#### Asheboro City Board of Education Winter Retreat January 29 and 30, 2021

#### Friday, January 29, 2021

6:00 - 6:45 p.m.	Welcome & Dinner		
6:45 – 8:15 p.m.	Session 1: A Focus on Innovation  > Innovation: Framing the Work	Mr. Anthony Woodyard Dr. Wendy Rich	
8:15 - 8:30 p.m.	Setting the Stage for Title IX	Dr. Wendy Rich Mrs. Carla Freemyer Dr. Drew Maerz	
	Saturday, January 30, 2021		
8:15 - 8:30 a.m.	Welcome & BreakfastDr. Aaron Wo		
8:30 – 11:30 a.m.	Session 2: Master Board TrainingDr. Walter Hart  Building Our Team		
11:30 a.m 12:00 p.m.	Lunch		
12:00 – 1:00 p.m.	Session 3: At the Starting Line  ➤ Charting the Course to 2026  ➤ Strategic Plan Timeline & Process Recomment	•	
1:00 – 3:30 p.m.	Session 4: Operations  Phase Three Discussion (30 min)  Budget (20 min)  10-year Facilities Plan (10 min)  Title IX (60 min)  Legislative Platform (30 min)	Ms. Sandra SpiveyMr. Ed KellerMs. Carla Freemyer Dr. Drew Maerz	

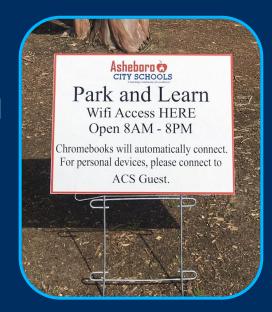
# Asheboro & CITY SCHOOLS

A learning community of excellence!

A Focus on Innovation
Board Retreat
January 29–30, 2021

### Framing the Work

- We are a district rooted in tradition
- A reputation of forward thinking and thoughtful planning
  - Zoo School
  - IMPACT grant
  - Teacher Leadership Academy
- New time
- New direction
- Time to Innovate
- Time to REIMAGINE









### Apple Executive Briefing - January 16-17, 2020

#### Apple Park

- How do we want people to feel?
- Results, Teamwork, Innovation
- o Innovation is not a checklist it is a culture
- Innovation does not mean you were the first. It may have the most to do with making something better



- Be a visionary thought leader...be the change agent
- Innovations
  - Mobile Learning for nurses
  - QR Codes / Business Cards
  - Expansion of patient and family education
- Results **60% reduction** in infection rates

#### Stanford d.school

- K12 Futuresfest
- Stories of design and new prototypes focused on shaping the future of learning.

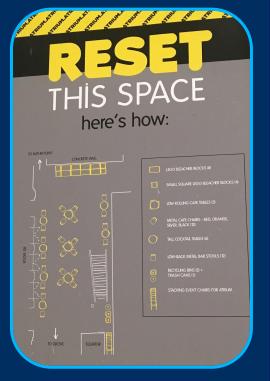












### Central Office Evaluations

- Results focusing on how department runs and tasks are completed
- Teamwork focusing on the effectiveness of the collaboration
- Innovation focuses on actively working towards excellence and innovative ways to improve department (Note - scale change here for evaluation to incorporate coaching and growth)
- Peer Reviews for feedback on collaboration in groups - used to provide additional support/evidence. Administrator selects minimum of 2 to peer-evaluate. District selects 1-2. Self-evaluation will also be done for a comparative measure.

**Link to Central Office Evaluation Instrument** 



1. The evaluation is to rate the employee on the scale as inclusted below.
2. The evaluation is encouraged to general comments at the end of each section.
3. The employee is provided an opposite primary comments at the end of each section.
4. The employee is provided an opposite primary comments at the end of each section.
5. The employee is provided an opposite primary comments and employee and the evaluation and explose and the evaluation are stated of the appears and or any recommended section(s), 6. The comments are stated in the evaluation and employee and the evaluation are stated in the evaluation and explose provided to the explose department.

2. Account and explose provided to the explose department and evaluates areas programs in the department.

3. Implements and evaluates areas programs in the department.

4. Appropriately supervises and controls explose and provided to the explose of the explose provided to the explose of the explose and comment inventors, second, and budgets, etc.

3. Demonstrates a commentment and focus on the district strategic plan.

Results Teamwork Innovation

### Our Innovation Work

#### Innovation Retreats

- Board, Principals, Cabinet, & Instructional Team - January 2020
- Book Studies
- Design Thinking Sessions

#### Innovative COVID Response

- Then
  - We had the vision/technology but weren't ready
- Now
  - Take home devices all students
  - Using an LMS consistently

### Next Steps / Challenges

- Innovation requires thinking differently
- Mindsets Changing minds and hearts
  - Solution oriented approaches
  - Changing deficit mindsets





### Forging Ahead / Looking Forward

- Ideation Hour
- Redesigning instructional practices
- Redesigning current initiatives
- Designing new initiatives
- Design thinking with:
  - student voice and interests
  - community needs considered
  - family involvement promoted

Every decision made from the lens of how we make people feel!!



### Beginning the Work...

Take a moment and review the ideas generated at our last board retreat.

Add additional ideas if you see anything missing in light of this past year.





**2020 Board Retreat Brainstorming List** 

### The Task

Each team selects an innovative idea for our district and pitches to the group.

- 15 minutes idea creation;
- 5 minutes per pitch

#### **Teams:**

Michael Smith & Beth Knott
Archie Priest, Linda Cranford, & Art Martinez
Gidget Kidd & Gus Agudelo
Gwen Williams & Baxter Hammer
Phillip Cheek & Ryan Patton



### Strategic Planning Brainstorming

Please click this link to add innovative ideas to consider for the strategic plan that will help us reach our vision for 2027.

### Less

All students receive a mentor. (Better as a school goal on CIP.)

Student advisory groups are held monthly. (Work that already exists and should continue.)

Students serve as advisors in the selection of curricular materials, resources, and course offerings. (This is a specific strategy for the big idea of student choice and voice.)

Decision-making is based on student needs. (Not as comprehensive and doesn't state specifics of student involvement in decision-making.)

Student choice and voice is the driving force for all decision-making.



### Wrap-Up

## **Building Our Team**

**NCSBA Master Board** 





### Objectives

- Understand teams and groups
- Relate current team strengths and how to be even better
- Identify your style as a team player
- Analyze your total team profile and learn better ways of communicating
- Develop a plan for team player improvement
- Determine factors that influence your trust in others
- Develop a plan to increase trust.





### The question...

The question is NOT "How good are we?"

The question is "How good are we compared to what we want to be?"



### M

## Let's Warmup – The Jelly Bean Test

#### **Directions:**

- (1) Remove your favorite jelly bean
- (2) Do not eat your favorite jelly bean yet!
- (3) What do the colors mean?

Does your choice reflect your perceptions?

Remember: Most of us are really more than one color.



### The Abilene Paradox













## The Bay of Pigs Incident: "How Could I Have Been So Stupid?"









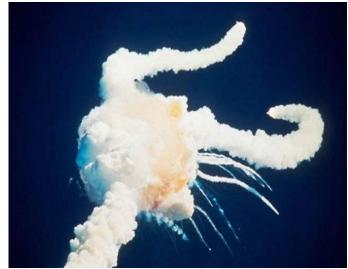






## Why Do Organizations Fail (or just do some really dumb things)?







## THE WHOLE TRUTH





### The Whole Truth: Example 1

- 1. I am a World War II nut. (hobby)
- 2. I have very negative feelings about the tobacco industry. *(values)* 
  - 3. I like outdoor rock concerts. (likes/dislikes)
  - 4. I worked in Europe for 5 years.

(past history)

- Something others may not know about you and that you think is an important aspect of who you are.
  - One should not be true but could be true.



### M

### The Whole Truth: Example 2

- 1. I am an only child. (family background)
- 2. I sing in the choir. (hobbies & interests)
- 3. I am a serious golfer. (likes & dislikes)
- 4. I support gun control. (values & beliefs)
- 5. I was an all-state basketball player. *(past history)*
- Something others may not know about you and that you think is an important aspect of who you are.
  - One should not be true but could be true.







A team is a small group of people with complementary skills committed to a common purpose and set of goals. Its members are committed to working with each other to achieve the team's purpose and hold each other fully and jointly accountable for the team's result.





### The Parker Team Player Survey

(1) Let's identify your style as a team player by completing the Parker Team Player Survey.

(2) Let's transfer your scores to the Team-Player Survey Results page.



### М

## Parker's Four Types of Team Players

- Each style contributes, and each has a downside when carried to excess.
- All can be effective team players or leaders using any of the styles.
- We use one (or 2) of the styles more.
- Most effective team member can use all 4 styles as required by the team.





## Team Player Survey Score (Handbook p.3)

Your Primary Style

Range of Scores

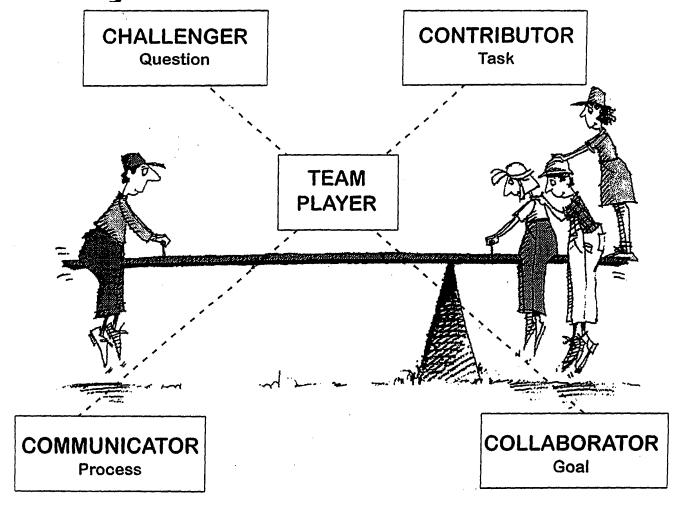


Least Active Style





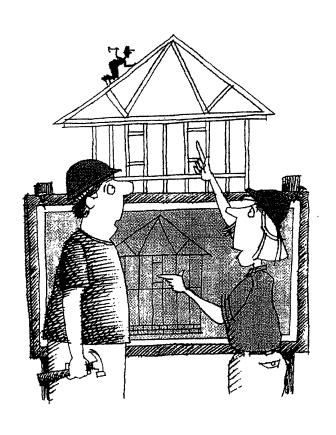
### 4 Players with Different Issues







### Contributor (page 5 handbook)

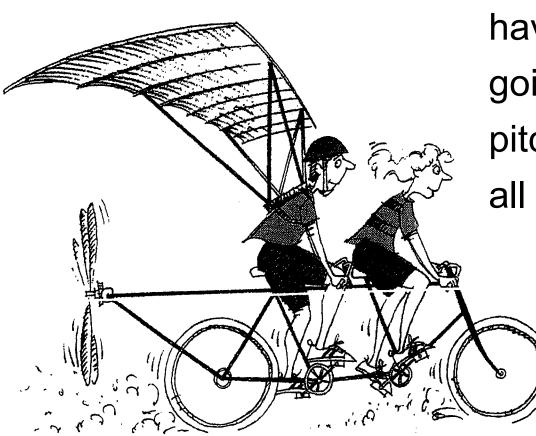


Helps the team focus on the immediate task and provides data and expertise for problem solving.





### Collaborator (HB 6)



Pushes the team to have a vision, to get going, and then pitches in to get it all done.





### Communicator (HB 7)

A process-oriented person who helps establish a positive interpersonal climate on the team.







### Challenger (HB 8)

A person who is willing to disagree with other team members and ask tough questions about what the team is doing.





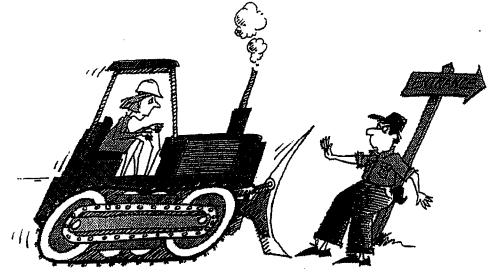
### M

## The Ineffective Team Player

(p.9)

Uses strengths to an excess



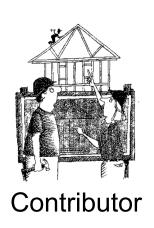


Loses patience with other team members



### м

## The Effective Team Includes All Four Players (p. 10)



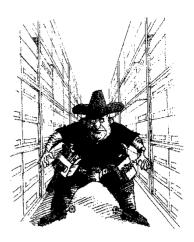


Collaborator

Challenger

Communicator









### Analyze Your Team

(P. 11)

 Look for style overload

One style is missing





### M

### Our Board Team Grid: Results

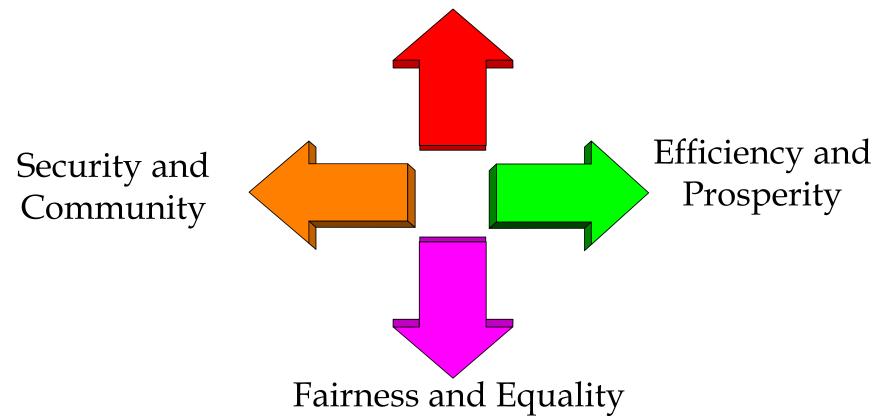
NAME	CONTRIBUTOR	COLLABORATOR	COMMUNICATOR	CHALLENGER



### м

## The Board Member's Compass for the Good Society (P. 13)

Freedom and Liberty





### How to Communicate With Another Team Player

<u>Style</u>	<u>Wants</u>
Contributor	Data and other forms of information High quality standards Timetables, list of deliverables Short-term objectives Systematic approach
Collaborator	The big picture, the context Mission & long-term goals Everyone to pitch in Everyone sharing the limelight Maintain focus on goals
Communicator	Relaxed, informal atmosphere Concern for group dynamics Opportunities for participation Members to know each other Recognition and celebrations
Challenger	Opportunities to raise questions Candid discussion of issues Reasonable risk taking High ethical standards Honest reporting of results



## Communicating with Other Members of Your Team (p. 15)

Situation	What You Need
The board is considering changing their current homework policy to increase the maximum amount of time assigned at the middle school. A first reading of the proposed change is tonight.	
The board has received many complaints about the inequities in the salary schedule for clerical staff. The board wants the superintendent to submit a proposal to revise the schedule.	
The board has received information from other districts about periodic drug testing of athletes. It is a discussion item on the board agenda.	
The board has learned it will receive a proposal for commercial advertising from Nike.	

- •CONTRIBUTOR—TASK
- •COLLABORATOR—GOAL
- COMMUNICATOR—PROCESS
- •CHALLENGER—QUESTION





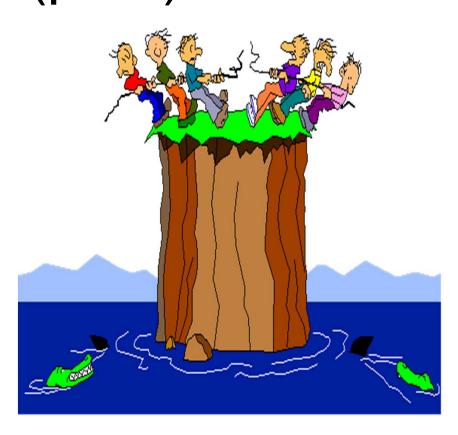
## Develop a Plan: Activity (p. 16)

- My main strengths as a team player are:
- My potential for becoming an ineffective team player shows up in the following ways and/or situations.
- Ways I can become a more effective team player.



## Ŋ

## Characteristics of a Team (p.17)



- There must be an awareness of unity on the part of all members.
- There must be interpersonal relationships. Members must have a chance to contribute, learn from and work with others.
- 3. The members must have the ability to act together toward a common goal.



## м

## The 12 Characteristics of an Effective Team (p. 18)

### 1. Clear Purpose

All of the research on high-performing teams demonstrates the singular importance of a clear mission, goals and objectives for a team. It provides direction, helps determine priorities, allocate resources and resolve conflicts. Goals also establish the score board by which a team measures its progress. No one likes to be a part of something that is not going anywhere.

### 2. Informality

You can't measure it, you can't record it, but you know when it's there and you know when it's not. An informal, relaxed atmosphere contributes to better problem-solving, decision-making, creativity and risk-taking. Team members do their best work when they are relaxed. How do you establish an informal, relaxed climate on a team?



## м

## The 12 Characteristics of an Effective Team

### 3. Participation

The effective team provides team members with the *opportunity* to become involved in discussions and decisions. It is not a requirement that everyone participate in all discussions and decisions, but that they know they can and, in fact, are encouraged to participate. As a team leader, what can you do to encourage members to participate?

### 4. Listening

Studies of decision-making in teams show that the skill that distinguishes the high-performing teams from the average teams is the ability of members to listen to each other. We are talking about *active* listening—the ability to paraphrase and thereby understand the facts and feelings of your teammates.



## M

## The 12 Characteristics of an Effective Team

### 5. Civilized Disagreement

We use this phrase instead of conflict because that word has a reputation as something to be avoided. And yet, on most teams, conflict, based on differences in backgrounds, experiences, cultures and styles, should be desired because it brings out the best ideas, solutions and innovations. *In what ways is conflict avoided on a team? How do you establish a team culture that encourages an openness in regard to differences among team members?* 

#### 6. Consensus Decisions

For important decisions, the goal is substantial but not necessarily unanimous agreement through open discussion of everyone's ideas, avoidance of formal voting, or easy compromises. What is a consensus decision? Why is it the preferred method of arriving at a decision? When should it be used/when is it not appropriate?



## The 12 Characteristics of an Effective Team

### 7. Open Communication

The effective team has a culture where members feel free to express themselves without fear of ridicule or retaliation. Members openly discuss their feelings about the team's goals, progress, process, leadership and support from management, among other things. What can a team do to foster open communication?

### 8. Clear Roles and Work Assignments

One way that teams break down is the lack of clarity about the roles played by team members. When members operate on a set of inaccurate expectations about what other people are supposed to do, this can lead to interpersonal conflicts. Effective teams spend time at the outset clarifying the roles (expectation) of each team member. In addition, once a decision is made, members should take on assignments designed to implement that decision. And the work assignments should be spread across the members of the team so that some members do not get burdened with a disproportionate amount of work.



## м

## The 12 Characteristics of an Effective Team

### 9. Shared Leadership

Shared leadership is the goal of all teams, but it is typically found in more mature teams. Leadership is viewed as a set of functions rather than a person or position. Therefore, anyone on the team can (and should) carry out a needed function, e.g., clarifying a task, encouraging quiet members to get involved. It shifts the burden for the success of the team from the formal leader ("it's Brenda's team") to everyone ("it's our team").

#### 10. External Relations

An often-overlooked area of team success, this characteristic says that "no team is an island." No team can be completely successful unless it manages the "outside"—the key stakeholders who can support or block the work of the team. The effective team spends time building bridges to these key stakeholders. Who are the typical stakeholders of a team? What have you done to build alliances with them?



## M

## The 12 Characteristics of an Effective Team

### 11. Style Diversity

The successful team includes a healthy mix of team player styles. They have people that focus on the immediate task, ensure the team has a clear purpose and sticks to it, facilitate member involvement, and challenge key team assumptions. And if the team does not have all of these styles on the team, they develop coping strategies for addressing the deficiencies.

#### 12. Self-Assessment

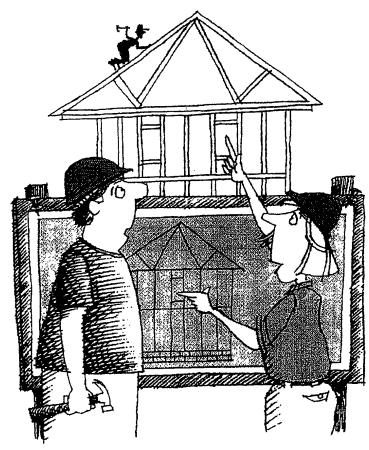
Effective teams, just like healthy individuals, periodically have a checkup where they assess their vital signs. The assessment can be informal such as a simple question posed to the group at a meeting, e.g., "how are we doing?' And it can be more formal as in a survey questionnaire that covers the key areas of team success (e.g., goals, roles, climate). How often do you think a team should conduct an assessment?





## The 12 Characteristics of an Effective Team

- Clear Purpose
- 2. Informality
- 3. Participation
- 4. Listening

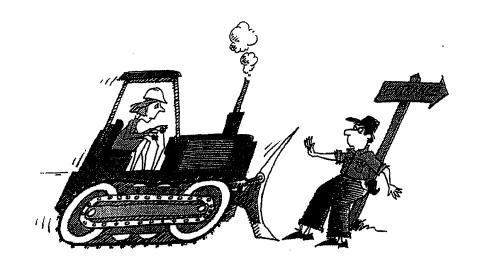






## The 12 Characteristics of an Effective Team

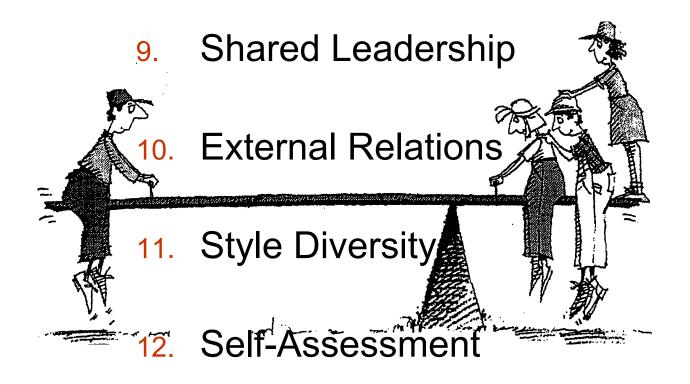
- CivilizedDisagreement
- 6. ConsensusDecisions
- 7. OpenCommunication
- 8. Clear Roles & Work Assignments







## The 12 Characteristics of an Effective Team





# Trust *n*. a confident reliance on integrity, veracity, or justice of another; a confidence in the reliability of persons without careful investigation; a confident expectation, belief, hope



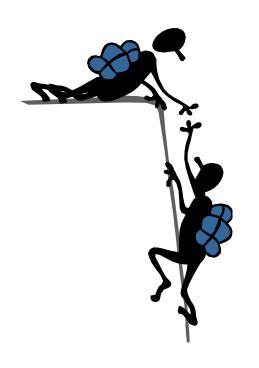


## Whom Do You Trust as a Fellow Team Member? (p. 21)

- 1. Bill is prepared for board meetings. He has studied the items in his board agenda packet and participates in board discussions.
- 2. John provides his opinion on most items, especially those which he has disagreement.
- 3. Jerry tells you her opinion in the parking lot after the meeting and after the vote.
- 4. Linda, the board president, tends to call on Jerry and John more than others in team discussions.
- 5. At the board meeting, Ken calmly shared his feeling about being left out of the information loop in the last few weeks.
- 6. Jerry talks to Mary about the problems he is having with Bill. He talks to Bill about problems he is having with Mary.
- 7. Shortly after John took the "oath of office" as a new board member, he went on one of the school campuses and began questioning the principal, an individual he is rumored to like to see removed.
- 8. Jerry, an experienced board member, calls Matt on the telephone. He asks Matt's opinion on a closed meeting issue and asks Matt not to tell anyone he has talked about the issue outside the closed meeting.
- 9. When May was the board president last year, she held several team meetings to enlist team members' support, input, and agreement on team operating procedures.
- 10. John often takes full credit with community members for actions approved by the majority.
- 11. Jerry often shares information that another board member had shared with him "in confidence."



## 4 Trust-Building Behaviors (p. 22)



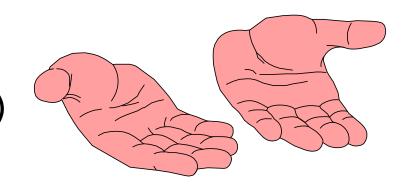
- 1. Competence
  Performing on the job
- 2. **Openness**Sharing and receiving information
- 3. Reliability
  Being dependable
- 4. **Equity**Being impartial



## 3 Factors That Influence Trust (p. 23)

Skills (of individuals)

Environment (of group)



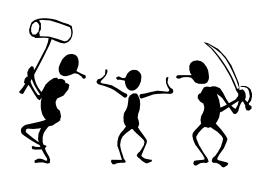
Beliefs (of both)



## Trust Is Not Hard To Destroy

(p. 24)

- Meet in small groups outside the board meetings to discuss board business.
- Focus on only one interest or viewpoint, ignoring the many other important issues.
- Betray confidence by telling others what happened in closed sessions.
- Fail to follow your own district procedures or policies.
- Miss board meetings without compelling reasons, or fail to read your board member packet before board meetings.
- Provide information to the media when you are not the designated board spokesman.
- 7. Break the chain of command when responding to public complaints or when needing information from staff, go behind the backs of the board and the superintendent.
- 8. As a single board member, represent yourself as having the power of the whole board.





## Increasing Trust Behaviors (p. 25)

Complete individually and share if you are willing to do so. Mark the degree to which you demonstrate each trust behavior using the following ratings.



## Words To Team By

If you don't know where you're going, any road will take you there.  Chinese proverb	A decision is responsible when the group that makes it has to answer for it to those who are directly or indirectly affected by it.  Charles Frankel	Never insult an alligator until you've crossed the river.  Cordell Hull
You miss 100% of the shots you never take.  Wayne Gretzky	A certain amount of opposition is of great help.  Kites rise against, not with the wind.  John Neal	To know the road ahead, ask those coming back.  Chinese proverb
I don't know what the key to success is, but the key to failure is trying to please everyone.  **Bill Cosby**	Don't find fault, find a remedy.  Henry Ford	A good heart is better than all the heads in the world.  Leo Burnett
If you obey all the rules, you miss all the fun.  Katherine Hepburn	If you lose the power to laugh, you lose the power to think.  Clarence Darrow	When you reach for the stars you might not get one, but you won't come up with a handful of mud either.  Leo Burnett
Small problems are difficult to see, but easy to fix. However, when you let these problems develop, they are easy to see but difficult to fix.  Niccolo Machiavelli	Better to ask twice than to lose your way once.  Danish proverb	



## Words To Team By

Everyone is needed, but no one is necessary.  Bruce Coslet	The ration of We's to I's is the best indicator of the development of a team.  Lewis B. Eigen
The needs of the team are best met when we meet the needs of individual persons.  Max Depree	Do you want a collection of brilliant minds or a brilliant collection of minds?  R. Meredith
Teams share the burden and divide the grief.  Doug Smith	The strength of the team is each individual member The strength of each member is the team.  Phil Jackson
Team members who feel threatened but who are not aware of it become rigid – and that stops teamwork.  Will Schultz	A team is more than a collection of people. It is a process of give and take.  **Barbara Clacel and Emile Robert, Jr.**
Talent wins games, but team work wins championships.  Michael Jordan	None of us is as smart as all of us.  Ken Blanchard



#### **Asheboro City Schools**

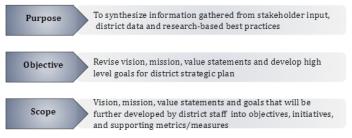
#### 2022-2027 Strategic Plan

#### **Project Timeline**

Date(s)	Team Task
January 30, 2021	ACS Board Retreat visioning & brainstorming for strategic
	planning process
February 11, 2021	Board of Education resolution for strategic planning process.
February 18, 2021	District leaders provide input for strategic planning.
March 12, 2021	School and district staff generate list of participants for Strategic
	Planning Work Team and stakeholder focus group sessions.
April 2021	Survey stakeholder groups
May-June 2021	Stakeholder Focus Group Meetings
July 2021	Strategic Planning Work Team synthesizes information gathered.
July 2021	Strategic Planning Work Team revise vision, mission, and value
	statements. Develop high-level goals for district strategic plan.
August-September 2021	District staff will draft vision, mission, value statements and goals
	into action items, initiatives, and supporting metrics/measures.
September 2021	School Leadership Teams review draft of the strategic plan and
	provides feedback.
October 2021	Board of Education reviews the draft of the strategic plan and
	recommends revisions. Strategic Planning Work Team facilitates
	information sessions for our community.
November 2021	Board of Education adopts the 2022-2027 Strategic Plan



#### Strategic Planning Work Team



#### Asheboro City Schools Strategic Planning Process 2022-2027

#### **DEFINITION OF STRATEGIC PLAN COMPONENTS**

- Vision Statement An inspirational statement that focuses on tomorrow and what our organization wants to become.
- Mission Statement A broad statement of the unique purpose for which the school system exists and the specific function it performs. It focuses on today and what our organization does to achieve its vision.
- Belief Statements General ideals valued, honored, and supported by the school system
- Goals Broad general statement of the school system's desired outcomes.
- Action Items & Initiatives Steps and programs that advance strategic goals

#### THE TEAM MEMBERS AND THEIR ROLES

#### **Strategic Planning Work Team:**

- Develop a process for strategic planning
- Oversee the implementation of the process
- Participate in the Planning Team sessions
- Facilitate information sessions
- Present draft of strategic plan to Board of Education

#### **Board of Education**

- Approve a resolution to conduct strategic planning
- Participate in input sessions
- Approve and monitor implementation of the strategic plan

#### **Administrative Leadership Team**

- Draft a mission, vision, and belief statement
- Participate in input sessions
- Develop and implement action plans

#### **School Leadership Teams and Staff**

- Participate in input sessions and survey
- Provide feedback to work team on plan drafts
- Develop and implement action plans

#### **Community**

- Participate in stakeholder focus groups for input
- Serve on the Strategic Planning Work Team
- Provide input on proposed plan components



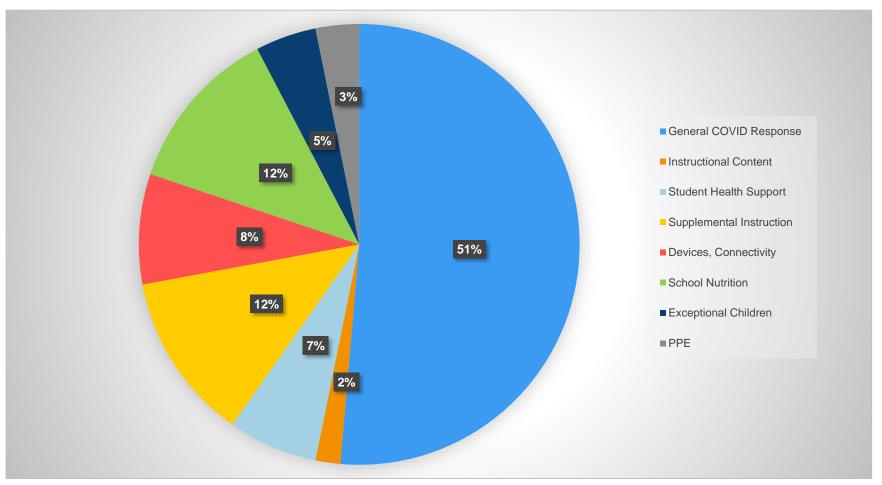
## BUDGET CONSIDERATIONS and 10 YEAR FACILITIES PLAN REVIEW

Asheboro City Board of Education Winter Board Retreat January 30, 2021

## **Asheboro City Schools**

## 2021-2022 Budget Considerations

Coronavirus Relief Funds



**Total Funds Allocated March 2020 thru January 2021 = \$2,567,408** 

## **Asheboro City Schools**

## 2021-2022 Budget Considerations

## ADM Impact on State Funds

Summary of Allotment Adjustments										
Grade Span		Ratio/AD	M Fac	ctor	Projected ADM	Adjusted ADM for Best 1 of 2	Position Adjustment	Doll	ar Adjustment	PRC / Category
Kindergarten		@1:			19.5	19.5	0.0			
1		@1:			22.0	22.0	0.0			
2-3		@1:	17		41.5	42.0	(0.5)			
4-6		@1:	24		43.5	44.0	(0.5)			
7-8		@1:	23		32.0	32.5	(0.5)			
9		@1:	26.5		14.5	15.5	(1.0)			
10-12		@1:	29		32.0	33.5	( <u>1.5</u> )			
Classroom Teachers (	(1)				205.0	209.0	(4.0)	\$	(261,868)	
Program Enhanceme	ent -K-5	@1	191		3.0	3.0	0.0	\$	-	
Tota	al Teachers				208.0	212.0	(4.0)	\$	(261,868)	001/001
Instructional Support	t (1)	@1:	\$	218.55	22.0	22.0	0.0		-	007 / 007
Noninstr. Support		ADM Factor:	\$	268.86	1,243,485	1,269,460			(25,975)	003 / 003
Teacher Assistants (2	2)	Factor:	\$	36,639.33	1,284,384	1,284,384			-	027 / 004
Classroom Supplies		ADM Factor:	\$	30.12	135,549	138,380			(2,831)	
PSAT Funds (3)		ADM Factor:	\$	2.69	2,018	2,098			(80)	
		Subtotal	Classr	oom Supplies):					(2,911)	061 / 100
Textbooks		ADM Factor:		38.67	145,170	148,202			(3,032)	000 / 051
Voc. Ed. Prog. Sup. (4	4)	ADM Factor:	\$	34.10	67,100	69,590			(2,490)	014 / 059
						LEA Totals:	(4.0)	\$	(296,276)	

## Asheboro City Schools Ten Year Plan Year 3 (2018 - 2019)

Location	Category	Project	<b>Estimated Cost</b>		% Complete
Central Office	Building Envelope	Replace Roof	\$	40,000	Deferred
McCrary	Building Envelope	Replace Windows	\$	167,624	100%
Loflin	HVAC	Replace Chiller #1	\$	90,000	100%
Loflin	Building Envelope	Replace Gutter System	\$	9,285	100%
ECDC	HVAC	Replace Rooftop Units	\$	26,700	100%
Teachey	HVAC	Install Building Controls	\$	176,932	100%
Lindley Park	Building Envelope	Replace Roof Section C	\$	110,275	100%
South Asheboro Middle	Building Envelope	Replace Roof Sections D, E	\$	115,000	100%
South Asheboro Middle	Building Envelope	Awnings Metal Work	\$	20,345	100%
South Asheboro Middle	Athletics	Resurface Track	\$	95,000	100%
South Asheboro Middle	Building Envelope	Replace Windows Gymnasium	\$	136,655	100%
South Asheboro Middle	HVAC	Repairs to Media Center Units	\$	46,515	100%
		Year 3 Total	\$	1,034,331	<u>-</u>

## Asheboro City Schools Ten Year Plan Year 4 (2019 - 2020)

Location	Category	Project	Estimate	ed Cost	% Complete
McCrary	HVAC	Replace Chiller #1	\$	100,000	100%
McCrary	<b>Building Envelope</b>	Replace Roof Sections B, H, M, C, G	\$\$	300,000	Bid 1/26/21
McCrary	HVAC	Install Building Controls	\$	150,000	100%
Loflin	Site Improvements	Replace Columns/Remove Lead	\$	19,000	100%
North Asheboro Middle	HVAC	Replace Heat Pump Units	\$	150,000	100%
		Year 4 Total	\$	719,000	- =

## Asheboro City Schools Ten Year Plan Year 5 (2020 - 2021)

Location	Category	Project	Estimated Cost		% Complete
Balfour	HVAC	Replace Both Chillers	\$	180,000	Quoted
Transportation	Ingress/Egress	Replace Deck	\$	13,000	100%
Loflin	HVAC	Install Building Controls	\$	150,000	
North Asheboro Middle	HVAC	Replace Heat Pump Units	\$	150,000	
North Asheboro Middle	HVAC	Complete Building Controls	\$	60,000	
North Asheboro Middle	<b>Building Envelope</b>	Replace Roof Sections A,C,H,I	\$	300,000	Bid 1/26/21
South Asheboro Middle	HVAC	Complete Building Controls	\$	60,000	
Teachey, Lindley Park, Loflin	Life Safety	Install Fire Alarm Panel	\$	25,000	100%
McCrary	Life Safety	Replace Fire Alarm	\$	65,000	Working
		Year 5 Total	\$	1,003,000	- =

## Asheboro City Schools Ten Year Plan Year 6 (2021 - 2022)

Location	Category	Project	Estim	nated Cost	% Complete
Central Office	Building Envelope	Replace Front Windows	\$	30,000	
Central Office	Building Envelope	Replace Roof	\$	60,000	
Central Office	HVAC	Fix HVAC 2nd Floor	\$	150,000	
Lindley Park	HVAC	Install Building Controls	\$	180,000	
Teachey	HVAC	Replace Chiller # 1	\$	175,000	
Teachey	Building Envelope	Replace Roof Sections A,G	\$	275,000	
McCrary	HVAC	Replace Both Boilers	\$	150,000	
		Year 6 Total	\$	1,020,000	<b>-</b> -

## Asheboro City Schools Ten Year Plan Year 7 (2022 - 2023)

Location	Category	Category Project		nated Cost	% Complete
Central Office	Building Envelope	Replace Rear Windows	\$	100,000	
ECDC	<b>Building Envelope</b>	Replace Roof Section A	\$	75,000	
Loflin	Building Envelope	M	\$	225,000	
Loflin	HVAC	Replace Both Boilers	\$	150,000	
Teachey	HVAC	Replace Boiler # 1	\$	75,000	
North Asheboro Middle	Interior Finishes	Paint Entire Interior	\$	200,000	
Balfour	Interior Finishes	Paint Entire Interior	\$	200,000	
		Year 7 Total	\$	1,025,000	<b>-</b> =

### Asheboro City Schools Ten Year Plan Year 8 (2023 - 2024)

Location	Category	Project	Estimated Cost		% Complete	
Balfour	HVAC	Replace Boiler # 1	\$	60,000		
North Asheboro Middle	Electrical	Replace Service Entrance	\$	250,000		
North Asheboro Middle	HVAC	Replace Roof Top Units	\$	80,000		
South Asheboro Middle	HVAC	Replace Boiler #1	\$	60,000		
South Asheboro Middle	HVAC	Replace DX Units	\$	200,000		
Teachey	HVAC	Replace Boiler #2	\$	60,000		
PDC	HVAC	Replace DX Units	\$	75,000		
Loflin	HVAC	Replace Fancoil Units	\$	175,000		
		Year 8 Total	\$	960,000	<b>-</b>	

## Asheboro City Schools Ten Year Plan Year 9 (2024 - 2025)

Location	Category	Project	Estima	ated Cost	% Complete
Lindley Park	HVAC	Replace Chiller #2	\$	125,000	
Lindley Park	Interior Finishes	Paint Building	\$	150,000	
North Asheboro Middle	HVAC	Replace DX Units	\$	150,000	
North Asheboro Middle	Flooring	Media Center Carpet	\$	25,000	
South Asheboro Middle	HVAC	Replace DX Units	\$	150,000	
Teachey	Interior Finishes	Paint Building	\$	175,000	
ECDC Cafeteria	Building Envelope	Replace Windows	\$	175,000	
		Year 9 Total	\$	950,000	<del>-</del> -

### Asheboro City Schools Ten Year Plan Year 10 (2025 - 2026)

Location	Category	Project	Estim	ated Cost	% Complete
ECDC	HVAC	Replace DX Units	\$	200,000	
ECDC	Interior Finishes	Paint Interior	\$	175,000	
PDC	HVAC	Replace DX Units	\$	150,000	
South Asheboro Middle	Interior Finishes	Paint Interior	\$	200,000	
North Asheboro Middle	HVAC	Replace Chiller	\$	125,000	
South Asheboro Middle	HVAC	Replace DX Units	\$	150,000	
		Year 10 Total	\$	1,000,000	- -

## NEW PLS MODEL POLICY 1725/4035/7267 TITLE IX SEXUAL HARASSMENT – PROHIBITED CONDUCT AND REPORTING PROCESS

Area of Board Discretion	Definitions	Options
Provide an Informal Resolution Process	A school board may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed.	<ul> <li>Board must determine if it wishes to offer complainants and respondents an informal resolution process after the filing of a formal complaint</li> <li>PLS Policy 1725 – Provides for informal resolution</li> <li>Recommend that we offer an informal resolution process when permissible.</li> </ul>
Timeline for Making a Report	A report should be made as soon as possible after disclosure or discovery of the facts.	<ul> <li>Board may decide that a report be made within X number of days of disclosure or discovery of the facts giving rise to the report.</li> <li>Recommend the Board provide a timeline of 30 days (which corresponds to Policy 1720)         <ul> <li>Policy 1720 – "A complaint should be filed as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the 30-day period may be investigated; however, individuals should recognize that delay in reporting may significantly impair the ability of school officials to investigate and respond to such complaints.</li> </ul> </li> </ul>
Definitions of Clery Act and VAWA Sexual Harassment	"Sexual assault, dating violence, and stalking will be defined in accordance with applicable law and the definitions will be incorporated into an administrative regulation	<ul> <li>Recommend that we provide a 30 day timeline.</li> <li>Include specific statutory definitions of sexual assault, dating violence, and stalking in a regulation; or</li> <li>Leave undefined – Allow Regulation to define</li> <li>Recommend that we provide definitions in the Administrative Regulation, not the Policy.</li> </ul>

Determine what "Supportive Measures" will be provided to Alleged Victim and Alleged Perpetrator	"Supportive Measure" non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after a formal complaint has been filed or where no formal complaint has been filed.  Note: A supportive measure that completely removes the alleged perpetrator from an activity (except for "emergency removals" for students and "administrative leave" for employees) would likely be considered punitive.	<ul> <li>"Supportive Measures" may include, but are not limited to, the following: <ul> <li>Counseling;</li> <li>Extensions of deadlines or other course-related adjustments;</li> <li>Modifications to class or work schedules;</li> <li>Security and monitoring of certain areas of campus;</li> <li>Mutual restrictions on contact between the parties; or</li> <li>Campus escort services.</li> </ul> </li> <li>Board is not required to list the supportive measures available to complainants/respondents, but may elect to do so. This list could instead be included in an Administrative Regulation rather than Policy (See AR)</li> </ul> <li>Recommend that possible "Supportive Measures" be listed in the Administrative Regulation, not the Policy.</li>
Anonymous Tip Line	Middle and high school students may also report sexual harassment through the anonymous (Say Something) tip	Does ACS want to extend the anonymous tip line to elementary students?
	line	Recommend changing the language to read, "Student may also report"
Identify to	Each recipient must designate and authorize at least one	Students may report to the principal, Title IX Coordinator, or other designee
whom reports	employee to coordinate its efforts to comply with its	Employees or members of the board may report to the Title IX Coordinator
or sexual	responsibilities under this part, which employee must be	<ul> <li>Students Title IX Coordinator will be the Director of Student Services</li> </ul>
harassment	referred to as the "Title IX Coordinator."	<ul> <li>Staff Title IX Coordinator will be the Executive Director of Human</li> </ul>
should be	Vous report designate years Title IV Coundington(s) (such as	Resources
directed	You must designate your Title IX Coordinator(s) (such as Assistant Superintendent for Student Services, Assistant	Recommend having <b>staff</b> Title IX issues reported to the Executive Director of
	Superintendent for Equity Affairs)	Human Resources and <b>student</b> Title IX issues reported to the Director of Student
		Services.
Interactive	Title IX Coordinator must <i>promptly</i> contact the	Board must determine the time within which Title IX Coordinator must
Process	complainant to discuss the availability of supportive	contact the complainant upon receipt of a report
Timeline	measures as defined § 106.30	<ul> <li>PLS Policy 1725 – Proposes that the contact must occur within 3</li> </ul>
		school business days, excluding weekend, absent extenuating
	This contact must occur within three days	circumstances.
		o Policy 1720 – "The investigator shall provide written notification to
		the complainant of the results of the investigation within <b>15 school</b>
		<b>business days</b> of receiving the complaint, unless additional time is necessary"
		Recommend initial contact be within 3 school business days. Written notification
		of the investigation results within 15 school business days.

		_
What	Title IX Coordinator must promptly contact the	The regulations require that the Title IX Coordinator explain "the process for
Information	complainant to discuss 1) the availability of supportive	filing a formal complaint"
the Title IX	measures as defined in § 106.30, 2) consider the	<ul> <li>PLS Policy 1725 – lists the specific steps for filing a formal complaint</li> </ul>
Coordinator	complainant's wishes with respect to supportive	
Provides to Complainant	measures, 3) inform the complainant of the availability of supportive measures with or without filing of a formal complaint, and 4) explain to the complainant the process for filing a formal complaint.	<ul> <li>The Board must determine what additional information the Title IX         Coordinator must provide to the complainant and where it wishes to provide such information – 1) in the policy, 2) in an administrative regulation, or 3) in a guidance document (in layman's terms)     </li> </ul>
		Note: If the Board adopts this list, it will need to determine the timeline for the Title IX Coordinator to file a formal complaint in the absence of a formal complaint filed by the complainant (PLS Policy 1725 – Did not provide a specific timeline to give the Title IX Coordinator flexibility to assess each case individually)
		Recommend that the policy serve as the steps for filing a formal complaint. A document outlining the steps in layman's terms could be created to share with complaintants.
When Title IX Coordinator is Required to File a Formal Complaint	The regulations do not specifically require the Title IX Coordinator to file a formal complaint in the absence of a formal complaint filed by a complainant; however, the Board may determine that certain circumstances necessitate that the Title IX Coordinator file a formal complaint.	Board (1) could not require a Title IX Coordinator to file a formal complaint or (2) could require the Title IX Coordinator to file a formal complaint and specify that when certain factors are present  Note: Such factors may constrain decision-making in potential fact-intensive situations such as a pattern of conduct by an alleged perpetrator, violence or weapons are involved, age of the student harassed, and the adequacy of supportive measures
		<ul> <li>PLS recommends that the Title IX Coordinator be required to file a formal complaint if the report alleges sexual harassment of a student by an employee</li> </ul>
		Recommend that the Title IX Coordinator file a formal complaint when the report
		alleges harassment of a student by an employee.

NEW PLS MODEL POLICY 1726/4036/7237
TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCESS

TITLE IX SEXUAL HARASSIVILIVE UNIL VAIVEL PROCESS			
Area of Board Discretion Definitions	Options		
Board must Determine Timelines/Time Frames for the various stages of the grievance process  • reasonably prompt time frames for filing and resolving appeals and informal resolution processes (if offered); and • a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action  • De linity def def  • Aft wr 10 spe  • The rat def	eadline for filing a complaint (within 30 days of when the Complainant becomes were of the alleged sexual harassment) uration of Grievance Process (90 days) (Section C(8)) (PLS Proposal - Board can noose a different time frame) eadline for Title IX Coordinator to Provide Parties Written Notice of Allegations business days) (PLS Proposal - Board can choose a different time frame eadline for Parties to Submit Written Response for Investigator's Consideration 0 days) (NOTE: 10 day timeline may be extended, but may not be shortened) equired by Regulations) eadline for Parties to Provide a Written Response to Investigative Report & itial Set of Written Questions (10 days) (NOTE: 10 day timeline may be extended at not shortened) (Required by Regulations) expeal requests must be submitted within 3 school business days of receiving the extermination regarding responsibility (F.1.) (PLS Proposal - Board can choose a fferent time frame) fiter notice of appeal is provided, both parties will be given 10 days to submit a ritten statement in support of, or challenging, the outcome. (NOTE: per NCSBA) day timeline may be extended but not shortened, but the Regulations do not becify a timeline for this written statement) the Board will provide a written decision describing the results of the appeal and tionale for the result within 30 days after receiving the appeal unless the ecision is delayed for good cause (F.4.) (PLS Proposal - Board can choose a fferent time frame)		

Board must decide on the range of Disciplinary Sanctions/Remedies Following a Responsibility Determination	Board may decide the range of disciplinary sanctions following a determination of responsibility for students; employees; volunteers/visitors; and third parties	<ul> <li>Students: positive behavioral interventions up to, and including, expulsion</li> <li>Employees: up to and including dismissal</li> <li>Volunteers/Visitors: directed to leave school property and/or may be reported to law enforcement, as appropriate</li> <li>Third party under the supervision and control of the school system: up to termination of contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate</li> <li>(All are PLS Proposals - Board can choose a different sanctions, but we recommend this wide range for maximum discretion)</li> </ul>
Board must decide which Standard of Evidence will be used to Determine Responsibility	Either (1) preponderance of the evidence standard; or (2) clear and convincing evidence standard  Preponderance of the Evidence – more likely than not the alleged activity occurred  Clear and convincing evidence - This standard requires that the evidence show that it is highly probable or probably certain that the thing alleged has occurred	Recommend the range of responses as listed.  PLS suggests preponderance of the evidence standard  (NOTE: The standard chosen must be applied to ALL formal complaints of sexual harassment.)  Preponderance of the Evidence is the standard for most disciplinary investigations.  Clear and Convincing Evidence is the standard for expulsion or termination of a career teacher.
Whether to Provide a Hearing as Part of Grievance Process	<ul> <li>The K-12 grievance process may, but need not, provide for a hearing.</li> <li>PLS Model offers a hearing to satisfy state law requirements in the event a consequence of long-term suspension or expulsion is recommended. (PLS Proposal).</li> <li>If a hearing option is provided, both parties must be given the opportunity to request a hearing because the Title IX regulations require the parties to be treated equally in the grievance process. (PLS Proposal)</li> </ul>	<ul> <li>In cases where the respondent is a student, after the investigative report has been sent to the parties, both parties shall have 3 school business days to request a hearing. (PLS Proposal - Board can choose a different time frame)</li> <li>Recommend a hearing option not be provided within this policy. If a student/family requests a hearing in response to a long-term suspension or expulsion, we will follow policy 4370, Student Discipline Hearing Procedures.</li> </ul>

Who will be the "decision-maker" for the initial formal	This person cannot be the same as the Title IX coordinator or the investigator(s) and must issue a written determination regarding responsibility.	PLS recommends that either the <b>superintendent or designee</b> serves as decision-maker
complaint?		Recommend the superintendent or designee serve as the decision-maker.
Who will be the "decision-maker"	Must ensure that the decision-maker(s) for the appeal is not the same person as the decision-	PLS recommends that either the Board or a panel of board members
for the appeal?	maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.	Recommend a panel of board members serve as the appeal.
Will the district	This process, if allowed, means that at any time	PLS allows for an informal resolution process
provide an informal resolution process for formal complaints?	prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication (if, among other things, both parties agree to the informal resolution process).	Recommend the allowance of an informal resolution process. The informal process is not available to resolve allegations that an employee sexually harassed a student.
	NOTE: The informal resolution process is not	
	available to resolve allegations that an	
	employee sexually harassed a student.	

## ADDITIONAL POLICIES IMPACTED

Policy Number	Policy Revisions
Policy 1710/4021/7230, Prohibition Against Discrimination, Harassment, and Bullying	<ul> <li>Removes discrimination and harassment on the basis of sex from existing Policy 1710.</li> <li>Reader is referred to NEW Policy 1725/4035/7236 and NEW Policy 1726/4036/7237 for Sexual Harassment Complaints</li> </ul>
Policy 1720/4015/7225, Discrimination, Harassment, and Bullying Complaint Procedure	<ul> <li>Removes discrimination and harassment on the basis of sex from existing Policy 1710.</li> <li>Reader is referred to NEW Policy 1725/4035/7236 and NEW Policy 1726/4036/7237 for Sexual Harassment Complaints</li> </ul>
Policy 4040/7310, Staff-Student Relations	Updates in-text cross reference
Policy 4331, Assault, Threats, and Harassment	Updates in-text cross reference

## TITLE IX NONDISCRIMINATION ON THE BASIS OF SEX

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

harassment as that term is defined under Title IX, in any program or activity of the school system.

#### A. INQUIRIES ABOUT TITLE IX

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

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

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

Director of Support Services 1126 South Park Street 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

1720/4030/7235

Policy Code:

Policy Code: 1720/4030/7235

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

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

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

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 Policy Code: 1725/4035/7236

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:

- 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.

Examples of conduct on the basis of sex that would be considered sexual harassment if the conduct satisfies the criteria above include, but are not limited to: unwelcome sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature, such as deliberate, unwelcome touching that has sexual connotations or is of a sexual nature; suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances, or propositions; continued or repeated verbal remarks about an individual's body; sexually degrading words used toward an individual or to describe an individual; sexual assault; sexual violence; the display of sexually suggestive drawings, objects, pictures, or written

materials; posting sexually suggestive pictures of a person without the person's consent; and forwarding pornographic material depicting a classmate or other member of the school community. Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping but not involving conduct of a sexual nature may also constitute sexual harassment.

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.

#### 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.

#### 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.

Supportive measures available to the parties include, but are not limited to, counseling, mental health services referral, extensions of deadlines or other course related adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other similar measures determined by school officials to be necessary to protect the safety or educational or employment activities of a party.

## 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;
- 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 respondaent 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;

- 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 <a href="https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-20200904.pdf">https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-20200904.pdf</a>

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:

## Title IX Sexual Harassment Grievance Process

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

Policy Code:

1726/4036/7237

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.

## 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
  - 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:
    - 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 – Student's Opportunity to Request a Hearing

In cases where the respondent is a student, after the investigative report has been sent to the parties, both parties shall have three school/business days to request a hearing. If either party requests a hearing, the long-term suspension hearing procedures described in policy 4370, Student Discipline Hearing Procedures, shall be followed, except that (1) both parties shall have the right to participate in the hearing to the extent required by Title IX; (2) all the evidence sent to the parties pursuant to subsection D.5.b above will be made available at the hearing to give each party equal opportunity to refer to such evidence during the hearing; and (3) prior to the hearing, both parties shall have a limited opportunity to submit and respond to written questions and follow up questions as provided below.

## 2. Step 2 – 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.

Step 3 – 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/clear and convincing 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 4 – 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;
- 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;
- 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.
- 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.

#### Decision on Appeal

- 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.

5. 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

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.

concluded. If an appeal is not filed, the determination regarding responsibility

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

becomes final after the three-day appeal period.

## 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.

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
  - 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
  - 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 <a href="https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-20200904.pdf">https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-20200904.pdf</a>.

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:

# **LEGISLATIVE & POLICY AGENDA**





#### PRESENTED BY THE NCASA ADVOCACY TEAM

2019-2021

Katherine Joyce Executive Director & Chief Lobbyist kjoyce@ncasa.net Elizabeth Yelverton Legal Affairs & Policy Manager evelverton@ncasa.net

#### ADVOCATING FOR THE FUTURE OF NORTH CAROLINA

The North Carolina Association of School Administrators (NCASA) is the only professional organization in the state that represents the entire leadership team of both North Carolina's individual schools and school systems. We seek to ensure quality learning experiences for all students through visionary and effective leadership. Our team and members look forward to working alongside you as we serve the more than 1.5 million children that are the future of our great state.



Refine the A-F school performance grading system.



Increase funding for school mental health and security personnel and for facility safety enhancements.



Continue to increase the state's investment in improving educator pay and benefits.





NCASA respectfully asks our state's leaders to consider the following goals and focused initiatives to attract and retain the highest quality personnel for public schools statewide and support enhanced achievement and future readiness for all North Carolina students.



# Effective Measurement of School and Student Success

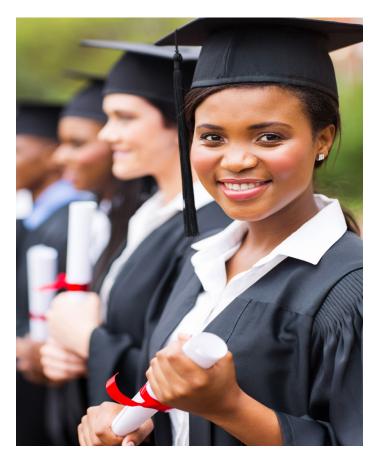
- Make the 15-point grading scale for the A-F school performance grades permanent to ensure a fair comparison of annual grades, providing stability in accountability measures governing school operations.
- Give student growth a greater impact in A-F grading.
   Show the true work and progress of our schools by increasing the current 20% weighting of student growth.
- Exclude schools that "meet growth" standards from the definition of and penalties for low-performing status to reward academic improvement in struggling schools.
- Provide a dedicated state funding stream and additional resources to low-performing schools and districts to help them implement new approaches to mitigate the unique challenges that make it more difficult for their students to excel.
- Provide incentives for high performing schools to encourage student growth and reward continued school success.
- Reduce student testing through better alignment of federal, state and local accountability requirements for measuring performance and growth in all grade levels.
- Ensure a rigorous learning environment for all students by measuring all directly or indirectly state-funded educational entities by the same high standards of accountability governing traditional public schools.



# **Excellent Educators for Every Student**

- Increase pay for all North Carolina educators teachers, principals, instructional support professionals, non-certified personnel and central office staff – to ensure attraction and retention of quality employees essential for student success.
- Reinstate retiree health coverage for school employees who begin work on or after January 1, 2021 (and under current law would not have that benefit).
- Maintain current retirement and health benefits for school employees due to their positive impact on recruiting and retaining excellent educators.

- Reinstate advanced degree supplements for teachers and principals to reflect the value higher education attainment holds for school leadership and classroom success.
- Invest in educator training to improve student achievement and instruction by offering enhanced support for teacher and principal preparation programs, in-service professional development and mentorships.
- Build on recent progress in improving school leader compensation and continue refinement of the principal pay plan to make it more competitive among Southeastern states and to create a salary structure that teachers and assistant principals will view as an attractive career progression.
- Help school districts address staffing shortages by providing reciprocity in accepting educator licenses from other states without additional NC tests; allowing noneducators with significant experience to teach in their specialty; and enhancing the teacher pipeline by establishing career pathways for military veterans, teacher assistants and high school students.





# Adequate and Equitable Resources For ALL Schools and Students

- Approve hardship waivers from the K-3 class size mandate for districts that cannot hire enough teachers and/ or provide adequate space to open additional classrooms as required.
- Allow North Carolinians to vote on a significant statewide bond to assist local counties with addressing the \$8.1 billion in school facility construction and renovation needs identified through 2021.
- Provide public schools with a sales tax refund or exemption similar to what is provided for cities, counties, public universities, charter schools, private schools, and nonprofit organizations, thereby restoring a funding source eliminated for districts under a 2005 state budget provision.
- Develop a plan to repay the \$730 million in fine and forfeiture collections that NC courts have ruled the state must constitutionally provide to school districts and traditionally are designated for technology funding.
- Increase technology funding for school districts so all students, teachers and administrators have access to modern technology, equipment and software.
- Align pre-K regulations with the K-12 education system and continue increasing availability to allow all children to reach their full potential.
- Increase the state's per-student investment to ensure each district can provide the personnel and tools (including textbooks, classroom supplies, digital resources, careertechnical education equipment, modern buses, and other resources) needed to give every student a high-quality education in preparation for college and/or a career.
- Maintain fair funding of both district and charter schools
  by preventing changes that would require districts to
  share funds with charters for programs they do not offer
  or for grants and reimbursements that charters may seek for
  themselves.
- Place a moratorium on state expansion of private school vouchers, the Innovative School District pilot, virtual charter schools and any other initiative sending public tax dollars to private, for-profit entities.



# Local Flexibility for Enhanced Innovation and Transformation

 Provide local boards of education the same flexibility granted to charter schools in setting a school calendar that best meets needs of local students and allows alignment with nearby colleges and universities to facilitate dual enrollment and advanced course offerings for high schoolers.



# Efficient Operations & Safe Learning Environment for All Schools and Districts

- Prevent additional cuts to school personnel in all aspects of school operations, including the central office allotment, which is now only 0.9% of the state's K-12 education budget due to cuts the last two years that have reduced this critical district-level administrative oversight and support back to 1995-1996 levels at a time when central offices oversee 33% more students, implement scores of new programs, and ensure compliance with a growing number of data and reporting requirements.
- Expand the 2018 investment in school safety enhancements by providing recurring funds for those grant initiatives that received only one-time funding, particularly for adding school resource officers and student support personnel (nurses, psychologists, counselors and social workers.)



# **OUR MISSION**

NCASA was established in 1976 and is a nonprofit umbrella organization uniting 12 facets of school leadership and more than 7,000 individuals across the state with the common mission of ensuring student success through visionary leadership. NCASA and two core affiliates funded through our organization, the North Carolina School Superintendents' Association and the North Carolina Principals and Assistant Principals' Association, provide services in communications, professional development and advocacy to help school leaders excel in providing quality learning experiences for all students.

## **OUR AFFILIATES**

North Carolina Association for Career & Technical Education North Carolina Association of Compensatory Educators North Carolina Association of School Business Officials North Carolina Council of Administrators of Special Education North Carolina Principals and Assistant Principals' Association North Carolina Professors of Educational Leadership North Carolina Pupil Transportation Association North Carolina School Public Relations Association North Carolina School Superintendents' Association North Carolina Technology in Education Society Personnel Administrators of North Carolina School Nutrition Association of North Carolina

# **GUIDING PRINCIPLES**

In the absence of NCASA member feedback on a specific issue affecting North Carolina's public schools, NCASA will use the following principles as guidelines for formulating the association's position:

#### APPROPRIATIONS/FUNDING

- The General Assembly should provide sufficient resources to ensure that all public school allotments are fully funded.
- All state mandates should be fully funded before implementation.
- New and/or expanded programs should not occur at the expense of existing public school programs and services that school leaders deem are essential and are working well.

#### **PUBLIC SCHOOL POLICIES**

- Ensuring the academic growth for every student should be the driving force behind each public policy decision affecting North Carolina's public schools.
- Since one size does not fit all in North Carolina's public schools, local control should be preserved
  to ensure individual needs in different schools and school districts are met.
- The state should ensure that public school administrators are well-prepared, highly motivated and strongly supported, since these individuals play a key role in delivering quality educational services to students in Grades K-12.

# **CONTACT US**

107 Glenwood Avenue, Raleigh, NC 27603 Post Office Box 26567, Raleigh, NC 27611 www.ncasa.net / www.ncasa.net/legislativepriorities Twitter: @ncasatweets | LinkedIn: @NCSchoolAdministrators



# NORTH CAROLINA SCHOOL BOARDS ASSOCIATION 2021 LEGISLATIVE AGENDA

The North Carolina School Boards Association (NCSBA) is a volunteer membership association representing all 115 local boards of education in North Carolina and the board of the Cherokee Central School. NCSBA provides advocacy, leadership, and services that enable school boards to govern at the highest level. For the general improvement and betterment of public education in North Carolina, NCSBA will advocate for the following items during the 2021 legislative session.

#### COVID-19

LEAs have endured a year of challenges due to COVID-19, unlike any in our lifetime. This pandemic will unfortunately continue to present countless hurdles well beyond the day when it is finally under control. LEAs must therefore be granted waivers and additional flexibilities to face the fallout head-on. Examples include the flexibility to allow LEAs to move resources to cover critical needs and deliver meals to students. Another need for districts is the extension of some testing waivers and the suspension of their associated statutes. NCSBA believes those tests should be taken by as many students as possible, however, the results should not be used for punitive purposes, e.g., salaries, bonuses, and school grades.

In conjunction with additional school funding, the General Assembly should continue appropriations for internet connectivity, computer devices, mental health support personnel, and personal protective equipment (PPE). NCSBA believes that any state investments in computer equipment and connectivity should be credited toward the \$730 million in school technology funding owed to public schools from a 2008 court judgement.

### **Pandemic Learning Loss**

COVID-19 has been devastating for a large percentage of North Carolina's students. There is no doubt that for a variety of reasons virtual learning has not met the standards of an in-school education. Extraordinary measures are needed to combat the learning loss that has occurred since March 2020. Our students are in dire need of remedial instruction. Decisions made in the coming months and years will determine whether tens of thousands of students experience long term success or failure.

Among the options, school districts should have the ability to extend the current and upcoming school years to help address the educational gaps and provide students with opportunities to get back on track. Consideration should also be given to funding additional supports, e.g., intensive tutoring and targeted summer programs. Otherwise, we are likely to see record numbers of students either being held back, dropping out, or not reaching their full potential. The General Assembly should also assess the annual impact of learning loss to help determine additional needs in future years.

## Accountability<sup>1</sup>

School Grades: Measures should strive to capture the level of student learning taking place in each classroom, school, and district. The current formula for school grades, 80% student proficiency and 20% student growth, misses the mark. Increasing the weight of student growth will more accurately reflect a school's impact on student achievement. Alternatively, two separate grades, one for student achievement and one for student growth, provide more transparency and could make it easier for stakeholders to understand.

*Testing*: North Carolina's accountability system should undergo a comprehensive review to develop its defined purpose(s) and revamp the testing program to achieve the stated goals.

*Designation*: Studies show that there is a negative correlation between poverty and academic success. Therefore, in an effort for full transparency, high poverty schools should receive a special designation and targeted supports.

Low-Performing Schools: It is important to modify the definition of a low performing school because the current label is extremely misleading. A school that "meets expected growth" should not be labeled as low performing. One could argue that a "D school" that meets expected growth is doing better by its students than a "B school" that is not meeting expected growth.

# **School Construction/Capital**

LEAs face a multi-billion-dollar backlog of school construction needs due to aging infrastructure, smaller K-3 class sizes, average daily membership (ADM) growth, and school safety concerns. The General Assembly can help with school facility

<sup>&</sup>lt;sup>1</sup>Satisfies the 2021 Leandro Action Plan

needs by allowing North Carolinians to vote on a significant statewide school bond that allows for new construction, renovation, and safety improvements. The time is now, while interest rates are at historic lows.

The Needs-Based Lottery Grant program provides additional supports to LEAs in Tier I and Tier II counties. However, when a grant is awarded, all school districts in that county, including the applicant, forfeit their share of the annual \$100 million Public School Building Capital Fund (Annual Capital Fund) for five years. Many counties rely on these annual lottery appropriations to pay debt service obligations on prior capital projects. The General Assembly should repeal G.S. 115C-546.2(f) to restore the Annual Capital Fund payments to needs-based grant recipients.

#### **School Safety**

The General Assembly should continue its efforts since 2018 to fund adequate levels of mental health support personnel (School Psychologists, Social Workers, Counselors, and Nurses) in our public schools. The ratios of students to mental health personnel in North Carolina do not come close to meeting the national recommended averages. Increased pay for these mental health support personnel is also important to enable LEAs to recruit highly qualified candidates for these critical positions.

School Resource Officers (SROs) play a vital role in the safety of the school community. With only 61% of our schools having an SRO, additional funding is needed to expand protection for all students, staff, and volunteers. Prior year grants for school safety equipment and SRO training were nonrecurring but should be reauthorized as recurring grants in 2021. Additional SRO training is also extremely important based on the unique role of law enforcement in schools.

# **Recruiting and Retaining Top Talent** <sup>2</sup>

A competitive market salary is a big component in attracting and retaining school personnel. Permanent pay increases should be provided for all teachers, instructional support personnel, and assistant principals paid on the "A" Teacher Salary Schedule. A pay increase should also be given to noncertified school personnel that did not receive additional compensation in the last biennium.

\_

<sup>&</sup>lt;sup>2</sup> Satisfies the 2021 Leandro Action Plan

The General Assembly can assist LEAs' efforts to recruit and retain qualified teachers by restoring supplemental pay for teachers with advanced degrees in their subject area.

Enhancing professional development opportunities, teacher preparation programs, and the teacher pipeline should be priorities. The teacher shortage problem is impacting districts statewide. Options should include creating new programs and expanding existing ones, such as New Teacher Support Program, Advanced Teaching Roles Program, Teacher Assistant Tuition Reimbursement Program, and Teaching Fellows Program.

# Early Learning<sup>3</sup>

Additional investments in a quality pre-k program are crucial for kindergarten readiness and laying the foundation for student success. That foundation is what helps to ensure a student is reading on grade level by the end of third grade.

In addition, the State should continue to invest in K-3 literacy programs and supports. With numerous assessments required in the early grades, more state funded teacher assistants (TAs) are needed in K-3 to work with students and support the teachers who are required to juggle multiple responsibilities simultaneously. The bottom line is that TAs are valuable assets, and the proposed ratios will provide a benefit to young children during these formative years.

Proposed K-3 TA Ratios

# Current K-3 TA Ratios

K: 2 TAs per every 3 classes
1-2: 1 TA per every 2 classes
2-3: 1 TA per every 2 classes

3: 1 TA per every 3 classes

Additional consideration should be given to making the proposed ratios even lower (1 TA for every K-3 classroom) on a temporary basis to address the learning loss due to COVID-19.

# **Administrator Ethics Training**

Ethics laws can be complex. They vary between the federal government and state governments, as well as state to state. Therefore, NCSBA believes all school administrators involved in the creation or administration of contracts should be

<sup>&</sup>lt;sup>3</sup> Satisfies the 2021 Leandro Action Plan

required to have at least two hours of ethics training upon such employment and in odd-numbered years thereafter. It is especially important given that 43% of North Carolina's LEAs are led by a superintendent with less than three years of experience in that position.

### **Local Charter School Funding/Relations**

The current public school funding structure should be revised so that school districts and charter schools both receive local tax dollars directly from county commissioners, instead of having the charter school portion of local revenue pass through the LEA. Revising how local education dollars are distributed will make the process more efficient and ensure that charter schools receive their fair share of local tax dollars in a timely manner.

# **Unpublished Legislative Agenda Item**

NCSBA is not opposed to all school employees making at least \$15 per hour, as long as school systems are granted at least a one-year notice and a minimum of three years to phase in the requirement.

# **Guiding Principles**

During each legislative session there are always unanticipated bills introduced that affect public schools. The following are guiding principles that NCSBA will use to evaluate legislation that is introduced during the legislative session.

- NCSBA opposes any legislation that would violate federal laws or the state constitution.
- NCSBA opposes any legislation that would require school systems to expend additional financial resources without the State providing those necessary resources. NCSBA also will continue to advocate for funding for currently existing mandates.
- NCSBA opposes any legislation that attempts to diminish or take away local control and supports legislation that provides additional local control and decision making.

- NCSBA supports legislation that creates safe environments for students and staff as long as it is consistent with the aforementioned principles.
- NCSBA supports providing school districts with funds sufficient to guarantee full funding of all funding formulas.
- NCSBA supports an efficient hiring system for employees that will provide a competitive salary and benefits package for all school employees.
- NCSBA supports legislation, policies, and initiatives that better prepare young children for success in the K-12 education system and in life.



Chartered in 1905

P.O. Box 1103, Asheboro, NC 27204-1103 ■ 1126 S. Park St. ■ (336) 625-5104 ■ (336) 625-9238, fax

#### ASHEBORO CITY BOARD OF EDUCATION

#### **Proposed 2021 Legislative Platform**

#### **VISION STATEMENT**

Asheboro City Schools will be a community of excellence where each student graduates globally competitive for careers, college, and citizenship.

#### **MISSION STATEMENT**

We are committed to providing rigorous, individualized, and engaging learning opportunities for all students in a safe and inviting environment to ensure our students become successful lifelong learners, prepared for global citizenship.

#### **PURPOSE OF LEGISLATIVE COMMITTEE**

- To educate, inform, and communicate the needs of the Asheboro City Schools with key legislative leaders at the local, state, and federal levels on a regular basis;
- To develop positive relationships with key legislative leaders; and
- To stay abreast of current legislative issues and develop awareness among key legislative leaders of their potential impact on the Asheboro City Schools.

#### **GUIDING PRINCIPLES**

- 1. **Local Control**—We believe that a system of excellent schools is governed by a local board of education representative of the community and vested in the interests of its students and citizens.
- 2. **Adequate funding**—We believe that a system of excellent schools provides quality learning opportunities for all students, and the state should provide sufficient funding and resources to meet the requirement of providing all children with the opportunity for a sound, basic education.
- 3. **Support for public schools**—We believe that public education in North Carolina offers the promise of equal educational opportunities no matter race, religion, or ability; high standards; public accountability; and is a benefit to society by teaching democratic principles and shared values.

#### **Top Three Legislative Priorities for 2020**

*Increase funding for school safety* – We would like to see continued support of the 2019 investment in school safety enhancements by providing recurring funds for grant initiatives that would allow school districts to hire additional school resource officers and student support personnel, especially mental health specialists. We believe it is critical to properly staff our schools with the necessary support structure for the social, emotional, and mental health needs of our students. It is imperative for the General Assembly to provide sufficient allotments to meet the nationally recommended staff to student ratios for these positions.

National recommendation for Mental Health Specialists to Students = 1: 1,000-1,500
Asheboro City Schools Ratio = 1:4,500
Asheboro City Schools Mental Health Referrals 2018-2019 = 102

**Standardized accountability for all publicly-funded schools** – We believe all schools receiving tax-payer dollars should be held to the same accountability measures in terms of student performance, teacher qualifications, calendar flexibility, curriculum standards, school accreditation requirements, and reporting requirements. We strongly encourage the General Assembly to "level the playing field" so that families are able to make fair comparisons among all publicly-funded schools including private, religious, charter, and virtual schools.

#### Publicly-funded schools are NOT held to the same standards

Public schools must meet <u>eight</u> requirements to be in compliance with school calendar law.

100% of teachers teaching in public schools must be licensed.

Public schools have strict restrictions on class size.

Public schools must meet curriculum standards mandated by North Carolina.

Increase the weighting of student growth from 20% to 50% – We request an increase in the weighting of student growth from 20% to 50% in calculating the A-F North Carolina school performance grades. By increasing the weighting of student growth from 20% to 50%, a truer picture of the progress made by our schools in increasing student achievement would be presented. The current grading scale (20% growth, 80% proficiency) frames many of our schools and local communities in a negative light, thus affecting the economic climate. We strongly encourage making the 15-point grading scale for school performance grades permanent to ensure a fair comparison of annual grades, providing stability in accountability measures governing school operations. Additionally, we would appreciate a revision to the definition of a low-performing school. Schools that "meet expected growth" should not be labeled as "low-performing." (ACS Strategic Plan Goal 2, Objective 2.)

Exceeded: 85-100		Met: 70-84.9	Not Met: 50-69.9	
Asheboro High School	В	Met Growth	84.8	*Top 50% Statewide
Balfour Elementary School	С	Exceeded Growth	93.2	*Top 5% Statewide
McCrary Elementary School	С	Exceeded Growth	86.9	*Top 25% Statewide
Loflin Elementary School	С	Met Growth	79.6	
Teachey Elementary School	В	Met Growth	77	
Lindley Park Elementary School	С	Met Growth	75	
North Asheboro Middle School	С	Met Growth	84.7	*Top 50% Statewide
South Asheboro Middle School	С	Did Not Meet Growth	59.5	

#### **Additional Proposed Legislative Priorities for 2021**

**Calendar flexibility** — We ask our local legislators to consider an amendment to the calendar law that allows for the same calendar flexibility granted to charter and low-performing schools, so that we may schedule first semester exams before the winter break and align our calendars with community college and university calendars. We believe by amending the calendar law to provide more flexibility in the start and end dates, we will be able to optimize retention, minimize disruption, and allow concepts and ideas to be fully developed and absorbed.

(ACS Strategic Plan Goal 2; Objectives 2, 4, 5, and 6.)

**Class size (K-3)** – We appreciate the extension approved by our local legislators to phase in smaller class sizes over time and for the additional funding to support our enhancement teachers (art, music, and physical education). As we continue to navigate class sizes transitions, we also encourage our legislators to consider amending the law on class size caps in K-3 to eliminate the districtwide averages.

#### Adequate Funding (ACS Strategic Plan Goals 4 and 5)

**NC Pre-K**— We continue to support increased funding to serve additional three and four-year olds in five-star pre-kindergarten programs. The state-funded pre-kindergarten program – NC Pre-K – provides high-quality early education to North Carolina's most at-risk children. Studies have consistently found that children who participate in the program emerge better prepared for school and more likely to read at grade-level by third grade than their at-risk peers. Lawmakers should continue to expand this program and move it back under the Department of Public Instruction.

Increase Pay for All North Carolina Educators — We ask our legislators to continue to increase the state's investment in improving educator pay and benefits. We encourage pay increases for all North Carolina educators including teachers, principals, instructional support professionals, non-certified personnel and central office staff so that we may ensure attraction and retention of quality employees essential for student success. We support increases in educator compensation for the sake of recognizing our staff for their work, and also to position North Carolina as a competitive market for educators.

**Approve a statewide school facility bond referendum** – We support allowing North Carolinians to vote on a significant statewide bond to assist local counties with addressing the \$8.1 billion in school facility construction and renovation need identified through 2021.