m.

*Dr. Woody thanked the Commissioners for their generosity for the current school year appropriations. Dr. Woody presented local current expense budget considerations including estimated continuation costs for the 2021-2022 school year.

*Mr. Ed Keller, Director of Facilities and Maintenance, provided an update of the Ten Year Facility Plan.

Mr. Keller explained that Asheboro City Schools is maintaining current facility needs within the yearly appropriation from the County Commissioners.

*Mr. Ed Keller presented the 2020-2021 Department of Public Instruction Facility Needs Survey. The survey is required every five years and identifies the facility needs for the district.

Mr. Fred Jernigan of Smith Sinnett Architecture reviewed the Phase III renovation timeline for Asheboro High School as well as the most current budget projection.

Dr. Woody asked the Commissioners' approval of the 2020-2021 DPI Facility Needs Survey as presented by Mr. Keller. Upon motion by Mr. Kidd and seconded by Mr. McDowell, the Commissioners unanimously approved the survey as presented.

There being no further business, the meeting was adjourned upon motion of Mr. David Allen, Vice Chairman, and seconded by Ms. Haywood of the Randolph County Commissioners, at 6:50 p.m.

*A copy of the presentation is made a part of these minutes.

Board of Education Meeting

Board Members attending in person:

Michael Smith, Chairman	Baxter Hammer, Vice Chairman	Gus Agudelo
Phillip Cheek	Linda Cranford	Gidget Kidd
Dr. Beth Knott	Art Martinez	Archie Priest, Jr.
Scott Eggleston, Attorney		

Board Members attending virtually:

Ryan Patton	Gwen Williams
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Staff Members attending in person:

Dr. Aaron Woody	Sandra Spivey	Anthony Woodyard
Donna Gentry	Dr. Wendy Rich	Dr. Drew Maerz
Lee Clark	Will Castro	Ed Keller

Staff Members attending virtually:

Carla Freemyer	Leigh Anna Marbert	Barbara Skelly
Chandra Manning	Ray Horton	Robin Harris
Sarah Beth Robbins	Vanessa Brooks	MacKenzie Palmer
Kristen Wright		

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 Mr. Cheek and seconded by Ms. Kidd, the Board unanimously approved the meeting

agenda.

Special Recognitions:

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

- **AHS Student Receives Air Force Junior ROTC Flight Academy Scholarship:** Cadet Major Luke Hurley, an 11th grade Air Force Junior ROTC cadet at Asheboro High School has received a scholarship to attend an accredited aviation university participating in a private pilot license training program in the summer of 2021. Cadet Hurley is one of 230 Air Force Junior ROTC cadets around the world to receive the scholarship from Headquarters Air Force Junior ROTC, Maxwell Air Force Base, Montgomery, AL. More than 1340 cadets applied for one of the 230 scholarships. There are more than 120,000 high school students enrolled in Air Force Junior ROTC at almost 875 high schools in the U.S and overseas. The scholarship covers transportation, room and board, academics and flight hours required to potentially earn a private pilot license. The scholarship is valued at approximately \$22,500.
- **AHS Alum, Tara Hill-Starks, Publishes, *Grandma, I Got This!*** Tara Hill-Starks, an Asheboro native and 1992 graduate of Asheboro High School, has published her first children's book in memory of her late grandmother, Ms. Mary M. Ray. In her own words, the book titled, *Grandma, I Got This!* was, "inspired by Ms. Ray who is remembered for always believing in others, showing forgiveness and giving to those around her. Ms. Hill-Starks, says her grandmother's legacy will continue to live on through the life lessons in this treasured children's book. The book features, JJ, an active and energetic little boy who loves to play outside. But most of all, he loves listening and spending time with his grandmother. Throughout the story, we see JJ put the life lessons his grandmother has taught him into action.
- **AHS Women's Basketball Coach Celebrates 700 Victories:** On Friday, January 22, Asheboro High School Women's basketball coach, Don Corry, celebrated a milestone of 700 wins in his career as a coach. We wish to extend sincere congratulations to Coach Corry and the Blue Comet basketball team!
- **Celebrating National School Counseling Week:** National School Counseling Week 2021 was celebrated February 1-5. This week highlights the tremendous impact school counselors have in helping students achieve school success and plan for a career. Thank you to our amazing Asheboro City Schools school counselors!
- **Celebrating Black History Month:** Black History Month is an annual celebration of achievements by African Americans and a time for recognizing their central role in U.S. history. Also known as African American History Month, the event is the brainchild of noted historian Carter G. Woodson and other prominent African Americans. Since 1976, every U.S. president has officially designated the month of February as Black History Month. Other countries around the world, including Canada and the United Kingdom, also devote a month to celebrating Black history.

Community Partners: The Board recognized area childcare centers listed below for their tremendous support of our students and families, especially since the onset of the COVID-19 pandemic. Since March 2020, many of our local childcare centers have supported our students with remote learning, by providing meals, or simply working with different school schedules.

Building Blocks Christian Academy

Creative Kids Preschool & Childcare Center

The Children's Center of Asheboro

The Growing Place

Flower's Daycare
 Harmony Place
 Precious Memories Preschool
 Shepherd's Way Day School
 Teddy Bear Childcare Center

The Kids of Hope, LLC
 Totally Awesome Kids Preschool, LLC
 Trogdon's Day Care
 Beacon Child Development Center
 Noah's Ark Preschool

Public Comments: There were no requests to address the Board.

Consent Agenda: Upon motion by Mr. Hammer and seconded by Mr. Agudelo, the Board unanimously approved the following items under the Consent Agenda as presented:

- A. Minutes for January 14, 2021 Board of Education Meeting and January 29 & 30, 2021 Board Retreat
- B. Personnel:

1. RESIGNATIONS/RETIREMENTS/SEPARATIONS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Tucker	Julia	LP	Kindergarten	6/4/2021
Cooper	Dorothy	GBT	Instructional Assistant	6/30/2021
Patterson	Andrea	GBT	Instructional Assistant	6/4/2021
Gary	Chester	NAMS	Technology	6/30/2021

2. APPOINTMENTS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Brunner	Alice	CO	Substitute (\$85 per day)	2/15/2021
Durham	Charles	CO	Bus Driver	2/15/2021
Roman	Chelsea	DLL	Instructional Assistant (FT; Temp)	2/15 - 6/4/2021
Sriram	Anjann	DLL	Instructional Assistant (FT; Temp)	2/15 - 6/4/2021
Tracey	Richard	CO	Substitute (\$85 per day)	2/15/2021

3. TRANSFERS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Aguirre	Mariana	DLL	School Secretary to Data Manager/Treasurer	2/1/2021
Sabogal	Jafeth	DLL	Instructional Assistant to School Secretary	2/10/2021

- C.* Public School Building Capital Fund – NC Education Lottery Application
- D.* Bank Signature Card for Donna Lee Loflin Elementary School
- E.* Resolution for Strategic Planning Process
- F.* Career and Technical Education Honors Class Additions for 2021-2022
- G.* Honors Class Additions for Asheboro High School for 2021-2022
- H.* Budget Amendment E-01
- I.* Budget Amendment F-01
- J.* Budget Amendment S-05
- K.* Mental Health Support Personnel Report

L.* Award Roofing Contracts for North Asheboro Middle School to Bar Roofing and Maintenance and Charles W. McCrary Elementary School to Owen Roofing, Inc.

*A copy is made a part of these materials

Action Items:

A.* Dr. Aaron Woody, Superintendent, presented the proposed 2021 Legislative Platform. The top three Legislative priorities for 2021 are:

- Increased funding for school safety
- Standardized accountability for all publicly-funded schools
- Increased weighting of student growth from 20% to 50%
- Calendar flexibility
- Class size (K-3) flexibility
- Adequate funding for NC Pre-K
- Increase pay for all North Carolina educators
- Approval of a statewide school facility bond referendum

Upon motion by Ms. Cranford and seconded by Mr. Cheek, the Board unanimously approved the Legislative Platform as presented.

*A copy is made a part of these minutes.

Information, Reports, and Recommendations:

A. Policies for 30-day review were presented by Dr. Drew Maerz, Director of Testing and Accountability

- Policy 1720/4030/7235 – Title IX Nondiscrimination on the Basis of Sex
- Policy 1725/4035/7236 – Title IX Sexual Harassment – Prohibited Conduct and Reporting Process
- Policy 1726/4036/7237 – Title IX Sexual Harassment Grievance Process
- Policy 2120 – Code of Ethics for School Board Members
- Policy 2121 – Board Member Conflict of Interest
- Policy 3410 – Testing and Assessment Program
- Policy 3620 – Extracurricular Activities and Student Organizations
- Policy 4040/7310 – Staff-Student Relations
- Policy 4600 – Student Fees
- Policy 5070/7350 – Public Records – Retentions, Release, and Disposition

B.* Ms. Sarah Beth Robbins, CTE Administrator/Curriculum & Instructional Management Coordinator, and Ms. Courtney McGowan, Career Development Coordinator, provided a Career and Technical Education update explaining the Career Pathways Model, Career Development Continuum, and Career Development Plan.

C.* The proposed 2022-2023 school calendar was presented for 30-day review by Dr. Drew Maerz, Director of Testing and Accountability.

*A copy is made a part of these minutes

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

- The Strategic Plan planning process is underway. Administrative and school staff will work with parents and other community stakeholders to help formulate goals for the Board to consider.
- We continue to operate under Plan B in response to COVID-19. In our elementary schools, students have been invited to attend in-person four days per week. We are looking at ways to bring in additional students, particularly at the middle and high schools.
- The Administrative Team has developed plans to visit schools during the second semester to monitor the work being presented in classrooms, to collect data, and to formulate future plans.
- The Asheboro City Schools COVID-19 Dashboard was launched on the ACS website on January 22. This will be updated weekly on Fridays.

-Equity Team:

- The team continues its monthly book study on *White Fragility*.
- Partnered with Dr. Tiwana Allen to develop action plans and professional development needs.
- Partnering with The Hunt Institute for professional development on racial equity leadership.
- The Asheboro City Schools 2019-2020 Annual Report has been released and posted on the website.
- Dr. Woody met with the Superintendent's Staff Advisory Council, the Faith-Based Advisory Council, the Latino Advisory Council, and the Black Advisory Council this past month.

Board Operations

- A. Chairman Smith reviewed the calendar of upcoming events, noting the next board meeting is March 11, 2021.
- B. Chairman Smith noted that all board members have been enrolled for the virtual 2021 National School Boards Annual Conference April 8-10.
- C. Chairman Smith encouraged all Board members to take advantage of opportunities to share with the community information regarding the high school renovation plans.

Adjournment:

There being no further business and upon motion by Dr. Knott and seconded by Mr. Agudelo, the meeting adjourned at 9:08 p.m.

Chairman

Secretary

**Asheboro City Schools
Personnel Transactions
March 11, 2021**

***A. RESIGNATIONS/RETIREMENTS/SEPARATIONS**

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Cheek	Lisa	NAMS/SAMS	School Social Worker	6/30/2021
Needham	Georgie	CWM	Instructional Assistant	6/4/2021
Waynick	Margaret	BAL	Instructional Assistant	4/30/2021
Woods	Randy	GBT	Instructional Assistant/EC	6/4/2021

***B. APPOINTMENTS**

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Grant	Cathie	GBT	Tutor (part-time; temporary)	4/6/2021 - 6/2/2021
Hall	Carle	AHS	JROTC (part-time; temporary)	1/21/2021 - 6/30/2021
Honeycutt	Dylan	LP	Custodian	3/1/2021
Robbins	Christin	CWM	Instructional Assistant/EC (full-time; temporary)	3/1/2021 - 6/3/2021
Trogon	Denise	CWM	Tutor (part-time; temporary)	3/8/2021 - 6/2/2021
Wicker	Kaitlyn	SAMS	School Nurse	4/6/2021

C. TRANSFERS

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Zepeda	Maricela	NAMS to AHS	School Secretary to Admin. Asst. Student Services	2/24/2021

Asheboro City Schools
Personnel Transactions - ADDENDUM
March 11, 2021

***A. RESIGNATIONS/RETIREMENTS/SEPARATIONS**

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Alley	Brian	CO	Computer Technician	3/1/2021
Durham	Charles	CO	Bus Driver	2/23/2021
Graves	Margie	CWM	Bus Driver/Custodian	6/30/2021
Griffin	Paula	DLL	Instructional Assistant	6/30/2021
Keller	Ed	CO	Director of Maintenance and Facilities	6/30/2021

***B. APPOINTMENTS**

LAST	FIRST	SCHOOL	SUBJECT	EFFECTIVE
Ingold	Tony	AHS	Non-faculty coach - Tennis	3/12/2021
Salgado	Jason	BAL	5th grade Dual Language	8/17/2021

**ASHEBORO CITY SCHOOLS
CERTIFIED APPOINTMENTS
March 11, 2021**

<u>NAME</u>	<u>COLLEGE/DEGREE</u>	<u>LICENSURE</u>
Salgado, Jason	Pontificia Universidad Javeriana B: Basic Education with emphasis in Spanish and English Language M: Applied Linguistics in Spanish as a Second Language	K-5

Mr. Jason Salgado is recommended to teach 5th grade dual language at Balfour Elementary School for the 2021-2022 school year. Mr. Salgado has taught for nine years in Columbia, in a variety of content areas and grade levels, including 5th grade. His experience and credentials will be an excellent fit with the 5th grade team at Balfour, and the school culture overall. We are pleased to welcome Mr. Salgado to the United States, North Carolina, and Asheboro City Schools.

Asheboro City Schools

AIG Addendum for Standard 1 and 2 for 2019-2022 AIG Plan

Standard and Practice	Proposed Adjustment for 2019-2022 AIG Plan
<p>Standard 1 - Identification Practice B - Establishes a process and criteria for AIG student identification at all grade levels that provides multiple opportunities to reveal a student's aptitude, achievement, or potential to achieve. The criteria may include both qualitative and quantitative data in order to develop a comprehensive learner profile.</p>	<p>Kindergarten-Grade 3 AND 9-12 Grade Students</p> <ul style="list-style-type: none"> Identification process would remain as laid out in current ACS AIG Plan 2019-2022. <p>Grades 4-8</p> <p>In response to a national pandemic, 4th grade identification for 2021-2022 school year will occur as follows:</p> <p>Whole grade aptitude screening (Cogat) will occur for all 3rd grade students based on ACS district testing procedures.</p> <p>Based on this screening, rising 4th grade students may be identified for formal AIG services based on Asheboro City Schools' current AIG plan through Pathway Three. (Only aptitude scores will be received through 3rd whole grade screening. See Pathway Three description from current ACS AIG Plan 2019-2022.)</p> <p>Pathway Three: Students must have intelligence OR aptitude OR achievement in the area under consideration.</p> <ul style="list-style-type: none"> Students who meet Pathway Three will be identified as Academically Gifted (AG Reading and Math), Academically Gifted in Reading (AR) or Academically Gifted in Math (AM). Students must have one standardized test and rating scale to qualify with Pathway Three. Students who qualify through Pathway Three will require a group Differentiated Education Plan (DEP). <ul style="list-style-type: none"> Standardized Test 90th percentile or greater on Intelligence Test composite <p style="text-align: center;">OR</p> <p>90th percentile or greater on Aptitude composite, partial composite or subtest</p> <p>Aptitude scores may include composite, partial composite or subtest percentiles. Average of Standard Age scores (SAS) converted to percentile.</p> <p>Reading partial composites or subtests = Verbal + Nonverbal; Verbal; Nonverbal</p>

Math partial composites or subtests = Quantitative +Nonverbal;
Quantitative; Nonverbal

- Rating Scale Score of greater than or equal to 60 on 4 of the 6 areas of a Gifted Rating Scale. These areas include: Intellectual Ability, Academic Ability, Creativity, Artistic Talent, Leadership and Motivation. The rating scale is completed by the classroom teacher and/or any other grade 4-8 teacher.

Note: AIG Identification for AR, AM, and AG through Pathway 1, 2, and 3 may also occur if students have qualifying scores that meet the criteria laid out in ACS AIG Plan 2019-2022. Students may also still be identified as AIG (Academically and Intellectually Gifted) and IG (Intellectual Gifted) based on qualifying scores that meet criteria laid out in ACS AIG Plan 2019-2022.

This official identification process will occur for students at the end of the 3rd grade year for the upcoming school year.

Addendum for 2019-2022:

In response to no whole-grade achievement measure in 2020-2021, rising 4th grade students may be served through a talent development group and will not be officially identified as AIG students. Students in the talent development group may continue to get typical 4th grade AIG services in reading and/or math, depending on the area of need demonstrated by CogAT (Cognitive Abilities Test) scores. The criteria for talent development group are as follows:

- Students who are 4th graders during the 2021-22 school year may receive 4th grade AIG services* in reading and/or math if their CogAT (Cognitive Abilities Test) score was in the top 10 percent of students in that school. This does not formally qualify students for AIG services.
- The top 10% of students will be determined based on the size of the 4th grade class at each school. If a school has 100 4th grade students, then the top 10 student scores' from the CogAt will be used to determine the talent development group.

Talent development students will be rescreened using small group aptitude tests (CogAT) during their 5th grade year. End-of-year assessments AND performance in 5th grade year would determine formal AIG identification at the end of the 5th grade year.

*These services may be dependent upon the student's current classroom performance.

	<p>In response to a national pandemic, 6th grade identification for the 2021-2022 school year will occur as follows:</p> <ul style="list-style-type: none"> • Students already identified IG, AIG, AG, AR, or AM will continue to receive services as documented. • Rising 6th grade students may be identified for formal AIG services based on Asheboro City Schools' current AIG plan through Pathway Three. (See description above; Aptitude testing will occur through 5th small group testing as laid out in the current ACS AIG Plan 2019-2022.) • For students already identified in one area (reading OR math), subtest scores on the CogAT will be used to determine if an additional area of identification is needed. Students may only add areas of identification, not lose services based on new aptitude scores. Students may add a service based on Pathway 3 option described above. • For students not already identified or not identified in the small group testing option, CogAT (Cognitive Abilities Test) scores may be used to help schedule students for 6th reading and/or math. <p>Note: AIG Identification for AR, AM, and AG may still occur if students have qualifying scores that meet the criteria laid out in ACS AIG Plan 2019-2022. Students may also still be identified as AIG (Academically and Intellectually Gifted) and IG (Intellectual Gifted) based on qualifying scores that meet criteria laid out in ACS AIG Plan 2019-2022.</p>
<p>Standard 2: Comprehensive Programming with a Total School Community (relates to math legislation)</p>	<p>With no end-of-year assessment data for 2019-2020 to determine placement, math placement will be determined by legislation from Senate Bill 704.</p> <p>"Math placement for the 2020-2021 school year shall be determined as follows:</p> <p>Initial math placements for all students shall be made consistent with local policies, in consultation with a student's 2019-2020 school year math teacher.</p> <p>For students not initially placed in advanced courses or advanced learning opportunities in math, a student or student's parent may request administration of the end-of-grade or end-of-course test for the mathematics grade or course in which the student was enrolled for the 2019-2020 school year solely for the purpose of determining math placement for the 2020-2021 school year. Any student scoring at the highest level on the math end-of-grade or end-of-course test shall be placed as provided in G.S. 115C-81.36(a1) and (b)"</p>

In determining math placement, multiple data points will be considered for placement. The following criteria will be considered by teachers and AIG Specialists:

- Current and/or historical EOG/EOC data, with a focus from the most recent data.
- Formative/summative assessment data (developed and administered by either teachers/district/state).
- data routinely used to offer advanced learning opportunities for AIG students
- student cumulative academic records
- teacher or team observations
- exemplary student work samples, and/or
- other evidence of critical thinking and/or student readiness to achieve.

Note: Based on available data for the 2020-2021 school year, the above process may be utilized as needed for the 2021-2022 year.

No one criterion should keep a student out of consideration for advanced learning opportunities or advanced mathematics courses. However, any single criterion, at an exemplary level, indicates a student's potential need for the advanced learning opportunity/advanced math courses. Students may be placed in Math 1 Honors at Asheboro High School if a student requests the placement AND they have scored a level 5 in their 6th and/or 7th grade end-of-year assessments.

If a student and/or parent disagree with placement based on the stated criteria, they may request to complete the end-of-course assessment for the grade that they are enrolled in for the 2019-2020 school year. If a student scores at the highest level, then they will be placed as provided in G.S. 115C-81.36(a1) and (b).

Policies For Approval

TITLE IX NONDISCRIMINATION ON THE BASIS OF SEX

Policy Code: **1720/4030/7235**

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

A. INQUIRIES ABOUT TITLE IX

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

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

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

Director of Support Services
1126 South Park Street
PO Box 1103
Asheboro, NC 27204
Office: (336) 625-5104

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

Executive Director of Human Resources
1126 South Park Street
PO Box 1103
Asheboro, NC 27204
Office: (336) 625-5104

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

4000 Maryland Ave, SW
Washington, DC 20202-1475
Telephone: 202-453-6020 TDD: 800-877-8339

FAX: 202-453-6021

Email: OCR.DC@ed.gov**B. RESOLUTION OF GRIEVANCES**

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

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

C. RETALIATION PROHIBITED

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

D. NOTICE OF THE BOARD’S POLICY OF NONDISCRIMINATION BASED ON SEX

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

for Civil Rights.

Legal References: Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 *et seq.*; 34 C.F.R. Part 106

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

Adopted:

Title IX Sexual Harassment – Prohibited Conduct and Reporting Process

Policy Code: 1725/4035/7236

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

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

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

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

A. INQUIRIES ABOUT TITLE IX

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

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

Director of Support Services
1126 South Park Street

PO Box 1103
Asheboro, NC 27204
Office: (336) 625-5104

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

Executive Director of Human Resources
1126 South Park Street
PO Box 1103
Asheboro, NC 27204
Office: (336) 625-5104

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

4000 Maryland Ave, SW
Washington, DC 20202-1475
Telephone: 202-453-6020 TDD: 800-877-8339
Fax: 202-453-6021
Email: OCR.DC@ed.gov

B. NOTICE OF THE BOARD’S POLICY OF NONDISCRIMINATION ON THE BASIS OF SEX AND SEXUAL HARASSMENT REPORTING AND GRIEVANCE PROCESS

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

C. PROHIBITED BEHAVIOR

1. Scope

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

2. Definition of Sexual Harassment

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

- a. an employee of the school system conditioning the provision of an aid, benefit, or service of the school system on an individual's participation in unwelcome sexual conduct;
- b. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school system's education program or activities. This determination requires consideration of all the facts and circumstances, including, but not limited to, the ages and disability statuses of the harasser and the victim and the number of individuals involved and their authority;
- c. sexual assault including rape, statutory rape, fondling, and incest;
- d. dating violence;
- e. domestic violence; or stalking Sexual assault, dating violence, domestic violence, and stalking will be defined in accordance with applicable law and the definitions will be incorporated into an administrative regulation developed by the superintendent.

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

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

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

D. ADDITIONAL DEFINITIONS

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

1. Report

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

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

2. Formal Complaint

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

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

3. Complainant

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

4. Respondent

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

5. Grievance Process

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

6. Title IX Coordinator

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

7. Supportive Measures

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

8. Days

Days are calendar days unless specified otherwise.

9. Student(s)

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

10. Actual Knowledge

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

E. REPORTING SEXUAL HARASSMENT

1. Student Reports

Any student who believes he or she is a victim of sexual harassment occurring in the school system's education programs or activities is encouraged to report the matter to the student's principal or to the Title IX Coordinator. Reports may also be made to a teacher, counselor, assistant principal, teacher assistant, or any other school employee. Students may also report sexual harassment through

the anonymous tip line, but school officials may be limited in their ability to respond if the report does not identify the complainant.

2. Mandatory Reporting by School Employees and Board Members

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

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

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

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

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

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

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

3. Reporting by Others

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

4. Content of the Report

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

5. Time Period for Making a Report

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

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

F. SCHOOL OFFICIALS' RESPONSE TO ACTUAL KNOWLEDGE OF SEXUAL HARASSMENT

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

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

1. Title IX Coordinator Initiates Interactive Process with Complainant

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

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

- a. offer supportive measures;
- b. consider the complainant's wishes with respect to supportive measures;
- c. explain that supportive measures are available with or without the filing of a formal complaint; and
- d. explain the process for filing a formal complaint with the Title IX Coordinator and the response required of the school system when a complaint is filed, including all the following:
 - i. that a formal complaint will initiate the grievance process described in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process;
 - ii. that a formal complaint may be filed with the Title IX coordinator in person, by mail, or by electronic mail;
 - iii. the major steps in the grievance process, including (1) a notice of the allegations that will be provided to the respondent that includes identification of the complainant and the allegations made; (2) an investigation of the allegations of sexual harassment in which both parties will have opportunity to have an advisor, present witnesses, review evidence, pose written questions of the other party, and receive a copy of the investigative report; (3) a decision on responsibility in which a decision-maker objectively evaluates all relevant evidence and determines whether the respondent engaged in the alleged sexual harassment in violation of this policy; and (4) the opportunity for either party to appeal the decision;

- iv. the approximate time frame for concluding the grievance process;
- v. that school officials will treat both parties equitably by (1) providing remedies to the complainant if the respondent is found responsible, and (2) by not imposing disciplinary sanctions on the respondent without first following the grievance process set forth in policy 1726/4036/7237;
- vi. the circumstances under which a formal complaint might be consolidated with other formal complaints or dismissed; and
- vii. that the Title IX coordinator may have an obligation to initiate the grievance process in the absence of a formal complaint filed by the complainant and the time frame in which that decision will be made.

2. Title IX Coordinator Arranges Implementation of Supportive Measures

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

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

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

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

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

The Title IX Coordinator should file a formal complaint (1) if the respondent is a school employee and the complainant is a student; and (2) in other cases where, in the exercise of good judgment and in consultation with the school attorney as appropriate, the Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment. Credibility or merit of the complaint shall not be considered in making the determination.

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

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

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

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

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

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

5. Emergency Removal of Respondent from School or Employment

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

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

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

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

6. Supportive Measures

Supportive measures will be available to both the complainant and respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures will remain confidential to the extent that maintaining such confidentiality does not impair the ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

G. RETALIATION PROHIBITED

Retaliation against any person for the exercise of rights under Title IX or to interfere with those rights in any way, including making a report of Title IX sexual harassment, is strictly prohibited and will subject the perpetrator to disciplinary action. The identity of any person who has made a report or complaint of sex discrimination or sexual harassment or who is the alleged perpetrator of sexual discrimination or sexual

harassment will be confidential unless otherwise required or permitted by law. Complaints alleging retaliation may be filed according to the grievance processes established in policies 1740/4010 and 1750/7220. Acts of retaliation may also be subject to policy 1760/7280, Prohibition Against Retaliation.

H. GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

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

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

I. RECORDS

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

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

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

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

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

Adopted:

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

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

A. DEFINITIONS

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

The following additional definitions apply in this policy.

1. Investigator

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

2. Decision-Maker

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

3. Investigative Report

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

4. Remedies

Remedies are individualized measures provided to a complainant designed to restore or preserve the complainant’s equal access to the education program

and activities of the school system when a respondent is found responsible for sexual harassment.

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

5. Disciplinary Sanctions

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

B. FILING A FORMAL COMPLAINT TO INITIATE THE GRIEVANCE PROCESS

A formal complaint initiates the grievance process.

1. Individuals Who May File a Formal Complaint

a. Eligible Complainants

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

b. The Title IX Coordinator

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

2. Time Period for Filing a Formal Complaint

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

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

3. Contents of the Formal Complaint

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

4. How to File the Formal Complaint

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

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

- a. Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator shall engage in an interactive process with the complainant, consider the provision of supportive measures in light of the complainant's wishes, provide supportive measures as appropriate, and otherwise fulfill the requirements of Section D of policy 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, unless the Title IX Coordinator has already done so in response to an initial report of the same allegation of sexual harassment.
- b. School officials reserve the right to consolidate formal complaints against more than one respondent, or by more than one complainant against

one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. The Title IX Coordinator shall advise the complainant if the formal complaint will be consolidated with others.

- c. The formal complaint initiates the grievance process as described below.

C. GENERAL PRINCIPLES OF THE GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

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

1. Equitable Treatment

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

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

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

2. Adequate Training

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

technology to be used at a live hearing and on issues of relevance of questions and evidence.

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

3. Presumption of Non-Responsibility/Innocence

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

4. Burden of Proof and Production of Evidence

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

5. Written Notice of Meetings and Other Proceedings

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

6. Confidentiality and Privacy

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

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

School officials shall not access, consider, disclose, or otherwise use a party's medical, mental health, or other records that are made or maintained by a

professional or paraprofessional in connection with the provision of treatment to the party without the party's voluntary written consent.

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

8. Timeliness of Process

School officials shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded through the adjudication phase within 90 days after filing the formal complaint. The board reserves the right to extend this time frame or any deadline contained in this policy for good cause with written notice to the parties of the delay and the reason for the delay. Good cause may include but is not limited to the absence of the parties or witnesses, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.

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

D. THE GRIEVANCE PROCESS FOR FORMAL COMPLAINTS: PART I – INVESTIGATION

1. Step 1 – Notice of Allegations
 - a. Upon the filing of a formal complaint, the Title IX Coordinator shall, within five school/business days, provide the known parties written notice of the allegations that includes:
 - i. notice of the allegations of sexual harassment in sufficient detail to permit the parties to prepare a response before any initial interview, including:
 - a) the identities of the parties involved, if known;
 - b) the conduct allegedly constituting sexual harassment; and
 - c) the date and location of the alleged incident, if known;

- ii. a copy of this policy to give notice of the school system's grievance process, including the investigative and adjudication procedures, and any informal resolution process available;
 - ii. notice that the parties may have an advisor of their choice and that either party may inspect and review any evidence;
 - iii. notice of the provision in board policy 4340, School-Level Investigations, that prohibits students and employees from knowingly making false statements or knowingly submitting false information during the grievance process; and
 - iv. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process.
- b. If during the investigation, the investigator decides to investigate allegations of sexual harassment not included in the initial notice provided above, notice of the additional allegations will be provided to the parties.

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

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

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

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

3. Step 3 – Initiating the Investigation

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

- a. In order to provide a neutral and objective investigation, the investigator shall not be a party to the complaint under investigation. The investigator of a formal complaint is ordinarily determined as described below; however, the Title IX Coordinator, in consultation with the superintendent, may determine that conflict of interest, bias, or other individual circumstances warrant the assignment of a different investigator.
 - i. If the respondent is a student, the investigator is the principal or designee of the school with jurisdiction over the incident.
 - ii. If the respondent is an employee or applicant for employment, the investigator is the senior human resources official or designee.
 - iii. If the respondent is neither a student nor an employee/applicant for employment, the principal of the school/site supervisor at which the complainant is enrolled or employed shall be the investigator.
 - iv. Notwithstanding the above designations, (1) if the respondent is the senior human resources official, the superintendent shall investigate the complaint; (2) if the respondent is the superintendent or a member of the board, the Title IX Coordinator shall immediately notify the board chair who shall direct the board attorney to investigate, unless the board chair determines that outside counsel should be engaged to investigate.
- b. The investigator may request assistance from the Title IX Coordinator to conduct the investigation.
- c. The Title IX Coordinator and the investigator shall jointly assess the need for supportive measures for either party, including assessing the effectiveness of any supportive measures currently being provided to the complainant, and, as necessary, will implement appropriate measures in a timely manner and monitor the effectiveness of the measures during the pendency of the investigation and prior to a final determination regarding responsibility. Supportive measures provided to the complainant or respondent will be maintained as confidential to the extent that maintaining such confidentiality does not impair the ability to provide the supportive measures.

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

4. Step 4 – Conducting the Investigation

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

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

The investigator may, with approval of the Title IX Coordinator, dismiss the formal complaint or any allegations therein if at any time during the investigation or decision-making process: (1) the complainant notifies the Title IX Coordinator in writing that he or she would like to withdraw the formal complaint or any allegations therein; (2) the respondent is no longer enrolled or employed by the school system; or (3) specific circumstances prevent school

officials from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties. The parties have the right to appeal the decision as provided in Section F.

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

5. Step 5 – Investigative Report and Opportunity to Review Evidence
 - a. The investigator shall prepare an investigative report that fairly summarizes the relevant evidence.
 - b. Before completing the final report, the investigator shall send to each party and the party's advisor, if any, in hard copy or electronically, all the evidence collected which is directly related to the allegations raised in the formal complaint. The parties shall have 10 days to submit a written response for the investigator's consideration before the investigator finalizes the investigative report.
 - c. Following the parties' opportunity to respond to the written evidence, the investigator shall finalize the written investigative report, including a recommendation on the question of responsibility and any recommended discipline sanction.
 - d. The investigator shall provide a copy of the report to each party and the party's advisor, if any, for their review and written response. The investigator shall also notify the parties of the opportunity to submit written questions to the other party and witnesses as provided in subsection E.2 below. The parties shall have 10 days to provide a written response to the investigative report, along with the party's initial set of written questions.
 - e. The investigator shall provide to the decision-maker a copy of the investigative report, the relevant evidence, and the parties' written responses to the report and initial sets of written questions.

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

E. THE GRIEVANCE PROCESS FOR FORMAL COMPLAINTS: PART II – ADJUDICATION

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

1. Step 1 – Exchange of Questions and Answers

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

- a. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior will be considered not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s sexual behavior with respect to the respondent and is offered to prove consent.
- b. The superintendent must explain to the party proposing the questions any decision to exclude questions as not relevant.

3. Step 2 – Decision on the Question Regarding Responsibility

Following the exchange of questions and/or hearing as described above, the superintendent shall decide the question regarding responsibility, any disciplinary action, and any other measures the superintendent deems appropriate. The superintendent shall consider all the relevant evidence objectively, including evidence in the investigative report, any testimony of witnesses at the hearing, if one was held, and any additional information provided by the parties through the exchange of questions and responses as provided in subsection E.2 above.

Based on an objective evaluation of the evidence, the superintendent shall determine whether the preponderance of the evidence supports a finding that the respondent is responsible for sexual harassment in violation of board policy,

and if so, what disciplinary sanction will be imposed. Remedies will be provided to the complainant if the respondent is found responsible.

4. Step 3 – Written Determination Regarding Responsibility

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

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

F. GRIEVANCE PROCESS FOR FORMAL COMPLAINTS: PART III – APPEAL

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

disciplinary proceeding, both matters will be heard by the board at the same time. If both parties appeal, the appeals will be heard at the same time.

1. Deadline and Grounds for Appeal

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

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

2. Notice of the Appeal

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

2. Appeal Procedures

- a. The board will hear the appeal. Unless otherwise required by law, the board may designate a panel of two or more board members to hear and act on behalf of the board.
- b. Appeal procedures will be implemented equally for both parties and will follow the procedures in policy 2500, Hearings Before the Board, modified as necessary to allow equal participation of the parties.
- c. If the appeal includes an appeal of a disciplinary sanction, the procedures in policy 4370, Student Discipline Hearing Procedures; policy 7940,

Classified Personnel: Suspension and Dismissal; or policy 7931, Renewal and Nonrenewal of Teacher Contracts, shall also apply as applicable.

- d. After the notice of appeal is provided, both parties will be given 10 days to submit a written statement in support of, or challenging, the outcome. If the basis of the appeal is newly available evidence affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party's written statement.
- e. The board will review the record and the written argument of the parties submitted on appeal, determine whether additional information is needed from any party, and take any other steps that the board determines to be appropriate in order to respond to the appeal.

3. Decision on Appeal

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

4. When the Decision Becomes Final

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

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

G. DISCIPLINARY CONSEQUENCES, REMEDIES, AND OTHER RESPONSES FOR SUBSTANTIATED SEXUAL HARASSMENT

1. Disciplinary Consequences for Students

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

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

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

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

3. Disciplinary Consequences for Employees

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

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

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

3. Consequences for Other Perpetrators

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

4. Remedies

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

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

5. Consideration of Need for More Extensive Response

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

H. INFORMAL RESOLUTION

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

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

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

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

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

I. RETALIATION PROHIBITED

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

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

J. RECORDS

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

1. each sexual harassment investigation including:
 - a. any determination regarding responsibility;
 - b. any audio or audiovisual recording or transcript from any live hearing;
 - c. any disciplinary sanctions imposed on the respondent; and
 - d. any remedies provided to the complainant designed to restore or preserve equal access to the school system's education program and activities;
2. any appeal and the result therefrom;
3. any informal resolution and the result therefrom; and
4. in conjunction with the Title IX Coordinator, all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will be made publicly available on the school system's website.

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

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

Adopted:

The board recognizes that, collectively and individually, all members of the board must adhere to a code of ethics as required by G.S. 160A-86 and G.S. 115C-47(57).

A. BOARD MEMBER ETHICAL REQUIREMENTS

The following standards will guide each board member in the performance of his or her official duties:

1. the need to obey all applicable state and federal laws regarding official actions taken as a board member;
2. the need to uphold the integrity and independence of the board member's office;
3. the need to avoid impropriety in the exercise of the board's and board member's official duties;
4. the need to perform faithfully the duties of the office; and
5. the need to conduct the affairs of the board in an open and public manner, complying with all applicable laws governing open meetings and public records.

B. SPECIFIC BOARD MEMBER COMMITMENTS

In order to implement the above standards, each member of the board commits to do the following:

1. attend all regularly scheduled board meetings insofar as possible and become informed concerning the issues to be considered at those meetings;
2. endeavor to make policy decisions while always keeping in mind the objective of providing students the opportunity to receive a sound basic education and only after full discussion at publicly held board meetings;
3. render all decisions based on the available facts and independent judgment and refuse to surrender that judgment to individuals or special interest groups;
4. model civility to students, employees and all elements of the community by encouraging the free expression of opinion by all board members and engaging in respectful dialogue with fellow board members on matters being considered by the board;

5. respect the confidentiality of information that is privileged under applicable law and refrain from unauthorized disclosure of matters discussed in closed session;
6. work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;
7. communicate to other board members and the superintendent expressions of public reaction to board policies and school programs;
8. learn about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national school boards associations;
9. comply with North Carolina General Statute 115C-50 by earning the required 12 hours of training every two years;
10. comply with G.S. 160A-87 by earning two hours of ethics education within 12 months of election or appointment to the board;
11. support the employment of those persons best qualified to serve as school employees and avoid allowing personal relationships and biases to influence decision making;
12. refrain from investigating or attempting to resolve complaints received personally, but instead direct the complainant to follow the board's complaint or grievance process to resolve concerns;
13. avoid being placed in a position of conflict of interest and refrain from using the board member's position on the board for personal or partisan gain;
14. as stated in board policy 2121, Board Member Conflict of Interest, refrain from participating in, deliberating on, voting on, or attempting to influence any person with respect to any matter pertaining to the employment with the board of the board member's spouse, including but not limited to hiring, transfer, promotion, demotion, suspension, discipline, performance evaluation, or review or investigation of a complaint of any kind;
15. take no private action that will compromise the board or administration; and
16. remember always that a board member's first and greatest concern must be the educational welfare of the students attending the public schools.

All newly elected board members are expected to sign a code of ethics statement that includes these provisions at the organizational meeting of the board.

Legal References: G.S. 115C-36, -47(1), -47(57), -50; 160A-86, -87; Leandro v. State, 346 N.C. 336 (1997)

Cross References: Board Member Conflict of Interest (policy 2121), Board Member Opportunities for Development (policy 2123)

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

Updated: March 11, 2010, June 10, 2010, February 11, 2016

The board and each member of the board recognize that they are subject to North Carolina's criminal laws related to conflicts of interest in public office and that a board member may not use his or her office for personal benefit. The board and each member of the board further recognize that they are subject to the standards established by the federal government for recipients of federal grants as specified in policy 8305, Federal Grant Administration. The board and each member of the board understand that violation of state and federal laws and regulations on conflicts of interest may result in conviction of a crime, may render a contract of the board void, or may result in loss of federal funds. In keeping with the ethical duties specified in policy 2120, Code of Ethics for School Board Members, board members will not let any personal or business interest interfere with their duties as public officials.

All board members will abide by the following conflict of interest rules.

1. A board member will not derive a personal benefit from a contract with the school system in violation of state law G.S. 14-234.2 Specifically, a board member will not:
 - a. obtain a direct benefit from a contract that he or she is involved in making or administering on behalf of the board, unless an exception is allowed pursuant to G.S. 14-234 or other law;
 - b. influence or attempt to influence anyone who is involved in making or administering a contract on behalf of the board when the board member will obtain a direct benefit from the contract; or
 - c. solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract.

For purposes of G.S. 14-234, a board member is involved in administering a contract if he or she oversees the performance of the contract or has authority to interpret or make decisions regarding the contract. A board member is involved in making a contract if he or she participates in the development of the specifications or terms of the contract or participates in the preparation or award of the contract. A board member is also involved in making a contract if the board takes action on the contract, even if the specific board member did not actually participate in that action, unless the contract is approved under an exception to the law under which the board member is allowed to benefit and is prohibited from voting.

A board member derives a direct benefit from a contract if the board member or his or her spouse does any of the following: (1) has more than a 10 percent ownership or other interest in an entity that is a party to the contract; (2) derives any income or commission directly from the contract; or (3) acquires property under the contract. An exception is

allowed for employment contracts between the board and the spouse of a board member. However, the board member involved will not (1) deliberate or vote on the spouse's employment contract; (2) attempt to influence any other person who is involved in making or administering the contract; or (3) participate in, deliberate on, vote on, or attempt to influence any person with respect to any other matter pertaining to the board member's spouse's employment with the school system, including but not limited to hiring, contract renewal, transfer, promotion, demotion, suspension, discipline, performance evaluation, or review or investigation of a complaint of any kind.

2. A board member will not deliberate on, vote on, or otherwise engage in the selection, award, or administration of a contract supported in whole or part by federal funds when he or she has a real or apparent conflict of interest under federal rules as provided in 2 C.F.R. 200.318(c)(1) and policy 8305, Federal Grant Administration. For purposes of this paragraph, a conflict of interest arises when a board member or his or her spouse, immediate family member, or partner, or the employer or pending employer of any of those persons, has a financial or other interest in or receives a tangible personal benefit from a firm considered for the contract. Any such conflict must be disclosed to the awarding agency.

For purposes of the previous paragraph, a "financial interest" means a financial interest which comprises more than five percent of the equity of the firm or business or more than five percent of the assets of the economic interest in indebtedness. It does not include an ownership interest held through a fiduciary, such as a mutual fund or blind trust, where the individual or individual's employer has no control over the selection of holdings.

3. A board member will not solicit or accept trips, meals, gratuities, gifts, favors, or anything of monetary value from (i) current contractors, subcontractors, or suppliers; (ii) any contractor, subcontractor or supplier that has performed under a contract with the board within the past year; or (iii) any contractor, subcontractor, or supplier that foreseeably may bid on a contract in the future, unless the item is an unsolicited gift of nominal value (\$50 or less) and is one of the following: an advertising item or souvenir that is widely distributed; an honorarium for participating in a meeting; a meal provided at a banquet; or other item that is clearly permitted by state and federal law.

Multiple permitted items from a single contractor, subcontractor, or supplier may not exceed an aggregate value of \$100 in a twelve-month period.

4. A board member will not solicit or accept any gifts from a current or potential provider of E-rate services or products in violation of applicable federal E-rate program gifting rules.
5. A board member will not misuse information in violation of G.S. 14-234.1. Specifically, a board member will not use knowledge of contemplated board action, or information known to the member in his or her official capacity and not made public, to:

- a. acquire a financial interest in any property, transaction, or enterprise or gain any financial benefit which may be affected by the information or contemplated action; or
- b. intentionally aid another to acquire a financial interest or gain a financial benefit.

Legal References: 2 C.F.R. 200.112 and 200.318(c)(1); 47 C.F.R. 54.503; FCC Sixth Report and Order 10-175; G.S. 14-234, -234.1; 133-32; Attorney General Opinion requested by L.W. Lamar regarding G.S. 133-32, the Applicability to Attorneys and Law Firms Providing Professional Services to Local Boards of Education, dated May 13, 1993

Cross References: Code of Ethics for School Board Members (policy 2120), Ethics and the Purchasing Function (policy 6401/9100), Employee Conflict of Interest (policy 7730), Federal Grant Administration (policy 8305)

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

Revised: July 14, 2011, June 12, 2014, February 11, 2016, January 10, 2019

The board believes that an effective testing and assessment program evaluates the progress of individual students and helps ensure that educational goals and objectives are being met for every child. A testing program also assists in the continued refinement of the instructional program. In addition, data from tests and assessments provide measures of student learning that are useful for evaluating educator effectiveness.

Every effort will be made to ensure that the testing program contributes to the learning process rather than detracts from it. Efforts also will be made to use only culture-free or culture-fair tests in order to ensure that measurements are reasonably accurate.

A. ADMINISTRATION OF TESTS, SCREENINGS, AND OTHER ASSESSMENTS

The superintendent shall provide for the proper administration of all state-required tests, screenings, and other assessments and any state-required remedial instruction and/or retesting in accordance with all requirements established by law or the State Board of Education.

Results from the North Carolina End of Course, and End of Grade Exams will be used in determining students' final grades in accordance with policy 3420, Student Promotion and Accountability.

The superintendent shall provide for the online administration of state-required tests to the extent required by the State Board of Education or the Department of Public Instruction, and otherwise as feasible within available resources. The superintendent shall keep the board informed of any resources or other measures needed to support online test administration.

Students may participate in field testing and other sample testing as designated by the State Board or the Department of Public Instruction.

The superintendent shall develop security and administration procedures for the state testing program and other assessments that are consistent with State Board of Education requirements and relevant law. The superintendent shall ensure that all relevant personnel are instructed in such procedures. All testing personnel, teachers, and school administrators are required to be familiar with and adhere to all applicable testing manuals, handbooks, and guides, including the Testing Code of Ethics, for state and locally-required. Failure to follow procedures may result in disciplinary sanctions, including termination or revocation of administrative and/or teaching licenses.

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

Students taking courses for high school credit must take all end-of-course (EOC) tests and Career and Technical Education (CTE) State Assessments required by the State Board of Education. For all students, excluding English Learner students in their first year in a U.S. school and students following the Occupational Course of Study Pathway, the results of EOC tests and CTE State Assessments will count as 20 percent of a student's final grade in each high school course for which there is an EOC test or CTE State Assessment. However, the results of such assessments will not factor into a student's final grade in a course during the initial implementation year of a new assessment for that course where scores are not immediately available due to standard setting.

C. MINIMIZING TIME SPENT TESTING

The superintendent or designee shall ensure that the time students spend taking standardized state and local tests and the frequency of field testing at a particular school are minimized. Specifically, the superintendent shall ensure the following.

1. Schools will devote no more than two days of instructional time per year to the taking of practice tests that do not have the primary purpose of assessing current student learning.
2. Students will not be subject to field tests or national tests during the two-week period preceding their school's administration of end-of-grade tests, end-of-course tests, or regularly scheduled final exams.
3. No school will participate in more than two field tests at any one grade level during a school year.
4. All annual assessments of student achievement adopted by the State Board of Education pursuant to G.S. 115C-174.11(c)(1) and (3) and all final exams for courses will be administered within the final ten instructional days of the school year for year-long courses and within the final five instructional days of the semester for semester courses. Exceptions will be permitted on an individual basis to accommodate a student's individualized education program or Section 504 plans; for the administration of final exams for courses with national or international curricula required to be held at designated times; for make-up testing; and as otherwise permitted by the Department of Public Instruction.
5. A report of local standardized testing is provided to the board for review in even-numbered years and, if required, a plan for reducing the time spent on such testing is subsequently prepared and submitted to the State Board of Education in compliance with state law.

Legal References: The Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, -h; 34 C.F.R. pt. 99; G.S. 115C, art. 10A; 115C-47, -81, -83.5, -83.6, -174.11, -174.12(a), -174.22, -174.25, -276, -288, 307, -402.5; S.L. 2019-212, Sec. 1; State Board of Education Policy Series TEST and GRAD; EVAL-006; EVAL-006, EVAL-025 through -31

Cross References: Professional and Staff Development (policy 1610/7800), Goals and Objectives of the Educational Program (policy 3000), Student Promotion and Accountability (policy 3420), Student Records (policy 4700), Public Records – Retention, Release, and Disposition (policy 5070/7350)

Other References: *Testing Security: Protocol and Procedures for School Personnel (NCDPI)*, available at <https://www.dpi.nc.gov/districts-schools/testing-and-school-accountability/testing-policy-and-operations/testing-security>; *North Carolina Test Coordinators' Policies and Procedures Handbook*, available at <http://www.dpi.state.nc.us/accountability/policies/generalinfo>

Adopted: January 9, 2014

Revised: June 12, 2014, January 8, 2015, September 8, 2016, August 10, 2017, May 10, 2018, December 13, 2018, July 9, 2020

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 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; (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 developed by the superintendent or the principal to all parents, guardians, and students.

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

1. Students with Disabilities

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

2. Transitioning Military Students

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

- a. providing information about extracurricular activities to transitioning 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; State Board of Education Policy ATHL-001; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000 N.C. High School Athletic Association Handbook; 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

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

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

For the purposes of this policy, the terms “staff” and “employees” include independent contractors and school safety officers, and volunteers, but do not include student employees or student volunteers.

A. ROMANTIC RELATIONSHIPS AND SEXUAL CONTACT PROHIBITED

All employees are prohibited from dating, courting or entering into a romantic relationship or having sexual contact with any student enrolled in the school district regardless of the student's age. Employees engaging in such inappropriate conduct will be subject to disciplinary action, up to and including dismissal and may be subject to criminal action as provided in G.S. 14-202.4 and 14-27.32.

B. RESTRICTIONS OF ELECTRONIC COMMUNICATIONS

1. In accordance with policy 7335, Employee Use of Social Media, employees are prohibited from communicating with current students through non-school-controlled social media without parental permission except to the extent that the employee and student have an appropriate relationship which originated outside of the school setting. Any communication through social media authorized under policy 7335 must meet the professional standards established in this policy and must otherwise be consistent with law and all other board policy.
2. Instant messages will be treated as a form of communication through social media subject to the terms of policy 7335 and subsection B.1 above, regardless of whether the messaging service is actually provided through a social media service or otherwise.

3. Employees are prohibited from engaging in other forms of one-to-one electronic communications (e.g., voice, voice mail, email, texting, and photo or video transmission) with students without written prior approval of the employee's supervisor and the student's parent. This rule shall not apply, however, if one or more of the following circumstances exist:
 - a. the communication (1) is for an educational purpose, (2) is conducted through a school system-provided platform which archives all such communications for a period of at least three years (this requirement does not apply to telephone or voice mail communications), or is conducted via an electronic video-conferencing platform (e.g. Zoom, Webex, Google Meet) that had been approved by the superintendent or designee for instructional use, and (3) occurs after the employee has given prior notice to his or her supervisor or designee that such communications will occur and when they will occur;
 - b. the communication serves an educational purpose and is simultaneously copied or transmitted to the employee's supervisor or designee and, upon request, to the parent or guardian;
 - c. the communication is necessary in a bona fide emergency, provided the communication is disclosed to the supervisor and parent or guardian as soon as reasonably possible; or
 - d. the communication derives from a relationship or association outside of the school setting and occurs with the consent of the parent or guardian, provided such communication does not otherwise violate this or other board policy.

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

4. It is the duty of every employee to notify his or her supervisor of any unsolicited one-to-one communication, in any form, electronic or otherwise, received from a student when the communication lacks a clear educational purpose. School counselors are excluded from this requirement only to the extent that it conflicts with their professional duties.

5. Violations of this section will be considered unprofessional behavior subject to discipline, up to and including dismissal. Factors that may be relevant to the determination of an appropriate disciplinary response to unauthorized communications with students include, but are not limited to:
 - a. the content, frequency, subject, and timing of the communication(s);
 - b. whether the communication(s) was appropriate to the student's age and maturity level;
 - c. whether the communication(s) could reasonably be viewed as a solicitation of sexual contact or the courting of a romantic relationship, including sexual grooming;
 - d. whether there was an attempt to conceal the communication(s) from the employee's supervisor and/or the student's parent or guardian;
 - e. whether the communication(s) created a disruption of the educational environment; and
 - f. whether the communication(s) harmed the student in any manner.

C. REPORTING INAPPROPRIATE CONDUCT

1. Reporting by Employees

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

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

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

2. Reporting by Students

Any student who believes that he or she or another student has been subject to misconduct that violates this policy should immediately report the situation to the principal, school counselor, or the Title IX coordinator designated in policy 1720/4015/7225, Discrimination, Harassment, and Bullying Complaint Procedure.

3. Report of Criminal Misconduct

Any principal who has reason to believe that a student has been the victim of criminal conduct shall immediately report the incident in accordance with policy 4335, Criminal Behavior.

4. Report to State Superintendent of Public Instruction

Any administrator, including the superintendent, a deputy/associate/assistant superintendent, a personnel administrator, or a principal, who knows or has reason to believe that a licensed employee has engaged in conduct which involves physical or sexual abuse of a child shall report that information to the State Superintendent of Public Instruction within five working days of any disciplinary action, dismissal, or resignation based on the conduct. For purposes of this subsection, physical abuse is the infliction of physical injury other than by accidental means or in self-defense, and sexual abuse is the commission of any sexual act upon a child or causing a child to commit a sexual act, regardless of consent and the age of the child. Failure to report such conduct may result in the suspension or revocation of an administrator's license by the State Board of Education.

This reporting requirement applies in addition to any duty to report suspected child abuse in accordance with state law and policy 4240/7312, Child Abuse and Related Threats to Child Safety, as applicable.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 7926; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*, 34 C.F.R. pt. 106; G.S. 14-23.32, -202.4; 115C-47(18); 16 N.C.A.C. 6C.0312, .0601, .0602; State Board of Education Policies EVAL-014, LICN-007, NCAC-039

Cross References: Governing Principal - Removal of Barriers (policy 1700), Prohibition Against Discrimination, Harassment, and Bullying (policy 1710/4021/7230), Discrimination, Harassment, and Bullying Complaint Procedure (policy 1720/4015/7225), Student and Parent Grievance Procedure (policy 1740/4010), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Criminal Behavior (policy 4335), School Volunteers (policy 5015), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335)

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

Revised: December 11, 2008, March 11, 2016, September 14, 2017, February 8, 2018, May 14, 2020, September 10, 2020

The board will hold student fees to a minimum. No fee will be charged for required courses or activities. In addition, to the extent funds are made available for this purpose, no registration or exam fees will be charged for Advanced Placement courses, International Baccalaureate Diploma Programme courses, or Cambridge Advanced International Certificate of Education courses, including AS-Level or A-Level courses.

Each principal is required to submit a list of any fees to the superintendent prior to the August board meeting. The superintendent shall adopt procedures providing that student fees, including those for graduation, the school yearbook or supplies for elective classes, are consistent among the different levels and schools. The board must approve all fees. The superintendent shall ensure that the schedule of fees, charges, and solicitations approved by the board is published on the school system's website by October 15 of each school year and, if the schedule is subsequently revised, within 30 days following the revisions.

Any fees imposed will be waived or reduced for students who demonstrate real economic hardship. The superintendent will be responsible for establishing procedures to review requests for fee waivers or reductions. Each principal shall notify students and parents of the availability of and the process for requesting a fee waiver or reduction, as provided in policy 1310/4002, Parental Involvement.

Legal References: N.C. Const. art. IX, § 2(1); G.S. 115C-47(6), -174.26(a), -216(g) -384

Cross References: Parental Involvement (policy 1310/4002)

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

Revised: June 14, 2012, March 8, 2018

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-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.

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

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

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

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

1. Duties of the Records Officer

The duties of the records officer include the following:

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

2. Other Duties

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

- a. reviewing all electronic data processing systems being considered for lease or purchase to ensure that they will not impede the school system's ability to permit public inspection and examination of records;
- b. ensuring that databases are indexed as required by law; and
- c. conducting an inventory of electronic databases maintained by the school system on a regular basis.

C. INDEXING OF COMPUTER DATABASES

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

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

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

D. REQUESTS FOR PUBLIC RECORDS

All requests for examining or obtaining copies of public records should be in writing or recorded by school system personnel. 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.

E. FEES FOR COPIES OF PUBLIC RECORDS

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

F. 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, school officials shall not provide anyone with copies of such lists.

G. DESTRUCTION OF PUBLIC RECORDS

School personnel shall comply with the Records Retention and Disposition Schedule for Local Education Agencies adopted by the N.C. Department of Cultural Resources, Division of Archives and History, unless otherwise required by statute, regulation, or other legal authority. 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-105.27(a2); -105.53, -105.54, -109.3, -174.13, -319 to -321, -402; 132-1 to -9; 135-8(f)(2)(f); Public Database Indexing: Guidelines and Recommendations, N.C. Department of Cultural Resources, Division of Archives and History (1996); Records Retention and Disposition Schedule for Local Education Agencies, N.C. Department of Cultural Resources, Division of Archives and History (1999), available at <http://www.ncdcr.gov/Portals/26/PDF/schedules/schoolschedulefinal.pdf>; N.C. Attorney General Advisory Opinion, letter to Elizabeth Buford, February 26, 1996, available at <http://www.ncdoj.gov/About-DOJ/Legal-Services/Legal-Opinions/Opinions/Public-Records;-Computer-Database-Index.aspx>

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

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

Updated: October 11, 2007, January 9, 2014, August 13, 2015



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 February 19, 2021

APPROVAL OF REQUEST FOR AUTHORIZATION OF NONCOMPETITIVE PROCUREMENT PROPOSAL – Sylvan Learning

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 Sylvan Learning 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 \$37,000.00 and is related to the Title I- Basic PRC (050).

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 (Krystie.Terry@dpi.nc.gov) or your Federal Program Administrator.

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

**NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION
MONITORING AND COMPLIANCE SECTION**

6301 Mail Service Center, Raleigh, North Carolina 27699-6301

An Equal Opportunity/Affirmative Action Employer

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:

Sylvan Learning

Federal Funding Source (including PRC):

Title 1 Funds - PRC 050

Scope of Work:

Sylvan Learning will partner with Balfour Elementary School to provide tutoring to target students who have fallen behind in literacy and math due to remote learning required by the ongoing Covid-19 pandemic. Approximately 100 students will work with tutors provided by Sylvan to participate in their Ace It! Program and Common Core Review Program. This work will supplement the instruction provided by teachers at Balfour Elementary School.

Deliverables:

Sylvan Learning will provide staff who will have the following responsibilities:

1. Teacher training, supervision, and ongoing coaching and observation for instructional quality.
2. Administer, score, and interpret assessments
3. All assessment and instructional materials
4. Monitor instruction daily
5. Monitor student attendance and participation
6. Token Reward System for Motivation/Participation/Behavior
7. Parent reporting and communication if applicable

8. Administrator and teacher contact regarding student performance
9. Reporting and communication to district

Cost: \$37,000

Noncompetitive Justification: Select one or more of the procurement policy provisions below that best describes the exception to the Uniform Guidance bidding requirements for procuring goods or services valued \$10,000 or greater with federal 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.
X	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 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.

	<p>Other (Please Explain in Detail):</p>
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Budget Amendment
Asheboro City Schools Administrative Unit
State Public School Fund

The Asheboro City Board of Education at a regular meeting on the 11th day of March, 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

1.3100.000	State Allocation	\$ <u>8,100</u>
		\$ <u><u>8,100</u></u>

EXPENDITURE

1.5210.029	Special Instruction - Behavioral Support	\$ <u>8,100</u>
		\$ <u><u>8,100</u></u>

Total Appropriation in Current Budget	\$ 34,027,591
Total Increase/Decrease of above amendment	<u>8,100</u>
Total Appropriation in Current Amended Budget	\$ <u><u>34,035,691</u></u>

Passed by majority vote of the Board of Education of Asheboro City on the 11th day of March, 2021.

Chairman, Board of Education

Secretary

Asheboro High School
New Courses for the 2021-2022 School Year

Course Title: Spanish Heritage II Honors

Credit: 1

Course Code: 11505X0

Grade: 10-12

Prerequisites: None

This course will offer a continuation of the goals of the previous course which are to enhance students' proficiency in speaking Spanish, enlarge cultural awareness, and develop appreciation of Spanish literature. Heritage Spanish-speaking students will increase their knowledge of formal reading and writing Spanish and of their cultural heritage. This course carries honors credit.

Asheboro City Schools Calendar 2022-2023 - Recommended

July 2022						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2022						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2022						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

July	
4	Holiday
August	
18-25	Required Teacher Workday
26	Optional Teacher Workday
29	First Day for Students
September	
5	Holiday
14	PD Early Release
October	
12	PD Early Release
31	End of 1st Quarter
November	
8	Election Day
11	Holiday
23	Optional Teacher Workday
24-25	Holiday
December	
20	Early Release Day
21-22	Vacation/Annual Leave
23-27	Holiday
28-30	Vacation/Annual Leave
January	
2	Holiday
16	Holiday
20	End of Semester/Quarter 2
23-24	Required Teacher Workday
February	
20	Required Teacher Workday
March	
15	PD Early Release
29	End of Quarter 3
April	
7	Holiday
10-14	Vacation/Annual Leave
May	
10	PD Early Release
29	Holiday
June	
9	Last School Day/Early Release
12-13	Required Teacher Workday
14	Optional Teacher Workday

Holidays	
Optional Teacher Workdays	
Required Teacher Workdays	
Vacation/Annual Leave	
Early Release	
Prof. Development Early Release	

January 2023						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2023						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2023						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2023						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2023						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2023						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Procedures for Closing School Due To Inclement Weather

In addition to posting information on closing on the official website for Asheboro City Schools (www.asheboro.k12.nc.us), school closing information will be released to the following news media and social media sites:

RADIO: WMAG 99.5 FM WKXR 1260 AM

TV: WFMY (2) WXLV (45) WGHP (8) News 14 (14) WXII (12)

SOCIAL MEDIA: Facebook Twitter

**There will be approximately a 45-minute delay between elementary and secondary dismissals in order for the buses to make their double runs.*

Makeup for Inclement Weather

Asheboro City Schools may determine that inclement weather make-up time is required. Days generally reserved include Teacher Workdays and Annual Vacation Leave Days. Make-up days will be utilized according to the educational needs and instructional programs of the Asheboro City Schools. Students, parents, and staff should plan accordingly.

Potential make-up days for staff and students may include:

Workdays: Nov. 23 Jan. 23 & 24 Feb. 20 June 12 -14

Vacation/Annual Leave: Dec. 21 & 22 April 10 - 14

Saturdays: Only by Board Addendum

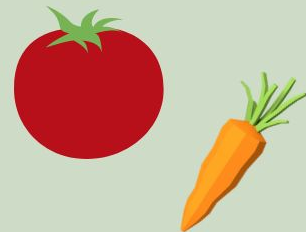
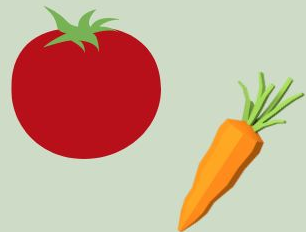


Asheboro CITY SCHOOLS

A learning community of excellence!

School Nutrition Update

March 11, 2021





School Nutrition Department

Asheboro City Schools:

School Nutrition Director - Sandra Spivey

School Nutrition Supervisor - Angie Allen

School Nutrition Accountant - Marsha Vickery

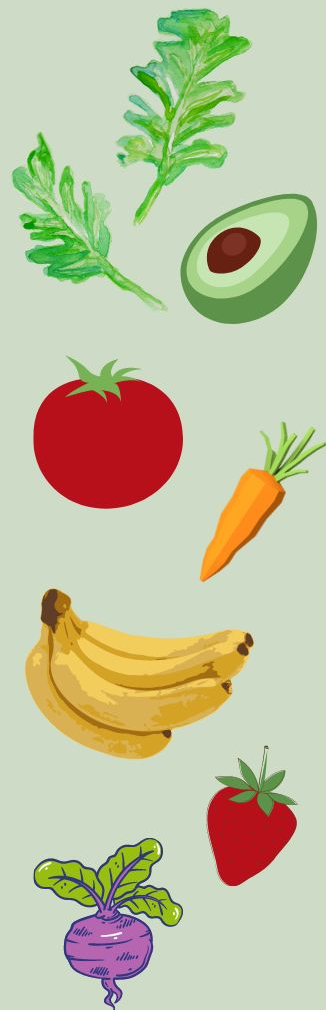
Sodexo:

General Manager - Leslie Simmonds

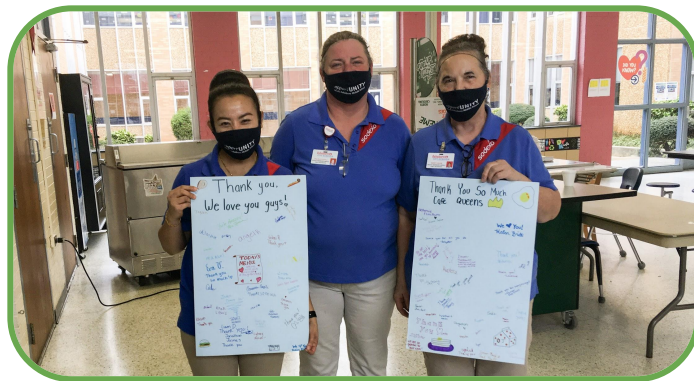
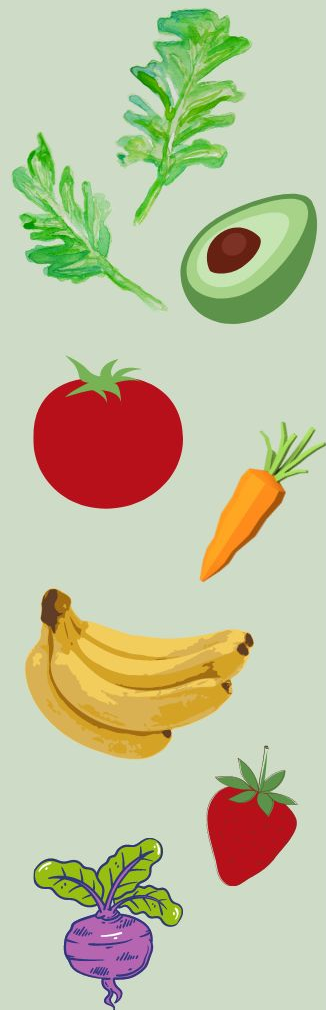
Operations Manager - Sabrena Jones

Cafeteria Staff and Delivery Driver

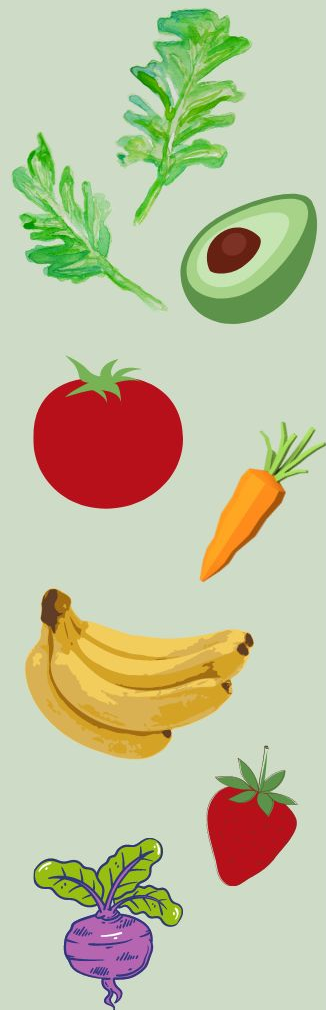
School Nutrition Department



School Nutrition Department

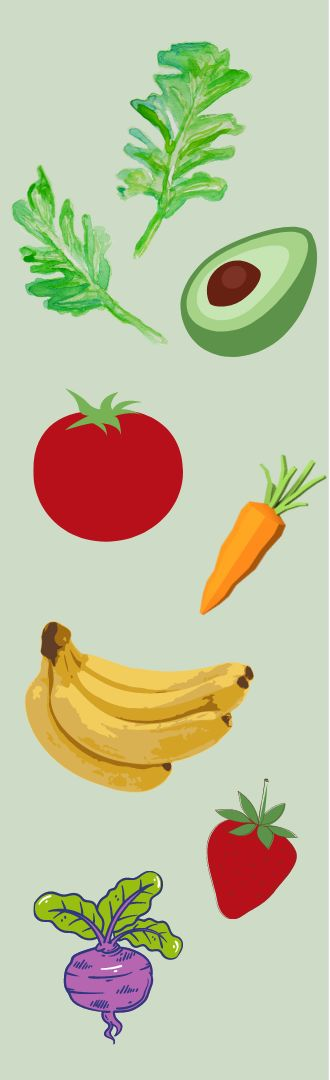


School Nutrition Department



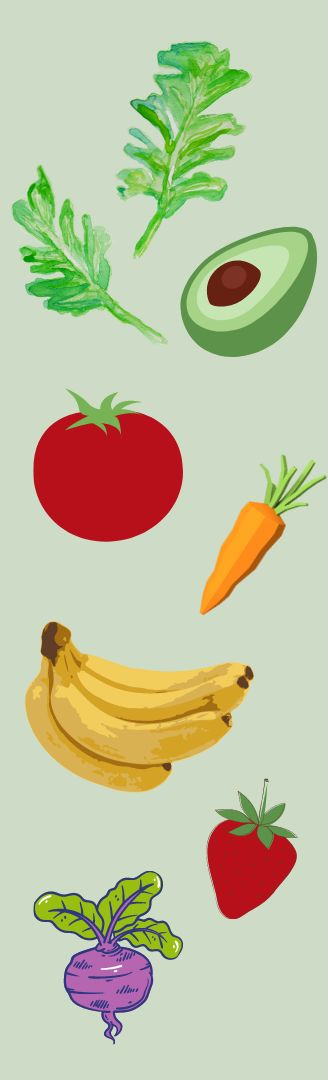
National School Breakfast Week

- Universal Free Breakfast
 - *ALL students Pre-K thru 12th grade*
- Traditional Before School Breakfast
- Breakfast in the Classroom
- Second Chance Breakfast
- Grab'n Go Breakfast



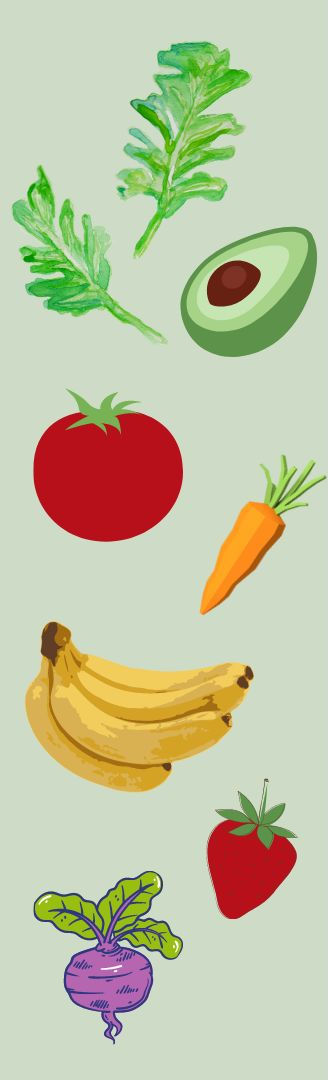
Beyond Breakfast...

- National School Lunch Program
- After School Snack Program
- Summer Food Service Program
- Nutrition Education
- Future Chef Competition

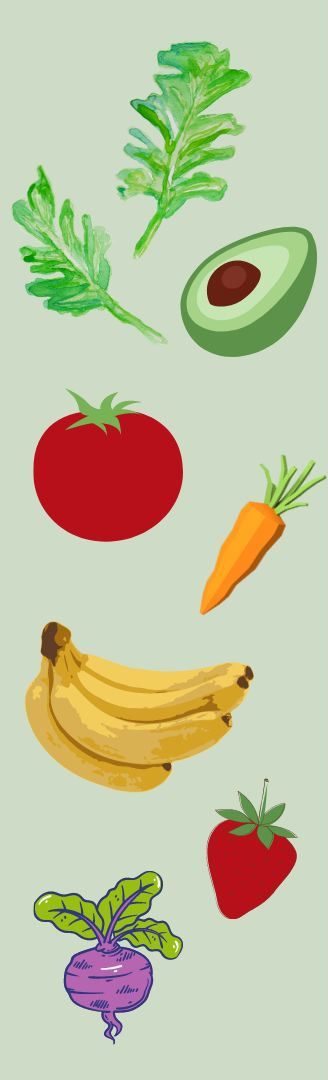


March 2020 - June 2020

- USDA waivers
- Meal Distribution via Yellow Bus Delivery
- Total Meals Served = 322,386
- Meal Participation Equivalent = 47%
- Fund Balance increased by \$415,000



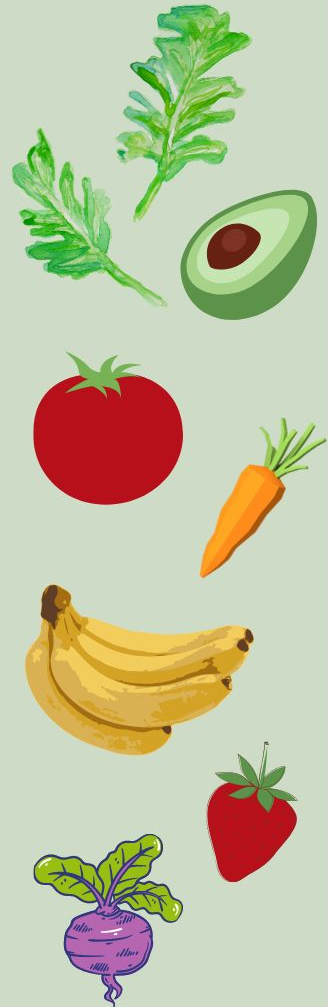
COVID Response



COVID Response



COVID Response



Summer 2020 (June - August)

- Meal Delivery 2 days per week via Yellow Buses
- YMCA
- Boys & Girls Club
- Total Meals Served = 149,183
- Total Meals Served Summer 2020 = 31,563
- Meals Served up 370% over Summer 2019



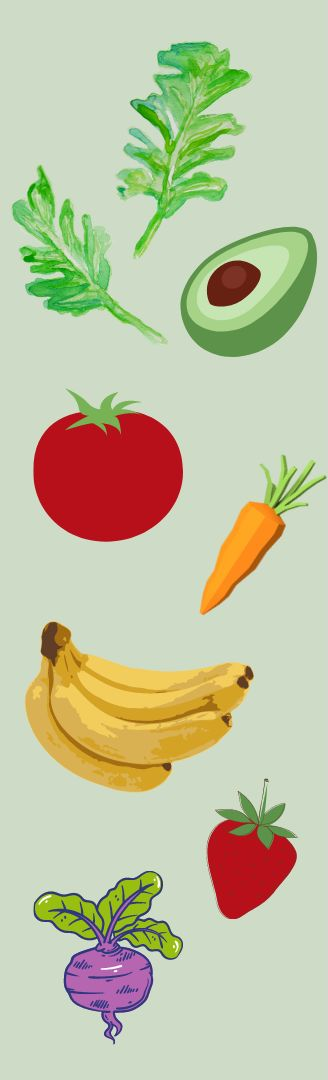
2020-2021 School Year

- Plan C - Meal Delivery via Yellow Buses
- Plan B -
 - Meals in Classrooms
 - Take Home Meals
 - Pick Up Meals
 - YMCA and Boys & Girls Club
- Total Meals Served = 376,582 (Aug -Feb)
- Meal Participation = 25%

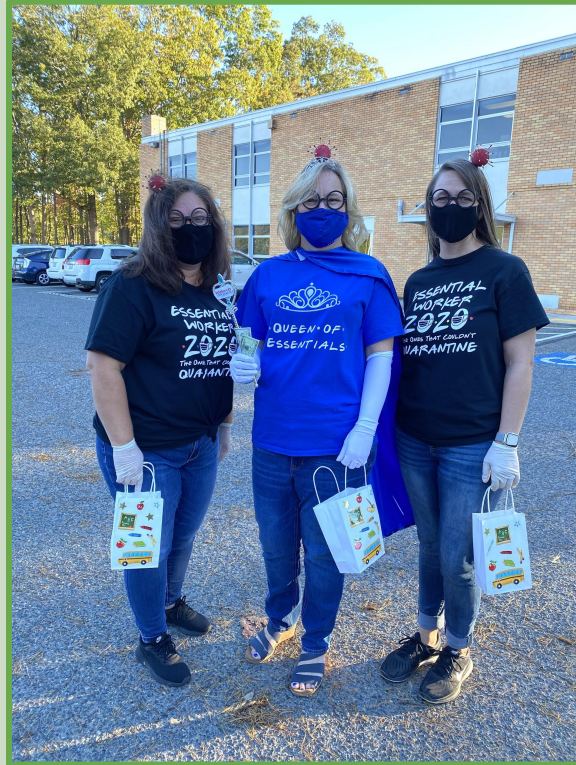


Planning for Summer 2021 and Beyond

- Summer Meal Delivery
- YMCA and Boys & Girls Club
- Summer Learning Programs
- Free and Reduced %
- AccessEd meal availability
- AHS Construction
- Dinner Program



Questions?



2020-2021 Calendar of Events
as of 3-11-2021

DATE		MEETING	TIME	LOCATION
MARCH				
Thursday	March 11	Board of Education Meeting Budget Planning and Finance Committee Policy Committee Meeting	7:30 p.m. 6:00 p.m. 6:45 p.m.	PDC
Friday	March 19	Legislative Breakfast	8-10 a.m.	PDC
APRIL				
Sat.-Mon.	April 10-12	NSBA National Conference		Virtual
Thursday	April 15	Board of Education Meeting-Budget Meeting	7:30 p.m.	PDC
MAY				
Thursday	May 13	Board of Education Meeting	7:30 p.m.	PDC
JUNE				
Thursday	June 3	Graduation		
Thursday	June 10	Board of Education Meeting	7:30 p.m.	PDC