

# **ASHEBORO CITY BOARD OF EDUCATION**

**April 15, 2021**

**6:00 p.m.**

**Professional Development Center**

## **I. Opening**

A. Call to Order

## **II. Action Items**

A. Approval of Budget Request

B. Proposed Bus Driver Pay Increase for 2021-22

## **III. Adjournment**



# **2021-2022 BUDGET REQUEST**

## **Asheboro City Board of Education**

**Asheboro City Schools**  
2021-2022 Budget Information  
*Local Current Expense Budget Considerations*

<b>Continuation Costs</b>	<b>\$ 120,000</b>
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State Salary Increase  
Insurance Increase  
Retirement Increase

<b>Expansion Costs</b>	<b>\$ 330,000</b>
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1% Local Bonus  
*(includes Social Security & Retirement)*

<b>Total Increase Requested</b>	<b>\$ 450,000</b>
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# Asheboro City Schools

## 2021-2022 Budget Information

### *Local Current Expense County Appropriation*

Year	Amount	Difference
2009-10	\$ 4,419,906	\$ 413,776
2010-11	\$ 4,291,642	\$ (128,264)
2011-12	\$ 4,367,466	\$ 75,824
2012-13	\$ 4,506,116	\$ 138,650
2013-14	\$ 4,490,951	\$ (15,165)
2014-15	\$ 4,552,805	\$ 61,854
2015-16	\$ 4,667,005	\$ 114,200
2016-17	\$ 4,827,759	\$ 160,754
2017-18	\$ 5,071,869	\$ 244,110
2018-19	\$ 5,366,169	\$ 294,300
2019-20	\$ 5,730,285	\$ 364,116
2020-21	\$ 6,010,459	\$ 280,174
2021-22 Request	\$ 6,460,459	\$ 450,000

# Asheboro City Schools

## 2021-2022 Budget Information

### *Supplemental Tax Rate and Revenue*

Year	Rate	Actual Revenue		Difference	
2009-10	13.85	\$	2,929,124	\$	(21,570)
2010-11	13.85	\$	2,869,018	\$	(60,106)
2011-12	13.85	\$	3,009,779	\$	140,761
2012-13	13.85	\$	2,988,236	\$	(21,543)
2013-14	13.85	\$	3,075,606	\$	87,370
2014-15	15.00	\$	3,302,183	\$	226,577
2015-16	15.00	\$	3,262,077	\$	(40,106)
2016-17	15.00	\$	3,257,656	\$	(4,421)
2017-18	15.00	\$	3,276,927	\$	19,271
2018-19	15.00	\$	3,305,451	\$	28,524
2019-20	14.39	\$	3,361,921	\$	56,470
<i>2020-21 Projection</i>	14.39	\$	3,341,500	\$	(20,421)

# Asheboro City Schools

## 2021-2022 Budget Information

### *Supplemental Tax Calculation*

	2020-2021 Current Rate
Property Value (including vehicle tax)	\$ 2,343,691,000
Tax Rate \$.1439/100	0.001439
Total Tax	\$ 3,372,571
Collection Rate	99.08%
Projected Supplemental Taxes	\$ 3,341,500
Projected Current Year Supplemental Taxes	\$ 3,361,921
Increase (Decrease)	\$ (20,421)

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

# Asheboro City Schools

## 2021-2022 Budget Information

### *Local Current Expense Budget - Revenues*

	2020-21 Budget	Continuation Increases	Expansion Increases	2021-22 Projected Budget
County Appropriation	\$ 6,010,459	\$ 120,000	\$ 330,000	\$ 6,460,459
Supplemental Taxes	\$ 3,341,500			\$ 3,341,500
Fines & Forfeitures	\$ 284,500			\$ 284,500
Local revenues	\$ 25,000			\$ 25,000
Fund Balance-Appropriated	\$ 900,000			\$ 900,000
<b>Total Budgeted Revenues &amp; Fund Balance-Appropriated</b>	<b>\$ 10,561,459</b>	<b>\$ 120,000</b>	<b>\$ 330,000</b>	<b>\$ 11,011,459</b>

# Asheboro City Schools

## 2021-2022 Budget Information

### *Local Current Expense Budget - Expenditures*

Budget Purpose	2020-21 Budget	Continuation Increases	Expansion Increases	2021-22 Projected Budget
<b>Instructional</b>				
<i>Regular</i>	\$ 2,132,000	\$ 77,000	\$ 240,000	\$ 2,449,000
<i>Special</i>	\$ 600,400	\$ 10,000	\$ 20,000	\$ 630,400
<i>Alternative/Supplemental</i>	\$ 368,600	\$ 3,000	\$ 6,000	\$ 377,600
<i>School Leadership</i>	\$ 808,700	\$ 4,000	\$ 10,000	\$ 822,700
<i>Co-Curricular</i>	\$ 224,900	\$ 1,000	\$ 2,500	\$ 228,400
<i>School-based Support</i>	\$ 727,000	\$ 3,000	\$ 5,500	\$ 735,500
<b>Sub-total Instructional</b>	<b>\$ 4,861,600</b>	<b>\$ 98,000</b>	<b>\$ 284,000</b>	<b>\$ 5,243,600</b>

*(continued)*



# Asheboro City Schools

## 2021-2022 Budget Information

### *Local Current Expense Budget - Expenditures*

Budget Purpose	2020-21 Budget	Continuation Increases	Expansion Increases	2021-22 Projected Budget
<b>System-wide Support</b>				
<i>Regular</i>	\$ 126,400	\$ 1,500	\$ 5,000	\$ 132,900
<i>Special &amp; Alternative</i>	\$ 122,400	\$ 2,500	\$ 5,000	\$ 129,900
<i>Technology</i>	\$ 317,000	\$ 2,500	\$ 5,000	\$ 324,500
<i>Operational</i>	\$ 2,424,559	\$ 10,000	\$ 20,000	\$ 2,454,559
<i>Financial &amp; Human Resources</i>	\$ 867,300	\$ 2,500	\$ 5,000	\$ 874,800
<i>Accountability &amp; Pupil Support</i>	\$ 349,600	\$ 1,500	\$ 3,000	\$ 354,100
<i>Policy &amp; Leadership</i>	\$ 982,600	\$ 1,500	\$ 3,000	\$ 987,100
<b>Total System-wide Support</b>	<b>\$ 5,189,859</b>	<b>\$ 22,000</b>	<b>\$ 46,000</b>	<b>\$ 5,257,859</b>
<b>Total Non-Programmed</b>	<b>\$ 510,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 510,000</b>
<b>Total Local Current Expense</b>	<b>\$ 10,561,459</b>	<b>\$ 120,000</b>	<b>\$ 330,000</b>	<b>\$ 11,011,459</b>

**Asheboro City Schools**  
2021-2022 Budget Information  
*Capital Outlay Budget Considerations*

Category	Location	Description	Amount
Building Envelope	Central Office	<i>Replace Front Windows</i>	\$ 30,000
Building Envelope	Central Office	<i>Replace Roof</i>	\$ 60,000
HVAC	Central Office	<i>Fix HVAC 2nd Floor</i>	\$ 150,000
HVAC	Lindley Park	<i>Install Building Controls</i>	\$ 180,000
HVAC	Guy B. Teachey	<i>Replace Chiller # 1</i>	\$ 175,000
Building Envelope	Guy B. Teachey	<i>Replace Roof Sections A,G</i>	\$ 275,000
HVAC	Charles W. McCrary	<i>Replace Both Boilers</i>	\$ 150,000
<b>Total</b>			<b>\$ 1,020,000</b>

# Asheboro City Schools

## 2021-2022 Budget Information

### *Capital Outlay County Appropriation*

Year	Amount		Difference	
2009-10	\$	820,243	\$	25,069
2010-11	\$	803,694	\$	(16,549)
2011-12	\$	813,477	\$	9,783
2012-13	\$	831,365	\$	17,888
2013-14	\$	829,408	\$	(1,957)
2014-15	\$	831,085	\$	1,677
2015-16	\$	939,117	\$	108,032
2016-17	\$	941,634	\$	2,517
2017-18	\$	943,870	\$	2,236
2018-19	\$	965,120	\$	2,236
2019-20	\$	970,712	\$	5,592
2020-21	\$	983,574	\$	12,862
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2021-22 Request	\$	983,574	\$	-

**Asheboro City Schools**  
2021-2022 Budget Information  
*Capital Outlay Budget - Revenues*

Description	Projected Budget	
County Appropriation	\$	983,574
Fund Balance Appropriated	\$	246,426
Total Budgeted Revenues & Fund Balance	\$	1,230,000

**Asheboro City Schools**  
2021-2022 Budget Information  
*Capital Outlay Budget - Expenditures*

Description	Projected Budget	
Category I		
Roofing	\$	335,000
Mechanical Units	\$	655,000
Building Envelope - Windows	\$	30,000
Subtotal Category I	\$	1,020,000

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# Asheboro City Schools

## 2021-2022 Budget Information

### *Capital Outlay Budget - Expenditures (continued)*

Description	Projected Budget
<b>Category II</b>	
<i>Equipment</i>	\$ 70,000
<i>Custodial Equipment</i>	\$ 15,000
<i>Furniture</i>	\$ 10,000
<i>Maintenance Equipment</i>	\$ 15,000
<i>Technology Equipment</i>	\$ 25,000
<i>Security Upgrades</i>	\$ 30,000
<i>Band Uniforms &amp; Equipment</i>	\$ 25,000
<b>Subtotal Category II</b>	\$ 190,000
<b>Category III</b>	
<i>Vehicles</i>	\$ 20,000
<b>Subtotal Category III</b>	\$ 20,000
<b>Total Budget All Categories</b>	\$ 1,230,000

# Asheboro City Schools

## 2021-2022 Budget Information

### *Budget Request*

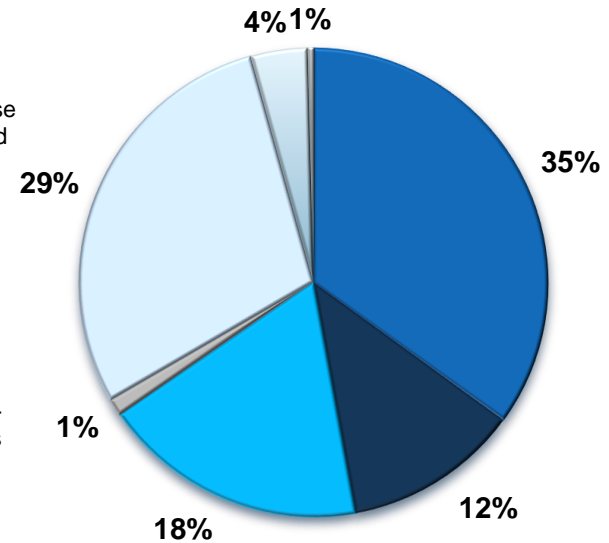
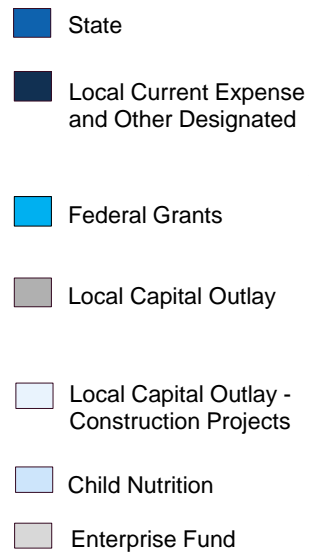
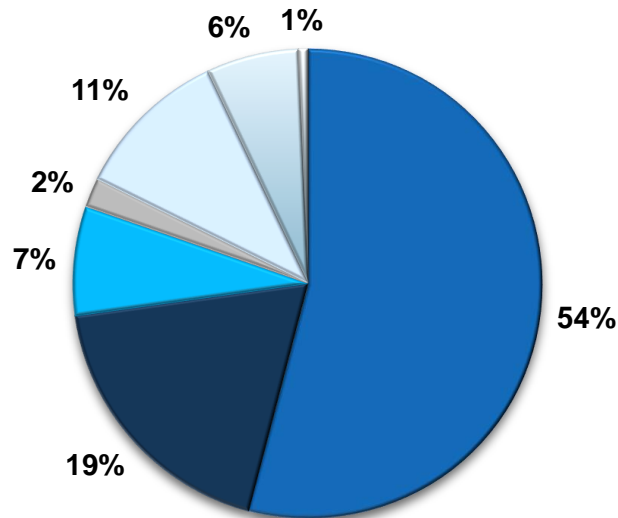
	Requested for 2020-2021	
Current Expense	\$	6,460,459
Capital Outlay	\$	983,574
<b>Total Appropriation Requested</b>	<b>\$</b>	<b>7,444,033</b>

*Requested Supplemental Tax Rate \$.1439/100*

# Asheboro City Schools

## 2021-2022 Budget Information

	Current 2020-2021	Projected 2021-2022
State	\$ 33,975,173	\$ 35,500,000
Local Current Expense and Other Designated	\$ 11,759,239	\$ 12,349,959
Federal Grants	\$ 4,702,261	\$ 18,580,000
Local Capital Outlay	\$ 1,283,574	\$ 1,230,000
Local Capital Outlay - Construction Projects	\$ 6,699,742	\$ 29,468,840
Child Nutrition	\$ 4,000,000	\$ 4,000,000
Enterprise Fund	\$ 400,000	\$ 400,000
<b>Total</b>	<b>\$ 62,819,989</b>	<b>\$ 101,528,799</b>





**Asheboro City Schools**  
2021-2022 Budget Information  
*State Public School Fund Budget - Revenues*

Description	Projected Budget
State Public School Fund	\$ 35,500,000
Total Budget	\$ 35,500,000

**Asheboro City Schools**  
**2021-2022 Budget Information**  
*State Public School Fund Budget - Expenditures*

<b>Description</b>	<b>Projected Budget</b>
<b>Instructional</b>	
<i>Regular</i>	\$ 20,760,000
<i>Special</i>	\$ 4,900,000
<i>Alternative/Supplemental</i>	\$ 930,000
<i>School Leadership</i>	\$ 3,160,000
<i>School-Based Support</i>	\$ 2,270,000
<b>Subtotal Instructional</b>	<b>\$ 32,020,000</b>

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**Asheboro City Schools**  
2021-2022 Budget Information  
*State Public School Fund Budget - Expenditures*

Description	Projected Budget
<b>System-Wide Support</b>	
<i>Regular</i>	\$ 220,000
<i>Special</i>	\$ 150,000
<i>Technology</i>	\$ 380,000
<i>Operational</i>	\$ 2,050,000
<i>Financial &amp; Human Resources</i>	\$ 275,000
<i>Policy &amp; Leadership</i>	\$ 360,000
<b>Total System-wide Support</b>	\$ 3,435,000
<b>Total Non-Programmed</b>	\$ 45,000
<i>(Required transfer to Child Nutrition Fund)</i>	
<b>Total State Public School Fund</b>	\$ 35,500,000

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**Asheboro City Schools**  
2021-2022 Budget Information  
*Federal Grants Fund Budget - Revenues*

Description	Projected Budget
CTE Program Improvement	\$ 80,000
ESSER I	\$ 300,000
ESSER II	\$ 4,500,000
ESSER III	\$ 10,125,000
IDEA, Part B	\$ 1,500,000
Title I, Part A	\$ 1,500,000
Title II - Teacher Quality	\$ 220,000
Title III - Language Acquisition	\$ 165,000
Title IV - Academic Enrichment	\$ 120,000
Other IDEA Federal Grants	\$ 70,000
<b>Total Budgeted Revenues</b>	<b>\$ 18,580,000</b>

**Asheboro City Schools**  
2021-2022 Budget Information  
*Federal Grants Fund Budget - Expenditures*

Description	Projected Budget
<b>Instructional</b>	
<i>Regular</i>	\$ 8,288,000
<i>Special</i>	\$ 2,130,000
<i>Alternative/Supplemental</i>	\$ 4,240,000
<i>School-Based Support</i>	\$ 457,000
<b>Subtotal Instructional</b>	<b>\$ 15,115,000</b>

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**Asheboro City Schools**  
**2021-2022 Budget Information**  
*Federal Grants Fund Budget - Expenditures*

Description	Projected Budget
<b>System-Wide Support</b>	
<i>Special</i>	\$ 100,000
<i>Operational</i>	\$ 3,285,000
<b>Total System-wide Support</b>	\$ 3,385,000
<b>Total Non-Programmed</b>	\$ 80,000
<i>(Indirect cost paid to Restricted Grant Funds)</i>	
<b>Total Federal Grants Fund</b>	\$ 18,580,000

**Asheboro City Schools**  
**2021-2022 Budget Information**  
*Child Nutrition Budget - Revenues*

<b>Description</b>	<b>Projected Budget</b>
<b>USDA Grants - Regular</b>	\$ 3,175,000
<b>USDA Grants - Commodities</b>	\$ 200,000
<b>Total Federal Sources</b>	<b>\$ 3,375,000</b>
<b>Sales - Breakfast</b>	\$ 25,000
<b>Sales - Lunch</b>	\$ 205,000
<b>Sales - Supplemental Sales</b>	\$ 250,000
<b>Catered Meals and Other Revenues</b>	\$ 90,000
<b>Transfer From Other Funds</b>	\$ 55,000
<b>Total Local Sources</b>	<b>\$ 625,000</b>
<b>Total Budget</b>	<b>\$ 4,000,000</b>

**Asheboro City Schools**  
**2021-2022 Budget Information**  
*Child Nutrition Budget - Expenditures*

Description	Projected Budget
Nutrition Services	\$ 3,775,000
Non-Programmed Charges	\$ 225,000
<i>(Indirect cost paid to Restricted Grant Funds)</i>	
<b>Total Budget</b>	<b>\$ 4,000,000</b>



**Asheboro City Schools**  
2021-2022 Budget Information  
*Enterprise Fund Budget - Revenues*

Description	Projected Budget
Afterschool Enrichment	\$ 360,000
Catering Operations	\$ 40,000
<b>Total Budget</b>	<b>\$ 400,000</b>

**Asheboro City Schools**  
2021-2022 Budget Information  
*Enterprise Fund Budget - Expenditures*

Description	Projected Budget
Afterschool Instructional Services	\$ 360,000
Catering Services	\$ 40,000
<b>Total Budget</b>	<b>\$ 400,000</b>

# Asheboro City Schools

## 2021-2022 Budget Information

### *Other Designated Accounts Budget - Revenues*

Description	Projected Budget
<b>Federal &amp; State Sources</b>	
<i>Medicaid Administrative Outreach</i>	\$ 55,000
<i>Medicaid Direct Bill</i>	\$ 120,000
<i>Smart Start</i>	\$ 58,500
<i>NC PreK</i>	\$ 540,000
<i>ROTC</i>	\$ 30,000
<i>Department Of Health</i>	\$ 100,000
<b>Subtotal Federal &amp; State Sources</b>	<b>\$ 903,500</b>

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**Asheboro City Schools**  
**2021-2022 Budget Information**  
*Other Designated Accounts Budget - Revenues*

Description	Projected Budget
<b>Local Sources</b>	
<i>Tuition &amp; Fees</i>	\$ 35,000
<i>Indirect Cost</i>	\$ 250,000
<b>Total Local Sources</b>	\$ 285,000
<b>Fund Balance-Appropriated</b>	\$ 150,000
<b>Total Budget</b>	\$ 1,338,500

# Asheboro City Schools

## 2021-2022 Budget Information

### *Other Designated Accounts Budget - Expenditures*

Description	Projected Budget
<b>Instructional</b>	
<i>Regular</i>	\$ 147,250
<i>Special</i>	\$ 150,100
<i>Alternative/Supplemental</i>	\$ 440,000
<i>Co-Curricular</i>	\$ 30,000
<i>School-based Support</i>	\$ 285,550
<b>Total Instructional</b>	\$ 1,052,900
<b>System-wide Support</b>	
<i>Special</i>	\$ 74,100
<i>Operational</i>	\$ 211,500
<b>Total System-wide Support</b>	\$ 285,600
<b>Total Budget</b>	\$ 1,338,500

**Policy Committee Meeting**

**Asheboro City Board of Education**

**April 15, 2021**

**Agenda**

1. Call to Order
2. Policy 3000 - Goals and Objectives of the Educational Program
3. Policy 3102 - Online Instruction
4. Policy 4202/5029/7272 - Service Animals in Schools
5. Policy 4328 - Gang-Related Activity
6. Policy 4333 - Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety
7. Policy 4335 - Criminal Behavior
8. Policy 4345 - Student Discipline Records
9. Policy 4353 - Long-Term Suspension, 365-Day Suspension, Expulsion
10. Policy 7335 - Employee Use of Social Media
11. Policy 7503 – Remote working
12. Policy 7505 - Compliance with State Board of Education Employment Policies (NEW)
13. Adjourn

## GOALS AND OBJECTIVES OF THE EDUCATIONAL PROGRAM

*Policy Code:***3000**

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

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

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

1. develop sufficient ability to read, write, and speak the English language and a sufficient knowledge of fundamental mathematics, and physical science to function in a complex and changing society;
2. develop sufficient knowledge of geography, history, and basic economic and political systems to make informed choices with regard to issues that affect the student personally or affect the student's community, state, and nation;
3. develop sufficient academic and career and technical skills to successfully engage in post-secondary education or advanced or highly skilled career and technical education and to compete on an equal basis with others in further formal education or gainful employment in contemporary society;
4. learn to be responsible for and accept the consequences of his or her conduct and academic performance;
5. develop the capacity to examine and solve problems;
6. foster respect and appreciation for cultural and ideological diversity and differences;
7. develop the ability to be productive in a team environment;

8. learn and acquire the skills necessary for a lifetime of continuous learning and adaptation to change in the workplace and society;
9. prepare for challenging curriculum beyond secondary school and, when appropriate, complete high school courses required for college entry in less than four years;
10. achieve high levels of success in a rigorous curriculum;
11. acquire the skills needed for technological literacy in a rapidly changing world; and
12. remain in school and earn a high school diploma and, when appropriate, earn additional college credit.

These goals and objectives of the educational program will be used to guide administrators, teachers and the board in all of their duties, including curriculum development, selection of materials and issues related to instructional time.

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

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

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

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



**ONLINE INSTRUCTION**

Policy Code:

**3102****A. ONLINE INSTRUCTION GENERALLY**

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

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

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

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

**B. REMOTE LEARNING**

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

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

Cross References: Dual Enrollment (policy 3101)

Adopted: December 12, 2013

Revised: August 10, 2017, August 13, 2020

**SERVICE ANIMALS IN SCHOOLS**Policy Code: **4202/5029/7272**

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

**A. DEFINITION OF “SERVICE ANIMAL”**

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

**B. USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY STUDENTS AND EMPLOYEES****1. Introduction of a Service Animal**

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

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

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

## 2. Presence of a Service Animal on School Property

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

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

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

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

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

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

**D. LIABILITY**

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

**E. EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY**

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

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

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

2. The animal is out of control and the animal's handler does not take effective action to control it.
3. The animal is not housebroken.
4. The presence or behavior of the animal fundamentally alters the service, program, or activity of the school system.

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

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

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

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

The superintendent's decision regarding exclusion of a service animal from school property in accordance with this policy may be appealed consistent with policy ~~1720/4015/7225, Discrimination, Harassment, and Bullying Complaint Procedure~~ 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, and any other procedure established by the superintendent under policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

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

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230) ~~Discrimination, Harassment, and Bullying Complaint Procedure (policy 1720/4015/7225)~~, Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), School Volunteers (policy 5015), Visitors to the Schools (policy 5020)

Issued: April 19, 2012

Revised: June 11, 2015

**GANG-RELATED ACTIVITY**

Policy Code:

**4328**

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

**A. PROHIBITED BEHAVIOR**

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

Conduct prohibited by this policy includes:

1. wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, or other items with the intent to convey membership or affiliation in a gang;
2. communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang;
3. tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang (see policy 4330, Theft, Trespass, and Damage to Property);
4. requiring payment of protection or insurance or otherwise intimidating or threatening any person related to gang activity (see policy 4331, Assaults and Threats, and Harassment);
5. inciting others to intimidate or to act with physical violence upon any other person related to gang activity (see policy 4331);
6. soliciting others for gang membership; and

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

## **B. NOTICE**

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

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

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

## **C. CONSEQUENCES**

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

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



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

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

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

Legal References: G.S. 115C-390.2

Cross References: Student Behavior Policies (policy 4300), Student Dress Code (policy 4316), Theft, Trespass, and Damage to Property (policy 4330), Assaults, and Threats, ~~and Harassment~~ (policy 4331), Criminal Behavior (policy 4335)

Adopted: July 9, 2020

**WEAPONS, BOMB THREATS, TERRORIST  
THREATS, AND CLEAR THREATS TO SAFETY***Policy Code:***4333**

The board will not tolerate the presence of weapons or destructive devices, bomb or terrorist threats, or actions that constitute a clear threat to the safety of students or employees. Any student who violates this policy will be removed from the classroom or school environment for as long as is necessary to provide a safe and orderly environment for learning.

**A. PROHIBITED BEHAVIOR****1. Weapons and Weapon-Like Items**

Students are prohibited from possessing, handling, using or transmitting, whether concealed or open, any weapon or any instrument that reasonably looks like a weapon or could be used as a weapon. Weapons include, but are not limited to the following:

- a. loaded and unloaded firearms, including guns, pistols, and rifles;
- b. destructive devices, as described in subsection B.2 of this policy, including explosives, such as dynamite cartridges, bombs, grenades, and mines;
- c. nuclear, biological, or chemical weapons of mass destruction as defined in G.S. 14-288.21(c);
- d. knives, including pocket knives, bowie knives, switchblades, dirks, and daggers;
- e. slingshots and slungshots;
- f. leaded canes;
- g. blackjacks;
- h. metal knuckles;
- i. BB guns;
- j. air rifles and air pistols;
- k. stun guns and other electric shock weapons, such as tasers;

- l. icepicks;
- m. razors and razor blades (except those designed and used solely for personal shaving);
- n. fireworks;
- o. gun powder, ammunition, or bullets;
- p. any sharp pointed or edged instruments except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance; and
- q. mace, pepper spray, and other personal defense spray that is (1) used for a purpose other than self-defense, as defined under G.S. 14-51.3., or (2) the principal or designee determines that the student intended to use it to harm, threaten harm, or create a disturbance.

Examples of other objects that may be considered weapons are box cutters and other types of utility blades and blowguns.

No student may knowingly or willfully cause, encourage, or aid another student to possess, handle, or use any of the weapons or weapon-like items listed above. A student who finds a weapon or weapon-like item, who witnesses another student or other person with such an item, or who becomes aware that another student or other person intends to possess, handle, or use such an item must notify a teacher or the principal immediately. Middle and high school students may also utilize the anonymous safety tip line for reporting risks to the school population.

This section does not apply to board-approved and -authorized activities for which the board has adopted appropriate safeguards to protect student safety.

## 2. Bomb Threats

Students are prohibited from

- a. making a bomb threat, regardless of whether the student intends to or has the means to carry out the threat;
- b. perpetrating a bomb hoax against school system property by making a report, knowing or having reason to know the report is false, that a bomb or other device designed to cause damage or destruction by explosion, blasting, or burning is located on school system property or at a school

- system event;-
- c. perpetrating a bomb hoax by concealing, placing, or displaying any device on school system property or at a school system event, so as to cause any person reasonably to believe the same to be a bomb or similar device intended to cause injury to persons or property; and
- d. knowingly or willfully causing, encouraging, or aiding another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat, or perpetrate a bomb hoax must notify a teacher or the principal immediately.

### 3. Terrorist Threats

Students are prohibited from making a terrorist threat or perpetrating a terrorist hoax by:

- a. threatening to commit an act of mass violence on school property or at a school system event, regardless of whether the student intends to or has the means to carry out the threat;
- b. making a report, knowing or having reason to know the report is false, that an act of mass violence is going to occur on school property or at a school system event;
- c. making a report knowing or having reason to know the report is false, that a device, substance, or material designed to cause harmful or life-threatening injury to another person is located on school system property or at a school system event;-; or
- d. concealing, placing, disseminating, or displaying on school system property or at a school system event any device, substance, or material, so as to cause a reasonable person to believe the same to be a weapon of mass destruction or to be intended to cause harmful or life-threatening illness or injury to another person

No student may knowingly or willfully cause, encourage, or aid another student to make a terrorist threat or perpetrate a terrorist hoax. Any student who becomes aware that another student or other person intends to use a device, substance, or material designed to cause harmful or life-threatening illness or injury to another person, make a terrorist threat, or perpetrate a terrorist hoax must notify a teacher or the principal immediately.

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#### 4. Clear Threats to Student and Employee Safety

Students are prohibited from engaging in behavior that constitutes a clear threat to the safety of other students or employees. Behavior constituting a clear threat to the safety of others includes, but is not limited to:

- a. theft or attempted theft by a student from another person by using or threatening to use a weapon;
- b. the intentional and malicious burning of any structure or personal property, including any vehicle;
- c. an attack or threatened attack by a student against another person wherein the student uses a weapon or displays a weapon in a manner found threatening to that person;
- d. an attack by a student on any employee, adult volunteer, or other student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury;
- e. an attack by a student on another person whereby the victim suffers obvious severe or aggravated bodily injury, such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain; or whereby the victim requires hospitalization or treatment in a hospital emergency room as a result of the attack;
- f. any intentional, highly reckless, or negligent act that results in the death of another person;
- g. confining, restraining, or removing another person from one place to another, without the victim's consent or the consent of the victim's parent, for the purpose of committing a felony or for the purpose of holding the victim as a hostage, for ransom, or for use as a shield;
- h. the possession of a weapon on any school property, including in a vehicle, with the intent to use or transmit for another's use or possession in a reckless manner so that harm is reasonably foreseeable;
- i. taking or attempting to take anything of value from the care, custody, or control of another person or persons, by force, threat of force, or violence, or by putting the victim in fear;

- j. any unauthorized and unwanted intentional touching, or attempt to touch, by one person of the sex organ of another, including the breasts of the female and the genital areas of the male and female;
- k. the possession, manufacture, sale, or delivery, or any attempted sale or delivery, of a controlled substance in violation of Chapter 90 of the North Carolina General Statutes;
- l. any behavior resulting in a felony conviction on a weapons, drug, assault, or other charge that implicates the safety of other persons; and
- m. any other behavior that demonstrates a clear threat to the safety of others in the school environment.

## **B. CONSEQUENCES**

### **1. General Consequences**

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

### **2. Specific Consequences Mandated by Law**

As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies, in writing, the required 365-day suspension for an individual student on a case-by-case basis. The superintendent shall not impose a 365-day suspension if the superintendent determines that the student (1) took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, (2) delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or school personnel, and (3) had no intent to use the firearm or destructive device in a harmful or threatening way.

For the purpose of this subsection, a firearm is (1) a weapon, including a starter gun that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, (2) the frame or receiver of any such weapon, or (3) any firearm muffler or firearm silencer. A firearm does not include an inoperable antique firearm, a BB gun, a stun gun, an air rifle, or an air pistol. For the purposes of this subsection, a destructive device is an explosive, incendiary, or poison gas (1) bomb, (2) grenade, (3) rocket having a propellant charge of more than four

ounces, (4) missile having an explosive or incendiary charge of more than one-quarter ounce, (5) mine, or (6) similar device.

A student may not be suspended for 365 days for a weapons violation except in accordance with this subsection.

Legal References: Gun-Free Schools Act, 20 U.S.C. 7961; G.S. 14-17, -18, -27.21 through -27.30, -32, -33, -34 through -34.2, -41, -49, -49.1, -60, -69.1, -69.2, -87, -87.1, -132, -132.2, -202.1, -202.2, -208.18, -269.2, -277.5, -277.6, -283, -288.8, -288.21 -288.22, -288.23, -288.24; ch. 90 art. 5; 115C-47, -105.51, -276(r), -288, -307, -390.1, -390.2, -390.10

Cross References: Student Sex Offenders (policy 4260), Student Behavior Policies (policy 4300), Integrity and Civility (policy 4310), Disruptive Behavior (policy 4315), Theft, Trespass, and Damage to Property (policy 4330), Assaults and, Threats, ~~and Harassment~~ (policy 4331), Criminal Behavior (policy 4335)

Adopted: May 11, 2000

Revised: April 8, 2004, November 8, 2007, December 10, 2009, October 13, 2011, May 14, 2015, July 14, 2016, May 11, 2017, June 13, 2019, February 13, 2020

Criminal or other illegal behavior is prohibited. Any student who the principal reasonably believes to have engaged in criminal behavior on school premises or at school activities will be subject to appropriate disciplinary action, as stated in applicable board policies, and may be criminally prosecuted.

School officials shall cooperate fully with any criminal investigation and prosecution. School officials shall independently investigate any criminal behavior that also violates school rules or board policy.

**A. STUDENTS CHARGED WITH OR CONVICTED OF CRIMINAL BEHAVIOR**

The superintendent and principal may take reasonable or legally required measures to preserve a safe, orderly environment when a student has been charged or convicted with a serious crime, regardless of whether the alleged offense was committed on school grounds or was related to school activities. Depending upon the circumstances, including the nature of the crime or alleged crime, the child's age, and the publicity within the school community, reasonable or legally required efforts may include changing a student's classroom assignment or transferring the student to another school. Transfer to the alternative school may be made in accordance with the criteria established in board policy 3470/4305, Alternative Learning Programs/Schools. The student will continue to be provided with educational opportunities unless and until the student is found to have violated board policy or school rules and is suspended or expelled in accordance with procedures established in board policy.

**B. REPORTING CRIMINAL BEHAVIOR**

A school employee is permitted to report to law enforcement an assault by a student on a school employee. Principals or other supervisors shall not, by threats or in any other manner, intimidate or attempt to intimidate the school employee from doing so.

Principals must immediately report to law enforcement when they have personal knowledge or actual notice from school personnel that such acts have occurred on school property, regardless of the age or grade of the perpetrator or victim: (1) assault resulting in serious personal injury; (2) sexual assault; (3) sexual offense; (4) rape; (5) kidnapping; (6) indecent liberties with a minor; (7) assault involving the use of a weapon; (8) possession of a firearm in violation of the law; (9) possession of a weapon in violation of the law; and (10) possession of a controlled substance in violation of the law. A principal



who willfully fails to make a required report to law enforcement will be subject to disciplinary action, up to and including dismissal.

The principal or designee shall notify the superintendent or designee in writing or by e-mail of any report made to law enforcement. Such notice must occur by the end of the workday in which the incident occurred, when reasonably possible, but not later than the end of the following workday. The superintendent must inform the board of any such reports. In addition, the principal or designee must notify the parents or guardians of students who are alleged to be victims of any reported offenses.

Certain crimes must be reported to the State Board of Education in accordance with State Board of Education Policy SSCH-000.

Legal References: Gun-Free Schools Act, 7961; G.S. 14-17, -18, -27.21, -27.22, -27.24 through -27.27, -27.29, 27.30, -27.33, -32 through -34.10, -87, -202, -202.1, -202.2, -269.2; ch. 90 art. 5; 115C-47(56); -288(g); State Board of Education Policy SSCH-000

Cross References: Alternative Learning Programs/Schools (policy 3470/4305), Theft, Trespass and Damage to Property (policy 4330), Assaults, and Threats ~~and Harassment~~ (policy 4331), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), School-Level Investigations (policy 4340)

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

Updated: May 11, 2000; September 9, 2004, March 12, 2009, July 15 2010, January 13, 2011, January 12, 2012, June 13, 2013, July 14, 2016, May 11, 2017, September 14, 2017

**STUDENT DISCIPLINE RECORDS**

Policy Code:

**4345****A. RETENTION OF RECORDS AND REPORT OF DATA**

The principal shall retain in each student's file, either in paper or electronic form, all records related to violations of board policies, the Code of Student Conduct, school standards, or school rules.

As required by law, the superintendent shall maintain the following data on each student who was suspended for more than 10 days, reassigned for disciplinary reasons, expelled, or to whom corporal punishment was administered: race, gender, age, grade level, ethnicity, disability status, type of incident or offense, duration of the suspension, whether alternative education services were provided, and whether the student had multiple suspensions in that academic year.

As secretary to the board, the superintendent also shall maintain records from the board's considerations of 365-day suspensions and expulsions and any readmission reconsiderations of 365-day suspensions and expulsions.

The superintendent shall ensure that data on disciplinary incidents is reported using the state student information system application in accordance with State Board of Education policies and procedures.

**B. DISCLOSURE OF RECORDS**

Confidential student records concerning conduct that posed a significant safety risk to the student or others in the school community may be disclosed to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

**C. REMOVAL OF RECORDS****1. End of Year Removal**

The following types of discipline records may not be removed from student records, electronic files, and databases at the end of the school year:

- a. notice of any suspension for a period of more than 10 days and the record of the conduct for which the student was suspended;
- b. notice of any expulsion under G.S. 115C-390.11 and the record of the conduct for which the student was expelled; and

- c. any records (including of in-school suspensions or short-term suspensions) that need to be maintained in order to be able to serve the student appropriately or to protect the safety of others.

## 2. Expunging Records

The superintendent or designee shall expunge any record of suspension for a period of more than 10 days or expulsion if the following criteria are met:

- a. a request that the record be expunged is made to the superintendent or designee by the student's parent or guardian, or by the student if the student is at least 16 years old or is emancipated;
- b. the student either graduates from high school or is not suspended or expelled again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension; and
- c. the superintendent or designee determines that the maintenance of the record is no longer needed to adequately serve the child or to maintain safe and orderly schools.

In addition, the superintendent may expunge any notice of suspension or expulsion from a student's official record provided that criteria b. and c. above are met.

This section is not intended to limit parents' right to request removal of information from a student's record under policy 4700, Student Records.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g(h), 34 C.F.R. 99.31, 99.36; G.S. 115C-47, -276(r), -390.4, -390.7, -390.8, -390.10, -390.11, -390.12, -402

Cross References: Theft, Trespass, and Damage to Property (policy 4330), Assaults, and Threats, ~~and Harassment~~ (policy 4331), Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Student Records (policy 4700)

Other Resources: *North Carolina Discipline Data Reporting Procedures*, N.C. Department of Public Instruction Safe and Healthy Schools Support Division, available at <https://www.dpi.nc.gov/data-reports/discipline-alp-and-dropout-data>

Adopted: October 13, 2011

Revised: June 12, 2014, December 10, 2020

## **LONG-TERM SUSPENSION, 365-DAY SUSPENSION, EXPULSION**

*Policy Code:*

**4353**

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### **A. DEFINITIONS**

#### **1. Superintendent**

For purposes of this policy, superintendent includes the superintendent and the superintendent's designee.

#### **2. Principal**

For purposes of this policy, principal includes the principal and the principal's designee.

#### **3. Long-Term Suspension**

A long-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for more than 10 school days. Disciplinary reassignment of a student to a full-time educational program that meets the academic requirements of the standard course of study established by the State Board of Education and that provides the student with the opportunity to make timely progress toward graduation and grade promotion is not a long-term suspension requiring the due process procedures set out in this policy, nor is an absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school).

Upon the recommendation of the principal, the superintendent may impose a long-term suspension on a student who willfully engages in a serious violation of the Code of Student Conduct and the violation either (1) threatens the safety of students, staff or school visitors, or (2) threatens to substantially disrupt the educational environment. The principal may recommend long-term suspension for a minor violation if aggravating circumstances justify treating the student's behavior as a serious violation.

If the offense leading to the long-term suspension occurred before the final quarter of the school year, the exclusion must be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurred during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.

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4. 365-Day Suspension

A 365-day suspension is the disciplinary exclusion of a student from attending his or her assigned school for 365 calendar days. The superintendent may impose a 365-day suspension only for certain firearm and destructive device violations, as identified in policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety.

5. Expulsion

An expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purposes. Upon the recommendation of the superintendent, the board may expel a student who is 14 years of age or older for certain types of misbehavior as provided in policy 4325, Drugs and Alcohol, policy 4330, Theft, Trespass and Damage to Property, policy 4331, Assaults, Threats and Harassment, and policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, if the student's continued presence in school constitutes a clear threat to the safety of other students or employees. Additionally, a student who is subject to policy 4260, Student Sex Offenders, may be expelled if the student's continued presence in school constitutes a clear threat to the safety of other students or employees. During the expulsion, the student is not entitled to be present on educational property and is not considered a student of the school system.

**B. DETERMINATION OF APPROPRIATE CONSEQUENCE**

1. Principal's Recommendation

The principal may impose a short-term suspension or any other consequence that is consistent with policy 4351, Short-Term Suspension, policy 4302, School Plan for Management of Student Behavior, and the Code of Student Conduct. If the principal determines that a suspension of more than 10 days (either long-term or 365-day) or an expulsion is an appropriate consequence, the principal shall propose the disciplinary penalty based upon a review of the student's culpability and dangerousness and the harm caused by the student, plus any other mitigating or aggravating factors the principal finds relevant.

a. Culpability of Student – In assessing the culpability of the student for his or her behavior, the principal may consider criteria such as:

- 1) the student's age;
- 2) the student's ability to form the intent to cause the harm that occurred or could have occurred; and

- 
- 3) evidence of the student's intent when engaging in the conduct.
- b. Dangerousness of the Student – In assessing the dangerousness of the student, the principal may consider criteria such as:
- 1) the student's disciplinary or criminal record related to anti-social behavior or drugs and alcohol;
  - 2) whether a weapon was involved in the incident and if a weapon was involved, whether the student had the ability to inflict serious injury or death with the weapon;
  - 3) evidence of the student's ability to cause the harm that was intended or that occurred; and
  - 4) whether the student is subject to policy 4260, Student Sex Offenders.
- c. Harm Caused by the Student – In assessing the severity of the harm caused by the student, the principal may consider criteria such as whether any of the following occurred:
- 1) someone was physically injured or killed;
  - 2) someone was directly threatened or property was extorted through the use of a weapon;
  - 3) someone was directly harmed, either emotionally or psychologically;
  - 4) educational property or others' personal property was damaged; or
  - 5) students, school employees or parents were aware of the presence of a weapon or of dangerous behavior on the part of the perpetrator.

After considering the above factors, the principal shall make a recommendation to the superintendent, stating the nature of the offense, the substance of the evidence involved and the length of suspension recommended. The principal also must consider and make a recommendation as to whether any alternative education services, counseling or other programs should be part of the consequence for violating board policy, the Code of Student Conduct, school standards or school rules.

If the principal recommends a 365-day suspension, he or she must identify the type of firearm or destructive device involved and the evidence substantiating that the student brought it to school grounds or to a school activity or possessed it on school grounds or at a school activity.

If the principal recommends an expulsion, he or she shall identify the basis for determining that there is clear and convincing evidence that the student's continued presence in school constitutes a clear threat to the safety of other students or employees.

## 2. Notice to the Student's Parent

The principal must provide to the student's parent written notice of the recommendation for long-term suspension, 365-day suspension or expulsion by the end of the workday during which the long-term suspension or expulsion is recommended when reasonably possible or as soon thereafter as practicable. The notice must be written in plain English and, when appropriate language resources are readily available, also in the parent's native language. The notice must contain the following 10 elements:

- a. the notice type, i.e., notice of long-term suspension, 365-day suspension or expulsion;\*
- b. a description of the incident and the student's conduct that led to the recommendation;
- c. the specific provision(s) of the Code of Student Conduct that the student allegedly violated;
- d. the specific process by which the parent may request a hearing to contest the decision and the deadline for making the request;\*
- e. the process by which the hearing will be held, including all due process rights to be accorded the student during the hearing;
- f. notice of the right to retain an attorney to represent the student in the hearing process;
- g. notice that an advocate, instead of an attorney, may accompany the student to assist in the presentation of the appeal;
- h. notice of the right to review and obtain copies of the student's educational records prior to the hearing;

- i. a reference to policy 4345, Student Discipline Records, regarding the expungement of disciplinary records; and
- j. the identity and phone number of a school employee whom the parent may call to obtain assistance in receiving a Spanish translation of the English language information included in the document.\*

\*This information must be provided on the notice in both English and Spanish.

### 3. Superintendent's Decision

The student or student's parent may request a hearing before the superintendent within three days of receiving notice from the principal of the recommendation for long-term suspension, 365-day suspension or expulsion. Any hearing held will follow the hearing procedures outlined in Section A of policy 4370, Student Discipline Hearing Procedures. A decision will be rendered before the long-term suspension is imposed.

If the student or parent makes a timely request for a hearing, the superintendent shall confirm that the charges against the student, if substantiated, could warrant the recommended disciplinary action and shall give the student and parent reasonable notice of the time and place of the hearing.

If neither the student nor the parent appears for a scheduled hearing after being given reasonable notice of the time and place of the hearing, the student and parent are deemed to have waived the right to a hearing.

If the student and parent fail to make a timely request for a hearing or if they waive the right to a hearing by failing to appear for a duly scheduled hearing, the superintendent shall review the circumstances of the recommended long-term suspension. Following this review, the superintendent (1) may impose the long-term or 365-day suspension if it is consistent with board policies and appropriate under the circumstances, (2) may impose another appropriate penalty authorized by board policy or (3) may decline to impose any penalty.

If the student or parent requests a postponement of the hearing, or if the request for the hearing is untimely, the hearing will be scheduled, but the student does not have the right to return to school pending the hearing.

Based on substantial evidence presented at the hearing, the superintendent shall decide whether to uphold, modify or reject the principal's recommendation. The superintendent shall immediately inform the principal of the decision regarding



the recommended disciplinary penalty of a long-term or 365-day suspension and, when applicable, of any modifications to the penalty recommended by the principal.

The superintendent shall send notice of the decision via certified mail to the student and parent. The notice must include:

- a. the basis of the decision, with reference to any policies or rules that the student violated;
- b. notice of what information will be included in the student's official record pursuant to G.S. 115C-402;
- c. notice of the student's right to appeal the decision and the procedures for such appeal;
- d. if the decision is to suspend the student for 365 days, notice of the student's right to petition the board for readmission under G.S. 115C-390.12;
- e. if applicable, notice that the superintendent or designee is recommending to the board that the student be expelled and any required notifications related to the expulsion if the student did not already receive such notice from the principal or designee; and
- f. if the student is to be suspended, notice of the superintendent's or designee's decision on whether to offer alternative education services to the student during the period of suspension, and, as applicable, a description of the services to be offered or the reason justifying the superintendent's or designee's decision to deny such services.

Following issuance of the decision, the superintendent shall implement the decision by authorizing the student's return to school upon the completion of any short-term suspension or by imposing the suspension reflected in the decision.

The superintendent shall offer alternative education services to any student who receives a long-term or 365-day suspension unless the superintendent provides a significant or important reason for declining to offer such services. Alternative education services are part-time or full-time programs that provide direct or computer-based instruction to allow the student to progress in one or more core academic courses. Such services may include programs described in policy 3470/4305, Alternative Learning Programs/Schools.

The student may appeal to the board the superintendent's decision not to provide

alternative education services, as permitted by G.S. 115C-45(c)(1). Any appeal to the board must be made in writing within five days of receiving the superintendent's decision. The superintendent shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. In advance of the hearing, the superintendent shall provide to the student and parent and to the board a written explanation for the denial of services along with any documents or other information supporting the decision. The hearing will be conducted pursuant to policy 2500, Hearings Before the Board. The board will provide to the student and parent and to the superintendent written notice of its decision within 30 days of receiving the appeal.

If the superintendent determines that expulsion is appropriate, the superintendent shall submit to the board a recommendation and the basis for the recommendation along with any proposal for alternative education services.

#### 4. Hearings Before the Board

##### a. Long-Term or 365-Day Suspensions

A student or his or her parent may appeal an imposed long-term or 365-day suspension. The student or parent must appeal to the board in writing within three days of receiving the superintendent's decision. The superintendent shall inform the board chairperson of the request for an appeal and shall arrange in a timely manner a hearing before the board. The suspension need not be postponed pending the outcome of the appeal. The hearing will be conducted pursuant to Section B of policy 4370, Student Discipline Hearing Procedures. The board will provide to the student and parent and to the superintendent written notice of its decision not more than 30 calendar days after receiving the appeal.

##### b. Expulsions

The student or parent may request a hearing within five days of receiving notice of the superintendent's recommendation that the student be expelled. The hearing will be scheduled with the board within five days of the superintendent's receipt of the hearing request. The superintendent shall notify the student and parent of the date, time and place of the hearing. Any appeal of a long-term or 365-day suspension will be addressed in the same hearing. The hearing will be conducted pursuant to Section B of policy 4370.

If a hearing is not requested by the student or parent, the superintendent shall submit written evidence to support his or her recommendation to the board. The board may elect to request a hearing or to request additional

records and documents.

When the board decides to expel a student, the board will document the basis for its determination that there is clear and convincing evidence that the student's behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. The board also will consider and make a written determination of whether alternative education services are to be provided to the expelled student. Regardless of whether the school system provides alternative education services, the board expects school system administrators to work with other agencies to help the student and parent identify other types of services that may be of assistance to the student. The board will send via certified mail to the student's parent a copy of the decision, notification of what information will be included in the student's official record, the procedure for expungement of this information under G.S. 115C-402, and notice of the right to petition for readmission pursuant to G.S. 115C-390.12.

**C. EDUCATIONAL SERVICES FOR STUDENTS WITH DISABILITIES DURING LONG-TERM SUSPENSION, 365-DAY SUSPENSION OR EXPULSION**

Students with disabilities recognized by the Individuals with Disabilities Education Act will receive educational services during periods of suspension or expulsion to the extent required by *Policies Governing Services for Children with Disabilities* and state and federal law.

**D. REDUCING SUSPENSION AND EXPULSION RATES**

Though the board believes that suspension or expulsion may be an appropriate and necessary consequence in certain situations, the board also recognizes that excessive use of suspension and expulsion may have a negative impact on academic achievement and graduation rates. Thus, the board encourages school administrators to find ways to reduce suspension and expulsion rates in the schools.

Legal References: U.S. Const. amend. XIV, § 1; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; N.C. Const. art. I, § 19; G.S. 14-208.18; 115C art. 9; 115C-45(c)(2), -47(55), -276(r), -288, -390.1, -390.2, -390.7, -390.8, -390.9, -390.10, -390.11, -390.12, -402; 130A-440; *Policies Governing Services for Children with Disabilities*. State Board of Education Policy EXCP-000

Cross References: Hearings Before the Board (policy 2500), Alternative Learning

Programs/Schools (policy 3470/4305), Student Sex Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302), Drugs and Alcohol (policy 4325), Theft, Trespass and Damage to Property (policy 4330), Assaults, and Threats ~~and Harassment~~ (policy 4331), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), Criminal Behavior (policy 4335), School-Level Investigations (policy 4340), Student Discipline Records (policy 4345), Short-Term Suspension (policy 4351), Student Discipline Hearing Procedures (policy 4370)

Adopted: November 10, 2011

Updated: July 14, 2016, September 14, 2017

**EMPLOYEE USE OF SOCIAL MEDIA**

Policy Code:

**7335**

The board recognizes the importance of incorporating current technology tools, including new methods of electronic communication, into the classroom to enhance student learning. It further recognizes the importance of employees, students, and parents engaging, learning, collaborating, and sharing in digital environments as part of 21<sup>st</sup> Century learning. The board strives to ensure that electronic communication tools incorporated into the school curriculum are used responsibly and safely. As practicable, the board will provide access to secure social media tools and board approved technologies for use during instructional time and for school-sponsored activities in accordance with policies 3220, Technology in the Educational Program, and 3225/4312/7320, Technology Responsible Use.

The board acknowledges that school employees may engage in the use of social media during their personal time. School employees who use social media for personal purposes must be mindful that they are responsible for their public conduct even when not acting in their capacities as school system employees. All school employees, including student teachers and independent contractors shall comply with the requirements of this policy when using electronic social media for personal purposes. In addition, all school employees must comply with policy 4040/7310, Staff-Student Relations, when communicating with individual students through other electronic means, such as through voice, email, ~~or~~ text-messaging, or approved video-conferencing platform.

**A. DEFINITIONS****1. Social Media**

For the purposes of this policy, “social media” refers to the various online technology tools that enable people to communicate easily over the Internet to share information and resources. It includes, but is not limited to: personal websites, nonsystem-related website, blogs, wikis, social networking sites, online forums, virtual worlds, video-sharing websites, and any other Internet-based applications which allow the exchange of user-generated content. For purposes of this policy, it also includes any form of instant or direct messaging available through such applications. Examples of social media include, but are not limited to, Web 2.0 tools, Facebook, Twitter, LinkedIn, Flickr, YouTube Instagram, Google+, and social media components of learning management systems such as Moodle or Edmodo. The use of approved video-conferencing platforms is subject to policy 4040/7310, Staff-Student Relations.

**2. School-Controlled Social Media**

“School-controlled social media” are social media networks, tools, or activities

that are under the direct control and management of the school system and that create an archived audit trail.

3. Personal Social Media

“Personal social media” means any social media networks, tools, or activities that are not school-controlled.

**B. SOCIAL MEDIA COMMUNICATIONS INVOLVING STUDENTS**

Employees are to maintain professional relationships with students at all times in accordance with policies 4040/7310, Staff-Student Relations, and 7300, Staff Responsibilities. The use of electronic media for communicating with students and parents is an extension of the employee’s workplace responsibilities. Accordingly, the board expects employees to use professional judgment when using social media or other electronic communications and to comply with the following.

1. All electronic communications with students who are currently enrolled in the school system must be school-related and within the scope of the employees’ professional responsibilities, unless otherwise authorized by this policy or policy 4040/7310, Staff-Student Relations.
2. School employees may use only school-controlled social media or approved video-conferencing platforms to communicate directly with current students about school-related matters. (For exceptions information regarding communication with students through video-conferencing platforms or other forms of electronic communication, e.g., email or texts, see policy 4040/7310, Staff-Student Relations.)
3. Employees are prohibited from knowingly communicating with current students through a personal social media or personal websites without parental permission. An Internet posting on a personal social media network or personal website intended for a particular student will be considered a form of direct communication with that student in violation of this policy unless the parent has consented to the communication. However, an employee may communicate with a student using personal social media to the extent the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee’s child, or a member or participant in the same civic, social, recreational, sport or religious organization.
4. An employee seeking to utilize and/or establish a non-school-controlled social media website for instructional or other school-related purposes must have prior

written approval from the principal and the superintendent or designee and must verify that the social media application's terms of service meet the requirements of policies 3220, Technology in the Educational Program, 3225/4312/7320, Technology Responsible Use, and 3227/7322, Web Page Development. If the website collects personal information from students under the age of 13, the use will not be approved unless the applicable requirements of the Children's Online Privacy Protection Act (COPPA) are met. The employee shall ensure that the website does not include or link to the employee's personal social media footprint. The site must be used for school-related purposes only.

**C. EMPLOYEE PERSONAL USE OF SOCIAL MEDIA**

The board respects the right of employees to use social media as a medium of self-expression on their personal time. As role models for the school system's students, however, employees are responsible for their public conduct even when they are not performing their job duties as employees of the school system. Employees will be held to the same professional standards in their public use of social media and other electronic communications as they are for any other public conduct. Further, school employees remain subject to applicable state and federal laws, board policies, administrative regulations, and the Code of Ethics for North Carolina Educators, even if communicating with others concerning personal and private matters. If an employee's use of social media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Employees are responsible for the content on their social media sites, including content added by the employee, the employee's friends, or members of the public who can access the employee's site, and for Web links on the employee's site. Employees shall take reasonable precautions, such as using available security settings, to restrict students' access to the employees' personal information on social media websites and to prevent students from accessing materials that are not age-appropriate.

School employees are prohibited from accessing social networking websites for personal use during instructional time.

**D. POSTING TO SOCIAL MEDIA SITES AND PERSONAL WEBSITES**

Employees who use social media or nonsystem-related website for personal purposes must be aware that the content they post may be viewed by anyone, including students, parents, and community members. Employees shall observe the following principles when communicating through social media:

1. Employees shall not post confidential information about students, employees, or school system business.

2. Employees shall not accept current students as “friends” or “followers” or otherwise connect with students on personal social media sites without parental permission, unless the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting.
3. Employees shall not knowingly allow students access to their personal social media sites that discuss or portray sex, nudity, alcohol, or drug use or other behaviors associated with the employees’ private lives that would be inappropriate to discuss with a student at school.
4. Employees may not knowingly grant students access to any portions of their personal social media sites or personal websites that are not accessible to the general public without parental permission, unless the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting.
5. Employees shall be professional in all Internet postings related to or referencing the school system, students or their parents, and other employees.
6. Employees shall not use profane, pornographic, obscene, indecent, lewd, vulgar, or sexually offensive language, pictures or graphics or other communication that could reasonably be anticipated to cause a substantial disruption to the school environment.
7. Employees shall not use the school system’s logo or other copyrighted material of the system on a personal social media site without express, written consent from the board.
8. Employees shall not post identifiable images of a student or student’s family on a personal social media site without permission from the student and the student’s parent or legal guardian. Employees may post such images on a school-controlled social media site only with prior permission of the employee’s supervisor and in accordance with the requirements of federal and state privacy laws and policy 4700, Student Records.
9. Employees shall not use Internet postings to libel or defame the board, individual board members, students, or other school employees.
10. Employees shall not use Internet postings to harass, bully, or intimidate students or other employees in violation of policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, 4329/7311, Bullying and Harassing Behavior Prohibited, and 7232, Discrimination and Harassment in the



Workplace 1710/4021/7230, Prohibition Against Discrimination, Harassment, and Bullying, or state and federal laws.

11. Employees shall not post content that negatively impacts their ability to perform their jobs.
12. Employees shall not use Internet postings to engage in any other conduct that violates board policy or administrative procedures or state and federal laws.

#### **E. CONSEQUENCES**

School system personnel shall monitor online activities of employees who access the Internet using school technological resources. Additionally, the superintendent or designee may periodically conduct public Internet searches to determine if an employee has engaged in conduct that violates this policy. Any employee who has been found by the superintendent to have violated this policy may be subject to disciplinary action, up to and including dismissal.

The superintendent shall establish and communicate to employees guidelines that are consistent with this policy.

Legal References: U.S. Const. amend. I; Children's Internet Protection Act, 47 U.S.C. 254(h)(5); Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 17 U.S.C. 101 *et seq.*; 20 U.S.C. 6777; G.S. 115C-325(e) (applicable to career status teachers), -325.4 (applicable to non-career status teachers); 16 N.C.A.C. 6C .0601, .0602; State Board of Education Policy NCAC-6C-0601

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Prohibition Against Discrimination, Harassment, and Bullying (policy 1710/4021/7230), Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), Web Page Development (policy 3227/7322), Copyright Compliance (policy 3230/7330), Staff-Student Relations (policy 4040/7310), Bullying and Harassing Behavior Prohibited (policy 4329/7311), Student Records (policy 4700), Discrimination and Harassment in the Workplace (policy 7232), Staff Responsibilities (policy 7300)

Adopted: December 15, 2011

Revised: August 29, 2012, December 12, 2013, March 12, 2015, June 9, 2016, October 5, 2017

**REMOTE WORKING***Policy Code:***7503**

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Although it is the board's desire for school employees' work to be performed at their regularly assigned place of work as a matter of course, the board recognizes that in certain limited circumstances it may be practical, efficient, or necessary to allow or require authorized employees of the school system to work from an alternative work location via electronic means ("Remote Work"). This policy outlines the circumstances under which remote work arrangements may be made.

**A. DEFINITIONS**

1. "Alternative Work Location" is defined as a worksite other than an employee's regularly assigned place of work.
2. "Eligible employee" is defined as an employee of the school system who has demonstrated satisfactory job performance, is in good standing, and can perform all of the employee's essential job duties at an alternative work location. In addition, to be an eligible employee, the employee must have an available and suitable designated workspace at the alternative work location and access to any computer and telecommunications equipment necessary for the completion of tasks.
3. "Remote work" is defined as the performance of the essential functions of an employee's job description at an alternative work location, typically the employee's residence, via electronic means in accordance with the employee's usual expected standards of performance and other approved or agreed-upon terms.
4. "Remote worker" is defined as an employee engaged in remote work on a temporary episodic or emergency basis.
5. "Remote work agreement" is defined as a written agreement that details the terms and conditions by which an employee is allowed to engage in remote work.

**B. REMOTE WORK IN EMERGENCY SITUATIONS**

When the superintendent or board determines that any employees cannot or should not work at their regularly assigned place of work as a result of natural disaster, inclement weather, public health emergency, or other situation that threatens the health and safety of employees, students, or the community, the superintendent or board may, consistent with state and federal law, permit or require individual employees or classes of employees to work remotely. Otherwise applicable remote work eligibility criteria will be

deemed waived to the extent necessary for such employees. In the event the superintendent permits or orders any employee(s) to work remotely pursuant to this section, the superintendent shall notify the board of the decision and supporting rationale as soon as practical and before announcing the decision to any employees or the public. The board reserves discretion to overrule or modify the superintendent's decision to permit or order any employee(s) to work remotely under this section.

If an employee's supervisor determines that the employee is unable to perform his or her essential job duties while working remotely, the employee may be required to take any available accrued leave, whether paid or unpaid, in accordance with policy 7510, Leave.

**C. TEMPORARY EPISODIC REMOTE WORK ARRANGEMENTS**

When deemed practical, efficient, or necessary, employees who are eligible under subsection A.2 may be approved to work via a remote work arrangement for limited time periods in accordance with the criteria established in Section D of this policy and other criteria consistent with this policy to be developed by the superintendent. Such criteria shall address suitability of job duties; cause; length, frequency, and/or calendar limitations; and other factors as determined by the superintendent and consistent with law. Approval of episodic remote work arrangements will be made on a non-precedential case-by-case basis and will be consistent with school system policies and procedures and state and federal law. Approval or denial of an episodic remote work arrangement will not be made on a preferential or discriminatory basis.

Principals have initial authority to allow an episodic remote work arrangement for eligible employees working at their schools. The superintendent or designee has initial authority to allow a remote work arrangement for any other eligible employee of the school system. A principal must inform the superintendent or designee any time the principal allows a remote work arrangement of more than two workdays. Any remote work arrangement for an employee that exceeds more than 20 workdays for a single episode or a cumulative total of 40 workdays in any 12 month period must be reported to the board. The superintendent or designee or board may terminate any remote work arrangement.

Teachers are only eligible to work remotely on optional or required teacher workdays, and only when the superintendent or designee designates the day as an eligible remote work day for teachers. Principals must still approve remote work when a teacher workday has been designated as remote work-eligible by the superintendent or designee.

**D. GENERAL CONDITIONS ON REMOTE WORK**

1. Employees are prohibited from working remotely when they are identified as personnel whose physical presence at their regularly assigned place of work or at an alternate school system site is essential to the performance of their duties. In addition, no employee may work remotely on a full-time, permanent basis and no

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employee is entitled to work remotely as a replacement for leave to accommodate family care arrangements, sick leave, Family and Medical Leave, or Worker's Compensation leave.

2. Remote work is not an entitlement and is offered to the employee at the sole discretion of the school system. No employee will be permitted to work remotely without first entering into a remote work agreement. Remote work arrangements are subject to termination at any time with reasonable notice given by the remote worker's supervisor.
3. Remote workers should obtain permission from their supervisor before removing school system equipment or supplies from the employee's regularly assigned place of work to use at an alternative work location. Remote workers are responsible for maintaining and protecting such school system equipment and returning it to the employee's regularly assigned place of work when the remote work period ends. Use of school system technological resources is governed by policy 3225/4312/7320, Technology Responsible Use. The school system may condition an employee's authorization to work remotely on the employee providing his or her own equipment if school system resources are not available for the employee to use.

All costs incurred by an employee to arrange an alternative work location and to work remotely are the employee's responsibility and will not be reimbursed unless otherwise required by law.

4. A remote worker's alternative work location must be safe, secure, and free of undue distractions. Although school officials will not conduct routine inspections of alternative work locations that are not owned or operated by the school system, the board reserves the right to inspect an employee's alternative work location when deemed necessary to ensure suitability and safety after giving the remote worker reasonable notice.
5. Work-related injuries that occur in the alternative work location must be reported to the remote worker's supervisor.
6. Remote workers shall be accessible by phone and email during work hours. In addition, attendance at the employee's regularly assigned place of work for on-site meetings, conferences, training sessions, and other school business activities may be required on scheduled Remote work days. Transportation for such attendance is the remote worker's responsibility.
7. Remote workers must adhere to the same policies and procedures established for all school system employees. A remote worker's performance will be monitored

and assessed in the same manner as employees working from their regularly assigned place of work.

8. Remote workers must not deviate from the work schedule that would be expected of them at their regularly assigned place of work (including working hours, lunch breaks, etc.) unless specifically authorized to do so by their supervisor. Non-exempt employees under the Fair Labor Standards Act are not permitted to work off-the-clock while working remotely and will not be permitted to work overtime absent authorization from the employee's supervisor.

#### **E. EMPLOYEES WITH DISABILITIES**

This policy does not apply to remote work as an Americans with Disabilities Act (ADA) accommodation. If remote work is considered a reasonable accommodation pursuant to the ADA, the school system and employee will follow the school system's ADA process with respect to such accommodation. In addition, employees with disabilities who are required or permitted to work remotely by the superintendent or board will be provided reasonable accommodations as necessary to fulfill their job duties while working remotely.

This policy and any eligibility criteria or procedures developed by the superintendent to implement this policy are not intended to, and do not, confer any additional employment rights on any employee, including any right to work remotely or to be assigned to a job position that is suitable for remote work.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35

Cross References: ~~Prohibition Against Discrimination, Harassment, and Bullying (1710/4021/7230), Discrimination, Harassment, and Bullying Complaint Procedure (1720/4015/7225), Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230),~~ Nondiscrimination on the Basis of Disabilities (1730/4022/7231), Confidential Information (2125/7315), Technology Responsible Use (3225/4312/7320), Use of Personal Technology to Conduct School Business (3228/7323), Use of Equipment, Materials, and Supplies (6520), Workday and Overtime (7500), Leave (7510), Permitted Salary Deductions for Absences and Discipline of Certain Exempt Employees (7560)

Adopted: September 10, 2020

**ASHEBORO CITY BOARD OF EDUCATION**  
**Asheboro City Schools Professional Development Center**

**April 15, 2021**

**7:30 p.m.**

6:00 p.m.: Budget Meeting  
6:45 p.m.: Policy Committee Meeting

- I. Opening**
  - A. Call to Order
  - B. Moment of Silence
  - C. Pledge of Allegiance
  - \*D. Approval of Agenda
- II. Special Recognition and Presentations**
  - A. Community Spotlight – Randolph Health, Prevo Drug, and Randolph Public Health Department - Ms. Leigh Anna Marbert, Public Information Officer
  - B. Points of Pride - Ms. Leigh Anna Marbert, Public Information Officer
- III. Public Comments**
  - A. Citizens who signed up to address the Board will be called on to make comments. Each individual speaker will be allowed three minutes for remarks. Issues or concerns involving personnel matters are not appropriate for the public comment setting.
- IV. \*Consent Agenda**
  - A. Approval of Minutes – March 11, 2021 and March 19, 2021
  - B. Personnel
  - C. 2020-2021 Audit Contract – Anderson, Smith and Wike, PLLC
  - D. Budget Amendment S-07
  - E. Budget Transfer Report - For Information Only
- V. \*Action Items**
  - A. Summer Programming – Dr. Wendy Rich, Assistant Superintendent of Curriculum and Instruction
  - B. ESSER II and ESSER III – Ms. Sandra Spivey, Finance Officer
  - C. Resolution Supporting Local Control of School Calendars – Dr. Aaron Woody, Superintendent
- VI. Information, Reports, and Recommendations**
  - A. Policies for 30-Day Review – Dr. Drew Maerz, Director of Testing and Accountability
    - Policy 1300 - Governing Principle – Parental Involvement
    - Policy 1310/4002 - Parental Involvement
    - Policy 1500 - Governing Principle – Safe, Orderly, and Inviting Environment
    - Policy 1510/4200/7270 - School Safety
    - Policy 1600 - Governing Principle – Professional Development
    - Policy 1700 - Governing Principle – Removal of Barriers
    - Policy 1740/4010 - Student and Parent Grievance Procedure
    - Policy 1742/5060 - Responding to Complaints

- Policy 1750/7220 - Grievance Procedure for Employees
  - Policy 1760/7280 - Prohibition Against Retaliation
  - Policy 4001 - Equal Educational Opportunities
  - Policy 4023 - Education for Pregnant and Parenting Students
  - Policy 7232 - Discrimination and Harassment in the Workplace
  - Policy 7820 - Personnel Files
- B. Civil Rights Review – Ms. Sarah Beth Robbins, CTE Administrator/Curriculum & Instructional Management Coordinator
  - C. The Science of Reading – Ms. Deanna Wiles, Director of K-12 Curriculum, and Ms. Chandra Manning, Beginning Teacher Coordinator and Curriculum Specialist
  - D. Asheboro High School Phase III Construction Update - Mr. Ed Keller, Maintenance Director
  - E. Student Return to Campus Updates - Elementary and Secondary Principals

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

- A. Board Update

**VIII. Board Operations** – Mr. Michael Smith, Chairman

- A. Calendar of Events

- IX. **Closed Session**: Under NC General Statute 143-318.11.A1, to prevent disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the Meaning of Chapter 132 of the General Statutes, the Board will enter closed session to discuss planning concerns for the 2021-2022 school year.

**X. Adjournment**

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

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

**ASHEBORO CITY BOARD OF EDUCATION**  
**Asheboro City Schools Professional Development Center**

**April 15, 2021**

**7:30 p.m.**

**Addendum**

6:00 p.m.: Budget Meeting

6:45 p.m.: Policy Committee Meeting

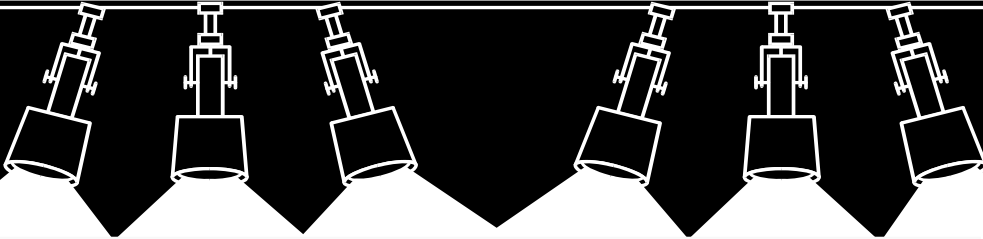
- I. Opening**
- II. Special Recognition and Presentations**
- III. Public Comments**
- IV. \*Consent Agenda**
  - B. Personnel Addendum (Added)**
  - F. Federal Budget Amendment F-02 (Added)**
  - G. Asheboro High School Course Additions for 2021-2022**
- V. \*Action Items**
  - D. Phase III Construction: (Added)**
    - Budget Amendment CO-02
    - Project Budget
    - Intent to Award Construction Contract to J.M. Thompson
- VI. Information, Reports, and Recommendations**
- VII. Superintendent's Report**
- VIII. Board Operations**
- IX. Closed Session**
- X. Adjournment**

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

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



**April 15, 2021**



**Community Partner Spotlight:**

At the April meeting of the Asheboro City Board of Education, we will recognize Randolph Health, Prevo Drug, and Randolph County Public Health for our Community Partners Spotlight. We are extremely grateful for our partners who have worked with us to provide COVID-19 vaccinations for interested Asheboro City Schools staff. At this point, the majority of our staff who expressed interest are either completely vaccinated or are scheduled for their second shot.

Randolph Health offered clinics at the hospital on March 3 and 4. Approximately 100 people received their first dose of the Moderna vaccine.

Prevo Drug offered an onsite clinic in our boardroom on March 10, with approximately 55 receiving the Johnson & Johnson vaccine.

Tara Aker and the team at Randolph County Public Health have been critical to our work, as we have navigated the COVID-19 global pandemic. They have helped us interpret public health guidance from the Centers for Disease Control and Prevention. They have helped us determine when someone needs to be quarantined or isolated, and for how long if they have been exposed or showing symptoms. They have worked alongside our school nurse team and Mrs. Freemyer to make suggestions about school and classroom closures.

While we recognize we are still in the midst of the pandemic and continue to manage this impact, we are extremely proud to have brought ALL students in grades K-12 back to the classroom in Plan A in the last several weeks. We are also very pleased with how many staff have chosen to take one of the COVID-19 vaccines. With all these measures in place and with help from our community partners, we are excited about the future in ACS!



## **Points of Pride**

**April 15, 2021**

### **We have all students back in Plan A!**

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

### **Mrs. Brooks and Mrs. Williams Receive Mentor Awards**

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

### **AHS Students Inducted into the National Honors Society**

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

#### **Seniors**

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

#### **Juniors**

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

### **AHS Renovation and Construction Update**

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

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

**Budget Planning and Finance Committee**

**Board Members attending in person:**

Michael Smith, Chairman	Baxter Hammer, Vice Chairman	Gus Agudelo
Phillip Cheek	Linda Cranford	Gidget Kidd
Art Martinez	Ryan Patton	Gwen Williams

**Board Members absent:**

Archie Priest, Jr.	Dr. Beth Knott
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**Staff Members attending in person:**

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

**Others attending:** Smith Sinnett Architecture Representatives

Rhonda Angerio	Fred Jernigan	Les Parker
Charlie Tennant		

Chairman Smith called the meeting to order at 6:02 p.m. and welcomed all in attendance.

Dr. Woody opened the meeting with a brief overview of the recent state legislative activities.

Ms. Spivey highlighted the Asheboro High School Phase III construction bid preliminary results from the earlier bid opening that day. Five vendors submitted bids with four seemingly responsive bidders. The lowest bidder appears to be J.M. Thompson with the second lowest bidder coming in less than \$10,000 different from J.M. Thompson. Smith Sinnett will need time to review the bids and complete the final bid tabulation. The bids did come in higher than expected. Smith Sinnett had projected a budget of \$21 million for the construction contract. The lowest bid came in at \$23.2 million for the base bid and \$24.7 million for the total bid. Smith Sinnett representatives and Mr. Keller will meet with the lowest bidder to determine if there are any items that can be value-engineered to reduce the total bid. Dr. Woody and Ms. Spivey will be in contact with Mr. Will Massie and the Randolph County Commissioners to determine the next steps for financing. Ms. Spivey turned the meeting over to Ms. Rhonda Angerio from Smith Sinnett for further details.

Ms. Angerio reiterated the next steps in the process and fielded questions.

Ms. Spivey presented an update of the current budget for the 2020-2021 school year. Ms. Spivey highlighted some of the budget concerns going into next school year. Mr. Keller reviewed the upcoming facility improvement needs.

Ms. Spivey reviewed the budget information for the GEER (Governor's Emergency Education Relief) application for Special Instructional Services - PRC 169 and Supplemental Instructional Services - 170. This grant submission is due by March 30 and requires board approval. This item will be added to the Consent Agenda tonight as an addendum.

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

### **Policy Committee**

#### **Board Members attending in person:**

Michael Smith, Chairman	Baxter Hammer, Vice Chairman	Gus Agudelo
Phillip Cheek	Linda Cranford	Gidget Kidd
Art Martinez	Ryan Patton	Gwen Williams

#### **Board Members absent:**

Dr. Beth Knott	Archie Priest, Jr.
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#### **Staff Members attending in person:**

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

The meeting was called to order at 7:05 p.m. and Dr. Drew Maerz presented the following policy amendments:

Policy 1300 – Governing Principle – Parental Involvement: Policy title updates.

Policy 1310/4002 – Parental Involvement – Updates of wording, policy titles, and legal and cross references.

Policy 1500 – Governing Principle – Safe, Orderly, and Inviting Environment: Policy title updates.

Policy 1510/4200/7270 – School Safety: Minor language change, policy titles, and cross-references updates.

Policy 1600 – Governing Principle – Professional Development: Updated policy title.

Policy 1700 – Governing Principle – Removal of Barriers: Policy title update.

Policy 1740/4010 – Added parent to definitions and updates to language, policy titles, and cross-references.

Policy 1742/5060 – Responding to Complaints: Add section A7. Updates to policy titles, language, and cross-references.

Policy 1750/7220 – Grievance Procedure for Employees: Updates in language and cross-references.  
Added statement in E.1.C.

Policy 1760/7280 – Prohibition Against Retaliation: Policy titles removed and updated cross references.

Policy 4001 – Equal Educational Opportunities: Language, policy title, and cross references updated.

Policy 4023 – Education for Pregnant and Parenting Students: Updated legal and cross references.

Policy 7232 – Discrimination and Harassment in the Workplace: New policy. Should align with Policy 1710.

Policy 7820 – Personnel Files: Updated policy titles and cross references.

The meeting was adjourned at 7:22 p.m.

### **Board of Education Meeting**

#### **Board Members attending in person:**

Michael Smith, Chairman	Baxter Hammer, Vice Chairman	Gus Agudelo
Phillip Cheek	Linda Cranford	Gidget Kidd
Art Martinez	Ryan Patton	Gwen Williams
Taylor Callicutt, Attorney (representing Scott Eggleston)		

#### **Board Members attending virtually:**

Dr. Beth Knott

#### **Board Members absent:**

Archie Priest, Jr.

#### **Staff Members attending in person:**

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

#### **Staff Members attending virtually:**

Leigh Anna Marbert	Barbara Skelly	Chandra Manning
Ray Horton	Robin Harris	Angie Allen
Sarah Beth Robbins	Vanessa Brooks	MacKenzie Palmer
Kristen Wright	Deanna Wiles	

### **Opening**

Chairman Smith called the meeting to order at 7:34 p.m. and welcomed all in attendance, then followed with a moment of silence and The Pledge of Allegiance.

Upon motion by Ms. Cranford and seconded by Mr. Cheek, the Board unanimously approved the meeting agenda with the addition of Consent Agenda Item H (Governor's Emergency Education Relief Application [GEER] PRCs 169 and 170).

### **Special Recognitions**

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

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

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

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

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

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

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

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

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

### **Community Partner**

Ms. Leigh Anna Marbert, Public Information Officer, recognized the Asheboro Rotary Club for their generous donation of dictionaries to each third-grade student in Asheboro City Schools.

### **National Board Certification**

Ms. Chandra Manning, Beginning Teacher Coordinator and Curriculum Specialist, recognized Ms. Elizabeth Pack, Asheboro High School teacher, who has earned certification through the National Board of Professional Teaching Standards.

### **Public Comments**

There were no requests to address the Board.

### **Consent Agenda**

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

**A.** Minutes for February 11, 2021 Board of Education Meeting.

**B.** Personnel:

#### **\*I. RESIGNATIONS/RETIREMENTS/SEPARATIONS**

<b>LAST</b>	<b>FIRST</b>	<b>SCHOOL</b>	<b>SUBJECT</b>	<b>EFFECTIVE</b>
Cheek	Lisa	NAMS/SAMS	School Social Worker	6/30/2021
Needham	Georgie	CWM	Instructional Assistant	6/4/2021
Waynick	Margaret	BAL	Instructional Assistant	4/30/2021
Woods	Randy	GBT	Instructional Assistant/EC	6/4/2021
Alley	Brian	CO	Computer Technician	3/1/2021
Durham	Charles	CO	Bus Driver	2/23/2021
Graves	Margie	CWM	Bus Driver/Custodian	6/30/2021
Griffin	Paula	DLL	Instructional Assistant	6/30/2021
Keller	Ed	CO	Director of Maintenance	6/30/2021

#### **\*II. APPOINTMENTS**

<b>LAST</b>	<b>FIRST</b>	<b>SCHOOL</b>	<b>SUBJECT</b>	<b>EFFECTIVE</b>
Grant	Cathie	GBT	Tutor	4/6/2021 - 6/2/2021
Hall	Carle	AHS	JROTC (part-time; temporary)	1/21/2021 - 6/30/2021
Honeycutt	Dylan	LP	Custodian	3/1/2021
Robbins	Christin	CWM	Instructional Assistant/ EC (full-time; temporary)	3/1/2021 - 6/3/2021
Trogon	Denise	CWM	Tutor (part-time; temporary)	3/8/2021 - 6/2/2021
Wicker	Kaitlyn	SAMS	School Nurse	4/6/2021
Ingold	Tony	AHS	Non-Faculty Coach – Tennis	3/12/2021
Salgado	Jason	BAL	5 <sup>th</sup> Grade Dual Language	8/17/2021

#### **III. TRANSFERS**

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

**C.\*** AIG Plan Addendum

**D.\*** Policies for Approval – Dr. Drew Maerz, Director of Testing and Accountability

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

**E.\*** Sole Source Waiver – Sylvan Learning.

**F.\*** Budget Amendment S-06.

**G.\*** 2021-2022 New Courses Request for Asheboro High School.

**H.\*** Governor's Emergency Education Relief (GEER) Application.

\*A copy is made a part of these materials

**Action Items:**

A.\*Dr. Drew Maerz, Director of Testing and Accountability, presented the proposed 2022-2023 school calendar. Upon motion by Ms. Williams and seconded by Mr. Cheek, the Board unanimously approved the 2022-2023 calendar as presented.

\*A copy is made a part of these minutes.

**Information, Reports, and Recommendations**

A.\*Ms. Sandra Spivey, Finance Officer, provided a school nutrition update. Ms. Spivey noted that 322,386 meals were served from March to June 2020. These meals were delivered by school personnel on yellow buses and offered to all individuals birth to 18 years of age in response to school closures due to COVID-19. From June – August 2020, 149,183 meals were provided.

\*A copy is made a part of these minutes

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

- Approximately 50% of Asheboro City Schools' staff has received at least the first dosage of the COVID-19 vaccination.
- We will host our annual Legislative Breakfast on March 19, 2021. This is an opportunity for Board of Education members to discuss important legislative items with our representatives.
- K-5 students will return to school four days per week under Plan A on Monday, March 22. There are currently 1,305 students enrolled in ACCESS Ed. This program will continue to be an option for students to learn virtually. Wednesday's will remain as virtual learning days for all students.
- Legislation was approved today for middle and high school students to return to the classroom under Plan A.
- Health screenings will be conducted daily for all students prior to their entry into the Asheboro City School facilities.
- Face masks are still mandated and our staff will continue daily cleanings.



- The Asheboro High School girls' basketball team played in the state play-offs this past weekend following an undefeated season. It was great to see the community support for our girls!

### **Board Operations**

- A. Chairman Smith reviewed the calendar of upcoming events, noting the next board meeting is April 15, 2021.
- B. Chairman Smith noted that all board members have been registered for the virtual 2021 National School Boards Annual Conference April 8-10.

### **Adjournment:**

There being no further business and upon motion by Mr. Agudelo and seconded by Mr. Patton, the Board unanimously approved to adjourn at 9:02 p.m.

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Chairman

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Secretary

**Asheboro City Schools  
Board of Education  
Asheboro City Schools Professional Development Center  
March 19, 2021  
10:00 a.m.**

**Special Called  
Board of Education Meeting**

**Board Members attending in person:**

Baxter Hammer, Vice Chair	Phillip Cheek	Linda Cranford
Gidget Kidd	Dr. Beth Knott (left at 10:45 a.m.)	Ryan Patton
Gwen Williams		

**Board Members attending virtually:**

Michael Smith, Chairman	Art Martinez
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**Board Members absent:**

Gus Agudelo	Archie Priest, Jr.
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**Staff Members attending in person:**

Dr. Aaron Woody	Sandra Spivey	Anthony Woodyard
Donna Gentry	Dr. Wendy Rich	Dr. Drew Maerz
Lee Clark	Will Castro	Carla Freemyer
Leigh Anna Marbert		

**Staff Members attending virtually:**

Barbara Skelly	Chandra Manning	Ray Horton
Robin Harris	Sarah Beth Robbins	Vanessa Brooks
Deanna Wiles	Lisa Hayes	

**Opening**

Vice Chairman Hammer called the meeting to order at 10:15 a.m. and welcomed all in attendance.

Upon motion by Mr. Patton and seconded by Dr. Knott, the Board unanimously approved the meeting agenda with the removal of the Public Comments section which was offered at the March 11, 2021 Board of Education meeting.

**Action Items:**

A. Options for School Schedules for the Remainder of the 2020-2021 School Year:

Superintendent Woody informed the Board that a number of staff across the district have had their initial dose of the COVID-19 vaccine and should receive their second by the end of the month. Asheboro City Schools hosted a vaccination clinic for employees this past week with 55 employees receiving the one-dose Johnson & Johnson vaccine. Employee survey results indicate approximately 75% of staff are interested in being vaccinated.

Superintendent Woody shared state officials announced last week they had reached a bipartisan agreement to return more students to school specifically students in middle and high schools. For the first time since March 2020, school districts can open grades 6-12 for all students under Plan A, which only recommends (does not require) social distancing. Our current reopening plan complies with the new state legislation.

Superintendent Woody then made a recommendation to the Board to move all schools to Plan A (elementary effective March 22 and secondary schools on April 6) using the following guidelines:

- Students return four days per week (Monday, Tuesday, Thursday, and Friday).
- Wednesdays will remain virtual/remote for all students.
- Wednesdays will be a day of separation time to mitigate exposure.
- Wednesdays will be used for blended learning preparation and providing protected time for teachers to connect with remote only (ACCESS Ed) students. Currently, we have 1,260 students in ACCESS Ed (almost a quarter of our student population). Additionally, almost all classrooms have face-to-face and remote students in a blended-learning environment. This requires an enormous amount of work creating and customizing lessons in a digital format. We strongly support providing time to allow for this work and connecting with our remote only students.
- Should students need to quarantine, we will move them to remote/virtual learning.

It was noted that districts must submit a plan to the Department of Health and Human Services and enter into a Memorandum of Understanding with the ABC Collaborative before moving into Plan A at the secondary level.

After discussion and upon motion by Mr. Patton and seconded by Mr. Cheek, the Board unanimously approved to transition to Plan A for secondary schools four days per week effective April 6. The Superintendent is also given authority to move a student(s), class(es), or school(s) to Plan C (all remote) should the need arise.

**Adjournment:**

There being no further business and upon motion by Ms. Kidd and seconded by Mr. Cheek, the meeting adjourned at 11:15 a.m.

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Chairman

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Secretary

Asheboro City Board of Education  
Legislative Breakfast  
Professional Development Center  
March 19, 2021  
8:00 a.m.

**Staff Members in attendance:**

Dr. Aaron Woody, Superintendent	Dr. Wendy Rich	Ed Keller
Anthony Woodyard	Dr. Drew Maerz	Sandra Spivey
Leigh Anna Marbert	Carla Freemyer	Donna Gentry

**Board of Education Members in attendance:**

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

**Board of Education Members attending virtually:**

Art Martinez

**Board of Education Members absent:**

Gus Agudelo	Archie Priest, Jr.
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**Elected Officials in attendance:**

Representative Allen McNeill	Senator David Craven, Jr.
Representative Pat Hurley	

Dr. Aaron Woody, Superintendent, called the meeting to order at 8:05 a.m.

Superintendent Woody and Mr. Michael Smith, Chairman, extended a welcome to all in attendance and Superintendent Woody provided highlights from the past year of navigating through the COVID-19 pandemic.

Chairman Smith introduced Ms. Linda Cranford, Board and Legislative Committee member, to lead the presentation and discussion of the 2021 Legislative Platform. Ms. Cranford deferred to Mr. Hammer for the presentation of Priority I.

**Priority I: *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 = **2:4,500**

Asheboro City Schools Mental Health Referrals 2018-2019 = **102**

**Discussion:** On behalf of the Board, Mr. Hammer requested increased funding for school safety enhancements (SRO officers) and mental health providers. He noted that based on the information contained in the previous table, Asheboro City Schools is well behind the national recommended ratio of specialists to students. Mr. Hammer noted that during the past year students have suffered emotionally and socially due to the isolation caused by the pandemic. Adequate mental health specialists are needed to support our students as well as staff members.

Mr. Hammer also expressed the desire to see Masters degree pay reinstated for teachers and specialists. He noted that all students do not have a positive home environment. Chairman Smith added that highly-trained specialists are needed in the school setting to best support those students facing challenges, particularly those who do not have support outside of the school setting to obtain needed services.

Representative McNeill reported that he serves on the School Safety Panel and that school needs have not been forgotten. He noted that last year additional FBI agents were added to investigate incidents of threats in and outside of the school setting.

Mr. Patton reviewed Priority II.

***Priority II: 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 eight 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.

**Discussion:**

Mr. Patton reiterated that the Board wants public and all other schools receiving tax-payer dollars held to the same accountability standards.

- Charter schools are only required to have 50% of their teachers licensed while public schools must have 100%.
- Charter schools have total flexibility with school calendars while public schools must comply with eight criteria including limitations on the start date of the school year. This limitation creates little to no flexibility once the other criteria are met. Asheboro City Schools would like to look at ending the first semester prior to the winter break, but the current requirements make this impossible.
- K-3 Class Sizes: Unlike public schools, charter schools have no district-wide average or maximum number of students per class.

- Standard Course of Study: Charter schools are not required to follow curriculum standards while public schools must follow the NC Standard Course of Study in nine subject areas.

Ms. Cranford and Mr. Hammer emphasized that the Board believes in school choice, but want parents to realize the difference in what they are selecting when going with charter schools. Equality is wanted.

Representative Hurley noted that the tourism industry remains against calendar flexibility because they feel they are losing business when schools are allowed to have earlier start dates.

Representative McNeill recommended that the Board adopt a resolution calling for calendar flexibility to be presented to Mr. Tim Moore, Speaker of the North Carolina House of Representatives, and Mr. Phil Berger, President pro tempore of the North Carolina Senate, with copies to Representatives McNeill and

Growth ranges in the weighting of student growth				
Exceeded: 85-100		Met: 70-84.9		Not Met: 50-69.9
Asheboro High School	B	Met Growth	84.8	*Top 50% Statewide
Balfour Elementary School	C	Exceeded Growth	93.2	*Top 5% Statewide
McCrary Elementary School	C	Exceeded Growth	86.9	*Top 25% Statewide
Loflin Elementary School	C	Met Growth	79.6	
Teachey Elementary School	B	Met Growth	77	

Hurley and Senator Craven. Senator Craven also recommended that the Board provide a sample calendar showing how flexibility could change the school year.

Dr. Beth Knott was recognized to present Priority III.

**Priority III: 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.” Finally, we believe there should be a consideration to waive end-of-grade, end-of-course, and NC final exam assessments for the 2020-2021 school year. We do not believe the data will be beneficial, especially during the COVID-19 global pandemic. (ACS Strategic Plan Goal 2, Objective 2.)

#### Discussion:

Dr. Knott noted that our community most likely has and will continue to be adversely affected by the current school performance grading system. Individuals looking to relocate to our area who investigate school systems do not get an accurate picture of Asheboro City Schools based on the current grading guidelines. Our

schools are meeting and exceeding growth, but this isn't reflected in the current calculation. Dr. Knott also inquired about waivers for end-of-grade and end-of-course testing. Representative McNeill note that Bill 152 would modify school grading. He recommended that the Board review this bill and provide feedback.

### **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.

In closing, Chairman Smith asked for continued support and consideration from our local representatives as they make important decisions for the students in our state.

The meeting was adjourned at 10:00 a.m.

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Chairman

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Secretary

**Asheboro City Schools  
Personnel Transactions  
April 15, 2021**

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

<b>LAST</b>	<b>FIRST</b>	<b>SCHOOL</b>	<b>SUBJECT</b>	<b>EFFECTIVE</b>
Cortez	Mireida	AHS	Mathematics	6/4/2021
Howard	Tony	CO/LP	Bus Driver/Custodian	6/30/2021
Ritter	Lora	NAMS	6th Grade	6/4/2021
Staggs	Pepper Jo	DLL	Kindergarten	6/4/2021
Urban	Deborah	ECDC	After School Assistant (part-time)	6/4/2021

**\*B. APPOINTMENTS**

<b>LAST</b>	<b>FIRST</b>	<b>SCHOOL</b>	<b>SUBJECT</b>	<b>EFFECTIVE</b>
Lopienski	John	NAMS	Non-Faculty Coach - Wrestling	4/5/2021

**\*C. ADMINISTRATOR CONTRACTS**

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



**Asheboro City Schools**  
**Personnel Transactions - ADDENDUM**  
**April 15, 2021**

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

<b>LAST</b>	<b>FIRST</b>	<b>SCHOOL</b>	<b>SUBJECT</b>	<b>EFFECTIVE</b>
Alvarado	Al	AHS	Custodian	4/6/2021
Byrum	Georgia "Ellen"	SAMS	Business	6/4/2021
Dawson	Julia	SAMS	Media Specialist	9/30/2021
DeLeon	Elizabeth	AHS	Custodian	4/6/2021
Salinas-Pavon	Cinthia	CWM	After School Assistant (part-time)	4/16/2021

**\*B. APPOINTMENTS**

<b>LAST</b>	<b>FIRST</b>	<b>SCHOOL</b>	<b>SUBJECT</b>	<b>EFFECTIVE</b>
Bean	Delores	CO	Substitute/\$85 per day	4/16/2021
Hoover	Dale	CO	Bus Driver	4/20/2021
Rush	Karla	CO	Substitute/\$85 per day	4/16/2021
Smith	Princess	CO	Substitute/\$85 per day	4/16/2021

The	Governing Board
of	Board of Education
	Primary Government Unit (or charter holder)
	Asheboro City Schools
and	Discretely Presented Component Unit (DPCU) (if applicable)
	N/A

*Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)*

and	Auditor Name
	Anderson Smith & Wike PLLC
	Auditor Address
	5639 Seven Lakes West, West End, NC 27376

*Hereinafter referred to as Auditor*

for	Fiscal Year Ending	Audit Report Due Date
	06/30/21	10/31/21

*Must be within four months of FYE*

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).

2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit performed under the requirements found in Subpart F of the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.
- If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.
6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within four months of fiscal year end. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).

11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.

12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.

13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC along with an Audit Report Reissued Form (available on the Department of State Treasurer website). These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to charter schools or hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 28 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to charter schools or hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and Governmental Auditing Standards, 2018 Revision (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:

- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
- b) the status of the prior year audit findings;
- c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
- d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern.

30. Applicable to charter school contracts only: No indebtedness of any kind incurred or created by the charter school shall constitute an indebtedness of the State or its political subdivisions, and no indebtedness of the charter school shall involve or be secured by the faith, credit, or taxing power of the State or its political subdivisions.

31. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 16 for clarification).

32. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit>

33. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

34. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.



## FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Governmental Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will not be approved.

Financial statements were prepared by: ☒ Auditor ☐ Governmental Unit ☐ Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:

Title and Unit / Company:

Email Address:

Sandra Spivey

Finance Officer

sspivey@asheboro.k12.nc.us

OR Not Applicable ☐ (Identification of SKE Individual not applicable for GAAS-only audit or audits with FYEs prior to June 30, 2020.)

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the billings for the last annual audit of the unit submitted to the Secretary of the LGC. Should the 75% cap provided below conflict with the cap calculated by LGC Staff based on the billings on file with the LGC, the LGC calculation prevails. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

## PRIMARY GOVERNMENT FEES

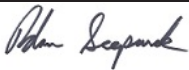
Primary Government Unit	Asheboro City Schools
Audit Fee	\$ 33,000
<b>Additional Fees Not Included in Audit Fee:</b>	
Fee per Major Program	\$ N/A
Writing Financial Statements	\$ 4,000
All Other Non-Attest Services	\$ If applicable, fees listed in the attached engagement letter
<b>75% Cap for Interim Invoice Approval</b> (not applicable to hospital contracts)	\$ 27,750.00

## DPCU FEES (if applicable)

Discretely Presented Component Unit	N/A
Audit Fee	\$ N/A
<b>Additional Fees Not Included in Audit Fee:</b>	
Fee per Major Program	\$ N/A
Writing Financial Statements	\$ N/A
All Other Non-Attest Services	\$ N/A
<b>75% Cap for Interim Invoice Approval</b> (not applicable to hospital contracts)	\$



**SIGNATURE PAGE****AUDIT FIRM**

Audit Firm* Anderson Smith & Wike PLLC	
Authorized Firm Representative (typed or printed)* Adam Scephurek	Signature* 
Date* 04/15/21	Email Address* ascephurek@asw-cpa.com

**GOVERNMENTAL UNIT**

Governmental Unit* Asheboro City Schools	
Date Primary Government Unit Governing Board Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)* Mr. Michael Smith	Signature*
Date	Email Address mismith@asheboro.k12.nc.us

Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address N/A

**GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE**

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).  
Not applicable to hospital contracts.

*This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.*

Primary Governmental Unit Finance Officer* (typed or printed) Sandra Spivey	Signature*
Date of Pre-Audit Certificate*	Email Address* sspivey@asheboro.k12.nc.us

**SIGNATURE PAGE – DPCU**  
**(complete only if applicable)**

**DISCRETELY PRESENTED COMPONENT UNIT**

DPCU*	
N/A	
Date DPCU Governing Board Approved Audit Contract* (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)*	Signature*
N/A	
Date*	Email Address*
	N/A

Chair of Audit Committee (typed or printed, or "NA")	Signature
N/A	
Date	Email Address
	N/A

**DPCU – PRE-AUDIT CERTIFICATE**

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).  
 Not applicable to hospital contracts.

*This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.*

DPCU Finance Officer (typed or printed)*	Signature*
N/A	
Date of Pre-Audit Certificate*	Email Address*
	N/A

Remember to print this form, and obtain all  
 required signatures prior to submission.

**PRINT**



# ANDERSON SMITH & WIKE PLLC

*Certified Public Accountants*

April 15, 2021

Asheboro City Schools  
1126 South Park Street  
Asheboro, NC 27203

We are pleased to confirm our understanding of the services we are to provide for Asheboro City Schools for the year ended June 30, 2021. We will audit the basic financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of Asheboro City Schools as of and for the year ended June 30, 2021. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Asheboro City Schools' basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Asheboro City Schools' RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Schedules of the Board's Proportionate Share of the Net Pension and OPEB Liabilities (Assets)
- 3) Schedules of Board Contributions

We have also been engaged to report on supplementary information other than RSI that accompanies Asheboro City Schools' financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditors' report on the financial statements.

1. Schedule of expenditures of federal and State awards
2. Individual fund schedule and budgetary schedules

## **Audit Objectives**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the additional information referred to in the second paragraph when considered in relation to the basic financial statements taken as a whole. The objective also includes reporting on-

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal and State statutes, regulations, and the terms and conditions of federal and State awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Guide.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance and State Single Audit Implementation Guide reports on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance and the State Single Audit Implementation Guide. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; the provisions of the Uniform Guidance and the State Single Audit Implementation Guide, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance and the State Single Audit Implementation Guide, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our single audit. Our reports will be addressed to the Board of Education of Asheboro City Schools. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements or the single audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

#### **Audit Procedures – General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, an unavoidable risk exists that some material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We may request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal and State awards; federal and State award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

#### **Audit Procedures – Internal Controls**

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance and the State Single Audit Implementation Guide, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal and State award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance and the State Single Audit Implementation Guide.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, the Uniform Guidance and the State Single Audit Implementation Guide.

#### **Audit Procedures – Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Asheboro City Schools' compliance with provisions of applicable

laws, regulations, contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance and the State Single Audit Implementation Guide requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal and State statutes, regulations, and the terms and conditions of federal and State awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the OMB Compliance Supplement and the State Single Audit Implementation Guide for the types of compliance requirements that could have a direct and material effect on each of Asheboro City Schools' major programs. For federal or State programs that are included in the Compliance Supplement or State Single Audit Implementation Guide, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement or State Single Audit Implementation Guide identifies as being subject to audit. The purpose of these procedures will be to express an opinion on Asheboro City Schools' compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance and the State Single Audit Implementation Guide.

### **Other Services**

We will also assist in preparing the financial statements, schedule of expenditures of federal and State awards, and related notes of Asheboro City Schools, in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards and related notes previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

### **Management Responsibilities**

Management is responsible for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal and State awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal and State awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal and State statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, including identification of all related parties and all related-party

relationships and transactions, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance and the State Single Audit Implementation Guide, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review.

You are responsible for identifying all federal and State awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal and State awards (including notes and noncash assistance received) in conformity with the Uniform Guidance and the State Single Audit Implementation Guide. You agree to include our report on the schedule of expenditures of federal and State awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal and State awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal and State awards that includes our report thereon or make the audited financial statements readily available to intended users of the schedule of expenditures of federal and State awards no later than the date the schedule of expenditures of federal and State awards is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal and State awards in accordance with the Uniform Guidance and the State Single Audit Implementation Guide; (2) you believe the schedule of expenditures of federal and State awards, including its form and content, is stated fairly in accordance with the Uniform Guidance and the State Single Audit Implementation Guide; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal and State awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are

responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal and State awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal and State awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal and State awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience, to evaluate the adequacy and results of those services, and accept responsibility for them.

#### **Engagement Administration, Fees and Other**

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request, will locate any documents selected by us for testing and will provide copies of reports or other documents, where requested.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal and state awards, summary schedule of prior audit findings, auditors' reports, and a corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

We will provide copies of our reports to Asheboro City Schools; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Anderson Smith & Wike PLLC and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to an oversight agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight



responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Anderson Smith & Wike PLLC personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested by an oversight agency. If we are aware that a federal or State awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

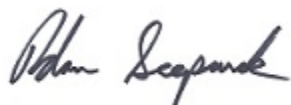
We expect to begin our audit in April 2021 and to issue our reports no later than December 1, 2021. Adam Scepurek is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our fees for the audit and financial statement preparation services will not exceed \$33,000 for the audit and \$4,000 for the writing of the financial statements. In addition, we will bill separately at standard hourly rates for any nonattest services requested by management that we may provide. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to Asheboro City Schools and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Anderson Smith & Wike PLLC



Adam Scepurek, CPA

RESPONSE:

This letter correctly sets forth the understanding of Asheboro City Schools.

Officer signature: \_\_\_\_\_ Date: \_\_\_\_\_

Board Chair Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## Report on the Firm's System of Quality Control

To the Partners of Anderson Smith & Wike, PLLC and the  
Peer Review Committee, North Carolina Association  
of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Anderson Smith & Wike, PLLC (the firm) in effect for the year ended March 31, 2019. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary). The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

### Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

### Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

### Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act, and an audit of an employee benefit plan.

As part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

### Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Anderson Smith & Wike, PLLC in effect for the year ended March 31, 2019, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Anderson Smith & Wike, PLLC has received a peer review rating of *pass*.

*Koonce, Wooten & Haywood, LLP*

Koonce, Wooten & Haywood, LLP

July 17, 2019

#### Raleigh

4060 Barrett Drive  
Post Office Box 17806  
Raleigh, North Carolina 27619

919 782 9265  
919 783 8937 FAX

#### Durham

3500 Westgate Drive  
Suite 203  
Durham, North Carolina 27707

919 354 2584  
919 489 8183 FAX

#### Pittsboro

579 West Street  
Post Office Box 1399  
Pittsboro, North Carolina 27312

919 542 6000  
919 542 5764 FAX

Budget Amendment  
Asheboro City Schools Administrative Unit  
State Public School Fund

The Asheboro City Board of Education at a regular meeting on the 15th day of April, 2021, passed the following resolution.

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

REVENUE

1.3100.000	State Allocation	\$ <u>836,415</u>
		\$ <u><u>836,415</u></u>

EXPENDITURE

1.5110.001	Regular Instruction - Classroom Teacher	\$ 750,000
1.6540.003	Custodial/Housekeeping - Non-Instructional Support	2,014
1.6400.015	Technology Support - School Technology Fund	53
1.5350.016	Extended Day/Year Instruction - Summer Reading Camps	72,348
1.6550.056	Transportation Services - Transportation of Pupils	<u>12,000</u>
		\$ <u><u>836,415</u></u>

Total Appropriation in Current Budget	\$ 34,035,691
Total Increase/Decrease of above amendment	<u>836,415</u>
Total Appropriation in Current Amended Budget	\$ <u><u>34,872,106</u></u>

Passed by majority vote of the Board of Education of Asheboro City on the 15th day of April, 2021.

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Chairman, Board of Education

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Secretary

**Asheboro City Schools  
Budget Transfer Report  
Information Only  
2020-2021**

<b>Fiscal Period</b>	<b>Fund</b>	<b>Purpose</b>	<b>Description</b>	<b>Sum of Amount</b>	
6 1	5100		Regular Instructional Services	\$	378,011.00
1	5200		Special Populations Services	\$	(73,884.00)
1	5800		School-Based Support Services	\$	(13,210.00)
1	6500		Operational Support Services	\$	(81,890.00)
1	7200		Nutrition Services	\$	(209,027.00)
<hr/>					
9 3	3600		Federal Fund Revenue	\$	(86.00)
3	5300		Alternative Programs and Services	\$	86.01
3	5800		School-Based Support Services	\$	0.10
3	8100		Payments to Other Governmental Units	\$	(1,680.80)
3	8200		Unbudgeted Funds	\$	1,680.69

Budget Amendment  
Asheboro City Schools Administrative Unit  
Federal Funds

The Asheboro City Board of Education at a regular meeting on the 15th day of April, 2021, passed the following resolution.

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

REVENUE

3.3600.060	IDEA VI-B Handicapped	\$ (81,147.64)
3.3600.163	CARES ACT-K-12 Emergency Relief	(218,862.38)
3.3600.165	ESSERF-Digital K-8 Curricula	32,022.00
3.3600.166	ESSERF-Learning Management System	6,732.00
3.3600.169	GEER-Specialized Instructional Support Personnel	139,254.00
3.3600.170	GEER-Supplemental Instructional Services	64,189.00
		<u>\$ (57,813.02)</u>

EXPENDITURE

3.5210.060	Children w/ Disabilities Curricular Services	\$ (81,147.64)
3.5110.163	Regular Curricular Services	(218,862.38)
3.5110.165	Regular Curricular Services	32,022.00
3.5860.166	Instructional Technology	6,732.00
3.5830.169	Guidance Services	139,254.00
3.5350.170	Extended Day/Year Instructional Services	64,189.00
		<u>\$ (57,813.02)</u>

Total Appropriation in Current Budget	\$ 5,045,668.20
Total Increase/Decrease of above amendment	<u>(57,813.02)</u>
Total Appropriation in Current Amended Budget	<u>\$ 4,987,855.18</u>

Passed by majority vote of the Board of Education of Asheboro City on the 15th day of April, 2021.

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Chairman, Board of Education

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Secretary

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

**Occupational Course of Study (OCS) Employment Preparation Update**

**Course Title: Employment Preparation I Science**

**Credit: 1**

**Course Code: 9260BX0**

**Grade: 9-12**

**Prerequisites: None**

Content Focus: Employability Skills, Self-Awareness, Self-Determination, Self-Advocacy, Technology, Health and Safety, Career Development and Planning, Personal Management, and includes elements of the nature of Science.

Purpose: This course is designed to teach students skills and promote success in the areas of postsecondary education, employment, and independent living. Instructional emphasis will be placed on the application and generalization of skills to post school environments. The Six Employability Skills adopted by NCDPI have been embedded within the competency goals and objectives throughout the course.

**Course Title: Employment Preparation II Citizenship 1A**

**Credit: 1**

**Course Code: 9261BX0**

**Grade: 9-12**

**Prerequisites: None**

Content Focus: Employability Skills, Self-Awareness, Self-Determination, Self-Advocacy, Technology, Citizenship, Health and Safety, Career Development and Planning, Personal Management, and includes themes of Social Studies, Citizenship, and Global Citizenship.

Purpose: This course is designed to teach students skills and promote success in the areas of postsecondary education, employment, and independent living. Instructional emphasis will be placed on the application and generalization of skills to post school environments. The Six Employability Skills adopted by NCDPI have been embedded within the competency goals and objectives throughout the course.

**Course Title: Employment Preparation II Citizenship 1B**

**Credit: 1**

**Course Code: 9262BX0**

**Grade: 9-12**

**Prerequisites: None**

Content Focus: Employability Skills, Self-Awareness, Self-Determination, Self-Advocacy, Technology, Citizenship, Health and Safety, Career Development and Planning, Personal Management, and includes themes of Social Studies, Citizenship, and Global Citizenship.

Purpose: This course is designed to teach students skills and promote success in the areas of postsecondary education, employment, and independent living. Instructional emphasis will be placed on the application and generalization of skills to post school environments. The Six Employability Skills adopted by NCDPI have been embedded within the competency goals and objectives throughout the course.

**Course Title: Employment Preparation III Citizenship 2A**

**Credit: 1**

**Course Code: 9263BX0**

**Grade: 10-12**

**Prerequisites: None**

Content Focus: Employability Skills, Self-Awareness, Self-Determination, Self-Advocacy, Technology, Citizenship, Health and Safety, Career Development and Planning, Personal Management, and includes themes of Social Studies, Citizenship, and Global Citizenship

Purpose: This course is designed to teach students skills and promote success in the areas of postsecondary education, employment, and independent living. Instructional emphasis will be placed on the application and generalization of skills to post school environments. The Six Employability Skills adopted by NCDPI have been embedded within the competency goals and objectives throughout the course.

**Course Title: Employment Preparation III Citizenship 2B**

**Credit: 1**

**Course Code: 9264BX0**

**Grade: 10-12**

**Prerequisites: None**

Content Focus: Employability Skills, Self-Awareness, Self-Determination, Self-Advocacy, Technology, Citizenship, Health and Safety, Career Development and Planning, Personal Management, and includes themes of Social Studies, Citizenship, and Global Citizenship

Purpose: This course is designed to teach students skills and promote success in the areas of postsecondary education, employment, and independent living. Instructional emphasis will be placed on the application and generalization of skills to post school environments. The Six Employability Skills adopted by NCDPI have been embedded within the competency goals and objectives throughout the course.

**Course Title: Employment Preparation IV Math**

**Credit: 1**

**Course Code: 9265BX0**

**Grade: 10-12**

**Prerequisites: None**

Content Focus: Employability Skills, Self-Awareness, Self-Determination, Self-Advocacy, Technology, Employment Applied Math, Health and Safety, Career Development and Planning, Personal Management, and includes mathematical practices applied and integrated in the employment environment and supporting independent living

Purpose: This course is designed to teach students skills and promote success in the areas of postsecondary education, employment, and independent living. Instructional emphasis will be placed on the application and generalization of skills to post school environments. The Six Employability Skills adopted by NCDPI have been embedded within the competency goals and objectives throughout the course.





## **2021 End-of-Grade/End-of-Course Assessment Plan**

### **General Plan:**

Per guidance from the North Carolina Department of Public Instruction (NCDPI), students may repeat elements of a course or subject for the purpose of improving functional skills or to access an enrichment opportunity. This option is available for students who passed a course/subject but scored Not Proficient on the associated End-of-Course or End-of-Grade assessment in Mathematics (grades 3 – 8), Science (grades 5 & 8), Biology, English 2, NC Math 1, or NC Math 3. Districts may administer the End-of-Grade or End-of-Course tests during a summer program that occurs after the academic year. These test scores will not be included in growth analysis for school accountability or for educator effectiveness. However, the higher score will be included in proficiency calculations for school accountability within the current accountability year. The 2020-2021 accountability year ends on June 30, 2021. Enrichment Plan assessment scores must be uploaded to the NCDPI by July 5, 2021 and will be included in 2020-2021 accountability analysis.

Due to the standard setting for the new Reading/English Language Arts End-of-Grade assessments, we will not be able to remediate or retest in this subject this year.

NCDPI is not specifying the number of days the summer program must be conducted or whether transportation is required. However, student participation is voluntary. Parents or guardians must make the final decision regarding their student's summer school attendance; students should be held harmless if they do not participate. Additionally, for the 2020-2021 school year, schools offering a summer program must have it approved by their local Board of Education. Schools must notify parents about the summer program including, but not limited to, the dates it will occur, its purpose, and who is eligible to attend. All End-of-Course and End-of-Grade assessments must be administered during the NCDPI designated testing windows.

### **"Proposed" Asheboro City Schools End-of-Grade/End-of-Course Summer School Program:**

- **Tentative Dates:**

- June 14 – June 22 = Enrichment and Skill Boost
- June 23 and 24 = Assessments

- **Purpose:**

- To provide opportunities for students to increase their skills in the areas of grades 3-8 Mathematics, grades 5 & 8 Science, Biology, English 2, NC Math 1, or NC Math 3 and demonstrate mastery of grade-level content.

- **Eligibility:**

- Students who scored Not Proficient on an End-of-Grade or End-of-Course test and students assessed through NC Extend 1.

- **Additional:**

- Transportation will be provided.
- Meals will be provided.



## **2021 Summer School Plans**

Asheboro City Schools is prepared to offer a robust summer school program for students in grades K-12 who have not demonstrated proficiency in grade-level skills and standards due to learning loss from COVID-19, and who would benefit from additional support in core academic subjects.

Legislation (G.S. 115C-83.6) regulates Read to Achieve reading camps for grades 1-3. This law states that the Read to Achieve reading camps shall:

- be offered to any third-grade student who does not demonstrate reading proficiency and to any first or second-grade student who does not demonstrate grade-level reading comprehension.
- offer at least 72 hours of reading instruction to yield positive reading outcomes for participants.
- be taught by compensated, licensed teachers selected based on demonstrated student outcomes in reading proficiency or in improvement of difficulties with reading development.
- allow volunteer mentors to read with students at times other than during the 72 hours of reading instruction. The 72 hours of reading instruction shall be provided over no less than three weeks for students in schools using calendars other than year-round calendars.

Legislation is also underway (HB82) that mitigates learning loss opportunities for students in grades K-12. This bill states that:

- K-8 students must have math and reading instruction.
- Grade 3-8 students must also have science instruction.
- K-3 students must have a foundational reading component.
- Instruction must be in-person for grades K-8 and for high school core courses.
- All students must have a physical activity/recess each day.
- All students must have daily enrichment.
- K-8 must be in-person instruction.
- Instruction must be fun.

The legislation for the Read to Achieve and HB82 both state student participation is voluntary. Parents or guardians must make the final decision regarding their student's summer school attendance; students should be held harmless if they do not participate.

We have tentative plans for a four-day weekly summer school that will take place over a six-week period in June and July. K-8 students will be offered core instruction on critical standards in reading, math, and science. They will also experience extended projects and high-interest, theme-based lessons that incorporate these prioritized standards. High school students will have opportunities for course credit recovery, as well as in-person instruction in EOC courses as needed. Enrichment opportunities will be available for all student levels. Dates and times will be finalized as soon as the legislation has been finalized to ensure compliance.



## **2021 End-of-Grade/End-of-Course Assessment Plan**

### **General Plan:**

Per guidance from the North Carolina Department of Public Instruction (NCDPI), students may repeat elements of a course or subject for the purpose of improving functional skills or to access an enrichment opportunity. This option is available for students who passed a course/subject but scored Not Proficient on the associated End-of-Course or End-of-Grade assessment in Mathematics (grades 3 – 8), Science (grades 5 & 8), Biology, English 2, NC Math 1, or NC Math 3. Districts may administer the End-of-Grade or End-of-Course tests during a summer program that occurs after the academic year. These test scores will not be included in growth analysis for school accountability or for educator effectiveness. However, the higher score will be included in proficiency calculations for school accountability within the current accountability year. The 2020-2021 accountability year ends on June 30, 2021. Enrichment Plan assessment scores must be uploaded to the NCDPI by July 5, 2021 and will be included in 2020-2021 accountability analysis.

Due to the standard setting for the new Reading/English Language Arts End-of-Grade assessments, we will not be able to remediate or retest in this subject this year.

NCDPI is not specifying the number of days the summer program must be conducted or whether transportation is required. However, student participation is voluntary. Parents or guardians must make the final decision regarding their student's summer school attendance; students should be held harmless if they do not participate. Additionally, for the 2020-2021 school year, schools offering a summer program must have it approved by their local Board of Education. Schools must notify parents about the summer program including, but not limited to, the dates it will occur, its purpose, and who is eligible to attend. All End-of-Course and End-of-Grade assessments must be administered during the NCDPI designated testing windows.

### **“Proposed” Asheboro City Schools End-of-Grade/End-of-Course Summer School Program:**

- **Tentative Dates:**

- June 14 – June 22 = Enrichment and Skill Boost
- June 23 and 24 = Assessments

- **Purpose:**

- To provide opportunities for students to increase their skills in the areas of grades 3-8 Mathematics, grades 5 & 8 Science, Biology, English 2, NC Math 1, or NC Math 3 and demonstrate mastery of grade-level content.

- **Eligibility:**

- Students who scored Not Proficient on an End-of-Grade or End-of-Course test and students assessed through NC Extend 1.

- **Additional:**

- Transportation will be provided.
- Meals will be provided.



## **RESOLUTION SUPPORTING LOCAL CONTROL OF SCHOOL CALENDARS**

WHEREAS, the North Carolina General Statutes give local boards of education powers of supervision and control of local school systems; and

WHEREAS, local control over establishing school calendars is an integral component of school system supervision and administrative powers with which local boards of education have been vested; and

WHEREAS, in 2004 the North Carolina General Assembly seized control of setting school calendars and imposed a one-size-fits-all mandate on how school calendars are to be set; and

WHEREAS, the current one-size-fits-all school calendar start date is no earlier than the Monday closest to August 26 and the end date is no later than the Friday closest to June 11; and

WHEREAS, the State mandated late August start date means high schools do not complete the first semester until mid to late January; and

WHEREAS, the current law essentially requires high school students to take first semester exams after the winter break, which negatively impacts test scores, according to students and educators; and

WHEREAS, the second semester for high schools starts two to three weeks later than community colleges and universities; and

WHEREAS, superintendents report that the calendar misalignment makes it nearly impossible for high school students or recent winter graduates to take courses at a nearby community college or university during the second semester; and

WHEREAS, exams for Advanced Placement and International Baccalaureate classes are given on the same day nationwide, and the current calendar law shortens the amount of time North Carolina's students have to learn the material before test day; and

WHEREAS, it is well-documented through multiple studies that children will experience a phenomenon known as summer learning loss, which has a disproportionate impact on low-income children; and

WHEREAS, long summer breaks can also negatively impact child nutrition, as low-income children who have access to regular meals at school through the free and reduced priced meal program may not have access to regular meals at home; and

WHEREAS, with little flexibility built in to the calendar, scheduling make-up days is extremely challenging; and



WHEREAS, fall sports and band begin August 1, schedules for extracurriculars have not changed to coincide with the State-mandated school calendar; and

WHEREAS, local boards of education are best equipped to understand the balancing act of meeting the community's needs and maximizing student success; and

WHEREAS, restoring local control of school calendars will allow local boards of education to best meet the calendar preferences of the families, educators, and businesses in our community while allowing for innovative experimental approaches to improve student achievement.

THEREFORE, be it resolved that the Asheboro City Board of Education requests that the North Carolina General Assembly restore local control of school calendars to best meet the calendar preferences of the families, educators, and businesses in our community while allowing for innovative experimental approaches to improve student achievement.

Adopted by the Asheboro City Board of Education this 15th day of April, 2021.

---

Michael B. Smith, Chairman  
Asheboro City Board of Education

Budget Amendment  
Asheboro City Schools Administrative Unit  
Capital Outlay Fund

The Asheboro City Board of Education at a regular meeting on the 15th day of April, 2021 passed the following resolution.

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

REVENUE

4.4810.900	County Financing Proceeds	\$	25,268,840
		\$	25,268,840

EXPENDITURE

4.9118.900	Renovation - AHS	\$	25,268,840
		\$	25,268,840

Total Appropriation in Current Budget	\$	7,983,316
Total Increase/Decrease of above amendment		25,268,840
Total Appropriation in Current Amended Budget	\$	33,252,156

Passed by majority vote of the Board of Education of Asheboro City on the 15th day of April, 2021.

\_\_\_\_\_  
Chairman, Board of Education

\_\_\_\_\_  
Secretary

# Asheboro City Schools

## Asheboro High School - Project Budget

### April 15, 2021

Revenues	Amount
County of Randolph Appropriation	\$ 29,468,840
<b>Total Revenues</b>	<b>\$ 29,468,840</b>

Expenses	Amount
Building & Site Construction Package	\$ 22,774,768
Architect & Engineering	2,662,684
Mobile Classrooms & Site Construction Package	2,742,804
Furniture, Technology & Equipment	1,060,000
Surveying, Testing, Approvals, Fees	228,584
<b>Total Asheboro High School Renovation</b>	<b>\$ 29,468,840</b>

To: Dr. Aaron Woody  
Superintendent  
Asheboro City Schools  
1126 South Park Street  
Asheboro, NC 27203

From: Rhonda Angerio, AIA  
Smith Sinnett Architecture, P.A.

Date: April 14<sup>th</sup>, 2021  
Subject: Recommendation of Award, Phase III Renovations

Dear Dr. Woody,

On March 11<sup>th</sup>, 2021 Asheboro City Schools and Smith Sinnett Architecture opened the bid proposals for the Asheboro High School, Phase III Renovations project. The project consists of the renovation of the high school building, including overall accessibility improvements for ADA compliance, hazardous material abatement, utility infrastructure upgrades, replacement of finishes, and roof replacement. The existing program spaces will be updated to current state standards, while additional space will be allocated to emerging school programs.

We were fortunate to have four responsive bidders on the project; a certified bid tabulation is attached for your reference. The apparent low bidder was J.M. Thompson of Cary, North Carolina; this is the same contractor that has successfully completed the Phase I project.

As you are aware Asheboro City Schools, Smith Sinnett Architecture, and J.M. Thompson began a value engineering process immediately after the bidding. We are pleased to report that the team was able to find significant cost savings within the base bid, while maintaining the overall scope of the work as well as incorporating some of the more desirable alternates. A summary is as follows:

Base Bid	\$23,216,000.00
Alternate 04B (Freight elevator modernization)	\$135,280.00
Alternate 06 (New doors and hardware throughout)	\$72,223.00
VE items (Credit)	<u>(\$648,735.00)</u>

**Total Award: \$22,774,768.00**

We therefore recommend that Asheboro City Schools award the project to J.M. Thompson in the amount of \$22,774,768.00. A draft of the contract is attached for your review.

Thank you for the opportunity to work with you and the school board. We look forward to entering the next phase of this project with Asheboro City Schools.


Sincerely,



Rhonda Angerio, AIA  
President  
Smith Sinnett Architecture



**Bid Tabulation**  
**Asheboro High School Phase III Renovation**  
Asheboro City Schools/ Asheboro Board of Education  
11-Mar-21



Single Prime General Contractor	License No.	Certified Check - Bid Bond	MBE		Addenda Verified	Sub-contractors listed	Unit Prices Quoted	Base Bid	Alternate 1	Alternate 2	Alternate 3	Alternate 4	Alternate 5	Alternate 6	Alternate 7	Alternate 8	Alternate 10	Total
			Included	Affidavits					Owner Preferred Manufacturers (Total)	Performing Arts - Fixed Audience Seating	Performing Arts - Lighting	Existing Elevators Modernization (2)	Roof Daylight Monitor	Wood Doors	Auxiliary Gym Improvements	Fiber Reinforced Membrane Roofing	Site Lighting	
J.M. Thompson Co. Cary, NC Plumbing - Baker Mechanical (Lic 12896) Mechanical - MechWorks (Lic 7066) Electrical - Moonlite Electrical (Lic 21172U)	474	Y	Y	Y	Y	Y	Y	\$23,216,000.00	\$8,776.00	\$298,354.00	\$533,000.00	\$216,020.00	\$163,370.00	\$72,223.00	\$110,400.00	\$111,280.00	\$21,320.00	\$24,750,743.00
Monteith Construction Corp. Wilmington, NC Plumbing - Baker Mechanical (Lic 12896) Mechanical - MechWorks (Lic 7066) Electrical - Hewitt Power (Lic 20596U)	43319	Y	Y	Y	Y	Y	Y	\$24,225,000.00	\$10,000.00	\$166,000.00	\$564,000.00	\$225,000.00	\$162,000.00	\$83,000.00	\$125,000.00	\$112,000.00	\$25,000.00	\$25,697,000.00
Elford Inc. Charlotte, NC Plumbing - Freeland (Lic L35124) Mechanical - MechWorks (Lic 7066) Electrical - Moonlite Electrical (Lic 21172U)	71833	Y	Y	Y	Y	Y	Y	\$23,260,000.00	\$0.00	\$171,000.00	\$658,000.00	\$220,000.00	\$160,000.00	\$112,000.00	\$76,000.00	\$84,000.00	\$19,000.00	\$24,760,000.00
New Atlantic Contracting Inc. Winston-Salem, NC Plumbing - Baker Mechanical (Lic 12896) Mechanical - Sensible Air Systems (Lic 31450) Electrical - Hewitt Power (Lic 20596U)	50851	Y	Y	Y	Y	Y	Y	\$23,567,000.00	\$54,000.00	\$156,000.00	\$569,000.00	\$219,000.00	\$182,000.00	\$101,000.00	\$93,000.00	\$112,000.00	\$25,000.00	\$25,078,000.00
<del>I. L. Long Construction Co., Inc.</del> Winston-Salem, NC <del>Plumbing - Not Incl.</del> <del>Mechanical - Not incl.</del> <del>Electrical - Not incl.</del>	<del>1772</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>N</del>	<del>Y</del>	<del>\$24,824,000.00</del>	<del>\$9,500.00</del>	<del>\$170,000.00</del>	<del>\$720,000.00</del>	<del>\$238,000.00</del>	<del>\$160,000.00</del>	<del>\$132,000.00</del>	<del>\$104,000.00</del>	<del>\$111,000.00</del>	<del>\$20,000.00</del>	<del>\$26,491,500.00</del>

\*\*Bid withdrawn due to error.

I certify that the above bids are correct as tabulated.



Smith Sinnett Architecture, P.A.  
Les Parker, AIA

**Exhibit C - Final Value Engineering****Asheboro High School Phase 111 Renovation  
Asheboro City Schools / Board of Education**

4/13/2021

Item #	VE Item Description	QTY	UM	Unit Price
1	Stainless rails to painted metal total:	1	LS	\$ (95,000.00)
2	Reduce wall tile per plan provide 03.17.2021	1	LS	\$ (53,200.00)
3	Change from copper to CPVC on mains & in wall	1	LS	\$ (85,000.00)
4	Manual lav faucets ILO electronic faucets	1	LS	\$ (6,500.00)
5	Manual flushometers ILO dual action flush valves	1	LS	\$ (3,800.00)
6	Delete duct cleaning requirements	1	LS	\$ (22,000.00)
7	Provide AAON a PO before 06/01/2021	1	LS	\$ (16,485.00)
8	Provide barometric relief dampers ILO motorized (AAON)	1	LS	\$ (4,200.00)
9	Delete Need for BIM drawings	1	LS	\$ (21,000.00)
10	No condensate pumps in Aux. drain pans	1	LS	\$ (8,000.00)
11	No step down transformers for condensate pumps	1	LS	\$ (16,000.00)
12	Aluminum feeders ILO copper	1	LS	\$ (75,000.00)
13	Abandon Modular utilities	1	ls	\$ (19,800.00)
14	Alternate lighting package	1	LS	\$ (57,750.00)
15	VE for alternate gear package	1	LS	\$ (28,000.00)
16	Delete electrostatic paint from at the lockers	1	LS	\$ (25,000.00)
17	Delete Trophy cases	1	ls	\$ (87,000.00)
18	Delete Audio System for Gym	1	LS	\$ (25,000.00)
19	Reduce General Contingency			\$ (61,750.00)
	Alternate 04B - Existing Freight Elevator Modifications			\$ 135,280.00
	Alternate 06 - Wood Doors			\$ 72,223.00

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

# DRAFT AIA® Document A101® – 2017

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

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

**BETWEEN** the Owner:  
(Name, legal status, address and other information)

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

and the Contractor:  
(Name, legal status, address and other information)

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

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

«Asheboro High School ~~Additions and~~ Renovation – Phase 3s»  
«1221 South Park Street  
Asheboro, North Carolina 27203»

«~~A two story 33,000 square foot addition and associated site and infrastructure improvements~~The proposed work is as indicated in the Contract Documents and includes but is not limited to the renovation of 167,272 square feet of a 230,216 square foot multi-story high school building, Asheboro High School. Renovation will include hazardous material abatement, utility infrastructure upgrades (mechanical, electrical, plumbing, and fire protection), reconfiguration of space, overall accessibility improvements, updated finishes, and roof replacement. Existing program spaces will be updated to current state standards, while additional space will be allocated to developing school programs. Additionally included is all other work as shown, indicated, or reasonably implied on the drawings and/or specifications for a complete first class job.»

The Architect:  
(Name, legal status, address and other information)

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

### ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed.

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

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

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The Owner and Contractor agree as follows.



## TABLE OF ARTICLES

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

## EXHIBIT A INSURANCE AND BONDS

### ARTICLE 1 THE CONTRACT DOCUMENTS

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

### ARTICLE 2 THE WORK OF THIS CONTRACT

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

### ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1 The date of commencement of the Work shall be:

*(Check one of the following boxes.)*

☐ The date of this Agreement.

☒ A date set forth in a notice to proceed issued by the Owner.

☐ Established as follows:

*(Insert a date or a means to determine the date of commencement of the Work.)*

<< >>

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

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

#### § 3.3 Substantial Completion

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

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

[ « » ] Not later than « » ( « » ) calendar days from the date of commencement of the Work.

[ «X» ] By the following date: «See 3.3.2 and Project Manual »

§ 3.3.2 Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Contractor shall achieve Substantial Completion of such portions by the following dates:

Portion of Work	Substantial Completion Date
<u>-Construction Commence – July 7th, 2021 Substantial Completion (Building)</u>	<u>November 7th, 2022</u>
<u>Completion (Building)</u>	<u>December 7th, 2022</u>
<u>Civil 'C' Sheets &amp; Applicable Specifications, (Modular Campus) Commence - January 25th, 2023</u>	<u>Substantial Completion (Site) - June 25th, 2023</u>
<u>Completion (Site)</u>	<u>Completion (Site) - July 25th, 2023</u>

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

#### ARTICLE 4 CONTRACT SUM

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

#### § 4.2 Alternates

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

Item	Price
<u>-Alternate No. 04b - Existing Freight Elevator Modification</u>	<u>\$135,280</u>
<u>Alternate No. 06 – Wood Doors</u>	<u>\$72,223</u>

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

Item	Price	Conditions for Acceptance

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

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

<u>UP/A-5 Replacement with #57 Stone</u>	<u>\$2,587.50</u>
<u>UP/A-6 Biaxial Geo-Grid</u>	<u>\$181.25</u>
<u>UP/A-7a Undiscoverable Hazardous Material Removal (LF)</u>	<u>\$12,400.00</u>
<u>UP/A-7b Undiscoverable Hazardous Material Removal (LF)</u>	<u>\$24,800.00</u>
<u>UP/A-8 Undiscoverable Hazardous Material Removal (SF)</u>	<u>\$38,800.00</u>
<u>UP/A-9 Slab Removal and Replacement of Under slab 4" CI Waste Pipe</u>	<u>\$50,000.00</u>
<u>UP/A-10 Slab Removal and Replacement of Overhead 4" CI Waste Pipe</u>	<u>\$11,650.00</u>
<u>UP/A-11 Slab Removal and Replacement of Overhead 2" Copper Water Pipe</u>	<u>\$13,250.00</u>
<u>UP/A-12 Floor Leveling Compound</u>	<u>\$39,900.00</u>
<u>UP/A-13 Topical Moisture Mitigation System</u>	<u>\$17,600.00</u>
<u>UP/A-14 Abrasive Blast Floor Preparation</u>	<u>\$10,850.00</u>
<u>A-15 Undiscoverable Existing Systems and Utilities</u>	<u>\$40,000.00</u>
<u>-A-16 Access Control Systems</u>	<u>\$75,000.00</u>
<u>A-17 Signage</u>	<u>\$60,000.00</u>
<u>A-18 Technology and Furnishings</u>	<u>\$50,000.00</u>
<u>A-19 Appliances</u>	<u>\$50,000.00</u>
<u>A-20 Bidirectional Amplification</u>	<u>\$125,000.00</u>
<u>A-21 Auditorium Seating Repair</u>	<u>\$130,000.00</u>
<u>A-22 Contingency</u>	<u>\$1,000,000.00</u>
<u>A-23 Booster Pump</u>	<u>\$50,000.00</u>

**§ 4.4 Unit prices, if any:**

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

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

§ 4.5 Liquidated damages, if any:  
(Insert terms and conditions for liquidated damages, if any.)

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

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

« »

## ARTICLE 5 PAYMENTS

### § 5.1 Progress Payments

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

« »

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the «~~25th~~» day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the «~~last~~» day of the «~~following~~» month. If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner not later than «~~thirty~~» ( «~~30~~ » ) days after the Architect receives the Application for Payment.

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

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form, and supported by such data to substantiate its accuracy, as the Architect may require. This schedule of values shall be used as a basis for reviewing the Contractor's Applications for Payment.

§ 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

§ 5.1.6 In accordance with AIA Document A201™–2017, General Conditions of the Contract for Construction, and subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

§ 5.1.6.1 The amount of each progress payment shall first include:

- .1 That portion of the Contract Sum properly allocable to completed Work;
- .2 That portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction, or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing; and
- .3 That portion of Construction Change Directives that the Architect determines, in the Architect's professional judgment, to be reasonably justified.

§ 5.1.6.2 The amount of each progress payment shall then be reduced by:

- .1 The aggregate of any amounts previously paid by the Owner;
- .2 The amount, if any, for Work that remains uncorrected and for which the Architect has previously withheld a Certificate for Payment as provided in Article 9 of AIA Document A201–2017;
- .3 Any amount for which the Contractor does not intend to pay a Subcontractor or material supplier, unless the Work has been performed by others the Contractor intends to pay;



- .4 For Work performed or defects discovered since the last payment application, any amount for which the Architect may withhold payment, or nullify a Certificate of Payment in whole or in part, as provided in Article 9 of AIA Document A201–2017; and
- .5 Retainage withheld pursuant to Section 5.1.7.

## § 5.1.7 Retainage

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

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

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

§ 5.1.7.1.1 The following items are not subject to retainage:

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

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

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

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

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

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

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

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

§ 5.1.8 If final completion of the Work is materially delayed through no fault of the Contractor, the Owner shall pay the Contractor any additional amounts in accordance with Article 9 of AIA Document A201–2017.

§ 5.1.9 Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

## § 5.2 Final Payment

§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

- .1 the Contractor has fully performed the Contract except for the Contractor's responsibility to correct Work as provided in Article 12 of AIA Document A201–2017, and to satisfy other requirements, if any, which extend beyond final payment; and
- .2 a final Certificate for Payment has been issued by the Architect.

§ 5.2.2 The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect's final Certificate for Payment, or as follows:

« »

## § 5.3 Interest

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

*(Insert rate of interest agreed upon, if any.)*

«~~zero~~» % «0»

## ARTICLE 6 DISPUTE RESOLUTION

### § 6.1 Initial Decision Maker

The Architect will serve as the Initial Decision Maker pursuant to Article 15 of AIA Document A201–2017, unless the parties appoint below another individual, not a party to this Agreement, to serve as the Initial Decision Maker.

*(If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)*

« »  
« »  
« »  
« »

### § 6.2 Binding Dispute Resolution

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

*(Check the appropriate box.)*

[ ☐ ] Arbitration pursuant to Section 15.4 of AIA Document A201–2017

[ ☒ ] Litigation in a court of competent jurisdiction

[ ☐ ] Other *(Specify)*

« »

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

## ARTICLE 7 TERMINATION OR SUSPENSION

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

§ 7.1.1 If the Contract is terminated for the Owner's convenience in accordance with Article 14 of AIA Document A201–2017, then the Owner shall pay the Contractor a termination fee as follows:

*(Insert the amount of, or method for determining, the fee, if any, payable to the Contractor following a termination for the Owner's convenience.)*

« »

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

## ARTICLE 8 MISCELLANEOUS PROVISIONS

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

§ 8.2 The Owner's representative:

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

«~~Harold Blair~~Sandra Spivey, Finance Officer»

«Asheboro City Schools

1126 South Park Street

Asheboro, North Carolina 27203»

«Telephone Number: 336.625.5104»

«»

«»

«Email Address: sspivey~~hblair~~@asheboro.k12.nc.us»

**§ 8.3** The Contractor's representative:

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

«Dickie Thompson, Executive Vice President

J. M. Thompson Co. »« »

«1002 East Chatham Street

«Cary, North Carolina 27511»

«Telephone Number: 919.851.1611

-Email: dthompson@jmathompson.com-»

«»

«»

«»

«»

«»

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

**§ 8.5 Insurance and Bonds**

**§ 8.5.1** The Owner and the Contractor shall purchase and maintain insurance as set forth in AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, Exhibit A, Insurance and Bonds, and elsewhere in the Contract Documents.

**§ 8.5.2** The Contractor shall provide bonds as set forth in AIA Document A101™–2017 Exhibit A, and elsewhere in the Contract Documents.

**§ 8.6** Notice in electronic format, pursuant to Article 1 of AIA Document A201–2017, may be given in accordance with AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, if completed, or as otherwise set forth below:

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

« »

**§ 8.7** Other provisions:

« »

**ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS**

**§ 9.1** This Agreement is comprised of the following documents:

- .1 AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor
- .2 AIA Document A101™–2017, Exhibit A, Insurance and Bonds
- .3 AIA Document A201™–2017, General Conditions of the Contract for Construction
- .4 AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, dated as indicated below:

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

<< >>

.5 Drawings

Number	Title	Date
<a href="#">See "Exhibit A"</a>	<a href="#">List of Drawings</a>	<a href="#">See "Exhibit A"</a>

.6 Specifications

Section	Title	Date	Pages
<a href="#">See "Exhibit B"</a>	<a href="#">List of Specifications</a>	<a href="#">See "Exhibit B"</a>	<a href="#">See "Exhibit B"</a>

.7 Addenda, if any:

Number	Date	Pages
<a href="#">Addendum No. 1</a>	<a href="#">February 19, 2021</a>	<a href="#">1-60</a>
<a href="#">Addendum No. 2</a>	<a href="#">February 26, 2021</a>	<a href="#">1-111</a>
<a href="#">Addendum No. 3</a>	<a href="#">March 4, 2021</a>	<a href="#">1-118</a>

Portions of Addenda relating to bidding or proposal requirements are not part of the Contract Documents unless the bidding or proposal requirements are also enumerated in this Article 9.

.8 Other Exhibits:

(Check all boxes that apply and include appropriate information identifying the exhibit where required.)

[ ☐ ] AIA Document E204™–2017, Sustainable Projects Exhibit, dated as indicated below:  
(Insert the date of the E204-2017 incorporated into this Agreement.)

<< >>

[ ☐ ] The Sustainability Plan:

Title	Date	Pages

[ ☐ ] Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
<a href="#">-Exhibit C</a>	<a href="#">Accepted Value</a>	<a href="#">See</a>	<a href="#">See</a>
	<a href="#">Engineering</a>	<a href="#">Attachment</a>	<a href="#">Attachment</a>
<a href="#">Exhibit D</a>	<a href="#">Conformed Documents</a>	<a href="#">See</a>	<a href="#">See</a>
		<a href="#">Attachment</a>	<a href="#">Attachment</a>

.9 Other documents, if any, listed below:

(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201™–2017 provides that the advertisement or invitation to bid, Instructions to Bidders, sample forms, the Contractor's bid or proposal, portions of Addenda relating to bidding or proposal requirements, and other information furnished by the Owner in anticipation of receiving bids or proposals, are not part of the Contract Documents unless enumerated in this Agreement. Any such documents should be listed here only if intended to be part of the Contract Documents.)

<< >>

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

OWNER (Signature)

«Michael B. Smith, Board ChairmanHarold Blair»«  
Asheboro City Schools, Assistant Superintendent,  
Business & Finance»

(Printed name and title)

CONTRACTOR (Signature)

«Dickie Thompson, Executive Vice President  
J.M. Thompson Co. »« »

(Printed name and title)

FILED

# Policies For 30-Day Review

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

Governing Principles .....	(policy 1100)
Parental Involvement.....	(policy 1310/4002)
Title I Parent and Family Engagement .....	(policy 1320/3560)
Discrimination and Harassment Prohibited by Federal Law .....	(policy 1710/4020/7230)
Title IX Nondiscrimination on the Basis of Sex .....	(policy 1720/4030/7235)
Title IX Sexual Harassment –	
Prohibited Conduct and Reporting Process.....	(policy 1725/4035/7236)
Title IX Sexual Harassment Grievance Process .....	(policy 1726/4036/7237)
Nondiscrimination on the Basis of Disabilities .....	(policy 1730/4022/7231)
Student and Parent Grievance Procedure .....	(policy 1740/4010)
Responding to Complaints.....	(policy 1742/5060)
Public Participation at Board Meetings .....	(policy 2310)
Policy Development .....	(policy 2410)
Adoption of Policies .....	(policy 2420)
Curriculum Development.....	(policy 3100)
Innovation in Curriculum and Instruction.....	(policy 3110)
Selection of Textbooks and Instructional Materials .....	(policy 3200)
Parental Inspection of and Objection to Instructional Materials .....	(policy 3210)
Technology Responsible Use .....	(policy 3225/4312/7320)
School Trips .....	(policy 3320)
Evaluation of Student Progress.....	(policy 3400)
Students at-Risk of Academic Failure .....	(policy 3405)
Student Promotion and Accountability .....	(policy 3420)
School Improvement Plan.....	(policy 3430)
Class Rankings .....	(policy 3450)
Alternative Learning Programs/Schools .....	(policy 3470/4305)
Religious-Based Exemptions from School Programs .....	(policy 3510)
Special Education Programs/Rights of Students with Disabilities .....	(policy 3520)
Comprehensive Health Education Program .....	(policy 3540)
Counseling Program.....	(policy 3610)
Extracurricular Activities and Student Organizations .....	(policy 3620)
Equal Educational Opportunities .....	(policy 4001)
Age Requirements for Initial Entry .....	(policy 4100)
Discretionary Admission .....	(policy 4130)

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School Assignment .....	(policy 4150)
Release of Students from School .....	(policy 4210)
Student Insurance Program .....	(policy 4220)
Student Behavior Policies .....	(policy 4300)
School Plan for Management of Student Behavior .....	(policy 4302)
Bullying and Harassing Behavior Prohibited .....	(policy 4329/7311)
School-Level Investigations .....	(policy 4340)
Parental Involvement in Student Behavior Issues .....	(policy 4341)
Removal of Student During the Day .....	(policy 4352)
Long-Term Suspension, 365-Day Suspension, Expulsion .....	(policy 4353)
Student Discipline Hearing Procedures .....	(policy 4370)
Attendance .....	(policy 4400)
Student Fees .....	(policy 4600)
Student Records .....	(policy 4700)
Surveys of Students .....	(policy 4720)
Parent Organizations .....	(policy 5010)
School Volunteers .....	(policy 5015)
Visitors to the Schools .....	(policy 5020)
Registered Sex Offenders .....	(policy 5022)
Student Health Services .....	(policy 6120)
Administering Medicines to Students .....	(policy 6125)
Bus Routes .....	(policy 6321)
Student Assignment to Buses .....	(policy 6322)
Naming Facilities .....	(policy 9300)

Legal References: G.S. 115C-36

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

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

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



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

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

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

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

**A. PARENT COMMUNICATION AND CONFERENCES**

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

The principal or designee shall strive, through oral or written communication or other means, to include the parents of students identified as at-risk in the implementation and review of academic and/or behavioral interventions for their children, in accordance with policy 3405, Students at Risk of Academic Failure.

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

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

## **B. PARENTAL NOTIFICATION**

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

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

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

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

- iv. English learners achieving proficiency;
    - d. the per pupil expenditures of federal, state, and local funds;
    - e. teacher qualifications.
- 15. the grade earned by the school on the most recent annual report card issued for it by the State Board of Education if the grade was a D or F;
- 16. supportive services available to students, including guidance, counseling and health services (see policy 3610, Counseling Program);
- 17. information about meningococcal meningitis and influenza, including the causes, symptoms, and vaccines, how the diseases are spread, and places where parents and guardians may obtain additional information and vaccinations for their children;
- 18. for parents of students in grades 5 through 12, information about cervical cancer, cervical dysplasia, and human papillomavirus, including the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and places parents and guardians may obtain additional information and vaccinations for their children;
- 19. how to reach school officials in emergency situations during non-school hours;
- 20. information about and an application form for free and reduced price meals and/or free milk (see policy 6225, Free and Reduced Price Food Services);
- 21. information about the school breakfast program;
- 22. information about the availability and location of free summer food service program meals for students when school is not in session;
- 23. for parents of children with disabilities, procedural safeguards (see also policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities);
- 24. information on the availability of the asbestos management plan and planned or in-progress inspections, re-inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities;
- 25. education rights of homeless students (see policy 4125, Homeless Students);
- 26. the content and implementation of the local school wellness policy (see policy

6140, Student Wellness);

27. their right to take four hours of unpaid leave from their jobs every year in order to volunteer in their child's school as stated in G.S. 95-28.3 (see policy 5015, School Volunteers);
28. that the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age, and that the school system provides processes for resolving discrimination and harassment complaints (see policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex and 1730/4022/7231, Nondiscrimination on the Basis of Disabilities);
29. that the school system provides equal access to its facilities, programs and activities to the Boy Scouts and other designated youth groups (see policy 1710/4021/7230, Discrimination and Harassment Prohibited by Federal Law); and
30. the availability of and the process for requesting a waiver or reduction of student fees (see policy 4600, Student Fees).

**C. OPPORTUNITIES TO WITHHOLD CONSENT/OPT OUT**

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

1. release of student directory information about their child for school purposes or to outside organizations (see policy 4700, Student Records);
2. release of their child's name, address, and telephone listing to military recruiters or institutions of higher education (see policy 4700, Student Records);
3. their child's participation in curricula related to (a) prevention of sexually transmitted diseases, including HIV/AIDS; (b) avoidance of out-of-wedlock pregnancy; or (c) reproductive health and safety education, as provided in policy 3540, Comprehensive Health Education Program. A copy of the materials that will be used in these curricula will be available in the school media center during the school year and at other times that the media center is available to the public. To meet any review periods required by law, materials also may be made available for review in the central office;
4. their child's participation in academic or career guidance or personal or social counseling services of a generic nature offered to groups of students (e.g., peer relations strategies offered to all sixth graders). However, parental notification and permission are not required for: (a) short-duration academic, career,

personal, or social guidance and counseling and crisis intervention that is needed to maintain order, discipline, or a productive learning environment; (b) student-initiated individual or group counseling targeted at a student's specific concerns or needs; and (c) counseling if child abuse or neglect is suspected (see policies 3610, Counseling Program, and 4240/7312, Child Abuse and Related Threats to Child Safety;

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

Any parent or legal guardian who wishes to opt out/withhold consent must do so in writing after receiving notice. Otherwise, consent to the programs or activities is presumed. After the annual notification, the school is not required to provide further notice to the parent or legal guardian as to the manner in which student directory information is used, the curriculum is provided, or guidance programs are made available.

**D. PARENTAL PERMISSION REQUIRED**

Written parental permission is required prior to the following activities:

1. the administration of medications to students by employees of the school system (see policy 6125, Administering Medicines to Students);
2. the release of student records that are not considered directory information, unless the release is allowed or required by law (see policy 4700, Student Records);
3. off-campus trips;
4. students' participation in high-impact or high-risk sports or extracurricular activities, such as football or mountain climbing (see policy 4220, Student Insurance Program);

5. all decisions or actions as required by the IDEA with regard to providing special education or related services to students with disabilities (see policy 3520, Special Education Programs/Rights of Students with Disabilities);
6. certain health services, as required by law;
7. participation in a mental health assessment or mental health services under circumstances prescribed by federal law;
8. students' participation in programs or services that provide information about where to obtain contraceptives or abortion referral services;
9. students' participation in surveys funded by the Department of Education that are conducted concerning protected topics (see policy 4720, Surveys of Students);
9. disclosure of students' free and reduced price lunch eligibility information or eligibility status; and
11. students' independent access to the Internet, as described in policy 3225/4312/7230, Technology Responsible Use.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 et seq., 28 C.F.R. pt. 35; Asbestos Hazard Emergency Response Act, 15 U.S.C. 2641, et seq.; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. 108.9; Elementary and Secondary Education Act, as amended, 20 U.S.C. 6301 et seq., 34 C.F.R. pt. 200; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, 34 C.F.R. pt. 99; Individuals with Disabilities Education Act, 20 USC 1400, et seq.; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.; National School Lunch Program, 42 U.S.C. 1751 et seq., 7 C.F.R. 210.12; 7 C.F.R. pt. 245; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h, 34 C.F.R. pt. 98; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., 34 C.F.R. pt. 100; Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 et seq., 34 C.F.R. pt. 10620 U.S.C. 7908; G.S. 90-21.1; 95-28.3; 115C-47(47), -47(51), -47(54), -47(58), -81.25, -81.30, -81.36, -105.41, -109.1, 174.26(d) -307(c), -375.4, -390.2, -391.1, -407.16; State Board of Education Policies KNEC-002, PRNT-000, TEST-001

Cross References: Title I Parent and Family Engagement (policy 1320/3560), Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Student and Parent Grievance Procedure (policy 1740/4010), Technology Responsible Use (policy 3225/4312/7320), Evaluation of Student Progress (policy 3400), Students at Risk of Academic Failure (policy 3405), Class Rankings (policy 3450), Special Education Programs/Rights of Students with Disabilities (policy 3520), Comprehensive Health Education Program (policy 3540), Counseling Program (policy 3610), Extracurricular Activities and Student

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

Adopted: April 14, 2011

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



**GOVERNING PRINCIPLE –  
SAFE, ORDERLY AND INVITING ENVIRONMENT**

*Policy Code:*

**1500**

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

School Safety .....	(policy 1510/4200/7270)
Discrimination and Harassment Prohibited by Federal Law .....	(policy 1710/4020/7230)
Title IX Nondiscrimination on the Basis of Sex .....	(policy 1720/4030/7235)
Title IX Sexual Harassment –	
Prohibited Conduct and Reporting Process .....	(policy 1725/4035/7236)
Identification Card System .....	(policy 1520)
Prohibition Against Discrimination, Harassment and Bullying .....	(policy 1710/4021/7230)
Nondiscrimination on the Basis of Disabilities .....	(policy 1730/4022/7231)
School Trips .....	(policy 3320)
School Improvement Plan .....	(policy 3430)
Conflict Resolution .....	(policy 3431)
Alternative Learning Programs/Schools .....	(policy 3470/4305)
Citizenship and Character Education .....	(policy 3530)
Focus on Students .....	(policy 4000)
Service Animals in Schools .....	(policy 4202/5029/7272)
Release of Students from School .....	(policy 4210)
Communicable Diseases – Students .....	(policy 4230)
Student Sex Offenders .....	(policy 4260)
Student Behavior Policies .....	(policy 4300)
Authority of School Personnel .....	(policy 4301)
School Plan for Management of Student Behavior .....	(policy 4302)
Integrity and Civility .....	(policy 4310)
Disruptive Behavior .....	(policy 4315)
Tobacco Products – Students .....	(policy 4320)
Drugs and Alcohol .....	(policy 4325)
Gang-Related Activity .....	(policy 4328)
Bullying and Harassing Behavior Prohibited .....	(policy 4329/7311)
Theft, Trespass and Damage to Property .....	(policy 4330)
Assaults, and Threats .....	(policy 4331)
Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety .....	(policy 4333)
Use of Unmanned Aircraft (Drones) .....	(policy 4334/5035/7345)
Criminal Behavior .....	(policy 4335)
Student Searches .....	(policy 4342)
Student Discipline Records .....	(policy 4345)
Short-Term Suspension .....	(policy 4351)

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

Legal References: G.S. 115C-36

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

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

Revised: July 12, 2012, May 14, 2020

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

**A. SUPERVISION OF STUDENTS**

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

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

**B. SUPERVISION OF VISITORS**

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

**C. SAFETY OF SCHOOL BUILDINGS AND GROUNDS**

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

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

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

**D. ESTABLISHING PROCESSES TO ADDRESS POTENTIAL SAFETY CONCERNS AND EMERGENCIES**

1. Responding to Student Altercations and Other Threats to Safety

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

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

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

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

## 2. School Rules

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

## 3. Training for Staff and Students

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

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

#### 4. Safety Equipment

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

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

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

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

#### 6. Reporting Risks to the School Population

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

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

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

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

#### 7. Potential Threats of Registered Sex Offenders

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

#### 8. Student Behavior Standards

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

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

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

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

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

Adopted: July 14, 2011

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

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

School Safety.....	(policy 1510/4200/7270)
Professional and Staff Development .....	(policy 1610/7800)
Discrimination and Harassment Prohibited by Federal Law.....	(policy 1710/4020/7230)
Title IX Sexual Harassment Grievance Process .....	(policy 1726/4036/7237)
Lesson Planning.....	(policy 3120)
Evaluation of Instructional Programs .....	(policy 3140)
Technology in the Educational Program.....	(policy 3220)
Copyright Compliance.....	(policy 3230/7330)
Use of Personal Technology to Conduct School Business .....	(policy 3228/7323)
School Improvement Plan.....	(policy 3430)
Alternative Learning Programs/Schools .....	(policy 3470/4305)
Comprehensive Health Education Program .....	(policy 3540)
Injury and Loss Prevention .....	(policy 4201/7271)
Child Abuse and Related Threats to Child Safety .....	(policy 4240/7312)
Bullying and Harassing Behavior Prohibited.....	policy 4329/7311)
Emergency Epinephrine Auto-Injector Devices .....	(policy 5024/6127/7266)
Public Records – Retention, Release, and Disposition .....	(policy 5070/7350)
Student Health Services.....	(policy 6120)
Administering Medicines to Students.....	(policy 6125)
Network Security .....	(policy 6524)
Hazardous Materials .....	(policy 6540)
Drug and Alcohol Testing of Commercial Motor Vehicle Operators .....	(policy 7241)
Occupational Exposure to Bloodborne Pathogens.....	(policy 7260)
Occupational Exposure to Hazardous Chemicals in Science Laboratories .....	(policy 7265)
Teacher Contracts.....	(policy 7410)
School Administrator Contracts.....	(policy 7425)
Evaluation of Licensed Employees.....	(policy 7810)
Evaluation of Non-Licensed Employees .....	(policy 7815)

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

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



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

Revised: July 12, 2012, March 12, 2015

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

Race and Equity.....	(policy 1705)
Discrimination and Harassment Prohibited by Federal Law.....	(policy 1710/4020/7230)
Title IX Nondiscrimination on the Basis of Sex .....	(policy 1720/4030/7235)
Title IX Sexual Harassment –	
Prohibited Conduct and Reporting Process.....	(policy 1725/4035/7236)
Title IX Sexual Harassment Grievance Process .....	(policy 1726/4036/7237)
Nondiscrimination on the Basis of Disabilities .....	(policy 1730/4022/7231)
Student and Parent Grievance Procedure .....	(policy 1740/4010)
Grievance Procedure for Employees .....	(policy 1750/7220)
School Trips .....	(policy 3320)
Testing and Assessment Program .....	(policy 3410)
Counseling Program .....	(policy 3610)
Equal Educational Opportunities .....	(policy 4001)
Tuition for Discretionary Admissions.....	(policy 4135)
Bullying and Harassing Behavior Prohibited.....	(policy 4329/7311)
Service Animals in Schools.....	(policy 4204/5029/7272)
Student Fees .....	(policy 4600)
Support Services .....	(policy 6000)
Goals of Student Health Services.....	(policy 6100)
Student Health Services .....	(policy 6120)
Goals of Student Food Services .....	(policy 6200)
Operation of Student Food Services .....	(policy 6220)
Free and Reduced Price Food Services .....	(policy 6225)
Goals of Student Transportation Services .....	(policy 6300)
Participation by Historically Underutilized Businesses.....	(policy 6402)
Vendor Lists.....	(policy 6442)
Discrimination and Harassment in the Workplace .....	(policy 7232)
Crowdfunding on Behalf of the School System .....	(policy 7360/8225)
Facility Design .....	(policy 9020)
Bidding for Construction Work .....	(policy 9120)
Participation by Minority Businesses.....	(policy 9125)

Legal References: G.S. 115C-36

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

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

Revised: July 12, 2012, October 10, 2019, November 12, 2020

**A. OPTIONS FOR RESOLVING COMPLAINTS**

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

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

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

**B. DEFINITIONS****1. Days**

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

**2. Final Administrative Decision**

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

**3. Grievance**

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

upon which the board is without authority to act.

4. Grievant

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

5. Parent

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

**C. TIMELINESS OF PROCESS**

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

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

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

**D. GENERAL REQUIREMENTS**

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

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

**E. PROCESS FOR GRIEVANCE**

**1. Filing a Grievance**

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

the grievance directly to the superintendent or designee.

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

2. Investigation

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

3. Response by Principal

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

4. Response by Superintendent

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

## 5. Appeal to the Board

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

### a. Mandatory Appeals

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

### b. Discretionary Appeals

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



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

**F. NOTICE**

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

**G. RECORDS**

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

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

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

Issued: June 1997

Revised: May 7, 2004; April 7, 2008; December 1, 2009; June 16, 2011; March 28, 2013, September 12, 2013

**A. OPPORTUNITIES TO ADDRESS CONCERNS AND COMPLAINTS**

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

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

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

**B. GENERAL PROCESS**

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

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

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

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

Cross References: Parental Involvement (policy 1310/4002), Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Nondiscrimination on the Basis of Disabilities Student (policy 1730/4022/7231), and Parent Grievance Procedure (policy 1740/4010), Public Participation at Board Meetings (policy 2310), Parental Inspection of and Objection to Instructional Materials (policy 3210), Special Education Programs/Rights of Students with Disabilities (policy 3520), Student Behavior Policies (4300 series), Disciplinary Action for Exceptional Children/Students with Disabilities (policy 4307), Bullying and Harassing Behavior Prohibited (policy 4329/7311)

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

Reviewed by Policy Committee: October 11, 2007

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

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

**A. INFORMAL RESOLUTION**

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

**B. DEFINITIONS****1. Days**

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

**2. Final Administrative Decision**

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

**3. Grievance**

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

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

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

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

4. Grievant

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

5. Parties in Interest

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

**C. TIMELINESS OF PROCESS**

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

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

**D. GENERAL REQUIREMENTS**

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

and will be transmitted promptly to all parties in interest.

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

**E. PROCESS FOR GRIEVANCE**

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

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

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

2. Response by Official

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

3. Response by Superintendent

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

response.

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

4. Appeal to the Board

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

a. Mandatory Appeals

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

b. Discretionary Appeals



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

**F. RECORDS**

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

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

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

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

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

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

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

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

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

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

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

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

Adopted: October 9, 2008

Updated: July 12, 2012, July 14, 2016

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

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

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Equal Educational Opportunities Act of 1974, 20 U.S.C. 1701 *et seq.*; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title IV of the Civil Rights Act of 1964, 42 U.S.C. 2000c *et seq.*; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, 34 C.F.R. pt. 100; Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; G.S. 115C-1, -367, -375.5, -407.15 through -407.18, -407.30; *Leandro v. State*, 346 N.C. 336 (1997); Parent Rights & Responsibilities in Special Education (N.C. Dept. of Public Instruction, Exceptional Children Division), available at <https://ec.ncpublicschools.gov/parent-resources/parents-rights-handbook>

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Student and Parent Grievance Procedure (policy 1740/4010), Education for Pregnant and parenting Students (policy 4023)

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

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

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

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

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

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

Adopted: November 8, 2007

Updated: November 13, 2014

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

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

**A. DISCRIMINATION PROHIBITED**

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

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

**B. HARASSMENT PROHIBITED**

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

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

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

Examples of unwelcome conduct that may violate this policy include, but are not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats,

intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

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

#### **C. SEXUAL HARASSMENT PROHIBITED**

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

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

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

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

#### **D. REPORTING DISCRIMINATION AND HARASSMENT**

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

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

**E. RETALIATION PROHIBITED**

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

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 *et seq.*, 34 C.F.R. pt. 110; Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title II of the Genetic Information Nondiscrimination Act of 2008; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*, 29 C.F.R. pt. 1604; Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. 4301 *et seq.*; G.S. 143-422.2

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Prohibition Against Retaliation (policy 1760/7280), Recruitment and Selection of Personnel (policy 7100)

Adopted:



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

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

**A. RECORDS MAINTAINED**

The following records must be maintained in the personnel file:

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

**B. CERTAIN EMPLOYEE RECORDS MAINTAINED SEPARATELY**

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

1. Pre-Employment Information

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

2. Criminal Record Check

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

3. Medical Information

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

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

4. Complaints/Reports of Harassment or Discrimination

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

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

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

#### **C. PLACEMENT OF RECORDS IN PERSONNEL FILE**

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

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

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

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

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

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

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

**D. ACCESS TO PERSONNEL FILE**

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

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

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

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

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

and

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

**F. PUBLIC INFORMATION**

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

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

#### **G. REMOVAL OF RECORDS**

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

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

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Title

IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Confidential Information (policy 2125/7315), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records – Retention, Release, and Disposition (policy 5070/7350), Employee Health Certificate (policy 7120), Discrimination and Harassment in the Workplace (policy 7232), Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241), Occupational Exposure to Bloodborne Pathogens (policy 7260), Communicable Diseases – Employees (policy 7262), Family and Medical Leave (policy 7520), Petition for Removal of Personnel Records (policy 7821), Resignation (policy 7900)

Adopted: March 8, 2012

Revised: February 12, 2015, June 8, 2017



## 2020-2021 Calendar of Events

DATE		MEETING	TIME	LOCATION
<b>MAY</b>				
Thursday	May 13	Board of Education Meeting	7:30 p.m.	PDC
<b>JUNE</b>				
Thursday	June 3	Graduation		
Thursday	June 10	Board of Education Meeting	7:30 p.m.	TBD