Cherokee County Schools

Consolidated

Policy Manual

Amended August 6, 2026

LEGAL STATUS
OF THE BOARD AND SCHOOL DISTRICT

Policy Code: **1000**

The legal status of the board and school district has been established by the General Assembly. In consonance with the law, the following are in effect:

- The official name of this district is: The Cherokee County Administrative Unit.
- The schools of this district will be known as: The Cherokee County Public Schools.
- The governing body of the Cherokee County Public Schools is: The Cherokee County Board of Education.

Legal References: N.C. Const., art. IX; G.S. 115C-1, -5, -40, -69

Cross References:

Adopted: January 14, 1999

The board of education is a body corporate and has general control and supervision of all matters pertaining to the public schools of the school system and the authority to enforce the school law. All powers and duties conferred and imposed by law respecting public schools, which are not expressly conferred and imposed upon some other official, are conferred and imposed by law upon the board.

The board will provide a system of schools; establish general policies in keeping with the needs of the community and the requirements of state law; and perform all specific duties imposed by law. The board considers some of its most significant duties to be the following:

1. providing every student with the opportunity to receive a sound basic education as defined by the North Carolina Supreme Court in *Leandro v. State*;

2. providing leadership and direction through the formulation of goals and objectives, especially in defining and setting high academic standards for student success;

3. creating policies that establish standards, accountability, and evaluation of essential operations of the school system;

4. taking steps necessary to help ensure legal compliance of board and school system functions;

5. performing judicial functions by conducting hearings as appropriate or as required by law regarding decisions of school system personnel or the board;

6. hiring a superintendent, supporting the superintendent in his or her administration, and evaluating and responding to recommendations made by the superintendent, including recommendations pertaining to the educational program and facility needs;

7. considering the budget recommended by the superintendent, presenting the budget to the county commissioners, and adopting a budget after evaluating whether the county commissioners' appropriation is sufficient to support a system of free public schools; and

8. being an advocate for the school system, for employees, and especially for students in all interactions with other governmental entities and the public.

Legal References: G.S. 115C-36, -40, -44, -47; *Leandro v. State*, 346 N.C. 336 (1997)

Cross References:

Adopted: January 14, 1999
Amended: October 11, 2012
Amended: August 4, 2016

Policies are the primary means by which the board expresses its vision for the school system. In formulating specific policies, the board is guided by its duty to provide students with the opportunity to receive a sound basic education as defined by the North Carolina Supreme Court in *Leandro v. State*. It is further guided by governing principles it considers critical to meet that obligation by providing a system of excellent schools where students can succeed. These governing principles are referenced frequently in the board policies and also are set out below.

1. Student success. As its top priority, a system of excellent schools provides opportunities for individual students to succeed and overall student performance to improve.

2. Parental involvement. A system of excellent schools involves parents in decisions regarding their own children, the educational program, and the schools.

3. Safe, orderly, and inviting environment. A system of excellent schools creates and maintains a safe and orderly environment where staff and students are focused on and excited about learning.

4. School initiatives. In a system of excellent schools, each school initiates improvements to the educational program and services for students and involves staff, parents, and students in school-level decision-making processes.

5. Professional development. 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.

6. Removal of barriers. A system of excellent schools prohibits illegal discrimination and harassment of staff and students, encourages tolerance and respect, and seeks to eliminate or lessen other barriers that may impede a student's ability or opportunity to learn, including economic disadvantages, poor nutrition, ill-health, and lack of transportation.

7. Stewardship of resources. A system of excellent schools conserves financial and environmental resources and operates in an efficient manner.

Legal References: G.S. 115C-36, -47; *Leandro v. State*, 346 N.C. 336 (1997)
Cross References:

Adopted: January 14, 1999
Amended: November 4, 1999
Amended: November 12, 2015
Amended: August 4, 2016

A system of excellent schools in which every student has an opportunity to receive a sound basic education has as its first priority to provide opportunities for individual students to succeed and overall student performance to improve. Through its policies, the board has made student success a priority for the school system. Student success is addressed in the following policies:

Board Authority and Duties ..... (policy 1010)
Parental Involvement ..... (policy 1310/4002)
Title I Parent and Family Engagement ..... (policy 1320/3560)
Professional and Staff Development ..... (policy 1610/7800)
Goals and Objectives of the Educational Program ..... (policy 3000)
Curriculum Development ..... (policy 3100)
Innovation in Curriculum and Instruction ..... (policy 3110)
Lesson Planning ..... (policy 3120)
Grouping for Instruction ..... (policy 3130)
Evaluation of Instructional Programs ..... (policy 3140)
Selection of Instructional Materials ..... (policy 3200)
Technology in the Educational Program ..... (policy 3220)
School Calendar and Time for Learning ..... (policy 3300)
Evaluation of Student Progress ..... (policy 3400)
Students at Risk of Academic Failure ..... (policy 3405)
Testing and Assessment Program ..... (policy 3410)
Student Promotion and Accountability ..... (policy 3420)
School Improvement Plan ..... (policy 3430)
Recognizing Excellence ..... (policy 3440)
Graduation Requirements ..... (policy 3460)
Alternative Learning Programs/Schools ..... (policy 3470/4305)
Counseling Program ..... (policy 3610)
Extracurricular Activities and Student Organizations ..... (policy 3620)
Staff-Student Relations ..... (policy 4040/7310)
Student Behavior Policies ..... (policy 4300)
School Plan for Management of Student Behavior ..... (policy 4302)
Fair and Consistent Discipline Administration ..... (policy 4303)
Attendance ..... (policy 4400)
Schools and the Community ..... (policy 5000)
Parent Organizations ..... (policy 5010)
News Media Relations ..... (policy 5040)
Use of Student Transportation Services ..... (policy 6320)
Goals of Equipment, Materials, and Supplies Services ..... (policy 6500)
Staff Responsibilities ..... (policy 7300)
Crowdfunding on Behalf of the School System ..... (policy 7360/8225)
Job Descriptions ..... (policy 7400)
Teacher Contracts ..... (policy 7410)
Superintendent Contract ..... (policy 7420)
School Administrator Contracts ..... (policy 7425)
Assignments/Reassignments/Transfers ..... (policy 7440)
Evaluation of Licensed Employees ..... (policy 7810)

Professional Employees: Demotion and Dismissal .....(policy 7930)
Budget Planning and Adoption.....(policy 8100)
Budget Resolution.....(policy 8110)
Planning to Address Facility Needs.....(policy 9000)

Legal References: G.S. 115C-36, -47; *Leandro v. State*, 346 N.C. 336 (1997)

Cross References: Governing Principles (policy 1100), Board and Superintendent Relations (policy 2010), Policy Development (policy 2410)

Adopted: January 14, 1999
Amended: November 13, 2014, August 4, 2016
Technical Correction made: September 30, 2019
Technical Correction made: April 1, 2022

GOVERNING PRINCIPLE -- PARENTAL INVOLVEMENT

Policy Code: **1300**

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)
Bullying and Harassing Behavior Prohibited ..... (policy 1735/4329/7311)
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)
Curriculum Development.....(policy 3100)
Innovation in Curriculum and Instruction.....(policy 3110)
Selection of 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)
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)

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), Policy Development (policy 2410)

Adopted: January 14, 1999
Technical Correction made: September 20, 2020
Technical Correction made: April 1, 2022
Technical Correction made: April 1, 2025

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

For purposes of this policy, "parent" includes parents, legal guardians, and legal custodians of students who are under 18 years old and who have not been emancipated.

A. PARENTAL INVOLVEMENT PLANS

1. Parental Involvement Plan as Part of the School Improvement Plan

   The board directs each principal to ensure that the school improvement team develops a plan for the school's parental involvement program as a part of the school improvement plan. The principal shall publicize drafts of the parental involvement plan prior to finalization and solicit input from parents of students in the school. This plan must include, at a minimum, efforts to enhance parental involvement by promoting the following priorities:

   a. regular, meaningful, two-way communication between home and school;

   b. responsible parenting;

   c. involvement of parents in student learning;

   d. parental volunteering in the school;

   e. involvement of parents in school decisions that affect children and families;

   f. parental training based on parents' informational needs;

   g. collaboration with community agencies and other organizations to provide resources to strengthen school programs, families, and student learning; and

   h. student health awareness among parents by addressing the need for health programs and student health services, which are linked to student learning.

2. Title I Parent and Family Engagement Plan

Each school participating in the Title I program must develop, with parents and family members, a school-level written parent and family engagement plan that involves parents in the planning and improvement of Title I activities and describes the means for carrying out school-level policy, sharing responsibility for student academic achievement, building the capacity of school staff and parents for involvement, and increasing accessibility for participation of all parents and family members of children participating in Title I programs. See policy 1320/3560, Title I Parent and Family Engagement.

3. Parental Involvement Component of a School Plan for Managing Student Behavior

Each school's plan for managing student behavior should include parental involvement strategies that address when parents will be notified or involved in issues related to their child's behavior. See policy 4302, School Plan for Management of Student Behavior.

B. PARENT COMMUNICATION, PARTICIPATION, AND CONFERENCES

1. Communication with Parents

The board encourages school personnel to have regular contact with parents for informational purposes as well as for commendation of students and notification of concerns. School personnel shall communicate with parents about student behavior issues in accordance with requirements of policy 4341, Parental Involvement in Student Behavior Issues, and about student attendance as described in policy 4400, Attendance. In addition, parents will be notified promptly if school personnel suspect that a criminal offense has been committed against the parent's child, unless notification would impede an investigation by law enforcement or the child welfare agency.

The principal must effectively communicate to parents the manner in which textbooks are used to implement the school's curricular objectives. Any parent interested in learning more about their child's course of study or the source of any supplementary instructional materials should contact the principal for more information. If a parent would like to inspect and review particular instructional materials, the parent should make such a request in accordance with policy 3210, Parental Inspection of and Objection to Instructional Materials.

To the extent practicable, parents and students will be provided advance notice of classroom discussions, activities, or assigned readings so that the parent has the opportunity to request that the student be excused from such classroom discussions, activities, or assigned readings in accordance with policy 3510, Religious-Based Exemptions from School Programs.

The principal shall ensure that information about the nature and purpose of all clubs and activities, curricular and extracurricular, offered at the school is available at the school's main office. Any parent who would like information about such clubs or activities should contact the school's main office.

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

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

2. Parent Participation at Schools

The board encourages parents to engage in activities in their children's schools. Parents are welcome to visit schools in accordance with policy 5020, Visitors to the Schools, and, if interested, are urged to participate in school volunteer programs as described in policy 5015, School Volunteers. In addition, opportunities exist for parents to participate on school advisory councils, such as the school health advisory council (see policy 6140, Student Wellness), school improvement teams (see policy 3430, School Improvement Plan), school media and technology advisory committees (see policy 3200, Selection of Instructional Materials), and the business advisory council (see policy 2670, Business Advisory Council).

3. Conferences

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

C. PARENTAL NOTIFICATION

1. Title I Notifications

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

policy (policy 1320/3560) and the school-wide parent involvement plan.

2. Parent Guide for Student Achievement

Each year, the superintendent or designee shall create a parent guide for student achievement that meets the requirements of state law and the State Board of Education. All parents will receive a written copy of the guide, and information in the guide will be discussed at the beginning of each school year in meetings of students, parents, and teachers.

At a minimum the guide will include the following:

a. information for parents regarding the following as it pertains to their child: (1) requirements for promotion to the next grade, including the requirements of the North Carolina Read to Achieve Program as set forth in Part 1A of Article 8 of Chapter 115C; (2) the course of study, textbooks, and other supplementary instructional materials and policy 3210, Parental Inspection of and Objection to Instructional Materials, which provides for the inspection and review of those materials; (3) the child's progress toward achieving State and unit expectations for academic proficiency, including policies for student assessment, and the child's assessment results, report cards, and progress reports; (4) qualifications of the child's teachers, including licensure status; and (5) school entry requirements, including required immunizations and the recommended immunization schedule;

b. parental actions that can do the following: (1) strengthen the child's academic progress, especially in the area of reading as provided in the North Carolina Read to Achieve Program; (2) strengthen the child's citizenship, especially social skills and respect for others; (3) strengthen the child's realization of high expectations and setting lifelong learning goals; and (4) place a strong emphasis on the communication between the school and the home;

c. services available for parents and their children, such as family literacy services; mentoring, tutoring, and other academic reinforcement programs; after-school programs; and college planning, academic advisement, and student counseling services (see policy 3610, Counseling Program);

d. opportunities for parental participation, such as parenting classes, adult education, school advisory councils, and school volunteer programs;

e. opportunities for parents to learn about rigorous academic programs that may be available for their child, such as academically and/or intellectually gifted programming, honors programs, Career and College Promise and other dual enrollment opportunities, advanced placement, Advanced

International Certificate of Education (AICE) courses, International Baccalaureate, North Carolina Virtual High School courses, and accelerated access to postsecondary education;

f. educational choices available to parents, including each type of public school unit available to residents of the county in which the child lives and nonpublic school options, educational choice options offered within the school system, and programs for scholarship grants for nonpublic schools (Part 2A of Article 39 of Chapter 115C) and for personal education student accounts for students with disabilities (Article 41 of Chapter 115C);

g. rights of students who have been identified as students with disabilities, as provided in Article 9 of Chapter 115C;

h. contact information for school and unit offices;

i. resources for information on the importance of student health and other available resources for parents, including the following information on available immunizations and vaccinations: (1) a recommended immunization schedule in accordance with the United States Centers for Disease Control and Prevention recommendations; and (2) information about meningococcal meningitis and influenza, including the causes, symptoms, and vaccines, how the diseases are spread, and places where parents and guardians may obtain additional information and vaccinations for their children as required by G.S. 115C-375.4; and

j. this policy (policy 1310/4002, Parental Involvement); policy 1320/3560, Title I Parent and Family Engagement; policy 2670, Business Advisory Council; policy 3210, Parental Inspection of and Objection to Instructional Materials; policy 3430, School Improvement Plan; policy 3540, Comprehensive Health Education Program; policy 4400, Attendance; policy 5015, School Volunteers; policy 5020, Visitors to the Schools; and policy 6140, Student Wellness.

3. Additional Annual Notifications

The principal or designee shall annually notify parents of the following information to the extent that it has not already been provided to parents as part of the parent guide for student achievement:

a. parental rights related to student records (see policy 4700, Student Records);

b. parental rights related to student surveys (see policy 4720, Surveys of Students);

c. the approximate dates of any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance, (b) administered and scheduled in advance by the school administration, and (c) not necessary to protect the immediate health and safety of students;

d. the schedule of pesticide use on school property and their right to request notification of nonscheduled pesticide use (see policy 9205, Pest Management);

e. student behavior policies, the Code of Student Conduct, and school standards and rules (see policies in the 4300 series);

f. the permissible use of seclusion and restraint in the schools (see regulation 4302-R, Rules for Use of Seclusion and Restraint in Schools);

g. policy 1735/4329/7311, Bullying and Harassing Behavior Prohibited;

h. policy 1740/4010, Student and Parent Grievance Procedure;

i. the dates of the system-wide and state-mandated tests that students will be required to take during that school year, how the results from the tests will be used, and whether each test is required by the State Board of Education or by the local board;

j. grading practices that will be followed at the school and, for parents of high school students, the method of computing the grade point averages that will be used for determining class rank (see policies 3400, Evaluation of Student Progress, and 3450, Class Rankings);

k. available opportunities and the enrollment process for students to take advanced courses and information explaining the value of taking advanced courses;

l. if applicable, that their child will be provided advanced learning opportunities in mathematics or will be placed in an advanced mathematics course;

m. when a student initially creates a career development plan, that the plan has been created and information on how to access the plan;

n. a clear and concise explanation of the North Carolina testing and accountability system that includes all information required by federal law;

o. a report containing information about the school system and each school, including, but not limited to:

   i. the following information both in the aggregate and disaggregated by category: student achievement, graduation rates, performance on other school quality and/or student success indicators, the progress of students toward meeting long-term goals established by the state, student performance on measures of school climate and safety, and, as available, the rate of enrollment in post-secondary education;

   ii. the performance of the school system on academic assessments as compared to the state as a whole and the performance of each school on academic assessments as compared to the state and school system as a whole;

   iii. the percentage and number of students who are:
      1. assessed,
      2. assessed using alternate assessments,
      3. involved in preschool and accelerated coursework programs, and
      4. English learners achieving proficiency;

   iv. the per pupil expenditures of federal, state, and local funds; and

   v. teacher qualifications;

p. 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;

q. if the school and/or the school system is identified by the State Board of Education as low-performing, the notifications required by G.S. 115C-105.37(b) and/or G.S. 115C-105.39A(c);

r. supportive services available to students, including health services;

s. 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;

t. how to reach school officials in emergency situations during non-school hours;

u. information about and an application form for free and reduced price meals and/or free milk (see policy 6225, Free and Reduced Price Meal Services);

v. information about the school breakfast program;

w. information about the availability and location of free summer food service program meals for students when school is not in session;

x. for parents of children with disabilities, procedural safeguards (see also policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities);

y. 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;

z. education rights of homeless students (see policy 4125, Homeless Students);

aa. the content and implementation of the local school wellness policy (see policy 6140, Student Wellness);

bb. 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);

cc. that the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age, and the school system's 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, 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, 1726/4036/7237, Title IX Sexual Harassment Grievance Process, and 1730/4022/7231, Nondiscrimination on the Basis of Disabilities);

dd. that the school system provides equal access to its facilities, programs, and activities to the Boy Scouts and other designated youth groups (see policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law); and

ee. the availability of and the process for requesting a waiver or reduction of student fees (see policy 4600, Student Fees).

4. Opportunities to Withhold Consent/Opt Out Notifications

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

a. release of student directory information about their child for school purposes or to outside organizations (see policy 4700, Student Records);

b. release of their child's name, address, and telephone listing to military recruiters or institutions of higher education (see policy 4700, Student Records);

c. their child's participation in curricula related to (a) prevention of sexually transmitted diseases, including HIV/AIDS; (b) avoidance of out-of-wedlock pregnancy; or (c) reproductive health and safety education, as provided in policy 3540, Comprehensive Health Education Program. A copy of the materials that will be used in these curricula will be available in the school media center during the school year and at other times that the media center is available to the public. To meet any review periods required by law, materials also may be made available for review in the central office;

d. their child's participation in academic or career guidance or personal or social counseling services of a generic nature offered to groups of students (e.g., peer relations strategies offered to all sixth graders). However, parents do not have the right to opt out of: (a) short-duration academic, career, personal, or social guidance and counseling and crisis intervention that is needed to maintain order, discipline, or a productive learning environment; (b) student-initiated individual or group counseling targeted at a student's specific concerns or needs; and (c) counseling if child abuse or neglect is suspected (see policies 3610, Counseling Program, and 4240/7312, Child Abuse and Related Threats to Child Safety);

e. their child's participation in any protected information survey given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey or the North Carolina Youth Tobacco Survey (see policy 4720, Surveys of Students);

f. their child's participation in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance; (b) administered and scheduled in advance by the school administration; and (c) not necessary to protect the immediate health and safety of students;

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

h. release of their child's free and reduced-price meal information to State Medicaid or State children's health insurance program (SCHIP).

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

D. PARENTAL PERMISSION REQUIRED

Written parental permission is required prior to the following activities:

1. the administration of medications to students by employees of the school system (see policy 6125, Administering Medicines to Students);

2. the release of student records that are not considered directory information, unless the release is allowed or required by law (see policy 4700, Student Records);

3. off-campus trips;

4. students' participation in high-impact or high-risk sports or extracurricular activities, such as football or mountain climbing (see policy 4220, Student Insurance Program);

5. all decisions or actions as required by the IDEA with regard to providing special education or related services to students with disabilities (see policy 3520, Special Education Programs/Rights of Students with Disabilities);

6. certain health services, as required by law;

7. participation in a mental health assessment or mental health services under circumstances prescribed by federal law;

8. students' participation in programs or services that provide information about where to obtain contraceptives or abortion referral services;

9. students' participation in any protected information survey other than those given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey or the North Carolina Youth Tobacco Survey (see policy 4720, Surveys of Students);

10. disclosure of students' free and reduced price lunch eligibility information or eligibility status;

11. students' access to school system technological resources, including the Internet, as described in policy 3225/4312/7320, Technology Responsible Use; and

12. students sharing sleeping quarters with a member of the other biological sex during any activity or event authorized by the school, unless the member of the other biological sex is the student's immediate family member (see policies 3320, School Trips, and 3620, Extracurricular Activities and Student Organizations).

E. PROCEDURES FOR PARENTAL INVOLVEMENT IN STUDENT HEALTH

1. Parent Notifications Regarding Student Physical and Mental Health

At the beginning of each school year, the principal or designee shall notify parents of (1) each health care service offered at their children's schools and the means for parents to provide consent for any specific services; (2) acknowledgement that consenting to a health care service does not waive the parents' right to access their children's educational records or health records or to be notified of changes in their children's services or monitoring; and (3) the procedures to exercise the parental remedies for concerns related to student health provided by G.S. 115C-76.60 and described below in subsection E.6.

(a) Before any student well-being questionnaire or health screening form is administered to students in kindergarten through twelfth grade, the principal or designee shall provide parents with a copy of the questionnaire or form and shall inform parents of the means for parents to consent to the use of the questionnaire or form for their children.

The principal or designee shall notify parents of changes in services or monitoring related to their children's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for their children prior to or contemporaneously with the changes being made. In addition, the principal or designee shall notify parents before any changes are made to the names or pronouns used for their children in school records or by school personnel.

No school system policy, procedure, or form will expressly or otherwise prohibit school employees from notifying parents about their children's mental, emotional, or physical health or well-being or a change in related services or monitoring, nor will any school system policy, procedure, or form intentionally encourage or be designed in a manner that is reasonably likely to have the effect of encouraging any children to withhold from their parents information about their mental, emotional, or physical health or well-being or a change in related services or monitoring. School personnel shall not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being.

2. Discussions Related to Student Well-Being

   In accordance with the rights of parents provided in Chapter 114A of the General Statutes, when issues of a student's well-being arise, school personnel shall encourage the student to discuss the issues with his or her parent. As appropriate, school personnel may facilitate discussions of such issues with parents.

3. Parent Access to Student Records

   Parents will not be prohibited from accessing any of their children's education and health records created, maintained, or used by the school system, except as permitted by law. See policy 4700, Student Records.

4. Student Support Services Training

   Student support services training developed or provided by the school system to school personnel will adhere to student services guidelines, standards, and frameworks established by the Department of Public Instruction.

5. Instruction on Gender Identity, Sexual Activity, and Sexuality

   Instruction on gender identity, sexual activity, or sexuality will not be included in the curriculum provided in kindergarten through twelfth grade, regardless of whether the information is provided by school personnel or third parties. For purposes of this subsection, curriculum includes the standard course of study and support materials, locally developed curriculum, supplemental instruction, and textbooks and other supplementary materials, but does not include responses to student-initiated questions.

6. Remedies for Parental Concerns Related to Student Health

   If a parent has a concern about the school or school system's procedure or practice under Part 4 of Article 7B of Chapter 115C, as described here in Section E of this policy, the parent should submit the concern in writing to the principal. The principal shall schedule and hold a meeting with the parent within five days after the concern was submitted. The principal shall conduct any necessary investigation. If possible, the principal should resolve the concern within seven days after the concern was submitted. If the principal cannot resolve the concern within seven days, the principal shall immediately notify the superintendent or designee. The superintendent or designee shall assist, as needed, in resolving the concern.

   If the concern has not been resolved within 15 days after the parent initially submitted the concern, the superintendent or designee shall schedule a board hearing to be conducted pursuant to policy 2500, Hearings Before the Board, to

occur within the next 15 days. If the concern is not resolved 30 days after the parent initially submitted the concern, the board will provide a statement of the reasons for not resolving the concern.

If the concern is not resolved within 30 days of initial submission, the parent has the right to pursue additional remedies as provided in G.S. 115C-76.60(b).

F. PARENT REQUESTS FOR INFORMATION

A parent may request in writing from the principal any of the information the parent has the right to access under Part 3 of Article 7B of Chapter 115C. The principal, within 10 business days, shall either provide the requested information to the parent or provide an extension notice to the parent that, due to the volume or complexity of the request, the information will be provided no later than 20 business days from the date of the parental request.

If the principal (1) denies or fails to respond to the request for information within 10 business days or (2) fails to provide information within 20 business days following an extension notice, the parent may then submit the written request for information to the superintendent, along with a statement specifying the time frame of the denial or failure to provide information by the principal.

If the superintendent denies or does not respond to the request for information within 10 business days, the parent may appeal the denial or lack of response to the board no later than 20 business days from the date of the request to the superintendent. The board will place the parent's appeal on the agenda for the next board meeting occurring more than three business days after submission of the appeal.

The information in this Section F will be posted on the school system's website along with the list of parents' legal rights for their child's education as described in G.S. 115C-76.25.

G. COMMUNITY SERVICES AVAILABLE

A variety of community services are available to provide parents and families of students in the school system with needed information, support, and resources. Parents are encouraged to utilize applicable community services such as the following:

(a) Community Resource Assistance Guide: https://www.ncworks.gov/admin/gsipub/htmlarea/uploads/CRAG/Cherokee_County.pdf
(b) http://www.cherokeecounty-nc.gov/285/Community-Resources
(c) http://www.cherokeecounty-nc.gov/251/Social-Services

H. REPORTING REQUIREMENTS

By September 15 of each year, the superintendent or designee shall report to the State Board of Education parental involvement information as required by State Board of Education Policy PRNT-002 and G.S. 115C-76.70.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Asbestos Hazard Emergency Response Act, 15 U.S.C. 2641, *et seq.*; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. 108.9; Elementary and Secondary Education Act, as amended, 20 U.S.C. 6301 *et seq.*, 34 C.F.R. pt. 200; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, 34 C.F.R. pt. 99; Individuals with Disabilities Education Act, 20 U.S.C. 1400, *et seq.*; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; National School Lunch Program, 42 U.S.C. 1751 *et seq.*, 7 C.F.R. 210.12, 7 C.F.R. pt. 245; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h, 34 C.F.R. pt. 98; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, 34 C.F.R. pt. 100; Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; 20 U.S.C. 7908; G.S. 90-21.1, -21.10B; 95-28.3; 114A-10; 115C-47(47), -47(51), -47(54), -47(58), -76.1, -76.20, -76.25, -76.30, -76.35, -76.40, -76.45, -76.50, -76.55, -76.60, -76.65, -76.70, -76.110, -81.25, -81.30, -81.36, -105.37(b), -105.39A(c), -105.41, -109.1, -158.10, -174.26(d), -307(c), -375.4, -390.2, -391.1, -402.15, -407.16; 16 N.C.A.C. 6D .0307, 6G .0701; State Board of Education Policies KNEC-002, PRNT-000 and -002, TEST-001

Cross References: Title I Parent and Family Engagement (policy 1320/3560), Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), 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), Bullying and Harassing Behavior Prohibited (policy 1735/4329/7311), Student and Parent Grievance Procedure (policy 1740/4010), Hearings Before the Board (policy 2500), Business Advisory Council (policy 2670), Selection of Instructional Materials (policy 3200), Parental Inspection of and Objection to Instructional Materials (policy 3210), Technology Responsible Use (policy 3225/4312/7320), School Trips (policy 3320), Evaluation of Student Progress (policy 3400), Students at Risk of Academic Failure (policy 3405), School Improvement Plan (policy 3430), Class Rankings (policy 3450), 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), 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), Parental Involvement in Student Behavior Issues (policy 4341), Attendance (policy 4400), Student Fees (policy 4600), Student Records (policy 4700), Surveys of Students (policy 4720), School Volunteers (policy 5015), Visitors to the Schools (policy 5020), Registered Sex Offenders (policy 5022), Student Health Services (policy 6120), Administering Medicines to Students (policy 6125), Student Wellness (policy 6140), Free and Reduced Price Meal Services (policy 6225), Pest Management (policy 9205)

Adopted: June 11, 2012
Amended: February 14, 2013
Amended: July 11, 2013
Amended: January 9, 2014
Amended: June 30, 2016
Amended: December 8, 2016
Amended: December 12, 2019
Amended: November 4, 2021
Amended: October 19, 2023
Amended: August 15, 2024
Amended: November 21, 2024
Amended: June 26, 2025
Amended: October 2, 2025
Amended: July 16, 2026

The board of education recognizes the value of family engagement in a child's academic success and believes that the education of children is an ongoing cooperative partnership between the home and the school. Parents and other family members are their children's first teachers; therefore, the continued involvement of parents and family members in the educational process is most important in fostering and improving educational achievement. School system officials shall strive to support parents and provide parents and family members with meaningful opportunities to become involved in the programs offered by the Title I schools. The board encourages parents and family members to participate in the design and implementation of the programs and activities in order to increase the effectiveness of the school system's Title I program in helping students meet state and local achievement standards.

A. DEFINITION OF PARENT AND FAMILY ENGAGEMENT

For the purposes of this policy, the term "parent and family engagement" means the participation of parents, guardians, and other family members in regular, two-way, and meaningful communication involving student learning and other school activities, including ensuring the following:

1. that parents and family members play an integral role in assisting their child's learning;
2. that parents and family members are encouraged to be actively involved in their child's education at school;
3. that parents are full partners in their child's education and parents and family members are included, as appropriate, in decision making and on advisory committees to assist in the education of their child; and
4. that the school system utilizes activities to support parent and family engagement in the Title I programs.

B. PURPOSE AND OPERATION OF TITLE I PROGRAM

The Title I program is a federally supported program that offers assistance to educationally and economically disadvantaged children to help ensure they receive an equitable, high-quality, well-rounded education and meet the school system's challenging academic standards . The Title I program provides instructional activities and supportive services to eligible students over and above those provided by the regular school program.

Qualified Title I schools will operate as school-wide programs or targeted assistance programs based upon federal eligibility criteria. School-wide programs will provide comprehensive support to offer improved opportunities for all students in the school to meet the school system's academic standards. Targeted assistance programs will provide services to eligible students most in need of assistance in the school, as determined by objective criteria established by the superintendent or designee. Eligibility criteria may include, for example, standardized test scores, teacher judgment, and results of preschool screening and home-school surveys.

Both school-wide and targeted assistance programs shall be based on effective means of improving student achievement and shall include evidence-based strategies to support parent and family engagement.

C. ANNUAL MEETING AND PROGRAM EVALUATION

Each year, school officials must invite parents of students participating in Title I programs to a meeting to explain parental rights, discuss the programs and activities to be provided with Title I funds, and solicit input on the Title I program and this policy. In addition, school officials must provide parents and family members a meaningful opportunity annually to evaluate the content and effectiveness of the Title I programs and the parent and family engagement policies and plans. Information collected from these proceedings will be used to revise Title I programs and parent and family engagement plans.

D. PARENT AND FAMILY ENGAGEMENT EFFORTS

The board believes that the involvement of Title I parents and family members in the design and implementation of the Title I program will increase the effectiveness of the program and contribute significantly to the success of the children. The Title I staff and all school system personnel shall strive to conduct outreach to parents and family members and involve them in activities throughout the school year.

The superintendent shall ensure that this system-level parent and family engagement policy and plan is developed with, agreed upon with, and annually distributed to parents and family members of participating students. In addition to the system-level parent and family engagement plan, each school participating in the Title I program shall jointly develop and annually distribute to parents and family members a school-level written parent and family engagement plan that describes the means for carrying out school-level policy, sharing responsibility for student academic achievement, building the capacity of school staff and parents for involvement, and increasing accessibility for participation of all parents and family members of children participating in Title I programs, including parents and family members who have limited English proficiency, who have disabilities, or who are migratory. School-level plans must involve parents in the planning and improvement of Title I activities and must provide for the distribution to parents of information on expected student achievement levels and the school's academic performance.

School officials shall invite appropriate school personnel from private schools to consult on the design and development of its programs in order to provide equitable services to students enrolled in private schools. The superintendent or designee shall establish any additional procedures necessary to achieve timely and meaningful consultation with private school officials in accordance with federal law.

In addition, school system officials and Title I school personnel shall do the following:

1. involve parents and family members in the joint development of the Title I program and school support and improvement plan and the process of school review and improvement by including parents on the school advisory committee and any committees that review the Title I program;
2. provide coordination, technical assistance, and other support from various central office departments necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family engagement activities that are designed to improve student academic achievement and school performance;
3. coordinate and integrate parent and family engagement strategies in the Title I program to the extent feasible and appropriate with parental engagement strategies established in other federal, state, and local laws and programs;
4. with the meaningful involvement of parents, conduct an annual evaluation of the content and effectiveness of the school system parent and family engagement policies and program in improving the academic quality of the school and assisting students to meet the school system's academic standards;
5. strive to eliminate barriers to parental participation by assisting parents who have disabilities and parents who are economically disadvantaged, have limited English proficiency, are migratory, or have other backgrounds or characteristics that may affect participation;
6. provide outreach and assistance to parents and family members of children who are participating in Title I programs in understanding the state's testing standards, the assessments used, Title I requirements, and all national, state, and local standards and expectations through such efforts as community-based meetings, posting information on school websites, sending information home, newsletters, workshops, and newspaper articles;
7. design a parent–student–school staff compact that sets out respective responsibilities in striving to raise student achievement and explains how an effective home/school partnership will be developed and maintained;
8. with the assistance of parents, ensure that teachers, specialized instructional support personnel, principals, and other staff are educated in the value of parents as partners in the educational process and understand how to work with, communicate with, and reach out to parents as equal partners in education;
9. distribute to parents information on expected student proficiency levels for their child and the school's academic performance, and provide materials and training to help parents monitor their child's progress and work with educators to improve achievement through such methods as literacy training or using technology, which may include education about the harms of copyright piracy;
10. coordinate and integrate, to the extent feasible and appropriate, parental involvement programs and activities with federal, state, and local programs, including public preschool programs, and conduct other activities in the community that encourage and support parents to more fully participate in the education of their child;
11. strengthen the partnership with agencies, businesses, and programs that operate in the community, especially those with expertise in effectively engaging parents and family members in education;

12. ensure that parents are involved in the school's Title I activities; and
13. provide such other reasonable support for Title I parental involvement activities as requested by parents.

E. NOTICE REQUIREMENTS

School system officials and Title I school personnel shall provide effective notice of the following information as required by law. The notice must be in an understandable and uniform format and, to the extent practicable, in a language the parents can understand.

1. Program for English Learners

   Each year the principal or designee shall provide notice of the following to parents of English learners identified for participation in a Title I, Part A or Title III funded language-instruction educational program:

   a. the reasons for the child's identification;

   b. the child's level of English proficiency and how such level was assessed;

   c. methods of instruction;

   d. how the program will help the child;

   e. the exit requirements for the program;

   f. if the child has a disability, how the language instruction educational program meets the objectives of the child's individualized educational program (IEP);

   g. any other information necessary to effectively inform the parent of the program and the parental rights regarding enrollment, removal, and selection of a program for English learners; and

   h. notice of regular meetings for the purpose of formulating and responding to recommendations from parents.

2. System Report Card

   Each year, school system officials shall disseminate to all parents, schools, and the public a school system report card 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; and

e. teacher qualifications.

3. Teacher Qualifications

   a. At the beginning of each year, school system officials shall notify parents of students who are participating in Title I programs (1) of the right to request certain information on the professional qualifications of the student's classroom teachers and paraprofessionals providing services to the child and (2) that such information will be provided in a timely manner (see policy 7820, Personnel Files).

   b. The principal or designee of a Title I school shall provide timely notice informing parents that their student has been assigned to or has been taught for at least four consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level or subject area in which the teacher has been assigned.

4. Student's Academic Growth and Achievement

   School officials shall provide to each parent of a student who is participating in a Title I program information on the level of achievement and academic growth, if applicable and available, of the student on each of the state's academic assessments.

5. Parental Rights and Opportunities for Involvement

   a. Each year, the principal or designee of a Title I school shall provide notice to parents of the school's written parent and family engagement policy, parents' right to be involved in their child's school, and opportunities for

parents and family members to be involved in the school.

b. At the beginning of each school year, the principal or designee of a Title I school shall provide notice to parents of (1) their right to request information regarding student participation in state-required assessments and (2) that such information will be provided in a timely manner.

F. WEBSITE DISTRIBUTION OF INFORMATION

Each year, school system officials shall publicize on the school system website and, where practicable, on the website of each school:

1. the report card described in subsection E.2, above; and

2. information on each assessment required by the state and, where feasible, by the school system, organized by grade level. The information must include:

   a. the subject matter assessed;

   b. the purpose for which the assessment is designed and used;

   c. the source of the requirement for the assessment;

   d. if available, the amount of time students will spend taking the assessments and the schedule of the assessments; and

   e. if available, the time and format for distributing results.

The superintendent shall develop any administrative procedures necessary to implement the requirements of this policy.

Legal References: Elementary and Secondary Education Act, as amended, 20 U.S.C. 6301 *et seq.*, 34 C.F.R. pt. 200

Cross References: Parental Involvement (policy 1310/4002), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Personnel Files (policy 7820)

Adopted: June 11, 2012
Amended: February 14, 2013, October 9, 2014, December 10, 2015, December 8, 2016, May 28, 2020

GOVERNING PRINCIPLE -- SCHOOL INITIATIVES

Policy Code: **1400**

In a system of excellent schools, each school initiates improvements to the educational program and services for students and involves staff, parents, and students in the school-level decision-making processes. The board's vision for encouraging school initiatives, including school-level decision making, is expressed through the following board policies:

Title I Parent and Family Engagement.....(policy 1320/3560)
School Rules.....(policy 2475)
Curriculum Development.....(policy 3100)
Innovation in Curriculum and Instruction.....(policy 3110)
Curriculum and Instructional Guides.....(policy 3115)
Selection of Instructional Materials.....(policy 3200)
School Calendar and Time for Learning.....(policy 3300)
Student Promotion and Accountability.....(policy 3420)
School Improvement Plan.....(policy 3430)
Comprehensive Health Education Program.....(policy 3540)
School Plan for Management of Student Behavior.....(policy 4302)
Administering Medicines to Students.....(policy 6125)
Staff Involvement in Decision Making.....(policy 7210)
Crowdfunding on Behalf of the School System .....(policy 7360/8225)
Budget Resolution.....(policy 8110)

Legal References: G.S. 115C-36

Cross References: Governing Principles (policy 1100), Board and Superintendent Relations (policy 2010), Policy Development (policy 2410)

Adopted: January 14, 1999
Amended: April 6, 2017
Technical Correction made: September 30, 2019
Technical Correction made: April 1, 2022

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)
Nondiscrimination on the Basis of Disabilities .....(policy 1730/4022/7231)
Bullying and Harassing Behavior Prohibited .....(policy 1735/4329/7311)
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)
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)
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 School Nutrition 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)
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), Policy Development (policy 2410)

Adopted: January 14, 1999
Amended: November 3, 2011
Technical Correction made: September 30, 2019
Technical Correction made: September 30, 2020
Technical Correction made: April 1, 2022
Technical Correction made: April 1, 2025

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.

The superintendent will make all reasonable efforts as budget allows to place a School Resource Officer at every location.

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 board recognizes its duty to provide each of its employees with a workplace free from recognized hazards that are causing or are likely to cause death or serious physical harm.

The superintendent and each 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. As required by law, the principal must inspect school buildings, playgrounds, and equipment for health, fire, and safety hazards on a regular basis.

Any employee who observes any potential hazards must notify the principal or the employee's supervisor immediately. The principal or supervisor must notify the superintendent immediately of unsanitary conditions or repairs needed to meet safety standards.

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

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.

Training must be provided annually for all school system stakeholders (including staff, students, parents, coaches, volunteers, and community members) on how to recognize, and how and when to report, threats to the school population or community.

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 with 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 Center for Safer Schools 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, referring reports to the school threat assessment team and 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, 1735/4329/7311, Bullying and Harassing Behavior Prohibited, 4040/7310, Staff-Student Relations, and 4335, Criminal Behavior).

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.

E. THREAT ASSESSMENT TEAMS

In accordance with G.S. 115C-105.65, the superintendent shall establish a multidisciplinary threat assessment team for each school within the school system to identify, assess, and manage behavior of students or others who may pose a risk of violence or harm to self or others. The threat assessment teams will include, but are not limited to,

individuals with expertise in counseling, instruction, school administration, and law enforcement. When practicable, at least one school psychologist, one staff member knowledgeable about and experienced in working with students with special needs, and one staff member knowledgeable about and experienced in working with students with disabilities will be assigned to each threat assessment team. If a school psychologist is not available, a licensed mental health professional may be assigned instead. A member of each threat assessment team will operate as team leader with the responsibility to ensure adherence to the threat assessment process, ensure proper documentation of reports of threats and threat assessment activities, and facilitate collaborative team discussions to ensure various perspectives are considered.

The superintendent shall designate a school system administrator to oversee the school system's threat assessment program and to serve as liaison between the school system and the North Carolina Center for Safer Schools (CSS). The superintendent or designee shall also establish a committee composed of individuals with expertise in human resources, education, school administration, mental health, and law enforcement that will coordinate and monitor the threat assessment teams operating within the school system.

1. Training

   All team members will receive behavioral threat assessment and management training annually prior to the start of the school year. Individuals who join the team in the middle of the school year must receive training within 60 calendar days of joining the team.

2. Assessment and Intervention

   Unless the superintendent establishes a different classification system in the threat assessment protocols developed pursuant to subsection E.4 of this policy, threat assessment teams will use the levels of concern table listed in the behavioral threat assessment and management guidance issued by CSS in assessing the level of threat posed and forming a response to threats.

   Upon determining that a student poses a threat, the threat assessment team will develop a written student support, intervention, and monitoring management plan that establishes interventions and specifies required monitoring times of the student based on the level of concern the student presents. To effectively manage and mitigate potential risk, interventions must focus on building resilience and protective factors for the student while also addressing safety concerns.

3. Information Sharing

   Parents of a student or minor will be notified as soon as practicable that a threat assessment will be or is being conducted on their child. The threat assessment team will contact the parents and provide them the opportunity to participate in the threat

assessment. The team is not required to extend the invitation to participate if the student or minor discloses abuse or neglect from the parent. Once a threat assessment is completed, the team will provide its findings and conclusions to the parents, including any interventions the team is recommending be put in place for the well-being of their child and the school community and any school system or community resources that may be useful for the parents in seeking help for their child.

When the threat assessment team learns that an individual has threatened specific harm to an identifiable potential victim, the team will provide notice of the threat to the potential victim and, if the potential victim is a student or minor, provide notice to the parents.

Any information sharing by, with, or between members of the threat assessment teams will be done in accordance with the federal Family Educational Rights and Privacy Act (FERPA) and any other applicable state or federal law. (See policy 2125/7315, Confidential Information). Members of a threat assessment team who are not school system employees must sign a written agreement to adhere to the responsibilities and requirements of FERPA before having access to student records.

4. Threat Assessment Protocols

In consultation with CSS guidance and with established threat assessment teams within the school system, the superintendent shall develop, implement, and update threat assessment protocols and procedures that comply with the requirements of G.S. 115C-105.65. At a minimum, these protocols and procedures will delineate the roles and duties to be performed by designated threat assessment team members, the expertise and training of professionals who will serve on threat assessment teams, the steps to be followed in the threat assessment process, including the implementation of interventions, supports, and community services, the timeframe required to responsibly act upon reported concerns, and the engagement of school resource officers and/or law enforcement in the threat assessment process, and the process of documenting reports of threats and threat assessment activities. The protocols and procedures will differentiate between assessment and intervention at the elementary, middle, and high school levels, as appropriate.

The superintendent or designee shall send a copy of this policy and the threat assessment protocols and procedures to CSS when approved or revised. In addition, the superintendent shall ensure that quantitative data on the activities of all threat assessment teams is reported to CSS as required by G.S. 115C-105.65(g) and CSS guidance.

Legal References: 29 C.F.R. part 1904; G.S. 14-208.18; 95-129(1); 115C-36, -47, -105.49, -105.51, -105.53, -105.54, -105.65, -166, -167, -288, -289.1, -307, -390.3, -391.1, -521, -524, -525;

13 N.C.A.C. 7A .0301; 16 N.C.A.C. 6E .0107; State Board of Education Policy 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), Bullying and Harassing Behavior Prohibited (policy 1735/4329/7311), Confidential Information (policy 2125/7315), School Improvement Plan (policy 3430), Staff-Student Relations (policy 4040/7310), Student Sex Offenders (policy 4260), Student Behavior Policies (4300 series), 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), 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 https://www.ed.gov/sites/ed/files/admins/lead/safety/emergencyplan/crisisplanning.pdf;
Behavioral Threat Assessment and Management: Best Practice Guidance for North Carolina Behavioral Threat Assessment and Management Teams for Harm Prevention, N.C. Department of Public Instruction Center for Safer Schools (March 2024)

Adopted: March 15, 2012
Amended: February 14, 2013
Amended: January 9, 2014
Amended: February 12, 2015
Amended: February 11, 2016
Amended: October 2, 2017
Amended: November 8, 2018
Amended: November 5, 2020
Amended: June 10, 2021
Amended: November 4, 2021
Amended: November 10, 2022
Amended: September 19, 2024
Amended: June 26, 2025

It is the goal of the board to provide a process by which school system personnel can respond quickly and effectively to any threat to the safety of their students and staff. Therefore, school personnel are required to follow this regulation, and any other implementing regulations promulgated by the superintendent, in preparing for, responding to and following up on the communication of any threat that a bomb or other destructive device has been or will be placed on school grounds.

The principal or designee of each school will develop a plan that addresses how threats that a bomb or other destructive device is on school grounds (hereafter "bomb threat") will be handled at the principal's school. The plan must address the following items.

A. ANTICIPATING A BOMB THREAT

1. Communication and Coordination with Law Enforcement

   The principal shall establish and maintain a process for ongoing communication and coordination among school staff and all appropriate public safety authorities for purposes of planning for, training for, and responding to any bomb threat. The principal shall establish a bomb threat response team consisting of the principal; the superintendent; and persons representing teachers, custodians, office staff, transportation providers and parents. The principal shall also request participation by persons representing local law enforcement and fire/rescue agencies.

2. Training of School Personnel

   The principal shall arrange for the training of all staff in responding to threats and in searching for bombs and other potentially destructive devices. This training must include at least one drill annually for the school staff and others involved in responding to bomb threats.

   a. Full Staff Training

      The principal shall ensure that all staff members are trained about their responsibilities in the event of a bomb threat. Such responsibilities may include executing proper evacuation procedures, ensuring the safety of students and staff, noting the absence of any students, conducting quick but complete visual scans of their workplace and adhering to the requirements for reporting specific information. Substitute teachers and other substitute school personnel must be made aware of this regulation and staff obligations, including their own specific obligations, during a bomb threat.

   b. Telephone Operators Training

      The principal shall ensure that all staff members whose regular duties include answering incoming telephone calls are trained in the protocol to

use when confronted by a telephone bomb threat.

c. Training for Staff Participating in a Search

The principal shall ensure that all staff members participating in a search for bombs or other destructive devices are first trained by appropriate public safety personnel regarding the potential danger and the proper sequence and technique involved.

3. Instruction of Students

The principal shall ensure that all students are instructed about proper conduct during a bomb threat, the potential criminal and civil penalties and school discipline associated with making a bomb threat and the disruption and costs to the educational process stemming from a bomb threat.

4. Drills

The principal shall conduct no fewer than two bomb threat drills for the bomb threat response team and staff during the course of the school year.

5. Pre-arranged Signal

The principal shall establish a signal for announcing a bomb threat and train staff to recognize and respond to the signal.

6. Precautions

The principal shall take all reasonable precautions to protect the school environment in the event of a bomb threat.

a. Call Tracing Capacity

The principal shall assess the feasibility of caller ID or other call-tracing capacity on telephones and, if appropriate, recommend the addition of such a service.

b. Locking Work Areas

The principal shall ensure that school employees with access to lockable workspaces, such as closets and cabinets, keep them locked when not in use.

c. Trash

The principal shall direct school personnel not to allow the accumulation

of trash, boxes and other such articles inside or next to the building.

d. Parking

The principal shall ensure that parking spaces are not located close to the school building or that parking spaces close to the building are designated for staff use only. The principal also shall ensure parking restrictions are strictly enforced.

e. Evacuation Sites

The principal shall identify and designate evacuation gathering places, which are specific locations to which all students and staff members will go during an evacuation. The designated location must be away from heavily traveled roadways.

B. REACTING TO A BOMB THREAT

1. Notification

a. Duty of School Personnel

School personnel are required to notify the principal immediately of all bomb threats by telephone or other means. School personnel also shall notify the principal immediately of any suspicious devices on school property.

b. Telephone Answering

All personnel who regularly answer telephone calls from outside sources must be provided with a bomb threat card and report form to be placed within easy reach of their telephones. The card must have printed upon it information to ask for and information to listen for in the event a caller makes a bomb threat. Whoever receives the call shall attempt to transfer it to the principal or, if that cannot be done, ask the caller as many of the questions on the bomb threat card as he or she can, carefully noting all wording and other information. Any information received from the caller must be passed on to the principal as soon as possible.

c. Duty of Principal

Upon learning of the threat, the principal shall alert the appropriate officials, including local public safety agencies, utility companies and the superintendent.

2. Assessment

Upon learning of the threat, the principal shall consult with local public safety officials and the superintendent, to the extent time permits. The principal is responsible for evaluating the credibility of the threat, deciding whether to direct a search of the building, and deciding whether and when to evacuate the building.

3. Evacuation

a. Extent of Evacuation

The principal, in consultation with the bomb threat response team (as possible under the circumstances), shall decide on the extent to which the building will be evacuated and/or the extent to which students will be assembled in one or several locations within the building. When students are evacuated they should be taken to a particular site no less than 300 feet from the building to avoid any potential damage from explosions.

b. Signaling

Through the use of the prearranged signal, the principal shall inform the staff immediately of the decision to evacuate the school.

c. Adjusting Evacuation Route and Sites

The principal shall direct personnel to adjust their usual evacuation routes and evacuation sites if necessary to avoid any suspected bomb or other destructive device or other potential danger.

d. Staff Obligations

In the event of an ordered evacuation, staff shall:

1) Scan their rooms or other work areas for signs of any unusual object or person and report any suspicious object or person to the principal or law enforcement authorities;

2) Ensure that windows and doors are locked;

3) Make sure that any students in their charge are guided to safety and remain with the students in their charge; and

4) Take attendance books, check attendance once the evacuation is accomplished and report names of any missing students to the principal.

e. Student Conduct

All students are required to obey all directions and maintain an orderly and quiet demeanor.

f. Utilities

The principal shall decide whether the gas, electric and telephone should be turned off and, if so, make the appropriate arrangements.

g. Traffic

The principal shall ensure that there is a safe and efficient method for access to the building by public safety vehicles and for departure of students and staff.

h. Searches

The principal shall work with local law enforcement to determine who will be included in a search team. Under no circumstances will students be included. All search team members must be trained with respect to the dangers involved, precautions to observe and the techniques to follow. If any suspicious object is discovered, no school personnel should touch it. The presence of any suspicious object or person must be reported immediately to the principal and/or the public safety official in charge. If there is an explosion, the principal shall yield to the decisions of public safety officials.

Legal References: G.S. 115C-36, -390.1

Cross References: School Safety (policy 1510/4200/7270)

Adopted: June 23, 2014

GOVERNING PRINCIPLE – PROFESSIONAL DEVELOPMENT

Policy Code: **1600**

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)
Bullying and Harassing Behavior Prohibited .....(policy 1735/4329/7311)
Lesson Planning.....(policy 3120)
Evaluation of Instructional Programs .....(policy 3140)
Technology in the Educational Program.....(policy 3220)
Use of Personal Technology to Conduct School Business .....(policy 3228/7323)
Copyright Compliance.....(policy 3230/7330)
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)
Emergency Epinephrine Delivery Systems .....(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), Policy Development (policy 2410)
Adopted: January 14, 1999
Amended: November, 13, 2014
Technical Correction made: September 30, 2019
Technical Correction made: September 30, 2020
Technical Correction made: April 1, 2022
Technical Correction made: October 22, 2025

The board believes a strong relationship exists between the quality of education provided to students and the competency and training of all personnel employed by the school system. The board places a high priority on securing the most competent personnel available and, once they are employed, providing them with opportunities for professional growth and development throughout their careers. The goal of professional and staff development programs and opportunities for licensed professional employees and support staff is to improve the instructional program and create a safe learning environment for all students by improving and expanding the skills of the professional staff and support personnel.

A. PROFESSIONAL AND STAFF DEVELOPMENT

The superintendent shall provide ongoing development opportunities for licensed and support staff and shall require participation by such personnel as appropriate. The superintendent shall seek input from employees when developing system-wide programs. The principal shall seek input from school personnel when planning professional and staff development programs for his or her school.

Professional and staff development shall include all topics required by law or board policy, including but not limited to: (1) the effective delivery of the required curriculum as required by G.S. 115C-81.45(d), -81.20(f), and -81.57(c); (2) a program of technology-related professional development as required by policy 3220, Technology in the Educational Program; and (3) a mental health training program, which includes all components required by G.S. 115C-375.20, G.S. 115C-376.5(d), and State Board of Education Policy SHLT-003 (see policies 4240/7312, Child Abuse and Related Threats to Child Safety, and 6120, Student Health Services).

B. SELF-IMPROVEMENT

Licensed employees are expected to engage in self-directed activities to improve their professional skills. These employees are encouraged to seek information and training through professional development programs as well as other opportunities in order to meet this responsibility.

C. PLANS FOR GROWTH AND IMPROVEMENT

Supervisors and principals also may require licensed employees to enter into plans, including mandatory improvement plans established by state law and individual, monitored and/or directed growth plans established by the State Board of Education, for professional growth and improving performance. (See policy 7811, Plans for Growth and Improvement of Licensed Employees.) A performance improvement plan could involve participation in a professional development program or encompass a variety of strategies that are related to professional growth or improving performance.

D. PAYMENT OF COSTS

The school system will consider paying reasonable costs, within budget limits, for any

courses, workshops, seminars, conferences, in-service training sessions, or other sessions an employee is required to attend by the local administration. The employee must seek prior approval for payments.

The school system will not bear the responsibility of the cost of training taken solely for the purposes of licensure renewal.

E. NATIONAL BOARD CERTIFICATING AND NBCT RENEWAL/MAINTENANCE OF CERTIFICATION PROGRAM

National Board Certificating and NBCT Renewal/Maintenance of Certification Program
The Cherokee County Board of Education's prime objective is to secure the best possible education for the children of Cherokee County. In pursuing this goal, the Board recognizes the great importance of maintaining, developing, and extending the professional knowledge and skills of all staff members. The Board strongly encourages staff members, at all levels, to engage in programs and activities that will lead to their professional goals and growth, expand their skills, and increase their job competence. College and university course work can be an important and significant method to ensure staff growth and development that will be reflected in increased personal and professional ability.

Within budgetary limits and subject to approval of the superintendent or his designee, teachers seeking National Board Certification and National Board Certification Renewal will be reimbursed 100% of the total initial cost from a portion of available staff development funds. The following procedures and guidelines will apply:

1. Reimbursements for National Board Certification will be limited to certified personnel employed by the Cherokee County Board of Education pursuing certification in areas of their current job assignment.
2. Persons pursuing National Board Certification must be eligible according to National Board Certification Criterion
3. Persons must have received “accomplished” in all areas of the previous year’s summative evaluation to be eligible for the National Board Certification Program
4. Persons must participate in National Board Professional Development offered by Cherokee County Schools
5. Persons must work with an assigned NBCT mentor to review and offer feedback to ensure the success of the candidate.
6. As funds are available reimbursement will be made based on the following terms:
    a) The candidate successfully completes all professional development offered by Cherokee County Schools for National Board Certification
    b) The candidate achieves National Board Certification/ National Board Maintenance of Certification
    c) The cost of the initial certification, as outlined on the NBCT website (currently $1900) or for those pursuing MOC, $475.00 and a $75 registration fee.
    d) An employee seeking reimbursement under this program must successfully complete the National Board Certification or Renewal. In the event an employee fails to complete the program, the employee must reimburse Cherokee County

Schools the total amount expended; should an employee re-attempt the National Board Certification or Renewal program no reimbursement will be made by Cherokee County Schools of the additional costs.

7. Employment Obligation.
    a) Cherokee County employees who receive National Board Certification and National Board Certification Renewal through the provisions of this will have an obligation to continue productive employment with Cherokee County schools for at least four years beyond their final receipt of said reimbursement. If, however, recipients voluntarily default on this four-year obligation, recipients will repay to this school system within six months of terminating the contract an amount equal to the total National Board Certification and National Board Certification Renewal paid to the recipient by Cherokee County during the last four years of employment with this school system.
    b) If a recipient of National Board Certification and National Board Certification Renewal reimbursement tenders a resignation of employment before completing the required four-years of obligated service, the Cherokee County Schools' finance officer will notify the employee of the amount of money owed the school system on the date the resignation becomes effective. If the employee resigning under these conditions still has paychecks due, a portion of the amount owed the school system under the stipulations of this policy will be deducted from each paycheck. If the amount owed is less than $500.00, the total amount will be deducted from the first paycheck due the employee after tendering a notice of resignation. If the amount owed is $500.00 or more, $500.00 will be deducted from the first paycheck due the employee. From subsequent paychecks due, $500.00 or the remaining total debt (whichever is less) will be deducted.
    c) Counting from the employees' last day of employment with Cherokee County Schools, the National Board Certification and National Board Certification Renewal reimbursement recipient who defaults on the four-year continued employment obligation will have six calendar months to repay the total amount of such funds owed to this school system. Less than $500.00 dollars paid during any one month will be considered a default in payment. Payments are to be made to the Cherokee County Board of Education and sent to the attention of the Finance Officer.

Note: Reimbursements will be made to those employees the month after the teacher achieves NBCT/MOC status.

Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.,* 34 C.F.R. pt. 106; G.S. 115C-81.20(f), -81.45(d), -81.57(c), -333, -333.1, -375.20, -376.5(d); State Board of Education Policies EVAL-004, SHLT-003

Cross References: Technology in the Educational Program (policy 3220), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Student Health Services (policy 6120), Plans for Growth and Improvement of Licensed Employees (policy 7811)

Adopted: March 15, 2012
Amended: November 8, 2012
Technical Corrections made: October 2, 2017
Amended: May 28, 2020
Amended: March 11, 2021
Amended: June 10, 2021
Amended: June 29, 2023

GOVERNING PRINCIPLE -- REMOVAL OF BARRIERS

Policy Code: **1700**

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

Discrimination and Harassment Prohibited by Federal Law.....(policy 1710/4020/7230)
Title IX Nondiscrimination on the Basis of Sex.....(policy 1720/4030/7235)
Title IX Sexual Harassment –
Prohibited Conduct and Reporting Process.....(policy 1725/4035/7236)
Title IX Sexual Harassment Grievance Process .....(policy 1726/4036/7237)
Nondiscrimination on the Basis of Disabilities..... (policy 1730/4022/7231)
Bullying and Harassing Behavior Prohibited ..... (policy 1735/4329/7311)
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)
Student Fees.....(policy 4600)
Support Services .....(policy 6000)
Goals of Student Health Services.....(policy 6100)
Student Health Services .....(policy 6120)
Goals of School Nutrition Services .....(policy 6200)
Operation of School Nutrition Services .....(policy 6220)
Free and Reduced Price Meal Services.....(policy 6225)
Goals of Student Transportation Services .....(policy 6300)
Participation by Historically Underutilized Businesses.....(policy 6402)
Vendor Lists.....(policy 6442)
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), Policy Development (policy 2410)

Adopted: January 14, 1999
Technical Correction made: September 30, 2019
Technical Corrections made: September 30, 2020
Technical Corrections made: April 1, 2022
Technical Corrections made: April 1, 2025

The Cherokee County Board of Education is committed to a policy on non-discrimination on the basis of socioeconomic status, age, sex, race, religion, national origin, handicapping conditions, pregnancy, and parental or marital status.

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 13, 2003

The board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring, and inviting school environment to facilitate student learning and achievement. The board prohibits discrimination on the basis of race, sex, color, national origin, religion, disability, or age (40 or older) in its education program, which includes all operations, services, and activities of the school system, and will provide equal access to the Boy Scouts and other designated youth groups as required by law. In the context of employment, the board prohibits discrimination based on race, sex, color, national origin, religion, disability, age (40 or older), military affiliation, genetic information, or other unlawful grounds.

All forms of prohibited discrimination and harassment are subject to this policy except for sexual harassment in violation of Title IX of the Education Amendments Act of 1972, which is addressed separately in policies 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, and 1726/4036/7237, Title IX Sexual Harassment Grievance Process.

Though claims of discrimination or harassment on the basis of disability, as specified in policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, are subject to this policy, allegations regarding or related to the identification, evaluation, educational placement, or free appropriate public education of a student under Section 504 or the IDEA may be raised through the system of procedural safeguards established under policy 1730/4022/7231 (for Section 504 complaints) or in accordance with the procedures described in *Parents Rights & Responsibilities in Special Education*, published by the NC Department of Public Instruction (for IDEA complaints).

The board encourages all individuals who believe that they have been discriminated against or harassed in violation of this policy or who have reliable information that another person has been discriminated against or harassed in violation of this policy to report such conduct as soon as possible through the process provided in Section B below. The board takes seriously all reports of unlawful discrimination and harassment and directs school officials to take prompt action to investigate and remedy violations of this policy. The superintendent is responsible for ensuring that effective notice of this policy is provided to students, parents, employees, and applicants for admission or employment.

A. PROHIBITED BEHAVIOR

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

1. Discrimination

Discrimination is any act or failure to act, whether intentional or unintentional, by an employee or agent of the school system that unreasonably and unfavorably

differentiates treatment of others based solely on one or more of the legally-protected characteristics listed in the first paragraph of this policy so as to interfere with or limit their ability to participate in or benefit from the services, activities, or privileges offered by the school system's education program.

2. Harassment

Harassment is deliberate unwelcome conduct directed at another person or group of persons based on one or more of the legally protected characteristics listed in the first paragraph of this policy that creates a hostile environment or adversely affects a school system employee's employment. Harassment does not have to include intent to harm, be motivated by animus, be directed at a specific target, or involve repeated incidents. Harassment creates a hostile environment when (1) the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a person's ability to participate in or benefit from the services, activities, or opportunities offered by the school system or (2) the conduct is so severe or pervasive that an employee finds his or her working conditions to be abusive and a reasonable person in the employee's position would conclude that the working conditions were abusive.

Examples of behavior that may constitute harassment include, but are not limited to, acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, derogatory epithets, comments, or slurs, imitating a person's disability-based limitations, mocking a person's accent, making fun of a person's religious garments, jewelry, or displays, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement, and visual insults, such as hate symbols or derogatory posters or cartoons. Harassment may occur through electronic means, such as through the Internet, email, text message, or video calls.

Petty slights, annoyances, simple teasing, offhand comments, or isolated incidents (unless extremely serious) are not harassment under this policy. Legitimate age-appropriate pedagogical techniques are not considered harassment, 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.

3. Application of the Policy

This policy applies to behavior that takes place: (1) in any school building or on any school premises before, during, or after school hours; (2) on any bus or other vehicle as part of any school activity; (3) at any bus stop; (4) during any school-sponsored activity or extracurricular activity; (5) through the use of school system

technological resources; (6) at any time or place when the individual is subject to the authority of school personnel; or (7) at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the schools or has consequences in the workplace contributing to a hostile work environment.

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

B. REPORTING DISCRIMINATION OR HARASSMENT

1. Reporting Suspected Discrimination or Harassment

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

2. Mandatory Reporting by School Employees

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

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

3. Preliminary Inquiry

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

C. COMPLAINTS OF DISCRIMINATION AND HARASSMENT

1. Making a Complaint of Discrimination or Harassment

Any person who believes he or she is the victim of discrimination or harassment in violation of this policy, or any person who has witnessed or who has reliable information that another person has been subject to discrimination or harassment in violation of this policy, may request that school officials investigate and redress any such unlawful conduct by making a formal written complaint to any of the following persons:

a. the principal or assistant principal of the school either the alleged victim or alleged perpetrator attends;

b. the principal, assistant principal, or site supervisor at the location where either the alleged victim or alleged perpetrator is employed;

c. the senior human resources official (or if the senior human resources official is the alleged perpetrator, the superintendent) if the alleged victim or alleged perpetrator is an employee or applicant for employment;

d. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the basis of a disability;

e. the Title IX coordinator, as established in policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex, for claims of discrimination on the basis of sex; or

f. for claims of other forms of prohibited discrimination, the applicable civil rights coordinator as established in Section I of this policy.

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

2. Addressing Complaints

A written complaint alleging that a student, employee, or applicant for employment has been discriminated against or harassed will be addressed in accordance with this policy.

A written complaint alleging that a person who is not a student, employee, or applicant for employment has been discriminated against or harassed will be addressed in accordance with the general process for resolving complaints provided in policy 1742/5060, Responding to Complaints, not this policy.

3. Time Period for Making a Complaint

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

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

1. Investigation

School officials shall investigate all formal written complaints received. Reports of discrimination or harassment that are not followed by a formal written complaint may be investigated when necessary to remedy violations of this policy and may be investigated even if the alleged victim does not seek action by school officials.

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

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

b. As applicable, the investigator shall immediately notify the Section 504, ADA, Title IX, or other relevant coordinator of the complaint and, as appropriate, may request assistance from the coordinator in conducting the investigation.

c. If the investigator, after interviewing the complaining party and/or the alleged victim and consulting with the board attorney, determines that the allegations submitted, even if factual, do not constitute discrimination or harassment as defined in this policy or policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, school officials shall address the matter outside the scope of this policy. Information regarding the investigator's determination and any further avenues for addressing the complaint will be provided to the complaining party.

d. Any investigation conducted must be impartial, prompt, and thorough. The investigator shall investigate the facts and circumstances related to the

allegation(s) of discrimination or harassment and give the alleged perpetrator an opportunity to respond to the allegations.

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

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

2. Investigator's Findings

a. If the investigator finds that discrimination or harassment occurred, the investigator shall take or recommend steps to address the discrimination or harassment. The investigator shall assign or recommend appropriate disciplinary consequences for the perpetrator and/or take or recommend other reasonable measures to eliminate the discrimination or harassment, rectify any wrongful impacts, and prevent its recurrence.

b. If the investigator finds that the conduct did not violate this policy but violated policy 1735/4329/7311, Bullying and Harassing Behavior Prohibited, or another board policy or expected standard of conduct, the investigator shall assign or recommend discipline or other action appropriate to the violation.

c. The investigator shall make a record of the evidence and findings of the investigation and the assigned or recommended discipline and/or other remedial action and provide a copy to the appropriate civil rights coordinator. If the investigator recommends a disciplinary consequence or remedial action that is beyond his or her authority, the investigator shall provide a copy of the record to the superintendent for further action.

d. The investigator shall inform the alleged victim and alleged perpetrator of the outcome of the investigation.

3. Steps to Reasonably End Discrimination or Harassment

a. The superintendent is responsible for taking or causing appropriate action

to be taken in response to discrimination and harassment in violation of this policy. Appropriate action must include:

i. reasonable, timely, age-appropriate corrective action intended to end the discrimination or harassment and prevent it from recurring;

ii. as needed, reasonable steps to address the effects of the discrimination or harassment on the victim; and

iii. as needed, reasonable steps to protect the victim from retaliation as a result of the complaint.

b. Appropriate steps to end discrimination and harassment may include, but are not limited to, separating the parties, providing counseling for the parties, and/or taking disciplinary action against a perpetrator determined to have violated this policy. The superintendent may take non-punitive measures to end or prevent instances of discrimination or harassment regardless of whether any individual has been found responsible for the discrimination or harassment. The superintendent also may implement or direct the implementation of classroom-wide, school-wide, or school system-wide responses such as additional staff training, harassment prevention programs, and other measures reasonably calculated to end the behavior, eliminate a hostile environment and its effects if one has been created, and prevent recurrence of the behavior.

c. The applicable civil rights coordinator shall encourage victims of discrimination and harassment to report any subsequent problems and may conduct follow-up inquiries as warranted to determine if there have been any new incidents of discrimination or harassment or any instances of retaliation.

E. APPEALS

1. Appeals to the Superintendent

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

2. Appeals to the Board

   Student victims or their parents may appeal the superintendent's decision to the board in accordance with subsection E.5.a of policy 1740/4010, Student and Parent Grievance Procedure. Victims who are employees or applicants for employment may appeal the superintendent's decision to the board in accordance with subsection E.4.a of policy 1750/7220, Grievance Procedure for Employees.

3. Discipline Rights Provided by Law

   Any student or employee subject to discipline for violating this policy will be accorded all rights provided by law.

F. RETALIATION PROHIBITED

The board prohibits retaliation against any person for making a report or complaint of a violation of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of a reported violation of this policy. No reprisals will be taken by the board against a complaining party or other individual who makes a good faith report of discrimination or harassment. Any person who is found to have engaged in retaliation will be subject to discipline, up to and including dismissal. Complaints alleging retaliation may be filed according to the grievance processes established in policies 1740/4010, Student and Parent Grievance Procedure, and 1750/7220, Grievance Procedure for Employees. Acts of retaliation may also be subject to policy 1760/7280, Prohibition Against Retaliation.

G. TRAINING AND PROGRAMS

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

As funds are available, the board will provide students, employees, and volunteers who have significant contact with students with additional training regarding the board's efforts to address discrimination and harassment and will create programs to address these issues. The training or programs should (1) provide examples of behavior that constitute discrimination or harassment; (2) teach employees to identify groups that may be the target of discrimination or harassment; and (3) train school employees to be alert to locations where such behavior may occur, including locations within school buildings, at school bus stops, on cell phones, and on the Internet.

H. RECORDS

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

I. CONTACTS FOR INQUIRIES

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

The contact information for the Title IX coordinator can be found in policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex. The contact information for the other designated civil rights coordinators is as follows.

a. The Section 504 Coordinator may be reached at 828-837-2722 or by mail:
Section 504 Coordinator
911 Andrews Road, Murphy, NC 28906

b. The ADA Coordinator may be reached at 828-837-2722 or by mail:
ADA Coordinator
911 Andrews Road, Murphy, NC 28906

c. The Age Discrimination Coordinator may be reached at 828-837-2722 or by mail:
Age Discrimination Coordinator
911 Andrews Road, Murphy, NC 28906

d. The Coordinator for Other Non-discrimination Laws may be reached at 828-837-2722 or by mail:
Coordinator for Other Non-discrimination Laws
911 Andrews Road, Murphy, NC 28906

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

4000 Maryland Ave, SW

Washington, DC 20202-1475
Telephone: 202-453-6020 TDD: 800-877-8339
FAX: 202-453-6021 Email: OCR.DC@ed.gov

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 *et seq.*, 34 C.F.R. pt. 110; Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title II of the Genetic Information Nondiscrimination Act of 2008; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, 34 C.F.R. pt. 100; 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.*; *Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance*, U.S. Department of Education, Office for Civil Rights (1994), available at https://www2.ed.gov/about/offices/list/ocr/docs/race394.html; *Enforcement Guidance on Harassment in the Workplace*, U.S. Equal Employment Opportunity Commission (April 2024), available at https://www.eeoc.gov/laws/guidance/enforcement-guidance-harassment-workplace?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=; G.S. 115C-407.15 through -407.18; 126-16; 16 N.C.A.C. 6E .0107; *Parent Rights & Responsibilities in Special Education*, (N.C. Dept. of Public Instruction, Exceptional Children Division), available at https://www.dpi.nc.gov/parent-rights-handbook

Cross References: Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Bullying and Harassing Behavior Prohibited (policy 1735/4329/7311), Student and Parent Grievance Procedure (policy 1740/4010), Responding to Complaints (policy 1742/5060), Grievance Procedure for Employees (policy 1750/7220), Prohibition Against Retaliation (policy 1760/7280), Hearings Before the Board (policy 2500), Staff-Student Relations (policy 4040/7310), School Plan for Management of Student Behavior (policy 4302), Visitors to the Schools (policy 5020), Community Use of Facilities (policy 5030)

Adopted: August 13, 2020
Amended: November 5, 2020
Amended: June 26, 2025

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

A. INQUIRIES ABOUT TITLE IX

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

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

The Title IX Coordinator may be reached at 828-837-2722 or by mail at:
Title IX Coordinator
911 Andrews Road, Murphy, NC 28906

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

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

B. RESOLUTION OF GRIEVANCES

The board has established grievance procedures that provide for the prompt and equitable resolution of complaints alleging discrimination on the basis of sex. Any person may report alleged discrimination on the basis of sex, other than sexual harassment, in a school system program or activity occurring against a person in the United States through the process provided in policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law. The board has adopted additional means for reporting sexual harassment specifically. Any person may report alleged sexual harassment in a school system program or activity occurring against a person in the United States in accordance with policy 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process. Those who believe they have been sexually harassed may also file a formal complaint of sexual harassment in accordance with policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process, to initiate a prompt and equitable resolution through a formal investigation and adjudication or through an informal resolution process. The board encourages students, employees, and applicants to first make a report of sexual harassment in accordance with policy 1725/4035/7236 before filing a formal complaint.

C. RETALIATION PROHIBITED

Retaliation against any person for the exercise of rights under Title IX or to interfere with those rights in any way is strictly prohibited and will subject the perpetrator to disciplinary action. The identity of any person who has made a report or complaint of sex discrimination or sexual harassment or who is the alleged perpetrator of sex discrimination or sexual harassment will be confidential unless otherwise required or permitted by law. Complaints alleging retaliation may be filed according to policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law.

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

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

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

Cross References: 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), Staff-Student Relations (policy 4040/7310)

Issued: July 28, 2020
Revised: September 30, 2021
Amended: November 4, 2021
Amended: June 26, 2025

TITLE IX SEXUAL HARASSMENT – PROHIBITED CONDUCT AND REPORTING PROCESS

Policy Code: **1725/4035/7236**

The board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring, and inviting school environment to facilitate student learning and achievement. As provided in policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex, the board will not tolerate sexual harassment in the education program and activities of the school system. The board takes seriously all reports and formal complaints of sexual harassment.

This Title IX sexual harassment policy specifically prohibits sexual harassment as that term is defined under Title IX. It provides a process for students, employees, and others to report such sexual harassment for response by school officials. All incidents of conduct that could constitute sexual harassment under this policy are to be reported and treated in accordance with this policy, whether or not the incidents may also constitute violations of other board policies or standards of conduct.

Conduct that involves discrimination or harassment on the basis of sex but that does not meet the definition of sexual harassment prohibited by this policy may nevertheless violate other board policies or established standards of conduct and will be treated accordingly. See, for example, policy 1735/4329/7311, Bullying and Harassing Behavior Prohibited, policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, and policy 4040/7310, Staff-Student Relations. Nothing in this policy is intended to limit discipline for violations of other board policies in such circumstances when appropriate and consistent with law. In addition, nothing in this policy is intended to limit reports to law enforcement when warranted.

Individuals who believe they have been subjected to sexual harassment prohibited by this policy or who have witnessed or have reliable information that another person has been subjected to sexual harassment prohibited by this policy should use the process provided in Section C of this policy to report such violations.

The board also provides a grievance process for those who believe they have been victims of sexual harassment that is designed to achieve prompt and equitable resolution of formal complaints of sexual harassment through a formal investigation and adjudication of the allegations in the complaint or through informal resolution processes. The grievance process is provided in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process. Affected individuals are encouraged to report sexual harassment in accordance with the process provided in Section C of this policy before filing a formal complaint to initiate the grievance process.

The superintendent is responsible for ensuring that effective notice of this policy is provided to students, parents, employees, and applicants for admission or employment.

A. PROHIBITED BEHAVIOR

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

other persons doing business with or performing services for the school system.

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

1. an employee of the school system conditioning the provision of an aid, benefit, or service of the school system on an individual's participation in unwelcome sexual conduct;

2. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school system's education program or activities. This determination requires consideration of all the facts and circumstances, including, but not limited to, the ages and disability statuses of the harasser and the victim and the number of individuals involved and their authority;

3. sexual assault, defined as an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation (FBI UCR). The FBI UCR classifies as sex offenses (1) any sexual act (i.e., rape, including sodomy and sexual assault with an object, and fondling) directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age, including rape[1], and (2) unlawful sexual intercourse (i.e., statutory rape, fondling[1] and incest);

4. dating violence, which means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, with the existence of such a relationship determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship;

5. domestic violence, which includes crimes committed by a current or former spouse or intimate partner of the victim under North Carolina family or domestic violence laws and also includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who (1) is a current or former spouse or intimate partner of the victim, or a person similarly situated to a spouse of the victim; (2) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (3) shares a child in

[1] Changes provided and recommended by Campbell Shatley.

common with the victim; or (4) commits acts against a youth or adult victim who is protected from those acts under North Carolina family or domestic violence laws; or

6. stalking, which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

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

All references to "sexual harassment" in this policy mean sexual harassment that meets this definition.

Examples of conduct on the basis of sex that would be considered sexual harassment if the conduct satisfies the criteria above include, but are not limited to: unwelcome sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature, such as deliberate, unwelcome touching that has sexual connotations or is of a sexual nature; suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances, or propositions; continued or repeated verbal remarks about an individual's body; sexually degrading words used toward an individual or to describe an individual; sexual assault; sexual violence; the display of sexually suggestive drawings, objects, pictures, or written materials; posting sexually suggestive pictures of a person without the person's consent; and forwarding pornographic material depicting a classmate or other member of the school community. Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping but not involving conduct of a sexual nature may also constitute sexual harassment.

B. DEFINITIONS

The following additional definitions apply in this policy.

1. Report

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

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

2. Formal Complaint

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

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

3. Complainant

The complainant is the individual(s) who is alleged to be the victim of conduct that could constitute sexual harassment.

4. Consent

Consent must be informed and freely and affirmatively given through mutually understandable words or actions that indicate a willingness to participate in the sexual activity. Consent can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Consent to one type of sexual activity does not amount to consent to another type of activity. Prior consent or sexual relations with the same person do not imply future consent. The fact that both people are in a relationship does not, by itself, establish consent. A person cannot consent if they are unconscious, asleep, or impaired to the extent that they do not understand what is going on. Minors under the age of 16 are incapable of giving consent to sexual activity with a person more than four years older than the minor. Consent may never be given by mentally disabled persons if their disability was reasonably knowable to a sexual partner who is not mentally disabled. Consent between parties engaging in sexual activity does not prevent the school system from taking disciplinary action against the parties for violation of any other board policy.

5. Respondent

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

6. Grievance Process

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

7. Title IX Coordinator

The Title IX coordinator is a school official who is designated to coordinate the school system's response to sexual harassment and allegations of sexual harassment. Contact information for the Title IX coordinator is posted on the school system's website and listed in policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex.

8. Supportive Measures

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

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

9. Days

Days are calendar days unless specified otherwise.

10. Student(s)

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

11. Actual Knowledge

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

C. REPORTING SEXUAL HARASSMENT

1. Student Reports

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

2. Mandatory Reporting by School Employees and Board Members

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

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

a. a report of sexual harassment from a student or other person;

b. the employee or board member witnesses conduct that is or reasonably could be sexual harassment; or

c. the employee or board member discovers evidence of sexual harassment, such as sexualized graffiti on school property, or otherwise has reliable information or reason to believe that a student, employee, or other individual may have been sexually harassed in violation of this policy, even if no one has reported the sexual harassment.

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

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

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

3. Reporting by Others

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

4. Content of the Report

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

5. Time Period for Making a Report

Reports by students and third parties can be made at any time. During non-business hours, reports can be made by using the contact information for the Title IX coordinator provided on the school system's website and in policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex. A report should be made as soon as possible after disclosure or discovery of the facts giving rise to the report. Delays in reporting may impair the ability of school officials to investigate and respond to any subsequent formal complaint.

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

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

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

section.

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

1. Title IX Coordinator Initiates Interactive Process with Complainant

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

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

   a. offer supportive measures;

   b. consider the complainant's wishes with respect to supportive measures;

   c. explain that supportive measures are available with or without the filing of a formal complaint; and

   d. explain the process for filing a formal complaint with the Title IX coordinator and the response required of the school system when a complaint is filed, including all the following:

      i. that a formal complaint will initiate the grievance process described in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process;

      ii. that a formal complaint may be filed with the Title IX coordinator in person, by mail, or by electronic mail;

      iii. the major steps in the grievance process, including (1) a notice of the allegations that will be provided to the respondent that includes identification of the complainant and the allegations made; (2) an investigation of the allegations of sexual harassment in which both parties will have opportunity to have an advisor, present witnesses, review evidence, pose written questions of the other party, and

receive a copy of the investigative report; (3) a decision on responsibility in which a decision-maker objectively evaluates all relevant evidence and determines whether the respondent engaged in the alleged sexual harassment in violation of this policy; and (4) the opportunity for either party to appeal the decision;

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

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

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

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

2. Title IX Coordinator Arranges Implementation of Supportive Measures

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

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

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

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

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

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

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

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

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

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

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

5. Emergency Removal of Respondent from School or Employment

Any respondent is subject to removal from the school system's education program and activities, or any part of the program or activities, on an emergency basis if a

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

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

An employee may be placed on administrative leave with or without pay during the pendency of the grievance process set out in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process, if consistent with state law and in accordance with any applicable requirements of state law. Placing an employee on leave during the pendency of the grievance process is not an emergency removal.[2]

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

6. Supportive Measures

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

E. GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

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

[2] Change is provided and recommended by Campbell Shatley

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

F. RECORDS

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

1. any actions, including any supportive measures, taken in response to the report or formal complaint;

2. that school officials have taken measures that are designed to restore or preserve equal access to the school system's education program and activities;

3. why school officials believe their response to the report or complaint was not deliberately indifferent; and

4. if supportive measures were not provided to the complainant, why that was not clearly unreasonable in light of the known circumstances.

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

Legal References: Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; *Gebser v. Lago Vista Independent School District*, 524 U.S. 274 (1998); *Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999); G.S. 115C-335.5

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 Grievance Process (policy 1726/4036/7237), Bullying and Harassing Behavior Prohibited (policy 1735/4329/7311), Alternative Learning Programs/Schools (policy 3470/4305), Staff-Student Relations (policy 4040/7310), Child Abuse and Related Threats to Child Safety (policy 4240/7312)

Adopted:	August 13, 2020
Technical Corrections:	September 30, 2020
Amended:	December 10, 2020
Amended:	November 4, 2021
Amended:	June 26, 2025

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

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

A. DEFINITIONS

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

The following additional definitions apply in this policy.

1. Investigator

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

2. Decision-Maker

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

3. Investigative Report

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

4. Remedies

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

   Remedial measures available to a complainant following a determination of responsibility include counseling, mental health services referral, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escort services, mutual or one-way restrictions on contact between the

parties, changes in work locations, leaves of absence, increased security and monitoring, and other measures determined by school officials to be necessary to restore or preserve the complainant's equal access to the education program and activities, regardless of whether such measures impose a burden on the respondent or are punitive or disciplinary in nature.

5. Disciplinary Sanctions

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

B. FILING A FORMAL COMPLAINT TO INITIATE THE GRIEVANCE PROCESS

A formal complaint initiates the grievance process.

1. Individuals Who May File a Formal Complaint

a. Eligible Complainants

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

b. The Title IX Coordinator

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

2. Time Period for Filing a Formal Complaint

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

respond to the allegations.

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

3. Contents of the Formal Complaint

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

4. How to File the Formal Complaint

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

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

a. Upon receipt of a formal complaint of sexual harassment, the Title IX coordinator shall engage in an interactive process with the complainant, consider the provision of supportive measures in light of the complainant's wishes, provide supportive measures as appropriate, and otherwise fulfill the requirements of Section D of policy 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, unless the Title IX coordinator has already done so in response to an initial report of the same allegation of sexual harassment.

b. School officials reserve the right to consolidate formal complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. The Title IX coordinator shall advise the complainant if the formal complaint will be consolidated with others.

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

C. General Principles of the Grievance Process for Formal Complaints

To ensure a complete, thorough, and fair grievance process for formal complaints of sexual

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

1. Equitable Treatment

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

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

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

2. Adequate Training

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

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

3. Presumption of Non-Responsibility/Innocence

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

4. Burden of Proof and Production of Evidence

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

5. Written Notice of Meetings and Other Proceedings

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

6. Confidentiality and Privacy

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

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

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

7. No Disclosure of Privileged Information

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

8. Timeliness of Process

School officials shall make a good faith effort to conduct a fair, impartial grievance

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

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

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

1. Step 1 – Notice of Allegations

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

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

         a) the identities of the parties involved, if known;

         b) the conduct allegedly constituting sexual harassment; and

         c) the date and location of the alleged incident, if known;

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

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

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

      v. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility

will be made at the conclusion of the grievance process.

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

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

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

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

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

3. Step 3 – Initiating the Investigation

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

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

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

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

iii. If the respondent is neither a student nor an employee/applicant for employment, the principal of the school/site supervisor at which the

complainant is enrolled or employed shall be the investigator.

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

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

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

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

4. Step 4 – Conducting the Investigation

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

a. The investigator shall interview all individuals who may have relevant information, including (1) the complainant; (2) the respondent; (3) individuals identified as witnesses by the complainant or respondent; and (4) any other individuals who are thought possibly to have relevant information. Prior written notice shall be provided to a party whose participation is invited or expected for any investigative interview or meeting in accordance with subsection C.5 above. The investigator shall provide the complainant and respondent an equal opportunity to present fact and expert witnesses and other evidence tending to prove or disprove the allegations.

b. The investigator shall ensure that the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the school system and not on the complainant or respondent.

c. The investigator shall not restrict the ability of either party to gather and present relevant evidence or to discuss the allegations under investigation.

d. The formal complaint and the investigation will be kept confidential to the extent possible. Information may be shared only with individuals who need the information in order to investigate and address the complaint appropriately and those with a legal right to access the information. Any requests by the complainant or respondent for further confidentiality will be evaluated within the context of the legal responsibilities of the school system.

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

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

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

a. The investigator shall prepare an investigative report that fairly summarizes the relevant evidence.

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

c. Following the parties' opportunity to respond to the written evidence, the investigator shall finalize the written investigative report, including a

recommendation on the question of responsibility and any recommended discipline sanction.

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

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

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

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

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

1. Step 1 – Exchange of Questions and Answers [1]

After the parties are sent the investigative report, the superintendent shall provide the parties an opportunity to submit written, relevant questions that the party wants asked of any other party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party in accordance with a reasonably prompt time frame established by the superintendent. The parties shall submit their initial set of written questions at the time they submit their response to the investigative report as described in subsection D.5.d above.

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

[1] Changes to these steps are recommended by Campbell Shatley

respondent and is offered to prove consent.

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

2. Step 2 – Decision on the Question Regarding Responsibility

Following the exchange of questions as described above, the superintendent shall decide the question regarding responsibility, any disciplinary action/ recommendation of disciplinary action, and any other measures the superintendent deems appropriate. The superintendent shall consider all the relevant evidence objectively, including evidence in the investigative report and any additional information provided by the parties through the exchange of questions and responses as provided in subsection E.1 above.

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

3. Step 3 – Decision on the Question Regarding Responsibility

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

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

4. Step 4 – Written Determination Regarding Responsibility

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

a. identification of the allegations potentially constituting sexual harassment under board policy;

b. a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

c. findings of fact supporting the determination;

d. conclusions regarding the application of board policy and/or the Code of Student Conduct or expected standards of employee behavior to the facts, including whether the respondent engaged in prohibited sexual harassment or other proscribed conduct;

e. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent (which may be a recommendation to the board for discipline that is beyond the authority of the superintendent or other decision-maker), and whether remedies designed to restore or preserve equal access to the school system's education program and activities will be provided to the complainant;

f. the procedures and permissible bases for the complainant and respondent to appeal; and

g. any other notices that are required to accompany the decision under state law, such as when the superintendent imposes a long-term suspension or recommends dismissal of an employee.

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

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

The standard for review upon appeal to the Board of Education shall be a preponderance of the evidence.

1. Deadline and Grounds for Appeal

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

a. procedural irregularity that affected the outcome of the matter;

b. new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;

c. the Title IX coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter;

d. the disciplinary sanction is inappropriate or unreasonable; or

e. any other basis provided by law or board policy governing appeals to the board.

In cases where disciplinary sanctions against the respondent include a Superintendent's recommendation for expulsion under G.S. §115C-390.11, the Board is required by law to consider the matter as set forth in state law and Policy 4353. The Superintendent is responsible for notifying the Board of his/her recommendation to expel under G.S. §115C-390.11 regardless of whether any party files an appeal to the Board under this Policy. If either party files an appeal, the Board's consideration of the Superintendent's recommendation for expulsion shall also serve as the appeal.

2. Notice of the Appeal

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

3. Appeal Procedures

a. The board will hear the appeal unless otherwise required by law. The board may designate a panel of two or more board members to hear and act on behalf of the board.

b. Appeal procedures will be implemented equally for both parties and will follow the procedures in policy 2500, Hearings Before the Board, modified as necessary to allow equal participation of the parties.

If the appeal includes an appeal of a disciplinary sanction, the procedures in policy 4370, Student Discipline Hearing Procedures; policy 7940, Classified Personnel: Suspension and Dismissal; or policy 7930, Professional Employees: Demotion and Dismissal, shall also apply as applicable.

c. After the notice of appeal is provided, both parties will be given 10 days to submit a written statement in support of, or challenging, the outcome. If the basis of the appeal is newly available evidence affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party's written statement.

d. The board will review the record and the written argument of the parties submitted on appeal, determine whether additional information is needed from any party, and take any other steps that the board determines to be appropriate in order to respond to the appeal.

4. Decision on Appeal

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

b. If substantiated, the board will determine the appropriate response, which may include a remand for a new investigation, a new decision, or both, or such other action as the board determines is needed to correct the error in the original proceedings.

c. The board will provide a written decision describing the results of the appeal and rationale for the result within thirty days after receiving the appeal unless the decision is delayed for good cause. The written decision will be provided simultaneously to both parties.

d. In the event of a Superintendent's recommendation for expulsion, the board will provide a written decision in accordance with state law and F(4)(c) of this section.

5. When the Decision Becomes Final

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

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

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

1. Disciplinary Consequences for Students

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

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

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

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

2. Disciplinary Consequences for Employees

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

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

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

3. Consequences for Other Perpetrators

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

4. Remedies

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

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

5. Consideration of Need for More Extensive Response

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

H. INFORMAL RESOLUTION

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

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

IX coordinator, investigator, or decision-maker shall:

1. provide the parties (including the parent of a minor) a written notice disclosing:

    a. the allegations;

    b. the nature and requirements of the informal resolution process, including that if the parties agree to a resolution of the matter, the agreement precludes either party from resuming a formal complaint process arising from the same allegations; and

    c. any consequences that could result from participating in the informal resolution process, including whether records will be maintained and could be shared; and

2. obtain the parties' voluntary, written consent to the informal resolution process.

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

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

I. RETALIATION PROHIBITED

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

Complaints alleging retaliation are to be treated as claims of sex discrimination and may be filed in accordance with policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex.

J. RECORDS

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

1. each sexual harassment investigation including:

    a. any determination regarding responsibility;

    b. any audio or audiovisual recording or transcript from any live hearing;

    c. any disciplinary sanctions imposed on the respondent; and

    d. any remedies provided to the complainant designed to restore or preserve equal access to the school system's education program and activities;

2. any appeal and the result therefrom;

3. any informal resolution and the result therefrom; and

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

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; *Gebser v. Lago Vista Independent School District*, 524 U.S. 274 (1998); *Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999)

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), Prohibition Against Retaliation (policy 1760/7280), Hearings Before the Board (policy 2500), School-Level Investigations (policy 4340), Student Discipline Hearing Procedures (policy 4370), Visitors to the Schools (policy 5020), Professional Employees: Demotion and Dismissal (policy 7930), Classified Personnel: Suspension and Dismissal (policy 7940)

Adopted:	August 13, 2020
Technical Corrections:	September 30, 2020
Amended:	December 10, 2020
Amended:	November 4, 2021
Amended:	May 12, 2022
Amended:	June 26, 2025

NONDISCRIMINATION ON THE BASIS OF DISABILITIES

Policy Code: **1730/4022/7231**

The board of education will not discriminate against qualified persons with disabilities on the basis of a disability. This non-discrimination policy includes, but is not limited to, benefits of and participation in system programs and activities. The system will provide aids, benefits, and school services to a person with disabilities in the most integrated school setting appropriate to his or her needs so that he or she may have an opportunity commensurate to that provided to persons without disabilities to obtain the same results, gain the same benefit, or reach the same level of achievement.

The superintendent is directed to develop appropriate procedures to implement this nondiscrimination policy. The superintendent or designee shall:

submit an assurance of nondiscrimination with each application for federal financial assistance;

designate a person to coordinate the system's efforts to comply with Section 504 of the Rehabilitation Act of 1973 ("Section 504") and its regulations;

designate a person to coordinate the system's efforts to comply with the Americans with Disabilities Act and its regulations;

publish the name, office address, and phone number of the compliance coordinator(s) in a manner intended to ensure that employees, applicants, students, parents, and other individuals who participate in the school system's programs are aware of the coordinator(s);

make complaint procedures available as provided in policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, which provides opportunities for prompt and equitable resolutions to complaints alleging actions prohibited by Section 504 or ADA or regulations for these statutes;

provide notice that the school system does not discriminate on the basis of disability in violation of Section 504 or the ADA, or their implementing regulations, and make such notice accessible to employees, applicants, students, and parents;

make reasonable accommodations for qualifying applicants or employees with disabilities; however, a reasonable accommodation does not include an accommodation that demonstrably would impose an undue hardship on the program or would fundamentally alter the nature of the service, program, or activity;

not inquire about any disabilities that may need accommodation until after an applicant has been made an offer and, additionally, avoid using employment tests or other selection criteria that tend to screen out persons with disabilities unless the criteria are demonstrably job-related and effective alternatives are not available;

provide a free appropriate public education to each qualified student with disabilities in accordance with Section 504 and its regulations; and

establish and implement a system of procedural safeguards with respect to the identification, evaluation, or educational placement of a student with disabilities under Section 504 which includes an opportunity for the student's parent or guardian to examine relevant records, an impartial hearing with the opportunity for participation by the parent or guardian and representation by counsel, and a review procedure.

Legal References: 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

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Service Animals in Schools (policy 4202/5029/7272)

Adopted: January 14, 1999
Amended: May 10, 2012
Amended: September 10, 2020

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

This policy prohibits bullying and harassing behavior, or the encouragement of bullying or harassing behavior, that takes place (1) in any school building or on any school premises before, during or after school hours; (2) on any bus or other vehicle as part of any school activity; (3) at any bus stop; (4) during any school-sponsored activity or extracurricular activity; (5) through the use of school system technological resources; (6) at any time or place when the student, employee, or other person is subject to the authority of school personnel; or (7) at any time or place when the bullying has a direct and immediate effect on maintaining order and discipline in the schools.

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

A. RELATIONSHIP TO OTHER POLICIES

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

- Discrimination and Harassment Prohibited by Federal Law, policy 1710/4020/7230 (prohibiting harassment based on federally protected characteristics, such as race, color, national origin, sex, disability, age (40 or older), religion, military affiliation, or genetic information)

- Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, policy 1725/4035/7236 (prohibiting sexual harassment)

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

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

prohibited in this policy may nevertheless violate other board policies or school rules.

B. CONDUCT THAT IS CONSIDERED BULLYING OR HARASSING BEHAVIOR

1. Bullying is deliberate conduct intended to harm another person or group of persons. It is characterized by repeated unwanted aggressive behavior that typically involves a real or perceived imbalance of power, such as a difference in physical size, strength, social standing, intellectual ability, or authority. It may consist of either physical, verbal, or nonverbal behavior. Cyberbullying is a form of bullying that is carried out using electronic communication media, such as words, action, or conduct conveyed through email, instant messages, text messages, tweets, blogs, photo or video sharing, chat rooms, or websites, and may exist in the absence of a power imbalance typical of other forms of bullying.

2. Harassing behavior is conduct that is intimidating, hostile, or abusive, or is unwelcome conduct of a sexual nature. Harassing behavior may violate this policy even if no harm is intended to the target and no power imbalance is evident.

3. Bullying or harassing behavior includes conduct that is, or reasonably appears to be, motivated by actual or perceived differentiating personal characteristics, or by a person's association with someone who has or is perceived to have a differentiating personal characteristic. Differentiating personal characteristics include, but are not limited to race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability. Bullying and harassing behavior can violate this policy regardless of a student's motivation.

4. Examples of behavior that may constitute bullying or harassing behavior are repeated acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory or lewd comments, spreading rumors, extortion of money or possessions, implied or stated threats, assault, offensive touching, physical interference with normal work or movement, visual insults, such as derogatory posters or cartoons, and sharing intimate photos or video of a person or sharing photos or videos that may subject a person to ridicule or insult.

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

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

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

C. WHEN BULLYING OR HARASSING BEHAVIOR VIOLATES THIS POLICY

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

1. places a student, an employee, or other person in actual and reasonable fear of harm to their person or property; or

2. creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits.

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

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

Bullying or harassing behavior based on sex, race, color, national origin, disability, religion, age (40 or older), military affiliation, or genetic information may also constitute discriminatory harassment in violation of federal law and other board policies as described in Section A, above.

D. REPORTING BULLYING AND HARASSING BEHAVIOR

1. Reports by Students and/or Parents and Guardians

   a. The board encourages students or parents/guardians of students who have been the victim of or who have witnessed bullying or harassing behavior in violation of this policy to immediately report such incidents to a teacher, counselor, coach, assistant principal, or the principal.

   b. Reports may be made orally or in writing and may be made anonymously.

   c. All reports of serious violations and complaints made under this policy will be investigated expeditiously. Anonymous reports will be investigated to the extent reasonably possible under the circumstances.

d. If, at any time, school officials determine that the alleged bullying or harassing behavior appears to be based on sex, race, color, national origin, disability, religion, age (40 or older), military affiliation, or genetic information, the matter will be investigated in accordance with the applicable policy listed in Section A above.

2. Mandatory Reporting by School Employees

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

3. Reporting by Other Third Parties

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

4. Reporting False Allegations

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

E. REPORTS OF BULLYING OR HARASSING BEHAVIOR BASED ON A FEDERALLY PROTECTED CHARACTERISTIC

Bullying or harassing behavior that is based on a federally protected characteristic, such as sex, race, color, national origin, disability, religion, age (40 or older), military affiliation, or genetic information, may constitute discriminatory harassment that is a violation of the individual's civil rights. A school employee who receives a report of bullying or harassing behavior that may constitute sexual harassment must immediately contact the Title IX coordinator. If the reported behavior appears to be based on any other federally protected characteristic, the employee must immediately notify the appropriate civil rights coordinator designated in policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law. Uncertainty as to whether alleged bullying or harassing behavior is based on a federally protected characteristic should be resolved by notifying the Title IX Coordinator.

F. RESPONSE TO REPORTS OF BULLYING OR HARASSING BEHAVIOR

1. Reports of bullying and harassing behavior or the encouragement of such behavior under this policy will be investigated promptly by the principal or designee or site

supervisor and addressed in accordance with this policy and policy 4340, School-Level Investigations, when appropriate. If the principal or site supervisor is the alleged perpetrator, the superintendent will designate an appropriate investigator.

2. If at any time before, during, or after the investigation under this policy, the investigator determines or suspects that the alleged bullying or harassing behavior is based on sex, race, color, national origin, disability, or religion, the investigator shall notify the appropriate civil rights coordinator and proceed in accordance with the applicable board policy as described in Section A, above. However, referral to the civil rights coordinator will not preclude appropriate disciplinary consequences for a violation of this policy if, following the designated investigation and resolution process under the appropriate board policy, the behavior is determined not to constitute discriminatory harassment in violation of federal law.

3. No reprisals or retaliation of any kind are permitted as a result of good faith reports of bullying or harassing behavior. An employee who engages in reprisal or retaliation will be subject to disciplinary action, up to and including dismissal. A student who does so is subject to disciplinary consequences as provided in Section G, below.

G. CONSEQUENCES

1. Students

The disciplinary consequences for violations of this policy should take into consideration the frequency of incidents, the developmental age of the student involved, and the severity of the conduct and must be consistent with the Code of Student Conduct. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

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

2. Employees

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

3. Others

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

H. OTHER INTERVENTIONS

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

I. NOTICE

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

J. RECORDS

The superintendent or designee shall maintain confidential records of complaints or reports of bullying or harassing behavior under this policy. The records must identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The superintendent also shall maintain records of any remedial interventions or other steps taken by the school system to provide an environment free of bullying.

Legal References: G.S. 14-458.2; 115C-105.51, -366.4, -407.15 through -407.18

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), School-Level Investigations (policy 4340), Visitors to the Schools (policy 5020)

Adopted: August 13, 2020
Amended: June 26, 2025

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 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. 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 unless the Open Meetings Law requires that a board meeting or hearing be open to the public (see policies 2320, Compliance with the Open Meetings Law, 2321, Closed Sessions, and 2500, Hearings Before the Board).

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) If the full board will be meeting within two weeks of the request for a hearing, the board will decide at that time whether to grant a hearing. Otherwise, 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), Compliance with the Open Meetings Law (policy 2320), Closed Sessions (policy 2321), Hearings Before the Board (policy 2500), Domicile or Residence Requirements (policy 4120), Student Behavior Policies (4300 series)

Adopted: November 4, 2010
Amended: November 3, 2011, July 11, 2013
Amended: November 5, 2020
Amended: December 4, 2025

DISCRIMINATION
COMPLAINT PROCEDURE FOR STUDENTS

Policy Code: **1741**

The board takes seriously all complaints of discrimination. Students and parents are encouraged to submit any complaints of discrimination on the basis of race, color, national origin, religion, sex, pregnancy, religion, age or disability (except sexual harassment) through the grievance procedure established in board policy 1740/4010. The complaint procedure for sexual harassment is established separately in policy 1745.

Legal References: Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., 34 C.F.R. pt. 100; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq.; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., 34 C.F.R. pt. 106; Equal Employment Opportunity Commission's "Final Amended Guidelines on Discrimination Because of Sex"; Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621 et seq.; The Rehabilitation Act of 1973, 29 U.S.C. 706(8), 794, 34 C.F.R. pt. 104; The Americans With Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Office of Civil Rights, Sexual Harassment Guidance: Harassment of Students by School Employees, Students or Third Parties, 62 Fed. Reg. 12,034 (1997); Office of Civil Rights, Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance, 59 Fed. Reg. 11,448 (1994); G.S. 126-16

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Sexual Harassment Complaint Procedure for Students (policy 1745)

Adopted: January 14, 1999

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 procedure 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 1735/4329/7311, 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 (policy 1730/4022/7231), Bullying and Harassing Behavior Prohibited (policy 1735/4329/7311), Student 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)

Adopted: January 14, 1999
Amended: April 15, 1999, September 15, 2016
Amended: November 5, 2020
Technical Corrections: April 1, 2025

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 unless the Open Meetings Law requires that a board meeting or hearing be open to the public (see policies 2320, Compliance with the Open Meetings Law, 2321, Closed Sessions, and 2500, Hearings Before the Board).
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 assistant superintendent of human resources (or to the superintendent if the employee's supervisor is the assistant superintendent of 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 resources 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) If the full board will be meeting within two weeks of the request for a hearing, the board will decide at that time whether to grant a hearing. Otherwise, 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), Compliance with the Open Meetings Law (policy 2320), Closed Sessions (policy 2321), Hearings Before the Board (policy 2500)
Adopted: November 4, 2010
Amended: July 11, 2013, October 8, 2015
Amended: November 5, 2020
Amended: December 4, 2025

DISCRIMINATION
COMPLAINT PROCEDURE FOR EMPLOYEES

Policy Code: **1751**

All forms of discrimination, including harassment are prohibited. Any employee with a complaint of discrimination or harassment, other than sexual harassment, is encouraged to submit a grievance in accordance with policy 1750/7220, Grievance Procedure for Employees. The complaint procedure for sexual harassment is established separately in policy 1755, Sexual Harassment Complaint Procedure for Employees.

Legal References: Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., 34 C.F.R. pt. 100; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq.; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., 34 C.F.R. pt. 106; Equal Employment Opportunity Commission's "Final Amended Guidelines on Discrimination Because of Sex"; Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621 et seq.; The Rehabilitation Act of 1973, 29 U.S.C. 706(8), 794, 34 C.F.R. pt. 104; The Americans With Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Office of Civil Rights, Sexual Harassment Guidance: Harassment of Students by School Employees, Students or Third Parties, 62 Fed. Reg. 12,034 (1997); Office of Civil Rights, Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance, 59 Fed. Reg. 11,448 (1994); G.S. 126-16

Cross References: Grievance Procedure for Employees (policy 1750/7220), Sexual Harassment Complaint Procedure for Employees (policy 1755)

Adopted: January 14, 1999

The board of education 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 that 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 wrongdoing of the sort described in this policy. 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 wrongdoing 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 wrongdoing. 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 will 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), Staff Responsibilities (policy 7300), Employee Conflict of Interest (policy 7730)

Adopted: June 10, 2013
Amended: August 8, 2019

Amended: November 5, 2020
Amended: August 15, 2024
Technical Corrections: April 1, 2025

A system of excellent schools conserves financial and environmental resources and operates in an efficient manner. The board's vision for conserving resources and operating efficiently is expressed in the following board policies:

Board Member Conflict of Interest ..... (policy 2121)
Board Member Compensation and Expenses ..... (policy 2130)
Goals of the Purchasing Function ..... (policy 6400)
Ethics and the Purchasing Function ..... (policy 6401/9100)
Organization of the Purchasing Function ..... (policy 6410)
Continuing Contracts ..... (policy 6425)
Purchasing Requirements for Equipment, Materials, and Supplies ..... (policy 6430)
Purchase of Services ..... (policy 6450)
Goals of Equipment, Materials, and Supplies Services ..... (policy 6500)
Organization of Equipment, Materials, and Supplies Services ..... (policy 6510)
Use of Equipment, Materials, and Supplies ..... (policy 6520)
Personal Use of Equipment, Materials, and Supplies ..... (policy 6521)
Use of Equipment, Materials, and Supplies by Non-School Groups ..... (policy 6522)
Instructional Materials Services ..... (policy 6525)
Resource Conservation ..... (policy 6530)
Hazardous Materials ..... (policy 6540)
Vandalism ..... (policy 6550)
Crowdfunding on Behalf of the School System ..... (policy 7360/8225)
Employee Travel and Other Expense Reimbursement ..... (policy 7650)
Employee Conflict of Interest ..... (policy 7730)
Fiscal Goals ..... (policy 8000)
Budget Planning and Adoption ..... (policy 8100)
Grants and Funding for Special Projects ..... (policy 8210)
Penalties, Fines, and Forfeitures ..... (policy 8230)
Fiscal Management Standards ..... (policy 8300)
Federal Grant Administration ..... (policy 8305)
Depositories ..... (policy 8320)
Daily Deposits ..... (policy 8325)
Insurance ..... (policy 8340)
Individual School Accounts ..... (policy 8410)
School Finance Officer ..... (policy 8510)
School Treasurer ..... (policy 8520)
Facility Design ..... (policy 9020)
Facility Construction ..... (policy 9030)
Bidding for Construction Work ..... (policy 9120)
Care and Maintenance of Facilities ..... (policy 9200)
Sale, Disposal, and Lease of Board-Owned Real Property ..... (policy 9400)

Legal References: G.S. 115C-36

Cross References: Governing Principles (policy 1100), Board and Superintendent Relations (policy 2010), Policy Development (policy 2410)

Adopted: January 14, 1999
Amended: April 6, 2017
Technical Corrections made: October 2, 2017
Technical Corrections made: September 30, 2019
Technical Corrections made: April 1, 2022

OPERATIONAL GOALS OF THE BOARD

Policy Code: **2000**

The board recognizes the trust and accountability it owes citizens, staff, parents and students in the manner in which it transacts the business of the school district. The board strives to conduct itself in accordance with the following operational goals:

- acting in accordance with the code of ethics, as provided in policy 2110, Board Member Elections;
- maintaining effective board/superintendent relations;
- operating cost effectively and efficiently;
- conducting business openly;
- meeting requirements and duties for the board as established in board policy or law; and
- making decisions with the board's goals, objectives and other principles as the guiding focus.

The board will endeavor to evaluate on a periodic basis its efforts to follow these operational goals. The board may use outside consultants, including the North Carolina School Boards Association, to assist the board in its self-evaluation.

Legal References: G.S. 115C-36

Cross References: Board Authority and Duties (policy 1010), Board and Superintendent Relations (policy 2010), Board Member Elections (policy 2110), Code of Ethics for School Board Members (policy 2120)

Adopted: January 14, 1999

The board recognizes the importance of an effective working relationship between the board and superintendent. The board further recognizes the distinct and separate areas of responsibility of the board and superintendent of the school system. The superintendent is responsible for the administration of the system of schools consistent with the board's policies.

To maintain a cohesive relationship between the board and the school system, the superintendent shall serve as secretary of the board and assist all board committees. The superintendent shall keep the board informed of the operation of the system. The superintendent shall make recommendations to the board as required by law and board policy and as otherwise determined appropriate by the superintendent. The superintendent also shall assist the board in making sound decisions and meeting the requirements of law by providing information and advice regarding all matters that require board action or that must by law be reported by the superintendent to the board.

When acting in his or her official capacity, the superintendent shall provide the board with notice in advance if he or she is called upon to speak before the General Assembly, the State Board of Education, the Board of County Commissioners, or other governmental entities on legislation, policy, or political issues of concern to the board. In addition, the superintendent shall keep the board informed when he or she has been asked to comment upon proposed or pending state legislation or policy.

Legal References: G.S. 115C-36, -47, -276

Cross References: Board Authority and Duties (policy 1010), Duties of Officers (policy 2210), Official School Spokesperson (policy 2220)

Adopted: January 14, 1999
Amended: April 6, 2017
Technical Correction made: September 30, 2019

BOARD MEMBER LEGAL STATUS

Policy Code: **2100**

The board of education is a body corporate. Members of the board have authority only when acting as a board legally in session. The board will not be bound in any way by any statement or action on the part of an individual member, except when such action is at the specific instruction of the board.

Legal References: G.S. 115C-40, -41

Cross References:

Adopted: January 14, 1999

QUALIFICATIONS

Any person possessing the qualifications for election to public office as provided in Article VI, Section 6 of the Constitution of North Carolina and who is a qualified voter and resident of the election district from which he or she seeks to be elected is eligible to serve as a member of the board of education.

Any person elected or appointed to the board and also employed by the board must resign his or her employment before taking office as a member of the board.

MEMBERSHIP AND TERMS OF OFFICE

The board of education will consist of seven (7) members. All terms will be for four years with the terms staggered so that as nearly equal to one-half as possible will expire every two years.

Beginning in 2016, members of the Cherokee County Board of Education shall be elected on a partisan basis at the time of the general election in each even-numbered year as terms expire. Candidates for election to the Cherokee County Board of Education shall be nominated at the same time and manner as other county officers. Members elected shall take office and qualify on the first Monday in December of the year of their election and the terms of their predecessors shall expire at that same time. Vacancies on the Cherokee County Board of Education for positions elected on a partisan basis shall be filled in accordance with G.S. 115C-37.1.

Each person desiring to be a candidate for the Board of Education shall file a notice of candidacy in accordance with Chapter 163 of the General Statutes. The election shall be partisan.

OATH OF OFFICE

Before taking office, newly elected board members will take and sign the following oath or affirmation at the board meeting held in December following their election:

> "I, _____, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the State of North Carolina not inconsistent therewith, and that I will faithfully discharge my duties as a member of the Cherokee County Board of Education, so help me God [omit phrase if affirming]."
>
> If a board member enters on the duties of his or her office before taking, subscribing, and filing the oath of office, he or she will be ejected from office.

Legal References: N.C. Const. art. VI, § 6 and 7; G.S. 14-229; 115C-35, -37; SL 2015-35

Cross References:

Adopted: January 14, 1999
Amended: January 12, 2012
Amended: September 14, 2015

All vacancies in the membership of the board of education caused by death, resignation or otherwise, will be filled by a person appointed by the remaining members of the board to serve until the next election of board members, at which time the remaining unexpired term will be filled by election.

Legal References: G.S. 115C-37(f)

Cross References:

Adopted: January 14, 1999

A person who has been impeached from any office or adjudged guilty of a felony, corruption or malpractice in any office and who has not been restored to the rights of citizenship is disqualified for office.

A member of the local board of education who changes residence such that he or she is no longer entitled to vote in an election for the office he or she holds is disqualified from continuing to hold the office.

A board member who becomes disqualified for office may be subject to removal under G.S. 1-515.

In addition, as provided by G.S. 14-230, a board member who willfully and corruptly omits, neglects or refuses to discharge any of the duties of office or who willfully and corruptly violates the oath of office is subject to removal from office by a court.

Legal References: N.C. Const. art. VI; G.S. 1-514 to -532; 14-228 to -234.1

Cross References:

Adopted: January 14, 1999
Amended: March 9, 2017

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

A. BOARD MEMBER ETHICAL REQUIREMENTS

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

1. the need to obey all applicable state and federal laws regarding official actions taken as a board member;

2. the need to uphold the integrity and independence of the board member's office;

3. the need to avoid impropriety in the exercise of the board's and board member's official duties;

4. the need to perform faithfully the duties of the office; and

5. the need to conduct the affairs of the board in an open and public manner, complying with all applicable laws governing open meetings and public records.

B. SPECIFIC BOARD MEMBER COMMITMENTS

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

1. attend all regularly scheduled board meetings insofar as possible and become informed concerning the issues to be considered at those meetings;

2. endeavor to make policy decisions while always keeping in mind the objective of providing students the opportunity to receive a sound basic education and only after full discussion at publicly held board meetings;

3. render all decisions based on the available facts and independent judgment and refuse to surrender that judgment to individuals or special interest groups;

4. model civility and integrity to students, employees, and all elements of the community by encouraging the free expression of opinion by all board members; engaging in respectful dialogue with fellow board members on matters being considered by the board; and complying with all board policies that set expectations for conduct, regardless of whether the policies expressly require compliance by board members;

5. respect the confidentiality of information that is privileged under applicable law and refrain from unauthorized disclosure of matters discussed in closed session;

6. work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;

7. communicate to other board members and the superintendent expressions of public reaction to board policies and school programs;

8. learn about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national school boards associations;

9. comply with North Carolina General Statute 115C-50 by earning the required 12 hours of training every two years;

10. comply with G.S. 160A-87 by earning two hours of ethics education within 12 months of election or appointment to the board;

11. support the employment of those persons best qualified to serve as school employees and avoid allowing personal relationships and biases to influence decision making;

12. refrain from investigating or attempting to resolve complaints received personally, but instead direct the complainant to follow the board's complaint or grievance process to resolve concerns;

13. avoid being placed in a position of conflict of interest and refrain from using the board member's position on the board for personal or partisan gain;

14. as stated in board policy 2121, Board Member Conflict of Interest, refrain from participating in, deliberating on, voting on, or attempting to influence any person with respect to any matter pertaining to the employment with the board of the board member's spouse, including but not limited to hiring, transfer, promotion, demotion, suspension, discipline, performance evaluation, or review or investigation of a complaint of any kind;

15. take no private action that will compromise the board or administration; and

16. remember always that a board member's first and greatest concern must be the educational welfare of the students attending the public schools.

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

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

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

Adopted: January 14, 1999
Amended: January 14, 2010
Amended: February 11, 2016
Amended: December 10, 2020
Amended: November 10, 2022

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

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

1. A board member will not solicit or receive personal financial gain from the school system by means of intimidation, undue influence, or misuse of school system employees in violation of G.S. 14-234.2.

A board member will not derive a personal benefit from a contract with the school system in violation of G.S. 14-234. Specifically, a board member will not:

1. obtain a direct benefit from a contract that he or she is involved in making or administering on behalf of the board, unless an exception is allowed pursuant to G.S. 14-234 or other law;

2. influence or attempt to influence anyone who is involved in making or administering a contract on behalf of the board when the board member will obtain a direct benefit from the contract; or

3. solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract.

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

A board member derives a direct benefit from a contract if the board member or his or her spouse does any of the following: (1) has more than a 10 percent ownership or other interest in an entity that is a party to the contract; (2) derives any income or commission directly from the contract; or (3) acquires property under the contract. An exception is allowed for employment contracts between the board and the spouse of a board member. However, the board member involved will not (1) deliberate or vote on the spouse's employment contract; (2) attempt to influence any

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

2. A board member who is also a director, officer, or governing board member of a nonprofit will not (1) knowingly vote on, participate in deliberations on, or administer any contract with that nonprofit; (2) influence or attempt to influence the deliberation or vote of others on any such contract; or (3) solicit or receive any gift, reward, or other benefit in exchange for recommending, influencing, or attempting to influence the award of such contract in violation of G.S. 14-234.3. Once the board member's recusal is recorded in the minutes of the board, the board may enter into or administer the contract.

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

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

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

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

3. A board member will not solicit or accept any gifts from a current or potential provider of E-rate services or products in violation of applicable federal E-rate program gifting rules.

4. A board member will not misuse information in violation of G.S. 14-234.1. Specifically, a board member will not use knowledge of contemplated board action, or information

known to the member in his or her official capacity and not made public, to:

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

b. intentionally aid another to acquire a financial interest or gain a financial benefit.

Legal References: 2 C.F.R. 200.112 and 200.318(c)(1); 47 C.F.R. 54.503; FCC Sixth Report and Order 10-175; G.S. 14-234, -234.1, -234.2, -234.3; 133-32; Attorney General Opinion requested by L.W. Lamar regarding G.S. 133-32, the Applicability to Attorneys and Law Firms Providing Professional Services to Local Boards of Education, dated May 13, 1993

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

Adopted: June 29, 1995
Amended: January 14, 1999
Amended: April 5, 2007
Amended: April 21, 2011
Amended: June 23, 2014
Amended: September 15, 2016
Amended: November 8, 2018
Amended: December 10, 2020
Amended: May 12, 2022

ROLE OF BOARD MEMBERS IN HANDLING COMPLAINTS

Policy Code: **2122**

An individual board member who receives a complaint or inquiry from a parent or interested citizen concerning a school matter will refer the complainant to the appropriate school administrator and will, when appropriate, advise the complainant of the procedures in place for making such complaints.

The board member also may refer the complainant to the superintendent who will determine an appropriate means of responding to the complaint. The board attorney also may be notified of the complaint in accordance with board policy 2610, Board Attorney.

Individual board members will refrain from taking individual action with regard to such complaints other than referring them to the proper administrative employee.

Legal References: G.S. 115C-36

Cross References: Board Attorney (policy 2610), Responding to Complaints (policy 1742/5060)

Adopted: January 14, 1999

BOARD MEMBER OPPORTUNITIES FOR DEVELOPMENT

Policy Code: **2123**

Board members are encouraged to participate in school board development activities designed for them. New board members will have the opportunity and will be encouraged to attend orientation programs for new board members sponsored by the state and national school boards associations. It is the responsibility of the board to provide new board members with a thorough orientation to board policies, practices, and duties.

Each board member must fulfill the legal requirement to receive a minimum of 12 hours of training every two years.

All board members must receive a minimum of two hours of ethics education within 12 months after initial election or appointment to office and again within 12 months after each subsequent election or appointment to office. This education must address the laws and principles that govern conflicts of interest and ethical standards for local government officials. The superintendent shall maintain records verifying that each board member has participated in the required ethics education. The ethics education required under this paragraph may be counted towards the 12-hour training requirement.

Unless otherwise approved by the board, such training must be provided by the following entities: the school system, the North Carolina School Boards Association, the Consortium of State School Boards Associations, the School of Government, or the Department of Public Instruction. If a board member wishes to receive training credit or be reimbursed for attending training offered by another entity, he or she must obtain approval from the board.

Funds for participation will be budgeted annually, and reimbursement for expenses will be made in accordance with law and applicable board policy.

Legal References: G.S. 115C-50; 160A-86, -87

Cross References: Code of Ethics for School Board Members (policy 2120)

Adopted: January 14, 1999
Amended: May 13, 2010
Amended: October 11, 2012
Amended: February 11, 2016
Amended: November 10, 2022

Even though generally the North Carolina insurance agreement does not cover claims for injury to person or property, the Board will direct the Superintendent to consider all such claims in a fair and equitable manner.

Adopted: May 8, 2008

Employees and board members have an absolute duty to maintain the confidentiality of records as required by law. Employees and board members, by the nature of their positions, are exposed to confidential information that should not be repeated or discussed except with those recognized by law as having a right to the information. Any employee or board member who is not sure whether particular information may be protected by state or federal confidentiality laws should seek clarification from his or her immediate supervisor or the assistant superintendent for human resources (for employees) or from the superintendent or board attorney (for board members). When violations occur, appropriate disciplinary action will be taken.

A. PERSONNEL FILES

It is a criminal violation for an employee or board member to do either of the following:

- knowingly, willfully, and with malice permit any unauthorized person to have access to information contained in a personnel file; or

- 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.

B. STUDENT RECORDS

Employees and board members shall safeguard the confidentiality of student records as provided in policy 4700, Student Records.

C. DATA IDENTIFYING A PERSON AS A SUPPORTER OF A NONPROFIT ORGANIZATION

Except as otherwise provided in G.S. 55A-18-05, employees and board members shall not: (1) require any person or nonprofit organization to provide personal information or otherwise compel the release of personal information; (2) release, publicize, or otherwise publicly disclose personal information of others; or (3) request or require a current or prospective contractor to provide a list of nonprofit organizations to which the current or prospective contractor has provided financial or nonfinancial support. For purposes of this section only, "personal information" is defined as any list, record, register, registry, roll, roster, or other compilation of data of any kind that directly or indirectly identifies a person as a member, supporter, volunteer, or donor of financial or nonfinancial support to any nonprofit organization. The terms "supporter" and "volunteer" do not include the nonprofit organization's governing board members, officers, directors, or staff.

D. HANDLING AND TRANSMITTING CONFIDENTIAL INFORMATION

The superintendent or designee is directed to establish and enforce processes and protocols for the secure handling and electronic transmission of personally identifiable information of students and employees and any other information protected by state or federal confidentiality laws.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 55A art. 18;

115C-47(18), -321, -402

Cross References: Communicable Diseases – Students (policy 4230), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records – Retention, Release, and Disposition (policy 5070/7350), Personnel Files (policy 7820)

Other Resources: *Transmitting Private Information Electronically: Best Practices Guide for Communicating Personally Identifiable Information by E-mail, Fax, or Other Electronic Means*, available at https://www.dpi.nc.gov/best-practices-guide-pii-and-email/download?attachment

Adopted: May 13, 1999
Amended: November 9, 2006
Amended: August 8, 2019
Amended: November 4, 2021
Amended: December 4, 2025

A. BOARD MEMBER USE OF SCHOOL SYSTEM TECHNOLOGICAL RESOURCES

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

1. Responsible Use of School System Technological Resources

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

2. Privacy Expectations when Using School System Technological Resources

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

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

As much as is practicable, board members should use school system technology devices

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

1. Definition of Personal Technology Devices and Accounts

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

2. School System ESI on Personal Technology Devices and Accounts

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

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

C. BOARD MEMBER USE OF PERSONAL SOCIAL MEDIA

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

Members.

1. Definition of Personal Social Media

   For purposes of this policy, "personal social media" means any social media networks, tools, or activities that are not under the control of the school system. Social media refers to the various online technology tools that enable people to communicate easily over the Internet to share information and resources. It includes, but is not limited to: personal websites, blogs, wikis, social networking sites, online forums, virtual worlds, video-sharing websites, and any other Internet-based applications which allow the exchange of user-generated content. Examples of social media include Web 2.0 tools, Facebook, X (formerly Twitter), LinkedIn, Flickr, YouTube, Instagram, Google+, and social media components of learning management systems such as Canvas, Moodle, or Edmodo.

2. Guidelines for All Types of Personal Social Media Use

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

   a. Board members should be professional in all Internet postings related to or referencing the school system, students or their parents, and other employees.

   b. Board members may not post confidential information about students, employees, or school system business.

   c. Board members should not post identifiable images of a student or student's family on a personal social media site without permission from the student and the student's parent or legal guardian.

   d. Board members may not use postings to libel or defame the board, individual board members, students, or school system employees.

   e. Board members should not use personal social media to harass, bully, or intimidate students, employees, or other board members.

   f. Board members may not use personal social media to engage in any other conduct that violates board policy or administrative procedures or state and federal laws.

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

   The school system controls and maintains the school system's official website, as

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

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

a. When presenting information on personal social media, board members should clearly indicate that the information posted reflects the views of the individual board member and is neither endorsed by the board nor necessarily reflective of the views of the board or of an official board policy.

b. A personal social media platform that allows comments from the community may elicit complaints or inquiries from parents or interested citizens concerning school matters. In such cases, the board member should refer the complainant to the appropriate school system administrator in accordance with policy 2122, Role of Board Members in Handling Complaints.

c. Board members should be aware of the potential for liability when they use a personal social media account in their capacity as a public official. Actions taken on social media platforms may subject a board member to legal liability if the actions infringe upon someone's free speech or other constitutional rights and the actions are authorized by the board and carried out in the board member's official capacity or in furtherance of the member's official responsibilities. Board members must be particularly aware of this risk when allowing community members to post comments publicly on the member's personal social media account, as such comments may be deemed speech protected by the First Amendment. viewpoint discrimination, such as deleting a community member's comment because the board member does not like the view expressed in the comment or blocking only certain individuals from being able to post based on their views, may then be an unlawful infringement of protected speech. Board members are encouraged to consult with an attorney to create viewpoint-neutral rules to govern their school system business-related personal social media accounts.

Legal References: U.S. Const. amend IV; Stored Communications Act, 18 U.S.C. 2701, *et seq*.; Computer Fraud and Abuse Act, 18 U.S.C. 1030; G.S. 14-454, -458; *Lindke v. Freed,* 601 U.S. (2024)

Cross References: Code of Ethics for School Board Members (policy 2120), Role of Board

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

Adopted: May 28, 2020
Amended: August 15, 2024

A. COMPENSATION

Board members will be compensated for the performance of official school system business. The amount of compensation will be established according to applicable laws.

B. EXPENSES FOR CONFERENCES, CONVENTIONS, AND OTHER BOARD DEVELOPMENT ACTIVITIES

Subject to budgetary limitations, the board will defray reasonable out-of-pocket expenses incurred by board members for professional and board development. In accordance with policy 2123, Board Member Opportunities for Development, funds for board member participation in development activities will be budgeted annually. The board chair will monitor expenditures to ensure that expenditures do not exceed the amount of funds allocated in the budget.

1. Authorization to Attend Professional and Board Development

   All professional and board development expenses to be paid with school system funds must support school system objectives and be reasonable in cost.

   Board members who wish to use school system funds to attend a development opportunity within the state must have the prior written approval of the board chair. In order for a board member to use school system funds to attend a development opportunity located out-of-state, the board member must receive the written approval of the board in advance at an official board meeting.

   Board members who attend a conference, convention, or other professional development activity will provide a report of the event to other board members.

2. Reimbursable Expenses

   The board intends that its members exercise good judgment in incurring travel expenses when pursuing professional and board development opportunities. Members are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. School system funds are not to be used to pay excess costs or additional expenses that are for the convenience or personal preference of a board member or to pay for expenses incurred by family members or other guests of a board member.

   School system funds may be used to pay the following expenses incurred by a board member for attendance at an approved conference, convention, or other professional development activity.

   a. Conference Registration Fees

The board will pay registration fees for approved conferences and other events. Ordinarily, registration is arranged through the superintendent's office and prepaid. If not prepaid, registration fees will be reimbursed in accordance with the requirements of subsection D.1.

b. Lodging Expense

Hotel reservations will be scheduled through the superintendent's office. Hotel expenses not prepaid will be reimbursed in accordance with the requirement of subsection D.1. The allowance for lodging will be limited to reasonable actual and necessary expenses. A board member sharing a room with a family member or guest will be limited to the single occupancy rate. Tips for room service, valet, and other hotel services are not reimbursable. Personal services available at the hotel, such as spa services, laundry, child care, and other personal services, are not reimbursable.

c. Meals

The total daily allowance for meals while traveling overnight on official school system business will be limited to the current state allowances. No reimbursement will be provided for meals for family members or other guests of the board member. Alcoholic beverages are not reimbursable.

In extenuating circumstances, the board chair may authorize reasonable meal costs in excess of the state-approved rates. The vice-chair may authorize excess meal costs incurred by the board chair.

d. Travel by Private Vehicle

Mileage for approved travel will be reimbursed at the current state rate, using the board member's home as the origination point. Parking fees and tolls are also reimbursable.

e. Air Travel

If air travel is necessary, airline reservations will be scheduled through the superintendent's office and paid by the school system in advance. Reservations will be for coach fare only. Airline reservations for traveling companions may be booked at the same time if the board member provides a personal credit card or makes other advance arrangements with the finance officer for personal payment. Taxi or other reasonable and necessary transportation fees for travel to and from airports are reimbursable. Rental car fees will be reimbursed when it is more reasonable to rent a car than to use a taxi or other transportation option.

3. Personal Expenses

All other travel and related expenses not covered in these guidelines, including, but not limited to, expenses for laundry, entertainment, between meal snacks, pet boarding, and toiletries or other personal items, are considered personal expenses and are not reimbursable.

4. Cancelled Trips and Missed Events

If a board member cancels a trip or otherwise fails to attend an event for which the school system has prepaid or incurred other expense, the board member is responsible for reimbursing the school system for all funds advanced or expended on the member's behalf, including any cancellation fees.

A board member will not be required to reimburse the school system for expenses paid on the member's behalf if the member is not able to travel because of a medical emergency or death in the immediate family or an emergency work situation; however, the board member must reimburse the school system any funds advanced for the travel.

C. OTHER BUSINESS EXPENSES

1. Purchase of Merchandise or Products

Board members should not ordinarily find it necessary to purchase merchandise or other products to carry out official school business. In circumstances when it is reasonable for a board member to make such a purchase, the member should notify the board chair and superintendent in advance of any purchase in an amount greater than $50. Requests for reimbursement for the expenditure of personal funds for merchandise or other products must follow the procedures established in subsection D.1 below, and any additional procedures requested by the finance officer.

2. Other Expenses Incurred in the Conduct of Official Board Business

The board chair may approve reimbursement of other reasonable and necessary business expenses incurred by board members. The vice-chair may approve reimbursement of other reasonable and necessary business expenses incurred by the board chair. Expenses associated with overnight travel require prior written approval from the board chair (or vice-chair for overnight travel by the board chair). All reimbursements will be made in accordance with subsection D.1, below.

D. PROCESS FOR REIMBURSEMENT AND TRAVEL ADVANCES

1. Reimbursements

Board members will be reimbursed for out-of-pocket expenses incurred in the performance of their duties as provided in Sections B and C. All reimbursements are contingent upon funds available.

Board members should submit requests for reimbursement, along with supporting documentation of the expenses, within 30 days of incurring the expenses.

All claims for reimbursement of expenses must (1) be in writing, itemized, and supported with original detailed receipts, except that no receipt is required for meals that will be reimbursed at the state-approved flat rates; (2) document the official school business purpose for which the expenses were incurred; (3) be signed by the board member; and (4) be approved by the board chair (or vice-chair for requests submitted by the board chair). Claims for reimbursement of expenses that required prior approval must also include a copy of the prior written approval. Claims related to attendance at a conference, convention, or other board development activity must also include a copy of the event agenda. Claims involving an event hosted by a board member must also include a list of the individuals in attendance.

2. Travel Advances

Board members may request an advance of funds for estimated out-of-pocket travel and related reimbursable expenses. The board member is responsible for returning any funds advanced in excess of the board member's documented reimbursable expenses.

Legal References: G.S. 115C-38; 138-6; 153A-92

Cross References: Board Member Opportunities for Development (policy 2123)

Other Resources: *North Carolina Budget Manual*, Section 5 (Office of State Budget and Management), available at https://www.osbm.nc.gov/budget/budget-manual

Adopted: January 14, 1999
Amended: June 23, 2014
Amended: May 11, 2017
Amended: December 15, 2022

ELECTION OF OFFICERS/ ORGANIZATION OF BOARD

Policy Code: **2200**

The board will elect a chairperson and a vice-chairperson to serve for a term of one year or until his or her successor is elected and qualified by taking the oath of office prescribed in Article VI, Sec. 7 of the North Carolina Constitution (see board policy 2110, Board Member Elections). Chairperson and Vice-Chairperson shall serve no more than three (3) consecutive terms. After an absence of one (1) year, such board members may be eligible for election to board officer positions. An organizational meeting for the election and qualification of officers will be held at the regularly scheduled December meeting of the board and as often thereafter as the board will determine appropriate. The officers will be elected in the following order: chairperson, vice-chairperson.

If the chairperson or vice-chairperson resigns from office, the position will be filled at the next regular meeting of the board. The individual elected must have the majority vote of all members present.

If necessary at any meeting held to elect officers, the superintendent will serve as chairperson of the board for the purpose of conducting the election of the chairperson.

Legal References: G.S. 115C-37(d), -41

Cross References: Board Member Elections (policy 2110)

Adopted: January 14, 1999
Amended: July 19, 2007
Amended: August 9, 2007
Amended: January 18, 2024

The designated officers of the board will be the chairperson, vice-chairperson, chairperson pro tempore, and secretary.

The officers of the board will perform all duties and exercise the authority imposed or conferred upon them by the statutes of the State of North Carolina and by the State Board of Education.

DUTIES OF THE CHAIRPERSON

The chairperson has the following duties:

- preside at all meetings of the board;
- preserve order at all times;
- appoint committee members and chairpersons;
- serve as ex-officio member of all committees;
- call special meetings; and
- sign official system documents.

The chairperson will perform all duties required of the office by law and execute all documents on behalf of the board.

In order to address the board, a member must be recognized by the chairperson. The chairperson has the following powers:

- to rule motions in or out of order, including the right to rule out of order any motions patently offered for obstructive or dilatory purposes;
- to determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks;
- to entertain and rule on questions of parliamentary procedure;
- to call a brief recess at any time; and
- to adjourn in an emergency.

The chairperson will have a vote on all matters for which a motion is made and will serve as spokesperson of the board for communicating the board's position to the public.

DUTIES OF THE VICE-CHAIRPERSON

In the absence of the chairperson, the vice-chairperson of the board will assume all the rights and responsibilities of the chairperson and will perform other duties assigned by the chairperson.

DUTIES OF THE CHAIRPERSON PRO TEMPORE

In the absence of both the chairperson and vice-chairperson, the board may elect a chairperson pro tempore for that meeting only, and the appointment of such temporary officer will be noted in the minutes. While so serving, a chairperson pro tempore performs the regular duties of the chairperson.

DUTIES OF THE BOARD SECRETARY

The superintendent shall serve as ex-officio secretary to the board. The superintendent shall

keep the minutes of the meetings of the board but shall have no vote. In the event of a vacancy in the superintendence, or if the superintendent is excluded for a closed session, the board may elect one of its members to serve temporarily as secretary to the board.

As secretary to the board, the superintendent shall:

- record all proceedings of the board;
- issue all notices and orders that may be made by the board;
- ensure that the minutes of the meetings of the board are promptly and accurately recorded in the minutes book, which must be kept in the office of the superintendent and be open to public inspection during regular business hours;
- manage all correspondence on behalf of the board, unless the board directs otherwise;
- prepare and distribute copies of the agenda as required by law and board policy;
- maintain board members' manuals of policies and administrative regulations in current status or, alternatively, ensure board members have effective access to the current electronic versions of the manuals;
- advise the board of policies previously adopted that affect items on the agenda requiring policy consideration;
- in the absence of the chairperson and vice-chairperson, call the board meeting to order and conduct the election of a chairperson pro tempore; and
- perform other duties as required by state law or board policy.

Legal References: G.S. 115C-41(a), -276(b)
Cross References:

Adopted: January 14, 1999
Amended: September 20, 2007
Amended: May 12, 2022

The official spokespersons of the school system will be the chairperson of the board or designee and the superintendent and designees. Any person speaking in an official capacity shall conduct his or her assignment from the standpoint of the best interests of the board, the school system, and the community, not as a representative of his or her own personal ideas or feelings. In addition, the superintendent and other school employees who are called on to speak in their official capacities as employees of the school system shall communicate the position of the school board when asked to comment on legislative, policy, or political issues.

Legal References: G.S. 115C-36, -276

Cross References: Board Authority and Duties (policy 1010), Board and Superintendent Relations (policy 2010), Code of Ethics for School Board Members (policy 2120)

Adopted: January 14, 1999
Amended: July 31, 2017

STANDING COMMITTEES

The board will organize standing committees for the purpose of conducting thorough deliberations and investigations of issues and informing and recommending action to the board as appropriate. Standing committees shall be established by the Board on an annual basis generally at the December meeting.

The chairperson of each standing committee and the members of that committee will be named by the chairperson of the board on an annual basis. Committee membership for one committee maybe renewed for an additional year if the committee member is in agreement. The assignment of individual board members to these committees will be published each year.

The committee chairperson will preside at all committee meetings and be responsible for reporting to the board on the activities of the committee. The committee chairperson will call meetings and establish an agenda for each committee meeting that will include any item suggested by the superintendent, committee member or board member.

The board chairperson will be an ex-officio member of each committee. The superintendent or his/her designee will attend each meeting of all standing committees , assist in the preparation of the agenda, and ensure that information is available to the committee during its deliberation of issues.

A standing committee may only make recommendations to the board and has no authority to act on behalf of the board unless specifically authorized by law, board policy or the board.

All standing committees shall actively seek input from school administrators and other affected groups before making recommendations to the board.

AD HOC COMMITTEES

As time and situations demand, ad hoc committees may be appointed by the chairperson with the approval of the board. Ad hoc committees have no final authority and are subordinate and advisory to the board.

OPEN MEETINGS LAW

All committees of the board are public bodies within the meaning of the North Carolina Open Meetings Law and are subject to all requirements of that law pertaining to notice, closed sessions, minutes, voting and penalties.
Legal References: G.S. 115C-36; 143-318.9 et seq.

Cross References:
Adopted: January 14, 1999
Amended: April 6, 2006
Amended: February 8, 2007

The board, as a corporate body, may transact business only at official meetings of the board. An individual board member has no authority to act absent the delegation of authority by the board at an official meeting.

As defined by law, an official meeting of the board includes any meeting, assembly, or gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members of a public body for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business of the public body. However, a social meeting or other informal assembly or gathering together of the members of a public body does not constitute an official meeting unless called or held to evade the spirit and purposes of the open meetings law.

A. TYPES OF MEETINGS

While the board is determined to operate efficiently, it also is mindful of the importance of thoughtful planning and discussion prior to taking formal action. Regular meetings will be held at a predetermined time and place to conduct the business of the board. In addition, the board may hold specially-called meetings and emergency meetings as it deems necessary to act in a timely manner and provide its members and executive staff with the opportunity to have an exchange of ideas and receive input from other staff, parents, students, and the community.

B. REGULAR MEETINGS

The superintendent shall keep on file the schedule of regular meetings with the predetermined time and place. The schedule will be revised only in accordance with legal requirements for notice.

C. EMERGENCY MEETINGS

An emergency meeting may be called in order to address generally unexpected circumstances that require immediate consideration by the board. The chairperson, or the vice-chairperson, if the chairperson is unable to act, or the superintendent shall call an emergency meeting when it is determined that the meeting is necessary and cannot be delayed until 48 hours' notice is provided for a special meeting as described below in Section D.

D. SPECIALLY-CALLED MEETINGS

1. Specially-Called Meetings Generally

   Specially-called meetings may be scheduled in between regular meetings of the board. Work sessions, retreats, and public hearings are specific types of specially-called meetings. The board chairperson (or the vice-chairperson, if the chairperson is not available) or the superintendent may call special meetings when necessary to conduct business that cannot reasonably be handled at regular meetings. The board chairperson or superintendent shall call a special meeting if a majority of the members of the board so requests.

2. Retreats and Workshops

   Retreats and workshops are specially-called meetings that may be scheduled in order to give the board more time to deliberate or evaluate issues.

3. Public Hearings

Public hearings are official proceedings during which members of the public are given an opportunity to be heard. Public hearings may be required by law or deemed advisable by the board. Public hearings that are not required by law may be scheduled when the chairperson or superintendent determines that the public hearing is advisable or when a majority of the members of the board so requests. Notice of all public hearings will be provided as required by law and will include the subject, date, place, and time of the hearing as well as any rules regarding participation, such as the length of time for each speaker. The purpose of a public hearing is to gather information and hear opinions from the community. Generally, board members will respond only to seek clarification. At the appointed time, the chairperson or designee shall call the hearing to order and preside over it in accordance with any rules regarding participation adopted by the board. When the allotted time expires or when no one wishes to speak, the chairperson or designee shall declare the hearing ended.

E. OPEN MEETINGS LAW COMPLIANCE

The board will comply with the open meetings law, including notice of meetings.

F. LEGAL REQUIREMENTS FOR NOTICE OF MEETINGS

1. The Cherokee County Board of Education will hold its Regular monthly meeting on the first Thursday of each month. Notice of any changes to this regular meeting schedule will be posted on the Cherokee County Schools website, www.cherokee.k12.nc.us, and via local media sources.
2. When the Cherokee County Board of Education calls a Specially-Called meeting as described in paragraph D (1-3), notice of the meeting to include date, time, location, and purpose will be posted at least 48 hours prior to the meeting date on the Cherokee County Schools website, on the front door of the Central Office building, and notice will be given to local media sources.
3. When the Cherokee County Board of Education calls an Emergency meeting, notice of the meeting to include date, time, location, and purpose will be posted on the Cherokee County Schools website, on the front door of the Central Office building, and will be given to local media sources. Such notice will be made immediately after notice has been given to the members of the Board.

Legal References: G.S. 115C-41; 143-318.9, -318.10, -318.12, -318.14
Cross References: Compliance with the Open Meetings Law (policy 2320)
Adopted: January 14, 1999
Amended: November 10, 2005
Amended: November 8, 2007
Amended: April 19, 2016
Amended: December 13, 2018
Amended: December 12, 2019
Amended: January 19, 2023
Amended: January 16, 2025

REMOTE PARTICIPATION IN BOARD MEETINGS

Policy Code: **2302**

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

A. DEFINITIONS

The following definitions apply in this policy:

1. Official Meeting of the Board

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

2. Remote Participation

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

3. Wholly Remote Meeting

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

4. State-Declared Emergency

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

B. AUTHORIZED CIRCUMSTANCES FOR REMOTE PARTICIPATION

1. Meetings During a State-Declared Emergency

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

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

2. Meetings Not During a State-Declared Emergency

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

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

C. CONDITIONS AND REQUIREMENTS FOR REMOTE PARTICIPATION

1. A member may attend a meeting remotely if the member is prevented from physically attending the meeting due to:

   a. personal illness, disability, an order of quarantine or isolation, a government-issued "stay-at-home" mandate, or the recommendation of a medical provider or public health officials to limit public interaction;

   a. out-of-town travel;

   b. an unexpected lack of child-care;

   c. family member illness or a family emergency;

   d. weather conditions;

   e. military service;

   f. employment obligations;

   g. a scheduling conflict; or

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

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

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

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

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

5. A board member participating remotely will be considered present at the meeting for purposes of establishing and maintaining a meeting quorum.

6. A board member participating remotely will be entitled to participate in open session deliberations at the meeting if, and while:

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

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

   c. When video technology is used, it is preferred that the remote participant is visible to all persons present at the meeting location.

7. A board member who is entitled to participate in open session deliberations may also participate in a closed session of the meeting if the member provides assurance to the board that no other person is able to hear, see, or otherwise participate in the closed session from the member's remote location.

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

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

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

D. PROCEDURE FOR REMOTE PARTICIPATION

1. A member of the board who desires to participate in a meeting remotely shall notify the board chair and the superintendent at least four hours in advance of the meeting so that necessary arrangements can be made. If the member has not already received all documents to be considered at the meeting, the superintendent shall arrange for delivery of the materials in a manner that is practicable under the circumstances.

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

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

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

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

    a. when the meeting begins or the roll is taken;

    b. prior to participating in the deliberations, including making motions, proposing amendments, and raising points of order; and

    c. prior to voting, if voting is permitted as described in Section E, below.

6. The meeting chair may decide how to address technical difficulties that arise when utilizing remote participation, but whenever possible, the chair should suspend discussion while reasonable efforts are made to correct any problem that

interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If, however, the technical difficulties distract from or impede the orderly progress of the meeting, a majority of the members physically present may vote to end the remote participation.

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

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

9. The member participating remotely will bear the cost of his or her personal telephone or computer usage and telephone or internet connection as well as any other personal costs incurred while the member participates from a remote location.

E. SPECIAL RULES FOR REMOTE MEETINGS DURING A STATE-DECLARED EMERGENCY

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

1. Quasi-judicial hearings may be held remotely with consent of the parties and in conformance with the requirements of G.S. 166A-19.24(f) and this section.

2. Notice of meetings will be provided as required by G.S. 143-318.12 (and 166A-19.24(b1), if the original meeting notice did not specify a remote meeting), and will specify (1) the means by which the public can access the simultaneous live stream of the meeting and (2) any other means by which the public can access the meeting as it occurs.

3. The board need not provide a location for members of the public to listen to the meeting.

4. All documents to be considered during the meeting shall be provided to each member.

5. The means for simultaneous communication specified in subsection C.4 of the policy must allow for any member to do all of the following:

    a. hear what is said by the other members;

    b. hear what is said by any individual addressing the board; and

c. to be heard by the other members when speaking to the public body.

6. A member participating by simultaneous communication will be counted as present for quorum purposes, but only during the period that simultaneous communication is maintained for that member.

7. The board will refrain from acting by reference to a document or other materials so as to conceal from public understanding what is being deliberated, voted, or acted upon at the meeting.

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

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

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

9. All votes will be taken by roll call.

10. Except when the board is meeting in closed session, the meeting will be simultaneously streamed live online to the public, or if the meeting is conducted by conference call, the public will be provided an opportunity to dial in or stream the audio live and listen to the meeting.

11. If the meeting is a public hearing, the board will allow for written comments on the subject of the hearing to be submitted up to 24 hours prior to the scheduled time for the beginning of the public hearing.

10. Subsection C.3 of this policy will not apply to remote meetings held during a state-declared emergency.

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

Legal References: G.S. 166A-19.20, -19.22, -19.24; G.S. ch. 143, art. 33C

Cross References: Board Meetings (policy 2300), Compliance with the Open Meetings Law (policy 2320), Closed Sessions (policy 2321), Board Meeting News Coverage (policy 2325), Quorum (policy 2341), Hearings Before the Board (policy 2500), Public Records – Retention, Release, and Disposition (policy 5070/7350)

Adopted: January 14, 2016
Amended: May 18, 2020
Amended: November 4, 2021
Amended: November 21, 2024
Amended: June 26, 2025

PUBLIC PARTICIPATION AT BOARD MEETINGS

Policy Code: **2310**

Board meetings are conducted for the purpose of carrying on the official business of the school system. The public is cordially invited to attend board meetings to observe the board as it conducts its official business.

The Cherokee County Board of Education, as an elected representative body of the school system, also wishes to provide a forum for citizens to express interests and concerns related to the school system. In order that the board may conduct an orderly meeting while providing an opportunity for input, individuals or groups may be heard by the board in accordance with this policy or subsection D.3 of policy 2300, Board Meetings, which addresses public hearings.

A. REQUESTS TO PLACE ITEM ON THE AGENDA

In order that the board may fairly and adequately discharge its overall responsibility, citizens desiring an item to be placed on the agenda for a specific board meeting should direct written requests to the superintendent at least six working days prior to the meeting.

The request should include: (1) the name and address of the person or persons making the request; (2) the organization or group, if any, represented; and (3) a brief explanation of the nature of the item. Questions and/or materials to be presented to the board are to be submitted along with the request.

The superintendent shall confer with the chairperson of the board concerning whether to approve placing the requested item on the agenda and to determine the appropriate meeting for such discussion. The superintendent, with the consent of the board chairperson, shall accept or deny a request for inclusion on the agenda for any reason determined appropriate by the superintendent and chairperson.

The superintendent shall notify the requesting party of the response to the request. If the request is denied, the superintendent shall explain any other processes available for addressing the concerns. (See Section C, Reports of Complaints, below.) At the meeting, the board may, by majority vote and notwithstanding prior denial by the superintendent, add an item to the agenda before the agenda is adopted. After the agenda has been adopted, a two-thirds vote is required to add a new item to the agenda.

The chairperson shall establish the amount of time for individual or group presentations.

B. PUBLIC COMMENT

Each month, the first part of at least one regularly scheduled board meeting will be set aside for citizens to address the board through public comment. Each speaker will receive three minutes to present comments; however, the public comment session will not exceed 30 minutes total except by majority vote of the board. A sign-up sheet will be available 30 minutes before the meeting begins for any individual or group to indicate their desire to address the board. During the public comment period, the board chair will

recognize speakers in the order in which they signed in. Substitute speakers will not be permitted and speakers may not donate any portion of their time to another speaker. If a speaker is unable to present all of his or her information within the specified time limit, the speaker may provide the board with the additional information in written form. If an unusually large number of people request to speak, a majority of the board may decide to reduce the time for each individual or to require the designation of a spokesperson for each group of persons supporting or opposing the same positions. At any time, the board may establish additional procedures to ensure that public comment sessions proceed in an efficient and orderly manner.

Board members will not respond to individuals who address the board except to request clarification of points made by the presenter. Except in cases of emergency, information received during presentations will not be acted upon at the time it is received. It will take unanimous vote of the board members present to take action on a presentation considered to be of an unusual or emergency nature at the time it is presented.

Disruptions by any person or persons of a public meeting will be subject to action in accordance with G.S. 143-318.17.

If the board does not hold a regular meeting during a month, the board will not provide a time for public comment at any other meeting held during that month, unless a majority of the board votes to allow public comment at the meeting or unless the purpose of the meeting is a public hearing.

C. REPORTS OF COMPLAINTS

Complaints about the performance of school personnel, implementation of board policy, the quality of the educational program, or school facilities should be submitted initially for a response to the school system official responsible for the program or facility or to the superintendent. The superintendent or designee shall make available this policy and other relevant grievance procedures to any individual or group submitting a complaint.

Legal References: G.S. 115C-36, -51; 143-318.10, -318.17

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Responding to Complaints (policy 1742/5060), Role of Board Members in Handling Complaints (policy 2122), Board Meetings (policy 2300), Board Meeting Agenda (policy 2330)

Adopted: January 14, 1999
Amended: March 9, 2006
Amended: January 14, 2016
Amended: November 9, 2017
Amended: August 12, 2021
Amended: November 4, 2021

The board affirms the public policy of this State that hearings, deliberations, and actions of public bodies be conducted openly.

A. APPLICABILITY

All "public bodies" holding official meetings must comply with the requirements of the open meetings law in Article 33C of Chapter 143 of the General Statutes. The term "public bodies" includes the board, any committees of the board, school improvement teams, and, as defined by law, any other committee of two or more members that exercises or is authorized to exercise a legislative, policy-making, quasi-judicial, administrative, or advisory function, unless the committee or group is solely comprised of professional staff.

B. COMPLIANCE

As secretary to the board, the superintendent shall provide required notice and record and maintain minutes, in written form or in the form of audio or audiovisual recording, of all official meetings of the board, board committees, or committees appointed by the board. The principal or designee shall be responsible for compliance with the open meetings law by school improvement teams or any other public bodies at the school level. The superintendent or designee shall make copies of the open meetings law available to any public bodies associated with the school system. The board and other public bodies of the school system are encouraged to consult the school board attorney in accordance with policy 2610, Board Attorney, to obtain advice on complying with the legal requirements of the open meetings law.

1. Notice

   Notice will be given in accordance with law for all regularly scheduled meetings, emergency meetings, and any other meetings, such as public hearings, work sessions, electronic meetings, or retreats.

2. Minutes

   For all official meetings, whether held in open or closed session, minutes will be recorded and maintained in accordance with all legal requirements. For meetings, or portions thereof, in which minutes are kept via audio or audiovisual recording, the minutes will be deemed approved when the superintendent has reviewed the recording for accuracy and completeness and has posted the recording to the school system website.

3. Closed Sessions

   Closed sessions will be held only when required to permit the board to act in the public interest and as permitted by law. A motion to go into closed session must be made and adopted in open session in accordance with the requirements of G.S.

143-318.11(c) and policy 2321, Closed Sessions.

Legal References: G.S. 143-318.9, -318.10, -318.11, -318.12

Cross References: Closed Sessions (policy 2321), Board Attorney (policy 2610)

Adopted: January 14, 1999
Amended: June 30, 2016

Closed sessions will be held only when required to permit the board to act in the public interest as provided by law.

A. PERMITTED PURPOSES

By majority vote of its members present, the board and other groups subject to the state open meetings law and board policy 2320, Compliance with the Open Meetings Law, may hold or retire to a closed session as permitted by law for the deliberation of the following:

1. to prevent the disclosure of information that is privileged or confidential pursuant to the law of this state or of the United States, or that is not considered a public record within the meaning of Chapter 132 of the General Statutes;

2. to prevent the premature disclosure of an honorary degree, scholarship, prize, or similar awards;

3. to consult with an attorney employed or retained by the board in order to preserve the attorney-client privilege between the attorney and the board, including discussions on the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure;

4. to discuss matters relating to the location or expansion of industries or other businesses in the area served by the board;

5. to establish, or to instruct the board's staff or negotiating agents concerning the position to be taken by or on behalf of the board in negotiating (a) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (b) the amount of compensation and other material terms of an employment contract or proposed employment contract;

6. to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual employed or considered for employment with the school system; or to hear or investigate a complaint, charge, or grievance by or against any individual employee;

7. to plan, conduct, or hear reports concerning investigations of alleged criminal misconduct;

8. to formulate plans relating to emergency responses to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by the board or a school improvement team; and

9. to discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

B. ACTIONS THAT MUST BE REPORTED OR TAKEN IN OPEN SESSION

While deliberations may occur in closed session, the following board actions must be taken or reported in open session:

1. if the board has approved or considered a settlement in closed session, the terms of that settlement will be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded. The report should be made in open session unless there is a basis for the report to be heard only in closed session; and

2. final action making an appointment or discharge or removal by the board having final authority for the appointment or discharge or removal.

C. REASONS EXPRESSLY PROHIBITED FOR CLOSED SESSIONS

The following are expressly prohibited by law as a basis for closed sessions:

1. to discuss general policy matters or other issues that would be open merely because an attorney employed or retained by the board is a participant; and

2. to consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the board or another body, or to consider or fill a vacancy among its own membership.

D. PROCEDURE

The board of education will meet in closed session only upon a motion duly made and adopted in public pursuant to G.S. 143-318.11(c). Every motion will cite one or more of the permissible purposes as provided in G.S. 143-318.11(a) and in this board policy. A motion based on the need to prevent the disclosure of information that is confidential or privileged will also cite or name the law that renders the information confidential or privileged. A motion based on the need to consult with an attorney employed by the board regarding the handling or settlement of a lawsuit will identify the parties in the lawsuit.

E. MINUTES

The board will keep minutes of all closed sessions. The minutes of the board must include a general account of the closed sessions so that a person not in attendance will have a reasonable understanding of what transpired.

Legal References: G.S. 115C-105.27(c1); ch.143, art. 33C

Cross References: Board Committees (policy 2230), Compliance with the Open Meetings Law (policy 2320), Public Records – Retention, Release, and Disposition (policy 5070/7350)

Adopted: January 14, 1999
Amended: April 5, 2007
Amended: July 17, 2014
Amended: August 10, 2015

All meetings of the board of education, except closed sessions, will be open to representatives of the news media. Mechanical devices may be used during meetings to record, broadcast or photograph board meetings if they do not interfere with the ability of the board to conduct its business.

The placement and use of any equipment necessary to broadcast, film or record a meeting may be regulated by the board to prevent undue interference with the meeting, but not in such a way as to frustrate the coverage of the meeting.

If a meeting room is too small to accommodate all of the personnel and equipment necessary to broadcast, film or record a meeting, the board may require equipment to be pooled. If the news media request an alternate meeting place in order to facilitate news coverage and the board grants the request, the news media making the request are responsible for paying any additional costs that may be involved in securing an alternate site. The board must act in good faith in carrying out these provisions.

If the board holds a meeting by conference telephone call or similar means, it will provide some means for members of the public to listen to the meeting. Notice of an electronic meeting must specify how public access will be provided. The board may charge each listener a fee of up to $25.00 to defray the costs.

Legal References: G.S. 143-318.11, -318.13, -318.14

Cross References: News Media Relations (policy 5040)

Adopted: January 14, 1999
Amended: July 31, 2017

The chairperson and the superintendent will prepare a proposed agenda for each board meeting. Each board member will receive a copy of the proposed agenda four days prior to the meeting, and the proposed agenda will be available for public inspection and/or distribution when it is distributed to the board members.

A board member may have an item placed on the agenda of a regular or special meeting of the board by submitting the item in writing to the superintendent's office no later than 4:00 p.m. six working days prior to the meeting. An agenda item requested less than six working days prior to the meeting will be included only if: (1) the inclusion of the item will not unduly prolong the meeting, and there is adequate time available to prepare any necessary materials; or (2) the chairperson and superintendent determine the item is of an urgent nature. Otherwise, an untimely requested item will be added to the agenda for the next regular meeting.

At the meeting, the board may, by a majority vote, add an item that is not on the proposed agenda before the agenda is adopted. After the agenda has been adopted, a two-thirds vote is required to add an item to the agenda. Any new policy or budgetary items presented as an addendum to the published agenda are not subject to action at the same meeting.

Legal References: G.S. 115C-36

Cross References: Duties of Officers (policy 2210), Public Participation at Board Meetings (policy 2310), Advance Delivery of Meeting Materials (policy 2335)

Adopted: January 14, 1999
Amended: July 31, 2017
Amended: July 18, 2019
Amended: July 16, 2026

At least four work days prior to each regular or special board meeting, the superintendent will provide the following materials to each board member:

- the proposed agenda;
- minutes of previous meetings which have not been approved; and
- any supporting information or materials which would assist board members to become informed of the issues proposed for board consideration.

Legal References: G.S. 115C-36

Cross References: Board Meeting Agenda (policy 2330)

Adopted: January 14, 1999

Except as otherwise provided by law or by the policies of the board, meetings of the board will be conducted in accordance with Robert's Rules of Order, Newly Revised. The board will follow the rules in *Robert's* for small boards except that motions need to be seconded to move forward and there is no limit on the chairperson's ability to make motions or vote on all questions.

The chairperson is authorized to entertain and rule on questions concerning parliamentary procedure and to seek counsel of the board attorney when necessary to clarify or construe any relevant procedural provision.

Robert's Rules of Order for Small Boards

In keeping with Robert's Rules of Order for Small Boards, the Board adopts the following:

1. Members may speak multiple times on a matter and participate in a more conversational discussion providing the chair ensures fairness and a balanced participation.
2. Informal discussion is permitted on a matter before a formal motion is made.
3. The Board Chair may participate in debate and make a motion.
4. The Board Chair may vote on every motion.
5. Less formal procedures are allowed so long as all members have a fair opportunity to participate and the board's actions remain clear and properly recorded.
6. Fundamental parliamentary principals will be maintained; those being: fairness, majority rule, and protection of minority rights.

Legal References: G.S. 143-318.12

Cross References:

Adopted: January 14, 1999
Amended: July 17, 2014
Amended: July 16, 2026

In order to conduct official business at a regular or special meeting, a quorum of the board must be present.

A quorum is defined as a majority of the members of the board. If a quorum is not present at any meeting, the chairperson will postpone the meeting until such time as a quorum can be present, provided adequate notice is given pursuant to the Open Meetings Law. Proxy voting will not be recognized by the board.

Legal References: G.S. 143-318.12; *Iredell County Bd. of Educ. v. Dickson*, 235 N.C. 359 (1952), *Edwards v. Yancey County Bd. of Educ.*, 235 N.C. 345 (1952)

Cross References:

Adopted: January 14, 1999
Amended: April 19, 2016

Voting will normally be by voice vote on all matters coming before the board for action, but any member may call for a division, in which case the vote will be by show of hands. For remote meetings held during a state-declared emergency, however, all votes will be taken by roll call. Regardless of the method of voting, the minutes will reflect the vote of each member voting and the abstention of any member present but not voting, unless the vote is unanimous.

A board member must vote on all issues unless the member has a conflict of interest or is unable to remain impartial in a judicial matter before the board. If a board member recuses himself or herself from a vote, the member will state the reason before the vote is taken and the reason will be recorded in the minutes.

No secret ballots are permitted. If the board decides, by majority vote, to vote by written ballot, each member must sign his or her ballot, and the ballots must be available for public inspection in the superintendent's office immediately following the meeting and until the minutes are approved. The minutes of the meeting must specify the vote of each member's written ballot. The ballots may be destroyed after the minutes of the meeting have been approved. Written ballots may not be used for remote meetings held during a state-declared emergency.

Legal References: G.S. 143-318.13; 166A-19.24; *Crump v. Board of Education,* 93 N.C. App. 168, *aff'd,* 326 N.C. 603 (1990); N.C. Attorney General Advisory Opinion, 54 Op. Att'y. Gen. 86 (1985)

Cross References: Board Member Conflict of Interest (policy 2121), Remote Participation in Board Meetings (policy 2302)

Adopted: January 14, 1999
Amended: July 12, 2012
Amended: June 26, 2025

The board of education reserves to itself the functions of developing and revising policies for the school system. The formation and adoption of policies will constitute the primary method through which the board exercises its leadership in the operation of the school system. All policy decisions will be made while keeping in mind the board's objective to provide students with the opportunity to receive a sound basic education.

Board policy is applicable to all schools and programs within the school system unless (1) the board directs otherwise in an individual policy or (2) the board grants a school a waiver requested under policy 3430, School Improvement Plan. In addition, unless otherwise directed by the board, the superintendent may exempt any school designated as a restart model authorized by G.S. 115C-105.37B(a)(2) from any board policy requirements that correspond to a state statute or rule from which restart schools are exempted by law.

Legal References: G.S. 115C-36, -47, -105.37B(a)(2); *Leandro v. State*, 346 N.C. 336 (1997)

Cross References: Board Authority and Duties (policy 1010), School Improvement Plan (policy 3430)

Adopted: January 14, 1999
Amended: June 30, 2016
Amended: November 9, 2017
Amended: May 12, 2022

Any board member, individual, group of citizens, student, or employee may initiate proposals for new policies or changes to existing policies. The initiator must refer the suggestions to the superintendent for study prior to public discussion of the proposal and board action.

As appropriate in the development of proposed new policies or the revision of existing policies, The superintendent shall seek input from the board attorney, other professionals, school system personnel, parents, students, and citizens.

Proposals to adopt, revise, or rescind policies may be added to the agenda in accordance with board policy 2330, Board Meeting Agenda.

A. ADOPTION OF NEW POLICIES

New policies introduced and recommended at a board meeting will not be adopted until a subsequent meeting. Thus, time will be given for further study and for interested parties to react. However, temporary approval may be granted by the board in lieu of formal policy adoption to meet emergency conditions or special events that will take place before a policy can be adopted formally.

During discussion of a policy proposal, the views of the public, parents, students, and staff will be considered. Board members may propose amendments at the first or second reading of the policy. An amendment will not require that the policy go through a third reading except as the board determines that the amendment needs further study and that an additional reading would be desirable.

In order for a policy to be considered official board policy, the board must adopt the policy by majority vote and the superintendent must record the policy in the minutes of the board meeting. Unless otherwise specified by the board, a policy is effective as of the date it is adopted by the board.

B. REVISION OR RESCISSION OF EXISTING POLICY

The board may revise or rescind an existing board policy only by majority vote. If a proposal to revise or rescind a policy is included in the published meeting agenda, the board may take action on the proposal at that board meeting. If, however, a proposal to revise or rescind a policy is presented at the board meeting as an addendum to the published agenda, the board will not take action on the proposal until a subsequent meeting.

The superintendent is authorized to correct typographical errors in existing policies and to make technical and conforming changes necessitated by changes in state and federal law. Such changes are effective immediately subject to ratification by majority vote by the board at its next board meeting.

C. SUSPENSION OF EXISTING POLICY

The operation of any section or sections of board policies not established by law or contract may be suspended temporarily by majority vote.

Legal References: G.S. 115C-36

Cross References: Board Meeting Agenda (policy 2330)

Adopted: January 14, 1999
Amended: June 9, 2022

DISSEMINATION AND PRESERVATION OF POLICIES

Policy Code: **2430**

The superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the board and any accompanying administrative procedures or memoranda.

All policies adopted by the board of education will be maintained in both electronic and physical form. The electronic form shall be accessible through the school system website. The physical form shall be kept in a policy manual which will constitute a public record that will be open for inspection at the board of education offices during regular office hours. The board will endeavor to keep both the electronic policies on the website and the physical policy manual updated with the most recent policies adopted by the board. Any discrepancies between the policies on the website and in the physical manual shall be resolved in accordance with the board's most recent action on the policy.

The superintendent will ensure that all board members and employees have convenient access to copies of the policies governing Cherokee County Schools.

All physical policy manuals distributed remain the property of the board and will be deemed to be "on loan" to any person or organization and are subject to recall at any time deemed necessary for purposes of amendment, rescission, or recodification.

Legal References G.S. 115C-36

Cross References:

Adopted: January 14, 1999
Amended: February 14,2013

The board assigns to the superintendent the responsibility of continued review and evaluation of the policies adopted by the board and of bringing to the board's attention the need for adopting, amending, updating, or rescinding any policies.

The superintendent has the authority to make to any existing policies technical and conforming changes necessitated by changes in state and federal law and minor changes to correct typographical, grammatical, or clerical errors. Such changes are effective immediately subject to ratification by the board at its next regular meeting.

The superintendent is responsible for the dissemination of updated, revised, and newly adopted policies to all holders of policy manuals and for recalling all manuals if necessary for updating or recodification.

Legal References: G.S. 115C-36

Cross References: Adoption of Policies (policy 2420)

Adopted: January 14, 1999
Amended: June 10, 2021

The board of education delegates to the superintendent of the schools the power to act in cases where the board has not provided policy statements to guide administrative action. The superintendent will inform the board promptly of such action and of the need for policy.

Legal References: G.S. 115C-36, -47, -276

Cross References:

Adopted: January 14, 1999

The superintendent is responsible for developing administrative procedures necessary to implement board policies.

In developing procedures, the superintendent should consult, as appropriate, with principals and other school district personnel, parents, students, the board attorney and other professionals and citizens. The superintendent may establish formal administrative procedures or use less formal documents, such as memoranda, so long as the documents are preserved and disseminated in accordance with board policy. The board may review an administrative procedure at any time and direct the superintendent to modify, expand or omit the procedure.

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

Cross References: Dissemination and Preservation of Policies (policy 2430)

Adopted: January 14, 1999

All principals and school personnel are encouraged to initiate improvements to the educational program and services for students through school rules, standards and procedures. Unless specifically addressed by the board, the superintendent may determine what matters will be addressed through administrative procedures developed in accordance with policy 2470 and what matters may be addressed through school rules, standards or procedures established by the principal.

Principals are responsible for school rules, standards and procedures and are encouraged to involve staff, parents, students, professionals and citizens as appropriate to the issue.

At any time, the board or superintendent may review and direct the principal to modify, expand or omit a school rule, standard or procedure. All rules, standards or procedures must be consistent with applicable policies of the board, the administrative procedures of the superintendent, and any other applicable laws and regulations.

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

Cross References: Dissemination and Preservation of Policies (policy 2430), Administrative Procedures (policy 2470)

Adopted: January 14, 1999

The board is guided by generally accepted standards of fairness in establishing processes for hearings before the board. Given the board's considerable responsibilities for overseeing the educational program and operations of the schools, the board also strives to be efficient in carrying out its various functions, including conducting hearings.

Unless other hearing processes are required by law or board policy, the following procedures will apply in board hearings. The board reserves the right to modify the procedures described in this policy as necessary in any particular hearing in order to be fair and efficient, in order to meet legal requirements or for any other reason the board deems sufficient.

1. A hearing will be open to the public unless a closed session is permitted by law.

   It is the express policy of the State and this board to make hearings open to the public except for certain purposes specified in the Open Meetings Law.

   Grievance appeals pursuant to policies 1740/4010, Student and Parent Grievance Procedure, and 1750/7220, Grievance Procedure for Employees, typically will be heard in closed sessions in order to prevent the disclosure of confidential information. Closed sessions will be conducted in accordance with policy 2320, Compliance with the Open Meetings Law.

   The board will consider requests made by a parent, student, or employee to conduct a hearing in open session that is permitted by law to be held in closed session. However, the board will make the final determination of whether a hearing will be held in open or closed session.

2. The superintendent is responsible for providing sufficient notice of the time and place that a hearing will be held and the nature of the hearing that will be available.

   In order to resolve complaints expeditiously, board hearings will be scheduled as promptly as possible and notice given to the parties. The superintendent should provide as much notice as is feasible given the particular circumstances. The superintendent shall provide a copy of this policy and, when possible, specify time limitations on the oral presentation if different from what is provided in number 5 of this policy.

3. Individual hearings will be held unless the board determines that a group hearing would be a more effective process for hearing and addressing the matter.

   When two or more individuals share the same or a similar concern or are involved in the same matter to be heard by the board, the board may consider whether to conduct a group hearing. The board may consider factors such as generally accepted standards of fairness, the need for efficiency, and the ability to prevent the disclosure of confidential information. The board will consider requests for group or individual hearings and will make the final determination.

4. Unless otherwise required by law, the board may designate a panel of two or more board members to hear and act on behalf of the board.

   The superintendent shall confer with the chairperson of the board to determine whether the full board or a panel of the board will conduct a hearing. The board also may establish a panel to hear certain types of appeals, such as student grievances.

5. All parties involved in the hearing may submit written position statements and will be given the opportunity for a limited oral presentation.

   Written statements may be submitted at the hearing or in advance of the hearing unless otherwise specified. All parties will be given the opportunity to address the board orally as well. The board may establish time limitations for oral presentations for different types of hearings or may set the time limitation for a particular hearing. Unless a different time frame is established in the notice, in applicable board policies, or at the hearing, each party will be offered 15 minutes to present his or her position to the board.

6. The board may limit oral presentation to be made by the parties themselves; other witnesses may be excluded.

   The board believes that in most instances, permitting the parties to speak before the board enables a fair presentation of the parties' positions. The board may designate types of hearings in which parties may or may not be represented by legal counsel. Any individual intending to be represented by legal counsel must notify the superintendent in advance of the hearing so that there will be an opportunity to clarify whether legal counsel may be used and to provide the superintendent and board the opportunity to be represented by legal counsel. If necessary, the meeting may be rescheduled to enable the board and/or superintendent to secure legal counsel for the hearing.

7. Legal rules of evidence do not apply to information considered by the board.

   The board may consider any information that a reasonably prudent person would consider in conducting the serious affairs of a business.

8. In reviewing any appeal of a decision of school personnel, the board will determine whether the administrative record as a whole provides sufficient evidence to justify the decision of the superintendent. New evidence will not be permitted unless necessary to prevent a threat of substantial unfairness.

   The board will review the administrative record, including any administrative proceedings, and will provide an opportunity for the superintendent and the party contesting the decision to make a limited oral presentation of their positions. The submission of documentary evidence and presentation of additional witnesses will be allowed at the discretion of the board.

9. The superintendent is responsible for making a record of the hearing.

The superintendent shall make any record required by law. At a minimum, the board record will incorporate the administrative record provided to the board for review and any written documents submitted by the parties. The record also will provide the decision of the board and the basis for the decision when such information is required or specified in law or board policy.

Legal References: G.S. 115C-45(c); 143-318.11

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Student and Parent Grievance Procedure (policy 1740/4010), Grievance Procedure for Employees (policy 1750/7220), Remote Participation in Board Meetings (policy 2302), Compliance with the Open Meetings Law (policy 2320), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Requests for Readmission of Students Suspended for 365 Days or Expelled (policy 4362), Teacher Contracts (policy 7410), School Administrator Contracts (policy 7425), Classified Personnel: Suspension and Dismissal (policy 7940)

Adopted: January 14, 1999
Amended: November 3, 2011
Reviewed: September 8, 2016
Technical Corrections: September 30, 2020

As situations demand, the board may utilize consultants from various fields, including architects, personnel consultants, and instructional/educational consultants. In each case, the board will comply with the requirements of policy 6450, Purchase of Services, in procuring consultant services and will enter into a written contract with the consultant selected, outlining the tasks to be performed, the dates for completion, evaluation procedures, and any other relevant terms.

Legal References: G.S. 115C-47

Cross References: Purchase of Services (policy 6450), Planning to Address Facility Needs (policy 9000), Site Selection (policy 9010), Facility Design (policy 9020), Supervision of Construction Contracts (policy 9130), Sale, Disposal, and Lease of Board-Owned Real Property (policy 9400)

Adopted: January 14, 1999
Amended: July 31, 2017
Amended: June 9, 2022

As needed, the board will enter into contracts for legal service to the school system, including both legal advice and representation in litigation. Any attorney retained by the board or the superintendent through school system funds represents the legal entity of the school system and not any individual board member or administrator.

The superintendent may consult with the board attorney as needed to carry out administrative operations and to protect the board and school system from liability. Other staff may consult with the board attorney following procedures established by the superintendent. The board attorney shall be responsible for and authorized to address and resolve criminal bail bond and vehicle forfeiture matters in district and superior court.

The chairperson of the board normally will decide for board members when to seek legal advice or assistance on school matters. If an individual member of the board desires to consult directly with the attorney, the board member must notify the chairperson of the legal information to be sought. If it is determined that legal assistance is necessary and has not been sought previously for this matter, the board member will be directed to consult individually with the attorney. Questions raised by members of the board and the attorney's replies will be reported to all board members. The chairperson of a board committee may consult with the board attorney on issues that arise out of and in connection with the committee's work. The inquiry and response will be reported to all board members.

Legal References: G.S. 15A-544.5, -544.8; 115C-36

Cross References:

Adopted: January 14, 1999, January 10, 2008, August 14, 2008, September 14, 2015
Amended: June 10, 2021

LIAISON
WITH SCHOOL BOARDS ASSOCIATIONS

Policy Code: **2650**

The board instructs the superintendent to keep it fully informed of the affairs of the state and national school boards associations and to keep these organizations informed as directed regarding the board's concerns and official positions on matters of common concern. The superintendent shall include in each year's budget the cost of membership in the North Carolina School Boards Association.

All board members are encouraged to attend meetings, conferences and seminars of the state and national organizations in order to familiarize themselves with the latest developments in school affairs. The board also will attempt to be officially represented in association affairs through the election of delegates and/or observers to the governing assemblies of these organizations.

Legal References: G.S. 115C-36

Cross References:

Adopted: January 14, 1999
Amended: June 8, 2017

The board will receive assistance from a business advisory council in the performance of its duty to provide career and technical education instruction, activities, and services. In accordance with the requirements of state law, the business advisory council will serve the board by identifying economic and workforce development trends related to the training and educational needs of the community and advocating for strong, local career and technical education programs, including career pathway development that provides work-based learning opportunities for students and prepares students for post-secondary educational certifications and credentialing for high-demand careers.

A. COMPOSITION OF THE COUNCIL

The business advisory council will have nine members, including the superintendent or designee, the career and technical education program director, the president of the local community college or designee, and a principal assigned by the superintendent. The career and technical education program director will be a nonvoting member on the council and will serve as secretary to the council. The majority of members on the council will be business, industry, and workforce and economic development stakeholders, and community members ("business and industry representatives"), such as: local business and industry owners; representatives from local manufacturing centers and factories; human resource directors employed at businesses and industries in the community; representatives from community-based organizations; representatives from economic and workforce development organizations; parents of students enrolled in career and technical education courses; or a representative or manager of the local apprenticeship coalition.

B. APPOINTMENT OF BUSINESS AND INDUSTRY REPRESENTATIVES

1. Initial Appointment of Business and Industry Representatives

   The board will make the initial appointments of business and industry representatives for terms beginning January 1, 2018. The board will divide the initial appointments into four groups as equal in size as practicable and will designate appointments in group one to serve four-year terms, in group two to serve three-year terms, in group three to serve two-year terms, and in group four to serve one-year terms.

2. Subsequent Appointment of Business and Industry Representatives

   a. Reasons for Appointment

      As terms expire for business and industry representatives initially appointed by the board, the council will appoint subsequent members to the council for four-year terms. Any vacancy of a business and industry representative seat will be filled by the remaining members of the council to serve until the end of that seat's term.

At any time the council may decide, by two-thirds majority vote, to add one or more seats to the council. The council will appoint a business and industry representative to the vacant, newly created seat(s). When increasing the council size, the council may adjust the length of the initial term of a newly created seat in order to keep as equal as practicable the number of members whose terms expire each year.

b. Appointment Process

Any individual interested in serving on the council should contact the career and technical education program director and submit a statement of interest. School system employees, board members, and council members are encouraged to recommend individuals who they believe would be positive additions to the council. The superintendent or designee shall make an effort to recruit a diverse field of qualified candidates.

When a business and industry representative's seat is set to expire or is vacant, a committee of at least two council members appointed by the council chair shall interview the candidates. The committee shall provide all council members with the candidate's statement of interest, the interview information, and the committee's appointment recommendations. The council members shall review the materials provided by the committee and, by majority vote, choose a candidate to fill each seat that is set for expiration or is vacant.

When appointing new members, the council should choose candidates who are concerned with the best interests of the students and the local economy and who are willing to devote the time and effort required of council membership. Ideal candidates will have a particular knowledge or expertise or a unique perspective relevant to economic and workforce development trends related to the training and educational needs of the community. Candidates also should be advocates for strong, local career and technical education programs. Preference will be given to candidates who reside within the school administrative unit. Membership on the council must reasonably reflect the education, business, and community makeup of the school administrative unit.

C. OPERATION OF THE COUNCIL

The business advisory council will operate in accordance with G.S. 115C-170. The superintendent shall provide the council with a meeting space and shall assign necessary administrative staff to assist the council. The council shall report back to the board annually on its recommendations for the school system's career and technical education instruction, activities, and services. Meetings of the council are subject to the requirements of the open meetings law in Article 33C of Chapter 143 of the General Statutes.

Legal References: G.S. 115C-47(30), -55, -170; 143 art. 33C

Cross References: Compliance with the Open Meetings Law (policy 2320)

Adopted: November 9, 2017

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 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 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. 1; 115C-12(32), -12(39), -36, -47, -151; *Leandro v. State*, 346 N.C. 336 (1997); State Board of Education Policies ACCR-000, GRAD-006, SCOS-016

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

Adopted: July 15, 1999
Amended: July 11, 2013
Amended: September 15, 2016
Amended: December 10, 2020
Technical Corrections made: October 2, 2017

In keeping with its goal 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 Cherokee County Board of Education has adopted this grade-level merge policy.

A grade-level merge is the consolidation of a specific grade or grades from one school to another within the same geographic location for the purpose of maintaining an even balance and distribution of educational assets, teachers, and infrastructure necessary to support the Board's goal.

A grade-level merge recommendation shall be considered by the Board of Education in open session at a regular meeting upon the recommendation of the superintendent.

The superintendent must demonstrate:

- The impact of educational inequity which necessitates a grade-level merge and how the merger will better serve the educational interest of the students involved.
- Impact of funding non-State funded teaching positions on the district.
- Total number of non-State funded teaching positions funded by local funds.
- Grade-level Average Daily Membership (ADM) of the schools to be involved with the merge.
- Impact on the school receiving merged grade-level.
- Impact on transportation.
- Impact on child nutrition.
- Impact on staff requirements at the school receiving grade-level merge.
- Impact on the ADM of the school losing the grade-level.
- Redistribution of teachers.
- Loss of position funding.
- Consideration of the welfare of the students to be affected by the merger.
- Assessment of the any inconvenience or hardship that such a merger may cause.

Upon receipt of the recommendation the Board may approve the merger as recommended, defer the decision until the next regular board meeting or disapprove the request.

Legal References: G.S. 115C-238.70 (a)(1), (4), 115C-301

Cross Reference: Goals and Objectives of the Educational Program (policy 3000)

Adopted: December 10, 2020

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

A. CURRICULUM DEVELOPMENT

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

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

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

B. CURRICULUM MODIFICATION BY INDIVIDUAL SCHOOLS

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

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

C. EVALUATION

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

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

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

Adopted: July 15, 1999
Amended: October 9, 2008, August 8, 2013, October 8, 2015, November 4, 2021

In its effort to provide a rigorous expanded curriculum that will adequately prepare students for future educational and workplace endeavors, the board will support high school students who also wish to enroll in classes taught by a college, university, community college, or other approved entity in accordance with the requirements of this policy, state law, and State Board of Education policy.

A. CAREER AND COLLEGE PROMISE

1. The Career and College Promise program is designed to offer qualified high school students structured dual enrollment opportunities that provide both entry-level job skills as well as pathways leading to a certificate, diploma, or degree.

2. The board, in collaboration with local community colleges, may provide for dual enrollment of a qualified high school student in community college courses through (1) a Career and Technical Education Pathway leading to a job credential, certificate, or diploma aligned with one or more high school Career Clusters, (2) a College Transfer Pathway leading to college transfer credits, or (3) a Career and College Ready Pathway providing opportunities for college remediation.

3. The board may also partner with institutions of higher education to establish cooperative innovative high school programs that enable a student to concurrently obtain a high school diploma and (1) begin or complete an associate degree program, (2) master a certificate or vocational program, or (3) earn up to two years of college credit within five years. Students are eligible for these programs beginning in ninth grade.

4. The board will implement the Career and College Promise program in accordance with a Career and College Promise Partnership Agreement developed as required by State Board of Education Policy CACP-000 and revised annually. The superintendent shall develop any necessary procedures consistent with the partnership agreement, this policy, state law, and State Board policies.

B. OTHER COLLEGE COURSES

1. The superintendent shall develop procedures and requirements for awarding high school credit toward graduation upon request to students who self-enroll in courses taught by a college, university, community college, or other approved entity. Credit toward graduation will be granted only for courses that are consistent with the policies and standards of the school system and State Board requirements, including the requirements of State Board of Education Policy CCRE-001, which defines "Course for Credit."

2. The principal must approve the course in advance. Prior to granting approval, the principal shall determine whether the course is eligible for credit toward graduation in accordance with the procedures and requirements developed by the superintendent.

3. The parent or guardian of the student must give permission for the student to take the course, and the student must complete any forms required by the school system.

4. Enrollment of a student in a course is the responsibility of the student and the student's parent or guardian. Unless otherwise provided, all special fees and charges and any special transportation needs are the responsibility of the student and the student's parent or guardian.

5. For a student to receive credit toward high school graduation, the school at which the course is offered must provide such essential information as is generally included in official transcripts of school records. This information must include:

   a. a description of the content and subject matter covered by the course;

   b. the number of clock hours of instruction in the course; and

   c. the student's achievement or performance level in the course.

   In addition, a syllabus that includes course goals, course objectives, course activities, and grade requirements must be provided.

6. The student also must meet any other requirements established by the superintendent.

C. LEARN AND EARN EARLY COLLEGE PROGRAM

The board supports the Learn and Earn Early College High School Initiative, which is intended to create rigorous and relevant high school options that provide students with the opportunity and assistance to earn an associate degree or two years of transferable college credit by the conclusion of their last year in high school. The superintendent shall ensure that the program targets high school students who are at risk of not attending college or university after high school or who would benefit from accelerated academic instruction, or other student populations targeted by the State Board for such programs.

Students attending the Learn and Earn Early College Program do not pay tuition, fees, transportation or other fees incidental to the program, except as may be required of other students attending public schools in the system.

Participation in sports and extracurricular activities at other schools is not-permitted for TCEC students.

Legal References: G.S. 115C art. 16 pt. 9; 115C-36, -47; 115D-30.1, 30.10, 39.5(a); State Board of Education Policies CACP-000, CACP-001, CCRE-001, GRAD-004

Cross References: Curriculum Development (policy 3100)

Amended: October 9, 2008

Amended: July 13, 2010
Amended: November 3, 2011
Amended: April 10, 2014
Amended: June 13, 2019
Amended: June 29, 2023
Amended: January 8, 2026

A. ONLINE INSTRUCTION GENERALLY

The board recognizes that online instruction can be[1] 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 the school e-learning advisor. The principal shall designate a school counselor at the school to serve as the 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 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

When warranted by exigent circumstances and approved by the superintendent, schools may temporarily transition to remote instruction if permitted by law. 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-84.3, -238.85; State Board of Education Policy CCRE-001
Cross References: Dual Enrollment (policy 3101)
Adopted: November 8, 2012
Amended: April 10, 2014,
Amended: September 30, 2019
Amended: December 10, 2020
TC: October 2, 2017
Amended: June 10, 2021
Amended: June 9, 2022
Amended; December 15, 2022

[1] Language change recommended by Mr. Tatham.

AR Code: 3102-R Online Instruction

Online instruction, or e-learning, utilizes electronic technologies to provide students with access to educational curriculum. School system employees shall facilitate access to online courses approved for credit by the North Carolina Virtual Public School (NCVPS). With oversight by the school principal, the school's e-learning advisor shall coordinate student participation in online courses.

1. E-LEARNING ADVISORS

A. Designation of E-learning Advisors

In each school in which students may enroll in online courses, the principal shall designate a guidance counselor to serve as the e-learning advisor. An e-learning advisor is a designated school staff person who serves as the liaison between the school and the NCVPS.

B. Duties of E-learning Advisors

The school e-learning advisor shall:

1. communicate with the Virtual Schools Director for up-to-date online course opportunities and availability
2. disseminate information regarding online course opportunities through the school system web page, counseling office brochures, newsletters, the student handbook, and any other appropriate school system communication resources;
3. provide parents/guardians and students with descriptions of online courses, enrollment information and processes, a description of credit awarded for courses, student eligibility requirements, and methods the school system will use to support student success;
4. coordinate the enrollment of students in online courses, including advising students in their selection of courses, registering students for courses, and withdrawing or dropping students from courses;
5. inform students of their usernames and passwords to access their NCVPS courses;
6. provide students with the materials and textbooks for their NCVPS courses;
7. ensure that students have access to computing hardware and connectivity required for participation in their online courses;
8. communicate frequently with the students enrolled in online courses and their parents/guardians, including meeting regularly with the students to ensure they are connecting to the online coursework and teacher and are making satisfactory progress;
9. inform students of the dates for EOC and VOCATS testing and assist in coordinating the testing of students enrolled in online courses; and
10. implement a plan for supporting credit recovery students throughout the semester.

The school e-learning advisor may coordinate and fulfill the above stated responsibilities with the assistance of the school media coordinator or a teacher who is designated to host an online learning lab.

C. Resources for E-learning Advisors

The e-learning advisor should be familiar with all of the resources available at the NCVPS website located at www.cherokee.k12.nc.us and shall follow the NCVPS guidelines for e-learning advisors as described in the pertinent documents on that site.

The e-learning advisor should maintain regular communication regarding e-learning opportunities and limitations with the district Virtual Schools Director.

2. STUDENTS

A. Student Eligibility

To participate in an online course, the student must:

1. be in grade 6 or above;

2. have completed any course prerequisites; and

3. Demonstrate:
   a. an academic need for a course not available at the school where they are enrolled
   b. a scheduling conflict based on program of study or limitations of school resources
   c. good cause circumstances for online instruction due to illness or injury

B. Student Enrollment

To participate in an online course, the student must:

1. Consult with the e-Learning advisor regarding course availability and student eligibility;

2. Complete the Cherokee County Virtual School Student Application

3. Obtain principal's approval

4. Successfully complete the CCVS Virtual Orientation Course

Note:

A student who has failed or dropped a previous online course must reapply to take a future CCVS course. He/she must attach a written explanation detailing the reason for the failed/dropped attempt and obtain a signature from his/her principal prior to CCVS enrollment.

Issued by NCSBA: September 1, 2014
Issued by the Superintendent: December 10, 2020

The board supports academic freedom for students and teachers. Academic freedom includes the right of students to freely learn and reach their own decisions and beliefs about conflicting points of view and to acquire the skills necessary to arrive at these independent conclusions. Academic freedom also encompasses the right of teachers in their field of expertise to pursue the search for knowledge in its many forms. Academic freedom allows and encourages licensed employees and students the opportunity to study, investigate, present, interpret, and discuss facts and ideas relevant to the classroom subject matter. Nonetheless, the facts and ideas must be in accordance with the maturity and intellectual and emotional capacities of the students. Academic freedom does not allow teachers to deviate from the required curriculum or from the use of required curriculum and instructional guides.

The principal, as the instructional leader of the school, is responsible for encouraging academic freedom as a means for students and teachers to be actively engaged in the learning process. The principal also is responsible for ensuring that academic freedom is not abused.

Legal References: U.S. Const. amend. I; N.C. Const. art. I, § 14; G.S. 115C-36, -47

Cross References:

Adopted: July15, 1999

The board welcomes new and innovative ideas in curriculum as additional avenues to achieve the goals and objectives of the educational program. Administrators are encouraged to pursue innovative programs and to take advantage of community resources in order to enhance and enrich the learning process. In addition, the board believes that parental involvement is vital to the development and implementation of new programs and encourages administrators to involve parents in plans for innovative projects.

The board encourages school administrators to use community resources, including businesses, that can effectively contribute to the advancement of educational goals. Resource persons in the community may be used in the classroom to help with teaching the prescribed curriculum. High school administrators are encouraged to partner with local businesses to facilitate high school-to-work partnerships for students who have indicated that they are unlikely to seek higher education. The board encourages local businesses to work with high school administrators to create opportunities for students to complete job shadows, internships, or apprenticeships. The career and technical education administrator shall designate a career development coordinator at each high school to be the contact person for local businesses.

The superintendent shall periodically consult with local industries, employers, business advisory councils, and the local workforce development board to identify industry certification and credentials the board may offer to best meet workforce needs. The superintendent shall consider this information in planning the educational program.

Other innovative pilot programs may be initiated by the administrators of any school with the approval of the board. Such programs should be included in the proposed school improvement plan. If the program will modify the curriculum, the proposal should first be submitted to the curriculum committee in accordance with policy 3100, Curriculum Development. If a school improvement plan is already in effect, school administrators may submit a modified plan for board approval. Board approval is required before implementation may take place.

All pilot projects and educational programs must comply with state and federal laws and regulations. Parents and guardians of children in applicable federally funded programs have the right to inspect all instructional materials used in connection with such programs.

The superintendent shall develop administrative regulations, as necessary, to implement this policy.

Legal References: 20 U.S.C. 1232h; G.S. 115C art. 16; 115C-36, -47, -156.2(a), -157

Cross References: Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), School Improvement Plan (policy 3430)

Adopted: February 2, 2012
Amended: December 12, 2013
Technical Corrections: October 2, 2017

Curriculum and instructional guides must be developed as necessary to support the current statewide instructional standards; policy 3000, Goals and Objectives of the Educational Program; and any other expanded objectives or subject matters approved by the board. State curriculum guides must be followed when mandated by state law.

A. DEVELOPMENT/MODIFICATION OF GUIDES

The curriculum committee shall develop new guides and/or modify existing guides that are to be used system-wide.

Individual schools may modify the curriculum and instructional guides as a part of the school improvement plan. Any modifications must be approved by the curriculum committee to ensure the continuity of the educational program.

B. USE OF GUIDES

Curriculum and instructional guides are to serve as a framework from which a teacher will develop units of study, individual lesson plans and approaches to instruction that will serve the students' needs.

The guides will be used to map the logical sequence of instruction. Teachers are expected to follow the sequence in subjects, such as reading and mathematics, in which sequence is important.

Teachers must follow the content of the curriculum and instructional guides. Teachers are expected to use their professional judgment in determining the most effective methods for implementing the guides.

The principal shall ensure that teachers have access to curriculum and instructional guides.

Legal References: G.S. 115C art. 8 pt. 1; 115C-36, -47

Cross References: Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), School Improvement Plan (policy 3430)

Adopted: July 15, 1999
Amended: July 18, 2000
Amended: August 8, 2013
Technical Corrections made: October 2, 2017

Instructional delivery plays a crucial part in the attainment of educational goals and objectives. Well-prepared lesson plans help ensure superior delivery of the curriculum program.

Each teacher shall prepare daily lesson plans based on the current statewide instructional standards and applicable curriculum and instructional guides developed by the school system. The following criteria should be followed regarding lesson plans:

1. Daily lesson plans should be accessible to the school principal at any time during the school day.

2. Teachers shall maintain lesson plans for one year in order to allow the teacher and supervisory staff the opportunity to assess instructional delivery and evaluate whether there are gaps in the curriculum.

3. When planning lessons, teachers must consider:

    a. specific outcomes and objectives that relate to the curriculum;

    b. planned activities, instructional strategies and special materials;

    c. effective use of technological resources;

    d. activities to address individual student needs;

    e. assessment/evaluation criteria; and

    f. evidence of curriculum alignment and continuity of the instructional program.

Teachers are responsible for seeking clarification whenever they are unsure about the requirements of this policy.

Pursuant to the school improvement plan, every full-time assigned classroom teacher must be provided duty-free instructional planning time, with the goal of providing an average of at least five hours of planning time per week.

Principals are responsible for ensuring compliance with this policy. Staff development opportunities should be provided, as necessary, to facilitate compliance.

Legal References: G.S. 115C-47, -105.27, -288, -301.1, -307
Cross References: Professional and Staff Development (policy 1610/7800), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Technology in the Educational Program (policy 3220), School Improvement Plan (policy 3430)
Adopted: July 15, 1999
Amended: July 18, 2000
Amended: August 8, 2013

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

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

- the individual student's best opportunity for achievement;
- the skill level of the student;
- the most effective instructional climate for the student;
- the ages and maturity levels of the students in the group;
- the most effective instructional climate for the group; and
- the most effective social climate for the group and the student.

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

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

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

Legal References: G.S. 115C-47, -276, -288

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

Adopted: July 15, 1999
Technical Corrections made: October 2, 2017

The board recognizes the importance of homework in supplementing classroom instruction and furthering the goals of the educational program. Homework reinforces learning and fosters independence, responsibility and self-direction.

Homework assignments should strengthen skills, provide practice in subjects that already have been taught in class and improve a student's ability to work independently. Teachers should take into consideration the differences in financial, educational and technological resources of students and their parents or guardians when making assignments. In addition, the amount of time necessary to complete the tasks should be reasonable in light of the age and maturity of the students and other assignments given to the students. The following Homework Guidelines are provided (these guidelines are not applicable to students who enroll in advanced courses, college courses, etc.):

- Homework is generally assigned as stated above and will be monitored for formative assessment.
- All cumulative homework assigned for all classes will not exceed:
    - K—5: not to exceed 30 minutes of homework which includes 20 minutes of reading
    - 6—8: not to exceed 45 minutes of homework

9—12: not to exceed 1 hour of homework. Advanced Courses are not subject to this limit. Any homework initiative outside these parameters must be approved by the school principal.
Principals shall ensure that homework assignments are made in accordance with this policy. Principals are encouraged to involve staff, parents and students in developing standards for appropriate types and amounts of homework for the school or particular grade levels.

Legal References: G.S. 115C-36, -47, -307
Cross References: Goals and Objectives of the Educational Program (policy 3000)

Adopted: July 15, 1999
Amended: May 8, 2008, September 12, 2019

The board recognizes the importance of a systematic process for evaluating the instructional programs. An evaluation process should identify any need for modifications to the instructional program in order to meet the educational goals of the board and state standards for student achievement.

An effective evaluation process should focus on the educational process as well as outcomes by including techniques such as the following:

1. testing programs such as nationally standardized general achievement tests, national standardized tests and criteria reference tests in specific subject areas, and tests administered by other agencies;

2. observations, surveys, interviews, anthologies and portfolios;

3. student records, including school achievement records and dropout records of students;

4. periodic surveys of staff, parents, students, and community members; and

5. review by outside professionals such as U.S. Department of Education specialists and specialists from other agencies.

The superintendent will be responsible for ensuring that periodic evaluations are taking place and for reporting the results with recommendations to the board of education. Any student surveys used for evaluating the programs must be approved in advance by the superintendent. Instructional programs also may be evaluated and changes implemented as a part of a school's improvement plan so long as the school continues to comply with all related board policies. The board encourages professional development for teachers and administrators so that changes in the instructional program can be implemented as effectively as possible.

Legal References: G.S. 115C-36, -47, -276

Cross References: Goals and Objectives of the Educational Program (policy 3000), Testing and Assessment Program (policy 3410), School Improvement Plan (policy 3430)

Adopted: July 15, 1999

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

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

A. SELECTION OF TEXTBOOKS

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

State-approved textbooks will be used as the primary means to help students meet the goals and objectives of the current statewide instructional standards, unless the board approves alternative materials. The central curriculum committee or a school through its school improvement plan may submit a request for the use of alternative textbooks. The request should identify how the committee or school has ensured that the curriculum will continue to be aligned with the current statewide instructional standards and to meet the educational goals of the board.

B. SELECTION OF SUPPLEMENTARY MATERIALS

Supplementary materials are instructional and learning resources which are selected to complement, enrich or extend the curriculum. Such resources include, for example, specialized materials selected to meet diverse needs or rapidly changing circumstances, library materials, digital resources, the school system's media collection, classroom collections and teacher-selected resources for individual classes.

1. Objectives for Selection of Supplementary Materials

   The procurement of materials must be accomplished in accordance with law, including the First Amendment of the United States Constitution; board educational goals; board purchasing and accounting policies; and established selection guidelines, including the Library Bill of Rights of the American Library Association. The objectives for the selection of supplementary materials are as follows:

   a. to provide a wide range of materials that will enrich and support the curriculum, taking into consideration the individual needs and varied

interests, abilities, socio-economic backgrounds, learning styles and developmental levels of the students served;

b. to provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards;

c. to provide a background of information that will enable students to comprehend their role as citizens in society and to make intelligent judgments in their daily lives;

d. to provide resources representing various points of view on controversial issues so that students as young citizens may develop, under guidance, the skills of critical thinking and critical analysis;

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

f. to place principle above personal opinion and reason above prejudice in the selection of material of the highest quality in order to ensure a comprehensive collection appropriate for all users.

2. Process and Criteria for Selecting Supplementary Materials

The responsibility for the selection of supplementary materials is delegated to the professional staff under the direction of the superintendent and will be made primarily at the school level with the involvement of a school media and technology advisory committee. The committee shall be appointed by the principal and will include teachers and instructional support personnel representing various subject areas and grade levels, parents, and, if on-staff in the school, the library media coordinator and the technology facilitator. Students also should be involved when feasible.

The selection process used by the committee will include: (1) an evaluation of the existing collection; (2) an assessment of the available resource and curriculum needs of the school; and (3) consideration of individual teaching and learning styles. In coordinating the selection of resources, the committee should use reputable, unbiased selection tools prepared by professional educators and should arrange, when possible, for firsthand examination of resources to be purchased. When examining proposed materials, the committee should consider the following factors:

a. the material's overall purpose, educational significance and direct relationship to instructional objectives and the curriculum and to the interests of the students;

b. the material's reliability, including the extent to which it is accurate, authentic, authoritative, up-to-date, unbiased, comprehensive and well-balanced;

c. the material's technical quality, including the extent to which technical components are relevant to content and consistent with state-of-the-art capabilities;

d. the material's artistic, literary and physical quality and format, including its durability, manageability, clarity, appropriateness, skillfulness, organization and attractiveness;

e. the possible uses of the material, including suitability for individual, small group, large group, introduction, in-depth study, remediation and/or enrichment;

f. the contribution the material will make to the collection's breadth and variety of viewpoints;

g. recommendations of school personnel and students from all relevant departments and grade levels;

h. the reputation and significance of the material's author, producer and publisher; and

i. the price of the material weighed against its value and/or the need for it.

3. Materials Brought in by Teachers

Principals shall establish rules concerning what materials may be brought in by teachers without review. Principals are encouraged to involve teachers in establishing these rules.

C. REMOVAL OF OUTDATED SUPPLEMENTARY MATERIALS

To ensure that the supplementary media collection remains relevant, the media and technology professionals, assisted by the media and technology advisory committee, shall review materials routinely to determine if any material is obsolete, outdated or irrelevant. The school media and technology advisory committee should remove materials no longer appropriate and replace lost, damaged and worn materials still of educational value. Materials may be removed only for legitimate educational reasons and subject to the limitations of the First Amendment. The superintendent may establish regulations that provide additional standards for removing supplementary materials to meet the educational needs of the school system. Requests by parents to remove supplementary media materials due to an objection to the materials will be reviewed pursuant to policy 3210, Parental Inspection of and Objection to Instructional Materials.

D. ACCEPTANCE OF GIFT MATERIALS

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

E. CHALLENGES TO TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS

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

Legal References: U.S. Const. amend. I; N.C. Const. art. I, § 14; G.S. 115C art. 8 pt. 1; 115C-45, -47, -98, -101; *Board of Education v. Pico*, 457 U.S. 853 (1982); State Board of Education Policy TEXT-000; *Impact: Guidelines for North Carolina Media and Technology Programs*, North Carolina Department of Public Instruction (2005); *The Library Bill of Rights*, The American Library Association (1996)

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

Adopted: July 15, 1999
Amended: December 13, 2012
Amended: August 8, 2013
Technical Corrections made: October 2, 2017
Amended: June 14, 2018

PARENTAL INSPECTION AND OBJECTION TO INSTRUCTIONAL MATERIALS

Policy Code: **3210**

In policy 3200, Selection of Instructional Materials, the board establishes a process for the selection of instructional materials to meet State Board of Education requirements and the educational goals of the board. That process provides an opportunity for parental input in the selection of materials.

The board recognizes that despite the opportunity to participate in the selection of materials, parents still may have concerns about instructional materials used in the school system. Thus, to further involve parents in the education of their children, the board also provides opportunities for parents to review instructional materials and a process for parents to use when they object to instructional materials.

For the purposes of this policy, all references to "parent" include a parent, legal guardian, legal custodian, or other caregiver adult authorized to enroll a student under policy 4120, Domicile or Residence Requirements.

A. PARENTAL RIGHT TO INSPECT MATERIALS

Parents may review all instructional materials, as defined in policy 3200, Selection of Instructional Materials. Instructional materials do not include academic tests or assessments. Parents who would like to inspect and review instructional materials should make a request in writing to the principal identifying the instructional materials the parent is seeking to inspect. Within 10 business days of receiving the request, the principal shall either (1) provide access to the requested information or (2) provide an extension notice to the parent that, due to the volume or complexity of the request, access to the information will be provided no later than 20 business days from the date of the parent's request. Access will be provided by supplying the parent with a copy of the materials or by scheduling a mutually agreeable date and time for the parent to come into the school to review the materials. All materials used in reproductive health and safety education shall be available for review as provided in policy 3540, Comprehensive Health Education Program.

B. PARENTAL OBJECTION TO MATERIALS

Parents may submit an objection in writing to the principal regarding the use of particular instructional materials. The principal may establish a committee to review the objection. While input from the community may be sought, the board believes professional educators are in the best position to determine whether a particular instructional material is appropriate for the age and maturity of the students and for the subject matter being taught.

If the principal or the committee determines that any material violates constitutional or other legal rights of the parent or student, the principal or the committee shall either remove the material from instructional use or accommodate the particular student and parent. (For religious-based objections, also see policy 3510, Religious-Based Exemptions from School Programs.) Before any material is removed, the principal or the committee shall ensure that the curriculum is still aligned with current statewide instructional standards and articulated from grade to grade. If an objection made by a parent or student is not based upon constitutional or legal rights, the principal

or the committee may accommodate the objection after considering the effect on the curriculum; any burden on the school, teacher, or other students that the accommodation would create; and any other relevant factors. Books and other instructional materials may be removed from the school media collection only for legitimate educational reasons and subject to the limitations of the First Amendment. The decision of the committee or principal may be appealed to the superintendent. The decision of the superintendent may be appealed to the board.

Any request by a student's parent that the student be prohibited from borrowing certain library books will automatically be granted. The request must be made in writing to the principal and identify by title the library book(s) that the student may not borrow. For purposes of this policy, library books are defined as all instructional materials, other than textbooks, that are available at a school, whether in the school library or in a classroom or other space, for independent use by students and school personnel outside of the standard course of study for any grade or course. The titles of all library books at a school may be accessed through a searchable web-based catalog displayed on the homepage of the school's website.

The superintendent shall develop the necessary administrative procedures to implement this policy.

Legal References: U.S. Const. amend. I; 20 U.S.C. 1232h; N.C. Const. art. I, § 14; *Board of Educ. v. Pico*, 457 U.S. 853 (1982); G.S. 115C art. 8 pt. 1; 115C-45, -47, -76.25(a)(5), -76.35(b), -76.40, -98, -98.1, -101

Cross References: Parental Involvement (1310/4002), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Selection of Instructional Materials (policy 3200), Religious-Based Exemptions from School Programs (policy 3510), Comprehensive Health Education Program (policy 3540), Domicile or Residence Requirements (policy 4120)

Adopted: July 15, 1999
Amended: July 10, 2003
Amended: December 13, 2012
Amended: May 18, 2015
Amended: October 2, 2017
Amended: October 19, 2023
Amended: October 2, 2025

REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL RESOURCES

Name of person making request _____Telephone: _____

Address_____

Complainant represents: _____ himself/herself
_____(name organization) _____
_____(identify other group) _____

Are you a parent or guardian of a student in this school? _____Grade_____

Name of school owning the item to be reconsidered: _____

Title of item_____

Circle the type of instructional resource:

book film recording magazine video

pamphlet filmstrip kit software

other _____

Author/artist/composer/producer, etc. _____

Publisher/Producer_____ Copyright date_____

How did you acquire this item? _____

Did you read, view, or listen to the entire item?_____

If not, what parts? _____

Is this item part of a series or set? Yes _____ No _____. If yes, did you examine other items in the series or set? _____

What do you believe are the theme and purpose of this item? _____
_____
_____

To what in the item do you object? (Please be specific: cite pages, frames, etc.) _____
_____

Is there anything good about this item? Yes _____ No _____. If yes, explain: _____
_____

For what age group or grade level would you recommend this item? _____

What do you feel might be the result of a student's reading, viewing, or listening to this item?
_____

Are you aware of any evaluations of this item by authoritative sources? Yes ____ No _____. If yes, did those sources agree with your opinion? Yes _____ No _____. List the sources:

Do you want other persons in the community to determine the kind of materials your child may

or may not use in school? _____

Other comments:_____
_____

Signature of Complainant _____ Date _____

Cherokee County Schools
911 Andrews Rd.
Murphy, NC 28906
828-837-2722 828-837-5799 (FAX)

MEDIA SELECTION

G.S. 115C-98(b): *Local boards of education shall adopt written policies concerning the procedures to be followed in their local school administrative units for the selection and procurement of supplementary textbooks, library books, periodicals, and other instructional materials needed for instructional purposes in the public schools of their units. Supplementary books and other instructional materials shall neither displace nor be used to the exclusion of basic textbooks.*

RESPONSIBILITY FOR SELECTING MEDIA

The Cherokee County Board of Education delegates the responsibility for coordinating the selection of instructional resources to the several media coordinators working in the schools. The media coordinators will make decisions regarding purchases only after careful consultation with their Media Advisory Committees.

The Media Advisory Committee will be appointed by the principal and chaired by the media coordinator. It will include teachers representing all subject areas and/or grade levels, students, and as often as possible, community representatives. Under the leadership of professional media personnel, this group will set priorities for media to be acquired based on school-wide objectives and on strengths and weaknesses in the existing collection. In determining priorities, the committee will be informed of the budget allocated for purchasing media in order to make the wisest choices possible.

OBJECTIVES FOR SELECTING MEDIA

The primary objective of each school's media program is to enrich and support the instructional program of the school. The media program will make available, through the media collection, a wide range of materials and necessary equipment for using those materials. It will provide materials on varying levels of difficulty with a diversity of appeal compatible with the different needs, interest, and viewpoints of students and teachers.

CRITERIA FOR SELECTING MATERIALS

Individual learning styles, the curriculum, and the existing collection will be given consideration in determining the needs for media in individual schools. Media considered for purchase will be judged on the basis of the following criteria:

1. Purpose - What is the overall purpose of the material, and what is its direct relationship to the instructional objectives of the curriculum?

2. Reliability - How accurate and authentic is the content?

3. Treatment - Is the content of the material presented clearly, skillfully, convincingly? Is it well organized and unbiased?

4. Technical Quality - Do audio and visual components meet current standards?

5. Format - Is the material organized for easy use? Is it attractive and inviting?

6. Construction - Is the material durable and manageable?

7. Special Features - Are illustrations, photographs, maps, charts, graphs, guides, etc. used effectively?

8. Possible Uses - Can the material be used in a variety of ways (by an individual, in small groups, in large groups, as an introduction or summary to a unit, as an in-depth study)?

PROCEDURES FOR SELECTING AND MAINTAINING THE MEDIA COLLECTION

In guiding the selection of media, the media coordinator, assisted by the Media Advisory Committee, will:

1. arrange, when possible, for firsthand examination of media to be purchased;

2. use reputable, unbiased, professionally prepared selection when firsthand examination of media is not possible;

3. judge gift items by standard selection criteria and, upon acceptance of such items, reserve the right to incorporate into the collection only those items meeting these specified criteria;

4. purchase duplicates of extensively used media;

5. weed continuously from the collection worn, obsolete, and inoperable media;

6. purchase replacements for worn, damaged, or missing media basic to the collection;

7. evaluate carefully and purchase resources only to meet a specified need; and
8. adhere to the policy that media vendors must have permission from the superintendent or designee office before going into any of the schools.

CHALLENGED MATERIALS

Occasional objections to a selection in the media collection of a school will be made by a constituent of the school community, despite the care taken to select valuable materials for student and teacher use and the qualifications of persons who select the materials.

The principles of the freedom to read and of the professional responsibility of the staff must be defended rather than the challenged materials.

If a complaint is made, the procedures for handling that complaint are as follows:

1. The school employee hearing the complaint will be courteous to the complainant but will make no commitments.

2. He/she will invite the complainant to file his/her objections on the "Request for Reconsideration of Instructional Resources" form.

3. The media coordinator or principal will temporarily remove the questioned material from the collection pending a decision regarding the complaint.

4. The principal will inform the superintendent and the LEA media supervisor of the complaint.

5. The Media Advisory Committee will:

a. review carefully the questioned materials,
b. check general acceptance of the materials by reading reviews, consulting authoritative lists and holdings of local media centers,
c. weigh values and faults against each other and form opinions based on the material as a whole and not on passages pulled out of context,
d. meet to discuss the material and prepare a report on its merits and/or shortcomings, and
e. submit a copy of the report to the principal and the superintendent along with a written recommendation regarding the complainant's request to have the material removed from the media collection.

6. The superintendent will subsequently determine whether the material will be retained in or removed from the collection. If the complainant is not satisfied with the superintendent's decision, he/she may appeal to the Board of Education.

HEALTHFUL LIVING CURRICULUM GUIDELINES

The Cherokee County Board of Education will adhere to **GS-115C-81** as indicated below

Each school year, each Cherokee County School must make available for review by parents and legal guardians for 60 days before use, certain state-developed or -approved materials. These state materials include any instructional objectives, approved textbooks, and any list of reviewed materials dealing with the subject matter of prevention of sexually-transmitted diseases including HIV/AIDS, avoidance of out-of-wedlock pregnancy, or abstinence until marriage.

Each Cherokee County School must provide opportunity for parents and legal guardians either to consent or withhold consent to student participation in any or all programs that deal with the prevention of sexually-transmitted diseases including HIV/AIDS, avoidance of out-of-wedlock pregnancy, abstinence until marriage, or comprehensive sex education.

In alliance with the North Carolina Digital Learning Plan, the board is committed to establishing and supporting effective digital teaching and learning practices supported by contemporary information and communications technology systems to foster globally competitive students prepared for modern life. The board recognizes the benefits of digital and technology-enabled and -enhanced teaching and learning resources that provide the ability to make data more accessible, personalize learning, easily customize curriculum, provide access to current information, and enable access to quality materials at a lower cost than traditional materials. To that end, the board supports classroom digital and technology-enabled and -enhanced teaching and learning resources that are aligned with the current statewide instructional standards. In addition, to the extent funding permits, the board will endeavor to ensure that all students have access to personal digital and technology-enabled teaching and learning devices to foster the skills necessary for future-ready learners. The superintendent may establish relationships with businesses and seek grants and other funding sources in an effort to acquire additional technological resources for the educational program and to support continuous out-of-school Internet access for students.

A. INTEGRATION OF TECHNOLOGY INTO THE CURRICULUM

The board expects that information and communications technologies will be integrated seamlessly across the curriculum and used to support student achievement and to prepare students to be successful in college, in careers, and as globally engaged, productive citizens. The curriculum committee should provide suggestions in the curriculum guides referenced in policy 3115, Curriculum and Instructional Guides, for integrating technological resources (as defined in Section A below) into the educational program. School administrators and teachers are encouraged to develop additional strategies for integrating technological resources across the curriculum and utilizing the power of technology to personalize learning and improve learning outcomes while making more efficient use of resources. The strategies should be included in the school improvement plan if they require the transfer of funds or otherwise relate to any components of the school improvement plan.

The superintendent shall oversee development of the school system's digital teaching and learning vision as part of the school system's strategic plan and a yearly action plan that aligns to the vision. The development and ongoing review of the vision and the action plan will include various stakeholders such as curriculum leaders, teachers, administrators, students, parents, and representatives from technology services, instructional technology, finance, and other departments as required. The action plan will include adequate data privacy protections to secure student data and will take into account the level of out-of-school Internet access for students.

A. SELECTION OF TECHNOLOGICAL RESOURCES

Technological resources are information and communications technologies including, but not limited to, the following: (1) hardware, including both fixed and mobile technologies and devices such as desktop computers, laptops, netbooks, tablets, e-readers, smartphones, and gaming devices; (2) software, including cloud-based and web-based applications, programs, and platforms; (3) network and telecommunications systems and services; (4) Internet access; (5) multimedia equipped classrooms; (6) computer classrooms and laboratories; and (7) other existing or emerging mobile communications systems.

All technological resources must be purchased and used in a manner consistent with applicable law and board policy, including laws and policies related to copyright, public records, bidding, and other purchase requirements, accessibility for students with disabilities, staff duties, and standards for student behavior. Before acquiring a technological resource, school system officials must evaluate the costs, flexibility, and life cycle associated with the resource using any State Board of Education rules adopted in accordance with G.S. 115C-102.10.

Technological resources also must meet or exceed the following standards before they may be considered for implementation.

1. Technological resources must support the current statewide instructional standards or the programs of the school system.

2. Technological resources must support the current use of learning and instructional management technologies in the school.

3. Technological resources must be compatible with the condition of the network and other infrastructure resources. The technology director shall set minimum standards for technological resources that are purchased or donated. Upgrading, hardware conditions, and similar requirements must be maintained to the highest standards.

4. There must be sufficient staff to operate and maintain the technological equipment, programs, and systems.

5. There must be adequate funds budgeted to implement and support the technological resources and to train instructional staff to use the resources to improve educational outcomes.

Procurement of technological resources should be done in collaboration with teachers and technical support staff, as appropriate. Whenever possible, a pilot period to test the resource should occur prior to full purchase.

B. DEPLOYMENT OF TECHNOLOGY TO SCHOOLS

The superintendent shall oversee the development of the school system's technology deployment and refresh plan. The plan will be designed to ensure organized, effective, efficient, and sustainable means of deploying and maintaining technology resources and will establish appropriate refresh/replacement cycles. The superintendent shall develop procedures that outline the strategy of the technology deployment and refresh plan.

C. BRING YOUR OWN TECHNOLOGY (BYOT) INITIATIVE

The superintendent is authorized to investigate and develop a plan to allow staff and students the option to use their personal electronic devices in place of or along with their school system assigned devices. The plan should address, at a minimum, the instructional use of personal devices, compatibility requirements, access limitations or requirements, content filtering, security, and other issues as recommended by the technology director. The plan should assign personal responsibility to the user for repair and replacement of damaged or stolen devices and for any data or other charges arising from use of a personal device. The

plan should require a written agreement for the use of personal technology devices from each student and staff member who wishes to participate in the BYOT initiative. The plan should ensure that students who are unable to bring in outside technology will be able to access and utilize school equipment so that no student is excluded from instruction due to lack of access to technology.

D. ELECTRONIC COMMUNICATION AND OTHER COLLABORATIVE TOOLS

The superintendent is authorized to permit instructional personnel to incorporate email, social networking sites, blogs, wikis, video sharing sites, podcasts, video conferencing, online collaborations, instant messaging, texting, virtual learning environments, and/or other forms of direct electronic communications or Web 2.0 applications for educational purposes to the extent the superintendent deems appropriate and in accordance with policy 7335, Employee Use of Social Media. The superintendent shall establish parameters and rules for use of these tools and shall require instruction for students in how to use such tools in a safe, effective, and appropriate way. Instructional personnel shall make all reasonable attempts to monitor student online activity and shall otherwise comply with the requirements of policy 3225/4312/7320, Technology Responsible Use, when using these tools.

E. GENERATIVE ARTIFICIAL INTELLIGENCE (AI)

Generative artificial intelligence (AI) is an artificial intelligence tool that responds to a user's input or prompt by generating new text, images, audio, video, or content based on what it learned in its training data set. The board encourages the use of generative AI by school system employees and students to expand their skills and capabilities and to prepare students for a future AI-enhanced world. The superintendent or designee shall develop and maintain guidelines that detail the acceptable and responsible use of generative AI by school system employees and students. See also policy 3225/4312/7320, Technology Responsible Use.

All school system employees and students should be AI literate, that is, have an understanding of basic AI principles and applications, the skills to recognize when AI is employed, and awareness of its limits. The superintendent or designee shall develop a comprehensive AI literacy training strategy that involves training all employees and students in the effective, ethical, and safe use of generative AI tools. The training should equip employees with the necessary knowledge to effectively employ generative AI in their work while ensuring its safe and responsible integration into classroom instruction.

F. TECHNOLOGY-RELATED PROFESSIONAL DEVELOPMENT

The superintendent shall plan a program of professional development for digital teaching and learning that prepares administrators, teachers, coaches, school library media coordinators, and technical support staff to utilize digital tools and resources in accordance with the N.C. Digital Learning Competencies for Teachers and Administrators. Professional development shall emphasize technology integration and continuous improvement, including the use of ongoing technology-integrated online-learning activities throughout the course of study and the provision of personalized learning. Professional development shall also address the ethical, legal, and practical issues related to social networking and mobile devices in the

classroom and other topics deemed necessary by the superintendent or technology director. In addition, professional development shall involve training on generative AI, including its impact, effective use, capabilities, limitations, concerns, and responsible use. Staff will be trained both to use generative AI professionally and to guide students to effectively and ethically use generative AI as a learning partner. To the extent possible, job-specific professional development opportunities should be made available, as well as professional development that is personalized to meet the needs of individual staff.

School improvement teams should identify any staff development appropriations for technology-related professional development in their school improvement plans. The superintendent and technology director should assist schools in coordinating staff development needs as provided in policy 1610/7800, Professional and Staff Development.

Legal References: G.S. 115C-47(70), -102.10, -522, -528; 143B-1341; State Board of Education Policy SBOP-018

Cross References: Professional and Staff Development (policy 1610/7800), Curriculum and Instructional Guides (policy 3115), Technology Responsible Use (policy 3225/4312/7320), Internet Safety (policy 3226/4205), Copyright Compliance (policy 3230/7330), School Improvement Plan (policy 3430), Integrity and Civility (policy 4310), Public Records – Retention, Release, and Disposition (policy 5070/7350), Network Security (policy 6524), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335), Gifts and Bequests (policy 8220)

Other Resources: North Carolina Digital Teaching and Learning Competencies for Teachers and Administrators, available at https://www.dpi.nc.gov/districts-schools/districts-schools-support/digital-teaching-and-learning/digital-teaching-learning-standards#digital-learning-competencies-for-educators; The North Carolina Digital Learning Plan (2022), available at https://www.dpi.nc.gov/districts-schools/districts-schools-support/digital-teaching-and-learning/digital-learning-initiative#:~:text=The%20North%20Carolina%20Digital%20Learning%20Plan%20describes%20the,Learning%20Initiative.%202022%20North%20Carolina%20Digital%20Learning%20Plan; North Carolina Generative AI Implementation Recommendations and Considerations for PK-13 Public Schools, available at https://go.ncdpi.gov/AI_Guidelines

Adopted: July 15, 1999
Amended: July 13, 2010
Amended: December 13, 2012
Amended: September 14, 2015
Technical Corrections made: October 2, 2017
Amended: November 10, 2022
Amended: August 15, 2024
Amended: January 8, 2026

CHEROKEE COUNTY SCHOOLS
BRING YOUR OWN TECHNOLOGY (BYOT) AGREEMENT

Student Name: _____ Grade: _____ School: _____

Parent/Guardian Name: _____ Date: _____

The Bring Your Own Technology (BYOT) initiative allows students to bring their personal electronic devices to school for educational purposes. Participation in the BYOT program is voluntary and requires compliance with all terms and conditions outlined in this agreement.

1) ELIGIBLE DEVICES

Acceptable personal devices include, but are not limited to:

- Laptops and netbooks
- Tablets and e-readers
- Smartphones
- Other mobile computing devices approved by the technology director

2) TECHNICAL REQUIREMENTS

Personal devices must meet the following minimum standards:

- Be capable of connecting to the school's wireless network
- Have current operating system updates installed
- Have active antivirus/anti-malware protection (if applicable to device type)
- Be compatible with school-required applications and platforms
- Comply with content filtering requirements established by the school system

3) ACCEPTABLE USE

Students using personal devices must:

- Use devices only for educational purposes during instructional time as directed by teachers
- Follow all rules outlined in Board Policy 3225/4312/7320, Technology Responsible Use
- Comply with the school system's Internet Safety Policy (Policy 3226/4205)
- Respect copyright laws and intellectual property rights (Policy 3230/7330)
- Keep devices in silent mode unless otherwise directed by a teacher
- Secure devices when not in use
- Not use devices to capture, record, or transmit images, video, or audio of any person without explicit permission
- Not use devices to engage in cyberbullying, harassment, or any activity that violates the Student Code of Conduct

4) NETWORK ACCESS AND SECURITY

- Personal devices will connect only to the designated student wireless network
- Students may not attempt to bypass or disable network security features or content filters
- Students may not access inappropriate, illegal, or unauthorized content
- Students may not use personal devices to gain unauthorized access to school system networks, data, or resources
- The school system reserves the right to monitor network activity and examine devices if there is reasonable suspicion of policy violations
- Students must log out of school accounts when finished using them on personal devices

5) PERSONAL RESPONSIBILITY AND LIABILITY

The student and parent/guardian acknowledge and agree that:

- The school system is NOT responsible for the security, loss, theft, or damage of personal devices
- The school system is NOT responsible for any data charges, overage fees, or other costs associated with use of personal devices
- Students are solely responsible for keeping their devices charged and in working condition
- The school system is NOT responsible for providing technical support, troubleshooting, or repairs for personal devices
- Students must provide their own protective cases, charging cables, and accessories
- Lost or stolen devices should be reported immediately to school administration and local law enforcement

6) DATA PRIVACY AND CONFIDENTIALITY

- Students must maintain the confidentiality of their login credentials
- Students may not share accounts or passwords with others
- Personal devices accessing school resources must comply with all data privacy and student information protection requirements
- Students are responsible for securing any school-related data stored on their personal devices

7) CONSEQUENCES FOR MISUSE

Violation of this agreement or any related board policy may result in:

- Immediate revocation of BYOT privileges
- Disciplinary action in accordance with the Student Code of Conduct
- Confiscation of the device (to be returned to parent/guardian)
- Loss of network access privileges
- Other consequences as deemed appropriate by school administration

8) EQUITABLE ACCESS

- Students who choose not to participate in BYOT or who are unable to provide a personal device will have access to school-provided technology resources
- No student will be denied access to instructional content or activities due to lack of a personal device
- Teachers will ensure that all students can participate in learning activities regardless of device ownership

9) TEACHER DISCRETION

- Teachers have the authority to determine when and how personal devices may be used in their classrooms
- Teachers may restrict or prohibit device use at any time for instructional or classroom management purposes
- Students must comply immediately with teacher directives regarding device use

10) INSURANCE AND WARRANTIES

- The school system recommends that families consider insurance coverage for personal devices brought to school
- The school system makes no warranties regarding the functionality, compatibility, or reliability of personal devices on the school network

11) AMENDMENTS

The school system reserves the right to amend or revise this agreement at any time. Continued participation in the BYOT program constitutes acceptance of any modifications.

12) ACKNOWLEDGMENT AND CONSENT

By signing below, I acknowledge that I have read, understand, and agree to comply with all terms and conditions of this Bring Your Own Technology Agreement. I understand that violation of this agreement may result in loss of BYOT privileges and other disciplinary consequences. I further acknowledge that participation in BYOT is a privilege, not a right, and may be revoked at any time.

I understand that the school system is not responsible for any loss, theft, damage, or data charges related to my personal device, and I assume all risks associated with bringing my personal device to school.

_____ _____

Student Signature Date

_____ _____

Parent/Guardian Signature Date

_____ _____

School Administrator Signature Date

For Office Use Only:

Device Type: _____ Device ID/Serial (optional): _____

Network Access Granted: _____ Date Approved: _____ Expiration Date: _____

Cherokee County Schools Recognizes the need for network technologies and all associated resources. These systems provide students and faculty with viable information and services. In order to maintain a secure and reliable networking environment, specific security measures must be followed. It is critical that all staff members understand the importance of network security and understand all district-wide policies and guidelines. This information should be established and presented to all staff members. The following guidelines and actions will be taken to ensure network security awareness within Cherokee County Schools.

Security Awareness Guidelines

1. All new employees will attend a technology orientation before receiving a network account.

2. All CCS employees will be required to read the Board Policy Manual and sign when any changes occur to such policies.

3. The Technology Services Department will publish all technology and security related policies or guidelines on the district web-site.

4. The Technology Director will give guidance to LEA administrators when necessary on updated security protocols.

5. All CCS staff members will sign the Acceptable Use Agreement prior to receiving a network account.

6. A privacy and network security disclaimer will be displayed at each user log in session.

7. All CCS employees have the responsibility to alert school or district administration when network security policies or guidelines have been neglected.

8. Cherokee County Schools will designate a Technology Services Staff Member as the Security Awareness Administrator. This responsibility will be in accordance with NC WISE guidelines.

Legal References: GS 147-33.111

Cross Reference: CCS Acceptable Use (Policy 3225/7320), CCS Network Security (Policy)

Adopted: October 13, 2005

Cherokee County Schools will use state mandated technology resources to provide reliable and efficient services for the students and staff members within Cherokee County School District. In order to provide these services, all technology and network resources must be maintained to meet state regulations, guidelines, and security requirements. All computer equipment connected to the CCS network will abide by the following guidelines to ensure data privacy, efficient fiscal management, and appropriate use of system resources. The following guidelines and standards have been established in accordance with the NC WISE Security Standards, IRMC Information Resource Management Commission, and Vendor Specific Security Requests.

User I.D. and Password Standards

1. All users accessing the CCS Network or NC WISE application will be uniquely identified with an ID that is associated only with that user.
2. User accounts will be appointed at time of employment and will be disabled within 30 days of resignation.
3. Unsuccessful login attempts shall be limited to three attempts before the logon process is disabled.
4. User Accounts that are inactive for 30 days will be disabled.
5. Only authorized Network Security Administrators will be allowed to enable, disable, or change a user account.
6. Passwords should not contain dictionary words or abbreviations for common terms.
7. All passwords should contain at least 8 characters, must contain a capital letter, and must contain a symbol or number.
8. Passwords will expire every 90 days. Individual users will be prompted to change passwords as the system requires. If passwords are not changed user accounts will not be allowed access.
9. Passwords cannot be reused until 6 additional passwords have been created.
10. Users should not give personal account information to ANYONE that is not authorized by the CCS Technology Services Department.
11. Volunteers will not have access to the NCWISE system.
12. CCS staff members will be given access to NC WISE based on particular job functions and duties. Staff members may not share account information with unauthorized personnel.
13. Should users loose or forget account information, the CCS Technology Service Department should be contacted to issue a new account.
14. Consequences for violations of the user account policies shall be at the discretion of the Superintendent.

Workstation Security Standards

1. Every CCS computer workstation will have an approved LEA screen saver with a screen lock feature that will engage after the keyboard and mouse have been idle for a period of 10 minutes or less.
2. Anti-Virus software should be installed on each computer. CCS Technology Services will be responsible for this feature.
3. No User Accounts Passwords or NC WISE Passwords should be displayed in clear text on a desktop or near a computer system.
4. Only CCS approved software may be installed on the computer system.
5. Browsers should be configured so that passwords for websites are not stored in the browser.
6. All users will have restricted rights on desktop computer systems. No users should install software or download unauthorized applications.
7. No system configurations may be changed on desktop systems.
8. Should staff members use personal computer equipment on the CCS network, all applicable policies and guidelines apply.
9. The CCS Technology Services Department has the right to change any or all security policies at the suggestion of state guidelines or standards.
10. Misuse of CCS workstations or equipment may result in removal of network account privileges and will be at the discretion of the Superintendent.

Legal References: GS 147-33.111, SBE EEO-018, SB 991,2004

Cross Reference: CCS Acceptable Use (Policy 3225/7320), CCS Network Security (Policy)

Adopted: October 13, 2005

The board provides its students and staff access to a variety of technological resources. These resources provide opportunities to enhance learning, appeal to different learning styles, improve communication within the school community and with the larger global community, and achieve the educational goals established by the board. Through the school system's technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects, and acquire access to current and in-depth information.

The board intends that students and employees benefit from these resources while remaining within the bounds of safe, legal, and responsible use. Accordingly, the board establishes this policy to govern student and employee use of any technological resources owned, leased, maintained, or otherwise controlled by the school system. This policy applies regardless of whether such use occurs on or off school system property, and it applies to all school system technological resources, including but not limited to computer networks and connections, the resources, tools, and learning environments made available by or on the networks, and all devices that connect to those networks.

A. EXPECTATIONS FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES

The use of school system technological resources, including access to the Internet, is expected to be exercised in an appropriate and responsible manner. Individual users of the school system's technological resources are responsible for their behavior and communications when using those resources. Responsible use of school system technological resources is use that is ethical, respectful, academically honest, and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette.

General student and employee behavior standards, including those prescribed in applicable board policies, the Code of Student Conduct, and other regulations and school rules, apply to use of school technological resources, including access to the Internet.

In addition, anyone who uses school system computers or electronic devices, accesses the school's electronic storage or network, or connects to the Internet using school system-provided access must comply with the additional rules for responsible use listed in Section B, below. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive.

All students must be trained about appropriate online behavior as provided in policy 3226/4205, Internet Safety.

B. RULES FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES

1. School system technological resources are provided for school-related purposes only. Acceptable uses of such technological resources are limited to responsible, efficient, and legal activities that support learning and teaching. Use of school

system technological resources for commercial gain or profit is prohibited.

Student personal use of school system technological resources for amusement or entertainment is prohibited unless approved for special situations by the teacher or school administrator. In addition, student access to social media platforms is prohibited, except when expressly directed by a teacher solely for educational purposes.

2. Because some incidental and occasional personal use by employees is inevitable, the board permits infrequent and brief personal use by employees so long as it occurs on personal time, does not interfere with school system business, and is not otherwise prohibited by board policy or procedure.

   The superintendent or designee will provide guidelines to ensure that any Wi-Fi hotspots used off school system property were not purchased using E-Rate funds.

3. Unless authorized by law to do so, users may not make copies of software purchased by the school system. Under no circumstance may software purchased by the school system be copied for personal use.

4. Users must comply with all applicable laws, board policies, administrative regulations, and school standards and rules, including those relating to copyrights and trademarks, confidential information, and public records. Plagiarism of Internet resources will be treated in the same manner as any other incidents of plagiarism, as stated in the Code of Student Conduct.

5. Users must follow any software, application, or subscription services terms and conditions of use.

6. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally viewing, accessing, downloading, storing, printing, or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages, or other material that is obscene, defamatory, profane, pornographic, harassing, abusive, or considered to be harmful to minors.

7. Users must not circumvent fire walls. The use of anonymous proxies to circumvent content filtering is prohibited.

8. Users may not install or use any Internet-based file sharing program designed to facilitate sharing of copyrighted material.

9. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).

10. Users must respect the privacy of others.

    a. *School employees may disclose student directory information (such as name, photograph, or digital image) on school system websites and web pages unless parents/guardians/eligible students have opted out of the release of directory information pursuant to the Family Educational Rights and Privacy Act (FERPA) and in accordance with Policy 4700, Student Records.*[1]

    b. Students must not reveal any personally identifying, private, or confidential information about themselves or fellow students when using email, chat rooms, blogs, or other forms of electronic communication. Such information includes, for example, a person's home address or telephone number, credit or checking account information, or social security number. For further information regarding what constitutes personal identifying information, see policy 4705/7825, Confidentiality of Personal Identifying Information.

11. School employees must not disclose on school system websites or web pages or elsewhere on the Internet any personally identifiable, private, or confidential information concerning students (including names, addresses, or pictures) without the written permission of a parent or guardian or an eligible student, except as otherwise permitted by the Family Educational Rights and Privacy Act (FERPA) or policy 4700, Student Records.

    a. Users may not forward or post personal communications without the author's prior consent.

    b. Students may not use school system technological resources to capture audio, video, or still pictures of other students and/or employees in which such individuals can be personally identified, nor share such recordings or pictures in any way, without the consent of the other students and/or employees and the principal or designee. An exception will be made for recordings at events that are open to the public, such as athletic competitions, band and choral concerts, assemblies, presentations, and award ceremonies. If recording at a public event is restricted for any reason, including due to copyright issues (e.g., a school play), students, employees, and all other members of the audience will be notified of the recording restrictions before the event begins.

12. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software, computer networks, or data of any user connected to school system technological resources. Users may not knowingly or negligently

[1] Recommended inclusion from Campbell Shatley.

transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance, including by streaming audio or video for non-instructional purposes. Users may not disable antivirus programs installed on school system-owned or issued devices.

13. Users may not create or introduce games, network communications programs, or any foreign program or software onto any school system computer, electronic device, or network without the express permission of the technology director or designee.

14. Users are prohibited from engaging in unauthorized or unlawful activities, such as "hacking" or using the computer network to gain or attempt to gain unauthorized or unlawful access to other computers, computer systems, accounts, data, or information.

15. Users are prohibited from using another individual's ID or password for any technological resource or account without permission from the individual. Sharing of an individual's ID or password is strongly discouraged. If an ID or password must be shared for a unique classroom situation, students must have permission from the teacher or other school official.

16. Users may not read, alter, change, block, execute, or delete files or communications belonging to another user without the owner's express prior permission.

17. Employees shall not use passwords or user IDs for any data system (e.g., the state student information and instructional improvement system applications, time-keeping software, etc.) for an unauthorized or improper purpose.

18. If a user identifies or encounters an instance of unauthorized access or another security concern, he or she must immediately notify a teacher, school system administrator, or the technology director or designee. Users must not share the problem with other users. Any user identified as a security risk will be denied access.

19. It is the user's responsibility to back up data and other important files.

20. Employees shall make reasonable efforts to supervise students' use of the Internet during instructional time.

21. Views may be expressed on the Internet or other technological resources as representing the view of the school system or part of the school system only with prior approval by the superintendent or designee.

22. Users who are issued school system-owned and -maintained devices for home use

(such as laptops, Chromebooks, etc.) must adhere to any other reasonable rules or guidelines issued by the superintendent or technology director for the use of such devices.

Exceptions to these rules may be made for employees whose activities are necessary to carry out their job responsibilities and are authorized by law.

C. RESTRICTED MATERIAL ON THE INTERNET

The Internet and electronic communications offer fluid environments in which students may access or be exposed to materials and information from diverse and rapidly changing sources, including some that may be harmful to students. The board recognizes that it is impossible to predict with certainty what information on the Internet students may access or obtain. Nevertheless, school system personnel shall take reasonable precautions to prevent students from accessing material and information that is obscene, pornographic, or otherwise age-inappropriate or harmful to minors, including violence, nudity, or graphic language that does not serve a legitimate pedagogical purpose as well as websites, web applications, or software that do not protect against the disclosure, use, or dissemination of a student's personal information. The superintendent shall ensure that technology protection measures are used as provided in policy 3226/4205, Internet Safety, and are disabled or minimized only when permitted by law and board policy. The board is not responsible for the content accessed by using a cellular network to connect a personal device to the Internet.

D. PRIVACY

Students, employees, visitors, and other users have no expectation of privacy in anything they create, store, send, delete, receive, or display when using the school system's network, devices, Internet access, email system, or other technological resources owned or issued by the school system, whether the resources are used at school or elsewhere, and even if the use is for personal purposes. Users should not assume that files or communications created, transmitted, or displayed using school system technological resources or stored on servers, the storage mediums of individual devices, or on school managed cloud services will be private. Under certain circumstances, school officials may be required to disclose such electronic information to law enforcement or other third parties, for example, as a response to a document production request in a lawsuit against the board, in response to a public records request, or as evidence of illegal activity in a criminal investigation.

The school system may, without notice, (1) monitor, track, and/or log network access, communications, and use; (2) monitor and allocate fileserver space; and (3) access, review, copy, store, delete, or disclose the content of all user files, regardless of medium, the content of electronic mailboxes issued by the school system, and system outputs, such as printouts, at any time for any lawful purpose. Such purposes may include, but are not limited to, maintaining system integrity, security, or functionality, ensuring compliance

with board policy and applicable laws and regulations, protecting the school system from liability, and complying with public records requests. School system personnel shall monitor online activities of individuals who access the Internet via a school-owned device.

By using the school system's network, Internet access, electronic devices, email system, devices, or other technological resources, individuals consent to have that use monitored by authorized school system personnel as described in this policy.

E. USE OF PERSONAL TECHNOLOGY ON SCHOOL SYSTEM PROPERTY

Users may not use private WiFi hotspots or other personal technology on campus to access the Internet outside the school system's wireless network. Each principal may establish rules for his or her school site as to whether and how other personal technology devices (including, but not limited to smart phones, tablets, laptops, etc.) may be used on campus. Students' devices are governed also by policy 4318, Use of Wireless Communication Devices. Use of personal technology devices is also subject to any rules established by the superintendent under a bring your own device plan authorized by Section C of policy 3220, Technology in the Educational Program, and for employees, policy 3228/7323, Use of Personal Technology to Conduct School Business. The school system assumes no responsibility for personal technology devices brought to school.

F. PERSONAL WEBSITES

The superintendent may use any means available to request the removal of personal websites that substantially disrupt the school environment or that utilize school system or individual school names, logos, or trademarks without permission.

1. Students

   Though school personnel generally do not monitor students' Internet activity conducted on non-school system devices during non-school hours, when the student's online behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with board policy to the extent consistent with law (see the student behavior policies in the 4300 series).

2. Employees

   Employees' personal websites are subject to policy 7335, Employee Use of Social Media. Employees may not use their personal websites to communicate with students, as prohibited by policy 7335 and policy 4040/7310, Staff-Student

Relations, unless the communication has been approved by the principal.[2]

3. Volunteers

Volunteers are to maintain appropriate relationships with students at all times. Volunteers are encouraged to block students from viewing personal information on volunteer personal websites or online networking profiles in order to prevent the possibility that students could view materials that are not age appropriate. An individual volunteer's relationship with the school system may be terminated if the volunteer engages in inappropriate online interaction with students.

G. USE AGREEMENTS

All students, parents, and employees will be informed annually of the information in this policy and in any applicable generative artificial intelligence (AI) guidelines developed in accordance with policy 3220, Technology in the Educational Program. Prior to using school system technological resources, students and employees must agree to comply with the requirements of this policy and the generative AI guidelines and consent to the school system's use of monitoring systems to monitor and detect inappropriate use of technological resources. In addition, the student's parent must consent to the student accessing the Internet and to the school system monitoring the student's Internet activity and electronic mailbox issued by the school system and must sign a copy of the generative AI guidelines.

G. CONSEQUENCES

Based on the nature and severity of the offense and the circumstances surrounding the incident, violations of this policy will result in appropriate remedial actions or discipline up to and including long-term suspension for students and dismissal for employees and may result in revocation of user privileges. Willful misuse may also result in criminal prosecution under applicable state and federal law.

Legal References: U.S. Const. amend. I; Children's Internet Protection Act, 47 U.S.C. 254(h)(5), 47 C.F.R. 54.516; 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. 7131; G.S. 115C-47(70), -102.10, -325(e) (applicable to career status teachers), -325.4 (applicable to non-career status teachers); 143-805

Cross References: Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Internet Safety (policy 3226/4205), Web Page Development (policy 3227/7322), Use of Personal Technology to Conduct School Business (policy 3228/7323), Copyright Compliance (policy 3230/7330), Student Behavior Policies (all policies

[2] Recommended modification from Campbell Shatley

in the 4300 series), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records – Retention, Release, and Disposition (policy 5070/7350), Use of Equipment, Materials, and Supplies (policy 6520), Network Security (policy 6524), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335)

Adopted: October 8, 2002
Amended: July 13, 2010
Amended: May 10, 2012
Amended: September 13, 2012
Amended: August 8, 2013
Amended: October 9, 2014
Amended: June 8, 2015
Amended: March 9, 2017
Amended: November 4, 2021
Amended: August 15, 2024
Amended: June 26, 2025
Amended: December 4, 2025
Amended: July 16, 2026

TECHNOLOGY RESPONSIBLE USE
Information Technology Resources:
NC Generative AI Implementation Recommendations and Considerations for PK-13 Public Schools

The school's information technology resources, including email and Internet access, are provided for educational purposes. Adherence to the following policy is necessary for continued access to the school's technological resources:

I WILL RESPECT AND PROTECT THE PRIVACY OF OTHERS

- I will use only my assigned accounts.
- I will not view, use, or copy passwords, data, or networks to which I am not authorized.

I WILL NOT

- post anything rude, offensive, or threatening.
- send, text or forward images and information that might embarrass, hurt, or harass someone either through any network, including cell phone accessible networks.
- take anyone's personal information and use it to damage his or her reputation
- not post or distribute private information about others or myself.
- use network access or telecommunications to bully another person.
- build a fake profile or website;
- post or encourage others to post on the Internet private, personal or sexual information regarding a school employee;
- post a real or doctored image of a school employee on the Internet;
- accessing, altering or erasing any computer network, data, program or software or breaking into a password-protected account or stealing or other-wise accessing passwords; and
- sending repeated, continuing or sustained emails to school employees.
- make statements, whether true or false, intending to immediately provoke, and is likely to provoke, any third party to stalk or harass a school employee.
- copy and disseminate any data pertaining to a school employee for the purpose of intimidating or tormenting that employee.
- sign-up a school employee for a pornographic Internet site; and
- Without permission, sign-up a school employee to receive junk email and instant messages.
- create a "hot spot" or utilize a 3rd party carrier to initiate activity or engage in any action that is prohibited in this acceptable use policy.

I WILL THINK BEFORE I POST OR FORWARD

- I agree not to post, share information and images that could put me at risk, embarrass me, or damage my future, such as
    - cell home phone numbers
    - home address
    - sexual messages (sexting)
    - inappropriate pictures and videos

I WILL PROTECT MYSELF ONLINE

- If someone makes me feel uncomfortable or if someone is rude or offensive: I will not respond. I will save the evidence and tell my parent, guardian, teacher or another trusted adult. I will then report to the website, cell phone company, CyberTipline.com, or the police

I WILL PROTECT AND RESPECT THE INTEGRITY, AVAILABILITY, AND SECURITY OF ALL ELECTRONIC RESOURCES

- observe all network security practices, as posted.
- report security risks or violations to a teacher or network administrator.
- not destroy or damage data, networks, or other resources that do not belong to them, without clear permission of the owner.
- conserve, protect, and share these resources with other students and Internet users.
- refrain from circumventing or attempting to circumvent the filter. Follow appropriate procedures to unblock needed web sites and applications.

I WILL RESPECT AND PROTECT THE INTELLECTUAL PROPERTY OF OTHERS

- not infringe copyrights (no making illegal copies of music, games, or movies!).
- not plagiarize.

I WILL ONLY ATTEMPT TO DO THE FOLLOWING IF ACCORDANCE WITH THE POLICIES DISCUSSED IN THIS

- design and post web activities which may include web sites/pages and other material from school resources, when completed in conjunction with a class, curriculum assignment, or under the supervision of an instructor or sponsor for school purposes.
- use direct communications such as online chat or instant messaging with a teacher's permission only.
- install or download software, if also in conformity with laws and licenses, and under the supervision of a teacher.
- use the resources for any educational purpose.

I UNDERSTAND THE CONSEQUENCES FOR VIOLATION

- Violations of these rules may result in disciplinary action, including the loss of a student's privileges to use the school's information technology resources. These privileges could be suspended for a time, or suspended indefinitely depending upon the severity of the activity.

I UNDERSTAND THAT FOR MY SAFETY, NETWORK ACTIVITIES ARE SUPERVISED AND MONITORED

- School and network administrators and their authorized employees monitor the use of information technology resources to help ensure that uses are secure and in conformity with this policy. Administrators reserve the right to examine, use, and disclose any data found on the school's information networks, or any network utilized within the school, in order to further the health, safety, discipline, or security of any student or other person, or to protect property. They may also use this information in disciplinary actions, and will furnish evidence of crime to law enforcement. Teachers and building administrators also have full latitude to make decisions regarding the student's information technology usage and discipline accordingly.

I ACKNOWLEDGE AND UNDERSTAND MY OBLIGATIONS:

Student Date

Parent / Guardian Date

STAFF AGREEMENT

As an employee of Cherokee County Schools, I hereby agree to comply with the regulations stated in the *Technology Responsible Use Policy*, as well as other regulations established to protect the integrity of electronic resources. I will communicate over the network in a responsible fashion and honor all relevant laws and restrictions.

- I have a clear understanding that CCSNet is to be used in a responsible manner in the performance of my duties as assigned by Cherokee County Schools.

Signature _____

Printed Name _____

Date _____

Last 4 digits of the Social Security # _____

A. INTRODUCTION

It is the policy of the board to: (a) prevent user access via its technological resources to, or transmission of, inappropriate material on the Internet or through electronic mail or other forms of direct electronic communications; (b) prevent unauthorized access to the Internet and devices or programs connected to or accessible through the Internet; (c) prevent other unlawful online activity; (d) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (e) comply with the Children's Internet Protection Act.

B. DEFINITIONS

1. Technology Protection Measure

   The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors.

2. Harmful to Minors

   The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

   a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

   b. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

   c. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

3. Child Pornography

   The term "child pornography" means any visual depiction, including any photograph, film, video picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:

   a. the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;

   b. such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or

c. such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

4. Sexual Act; Sexual Contact

The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

5. Minor

For purposes of this policy, the term "minor" means any individual who has not attained the age of 17 years.

C. ACCESS TO INAPPROPRIATE MATERIAL

To the extent practical, technology protection measures (or "Internet filters") will be used to block or filter access to inappropriate information on the Internet and World Wide Web. Specifically, blocking will be applied to audio and visual depictions deemed obscene or to be child pornography or harmful to minors as well as to websites or web applications that do not protect against the disclosure, use, or dissemination of students' personal information. Student access to other materials that are inappropriate to minors will also be restricted. The board has determined that audio or visual materials that depict violence, nudity, or graphic language that does not serve a legitimate pedagogical purpose are inappropriate for minors. The superintendent, in conjunction with a school media and technology advisory committee (see policy 3200, Selection of Instructional Materials), shall make a determination regarding what other matter or materials are inappropriate for minors. School system personnel may not restrict Internet access to ideas, perspectives, or viewpoints if the restriction is motivated solely by disapproval of the viewpoints involved.

A student or employee must immediately notify the appropriate school official if the student or employee believes that a website or web content that is available to students through the school system's Internet access is obscene, constitutes child pornography, is "harmful to minors" as defined by CIPA, or is otherwise inappropriate for students. Students must notify a teacher or the school principal; employees must notify the superintendent or designee.

Due to the dynamic nature of the Internet, sometimes Internet websites and web material that should not be restricted are blocked by the Internet filter. A student or employee who believes that a website or web content has been improperly blocked by the school system's filter should bring the website to the attention of the principal. The principal shall confer with the technology director to determine whether the site or content should be unblocked. The principal shall notify the student or teacher promptly of the decision. The decision may be appealed through the school system's grievance procedure. (See policies 1740/4010, Student and Parent Grievance Procedure, and 1750/7220, Grievance

Procedure for Employees.)

Subject to staff supervision, technology protection measures may be disabled during use by an adult for bona fide research or other lawful purposes.

D. INAPPROPRIATE NETWORK USAGE

All users of school system technological resources are expected to comply with the requirements established in policy 3225/4312/7320, Technology Responsible Use. In particular, users are prohibited from: (a) attempting to gain unauthorized access, including "hacking" and engaging in other similar unlawful activities; and (b) engaging in the unauthorized disclosure, use, or dissemination of personal identifying information regarding minors.

E. EDUCATION, SUPERVISION, AND MONITORING

To the extent practical, steps will be taken to protect the safety and security of users of the school system's online computer network, especially when they are using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. It is the responsibility of all school personnel to educate, supervise, and monitor usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures are the responsibility of the technology director or designated representatives.

The technology director or designated representatives shall provide age-appropriate training for students who use the school system's Internet services. The training provided will be designed to promote the school system's commitment to educating students in digital literacy and citizenship, including:

1. the standards and acceptable use of Internet services as set forth in policy 3225/4312/7320, Technology Responsible Use;

2. student safety with regard to safety on the Internet, appropriate behavior while online, including behavior on social networking websites and in chat rooms, and cyberbullying awareness and response; and

3. compliance with the E-rate requirements of the Children's Internet Protection Act.

Following receipt of this training, the student must acknowledge that he or she received the training, understood it, and will follow the provisions of policy 3225/4312/7320, Technology Responsible Use.

The superintendent shall develop any regulations needed to implement this policy and shall submit any certifications necessary to demonstrate compliance with this policy.

Legal References: Children's Internet Protection Act, 47 U.S.C. 254(h); Neighborhood Children's Internet Protection Act, 47 U.S.C. 254(l); Protecting Children in the 21st Century Act, 47, U.S.C. 254(h); G.S. 115C-47(70); -102.10

Cross References: Professional and Staff Development (policy 1610/7800), Student and Parent Grievance Procedure (policy 1740/4010), Grievance Procedure for Employees (policy 1750/7220), Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), School Improvement Plan (policy 3430), Use of Equipment, Materials, and Supplies (policy 6520), Network Security (policy 6524)

Adopted: December 13, 2012
Amended: October 9, 2014
Amended: December 4, 2025

Consistent with policy 3225/4312/7320, Technology Responsible Use, and in an effort to further the school system's objectives, the board of education encourages the use of the Internet as a means of providing accessible, accurate, and timely information for employees, students, parents, and others in the larger community. The Internet affords the school system the opportunity to communicate with its communities by posting pertinent system and school information online. The school system has established its system website online at cherokee.k12.nc.us. The school system website is the official website of the school system. In addition to this website, individual schools and departments may create system-related school websites. This policy provides the standards that must be followed for development of all system-related websites. Failure to comply with this policy may result in the removal of a web page or website from the Internet.

A. SYSTEM-RELATED WEBSITE

A "system-related website" is any Internet website that is established in one of the following ways:

1. by school system employees or students on behalf of the system;

2. by any school within the system;

3. by any school-sponsored club or organization within the system; or

4. by students as part of an educational assignment.

Only those websites that are created pursuant to this policy are considered system-related websites. The board does not endorse and is not responsible for websites created by employees, students, or others outside of the standards and guidelines of this policy. Students or employees who create personal websites that result in a substantial and material disruption to the school environment may be subject to disciplinary action.

B. STANDARDS FOR WEB PAGE DEVELOPMENT

1. Non-Public or Closed Forums for Expression

   All system-related websites are "non-public" or "closed" forums for expression. This means that the system has control over information on such websites and is not required to allow students, teachers, or others to place material on system-related websites. The purpose of system-related websites is to disseminate curriculum-related information; to present the public with information about the system, its schools, and its programs; and to provide the community with each school or department's mission, contact information, activities, organizational format, and instructional program. System-related websites are analogous to newsletters from the administration or the individual school. System-related websites are not analogous to a student newspaper or a non-school publication.

2. Administration and Editorial Control

All employees responsible for creating, developing, maintaining, editing, or approving a system-related website shall act legally, responsibly, and ethically in providing educational resources and information to support the mission and curriculum of the school system. Such persons shall abide by the generally accepted rules of website etiquette, board policy, and regulations established by the superintendent.

a. Superintendent Final Authority

The superintendent or designee may delegate authority to place information on a system-related website; however, the superintendent has the final authority to approve or disapprove any information in whatever form on any such system-related websites.

b. School System Official Website

The superintendent or designee has editorial control and responsibility for the content of the school system official website. The superintendent shall appoint a staff member to serve as the web manager/editor of the system website.

c. Individual School Websites

Each school will be provided with a web address, web design software, and disk space on the system server. All system-related websites will be housed on the system web server. Each principal has editorial control and responsibility for the content of his or her individual school's official website, subject to review of the superintendent or designee. The principal may appoint a staff member to serve as the web manager of the school's website and a website committee to advise the web manager and principal regarding the content of the school's website. Individual school websites must comply with the additional guidelines provided below.

d. Teacher and Student Websites

Each teacher has editorial control over and responsibility for the content of his or her official website and for the content of his or her students' authorized websites, subject to review by the principal, the superintendent, and the board. With the knowledge and written consent of a student's parent or guardian, a teacher may allow a student to create a website within or linked from a school's or teacher's website only for the following instructional purposes: (1) to teach a student how to create or maintain a website or (2) to facilitate a student's work on school assignments or research projects. No student pages may be posted or

made accessible to the general public until approved by the principal or designee.

e. Personal Websites

The school system is not responsible for personal websites or web pages created or maintained by members of the board of education, students, employees, parents, groups, or organizations. Personal websites or web pages are not considered system-related websites or web pages and are not covered by the provisions of this policy. (For further information regarding personal websites, see policy 7335, Employee Use of Social Media, and policy 3225/4312/7320, Technology Responsible Use.)

The superintendent may use any means available to request the removal of personal websites or web pages that substantially disrupt the school environment or that utilize school system or individual school names, logos, or trademarks without permission.

3. Website Appearance and Evaluation

Web page content must be kept current and be maintained regularly. All system-related websites must include the name of the web page author, the date produced or revised, and the e-mail address of the author. The superintendent or designee (for the official system website) or the principal or designee (for individual school websites) must regularly review, proof, and evaluate all system-related websites.

4. Copyright Laws

No information or graphics may be posted on websites in violation of any copyright laws or policy 3230/7330, Copyright Compliance. Copyright permission must be obtained for the use of any copyrighted material unless use is permitted as "fair use" under federal law. The superintendent or designee and each principal or designee is responsible for maintaining copies of permission granted for the use of copyrighted material.

5. Links

a. Internal Links

Each page of a system-related website must include a reference and hyperlink to the school system official website home page. In addition, all system-related websites must include a link to this policy and to policy 3225/4312/7320, Technology Responsible Use.

b. External Links

The superintendent and designee have editorial control over and responsibility for the linking of a system-related website to other sites on the Internet that are appropriate to the mission of the school system. Links to external sites (including externally hosted teacher classroom sites) must be approved by the principal. If required, web managers must obtain permission from external websites before links are established from any system-related website to external websites. To the extent possible, school personnel shall determine the extent to which a secondary site is linked to other sites on the Internet and whether such sites are appropriate for access through the school system websites. Web managers shall periodically check external links for accuracy and appropriateness of content. School employees must report any inappropriate links to the web manager.

Since the school system cannot control the content of other sites on the Internet and their linkages, the following disclaimer statement must be inserted in a prominent position on the official system website, on each school's web page and on other system-related websites that contain links to other websites or web pages that are not system-related websites:

> *The school system retains control over what links will be placed on system-related websites; however, the linked sites themselves are not under the control of the school system, its agents, or its employees. The school system is not responsible for the contents of any linked site, any link contained in a linked site, or any changes or updates to such sites. The school system provides links as a convenience, and the inclusion of any link does not imply endorsement of the site by the school system. The school system reserves the right to remove or restrict any links.*

c. Links to Personal Pages

School websites or web pages may not contain links to personal web pages of students or employees or lists of personal web pages.

6. Behavior Standards

When using the Internet, employees and students are responsible for understanding and complying with board policies and administrative regulations, including policy 3225/4312/7320, Technology Responsible Use; student behavior policies in the 4300 series; and policy 7300, Staff Responsibilities.

7. Accessibility of Website and Web Content

The web manager/editor, in consultation with the technology director, shall ensure that the school system website and web content meet required standards to ensure accessibility for persons with disabilities.

C. GUIDELINES FOR INDIVIDUAL SCHOOL WEBSITES

Each school may promote itself by publishing an official school web page on the Internet only via the official school system website. In addition to the standards above, the following standards apply to individual school websites.

1. The content of school web pages must be approved by the school principal.

2. The safety of students and employees must be considered when constructing school web pages. To protect the safety of students and employees, the following precautions must be taken:

   a. home addresses or telephone numbers will not be listed;

   b. student e-mail addresses will not be listed;

   c. photographs of students and student work will be used only with appropriate parental permission and/or as approved for release as directory information under policy 4700, Student Records, and will include only the student's first name, with no other information about the student.

   The principal or designee is responsible for maintaining records of permission granted for the release of information. The principal should implement other safety precautions, as necessary, to be followed when constructing web pages.

3. To protect a student's rights in his or her intellectual property, if a school or teacher publishes a student's work, a disclaimer should be provided indicating the terms of redistribution or reuse.

4. Schools must provide contact information and other general information about the school on the school website, including the school's name, phone number, fax number, grade levels, and address, the principal's name, and the e-mail addresses of the school administrative team.

5. Graphics used on school websites must be appropriate to the school and should be of a size that will download quickly into a web browser.

6. Schools must keep information presented on their school's web page current, accurate, and grammatically correct.

7. The principal or designee must approve all revisions and additions to the school website.

8. Failure to comply with these guidelines or the standards of this policy, as determined by the superintendent or designee, may result in the removal of a

school's web page from the Internet.

Legal References: U.S. Const. Amend. I; Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; 17 U.S.C. 101 *et seq.*; G.S. 115C-325(e) (applicable to career status teachers), -325.4 (applicable to non-career status teachers); 168A-7

Cross References: Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), Copyright Compliance (policy 3230/7330), Student Behavior Policies (4300 series), Student Records (policy 4700), Public Records – Retention, Release, and Disposition (policy 5070/7350), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335), Personnel Files (policy 7820)

Other Resources: Web Content Accessibility Guidelines 2.1, Level AA, available at https://perma.cc/UB8A-GG2F

Adopted: September 13, 2012
Amended: November 13, 2014
Amended: November 21, 2024
Amended: December 4, 2025

The board recognizes that employees may use a variety of personal technology devices and accounts in their personal lives. At times, it may be convenient for employees to use their personal technology devices and accounts to conduct school business. Although such use of personal technology devices and accounts may be convenient, it is likely to produce a conflict between employees' interests and the school's obligations: employees ordinarily expect privacy in their personal technology devices and accounts, but the school is legally obligated to preserve certain school business-related electronically stored information ("ESI").

School business-related ESI (including text messages and e-mails) sent and/or received by an employee using a personal technology device or account may constitute public records or student education records, and as a result may require retention and disclosure by the school system. In the event of litigation, school business-related ESI located on a personal technology device or account may be subject to discovery and a litigation hold.

A. LIMITATIONS ON USE

Unless otherwise authorized by a BYOT (Bring Your Own Technology) initiative, employees are expected to use school-controlled technology devices and accounts for conducting school business and storing school business-related ESI when such devices and accounts are readily available. Any use of personal technology devices and accounts is subject to this policy and all other relevant board policies, including but not limited to policy 3225/4312/7320, Technology Responsible Use, and policy 7335, Employee Use of Social Media.

1. Personal Technology Devices

   For purposes of this policy, "personal technology device" means a technology device that is not under the control of the school system and which the school system does not have the ability to access without the employee's assistance. This definition includes, but is not limited to, computers, phones, tablets, and other technological devices that are owned or leased by an employee.

   Use of personal technology devices to conduct school business or to store school business-related ESI is authorized only when (1) done in accordance with an official BYOT program; (2) the use is occasional and incidental to the regular use of school-controlled technology devices; or (3) the superintendent or designee has pre-approved in writing the employee's regular use of personal technology for conducting school business and/or storing school business-related ESI.

   For purposes of this policy, "personal external storage device" means a device that has a primary purpose of storing data, is not under the control of the school system, and which the school system does not have the ability to access without the employee's assistance. Personal external storage devices constitute personal technology devices for purposes of this policy, but are subject to the following additional limitation: employees are prohibited from storing school business-

related ESI on personal external storage devices, including, but not limited to, external hard drives, USB flash drives, flash memory cards, DVDs, compact discs, or magnetic tape, unless specifically authorized to do so by the superintendent or designee in writing.

2. Personal Accounts

For purposes of this policy, "personal account" means an account that is not under the control of the school system and which the school system does not have the ability to access without the employee's assistance. This definition includes, but is not limited to, personal email accounts, social media sites, and online file storage services (e.g., file hosting services, cloud storage services, or online file storage providers that host user files via the Internet).

Employees are prohibited from using personal accounts to conduct school business or to store school business-related ESI unless specifically authorized to do so by the superintendent or designee in writing.

B. SCHOOL SYSTEM ACCESS TO SCHOOL BUSINESS-RELATED ESI ON EMPLOYEES' PERSONAL TECHNOLOGY DEVICES AND ACCOUNTS

Any school business-related ESI stored on an employee's personal technology devices or accounts is property of the school system. Employees shall transfer to an appropriate custodian all school business-related ESI upon request of the superintendent or designee and upon leaving employment. Employees shall cooperate with school officials in accessing any school business-related ESI stored on personal technology devices or accounts.

Employees are cautioned that using personal technology devices or accounts to conduct school business or to store school business-related ESI will significantly reduce their expectation of privacy in those devices or accounts. If an employee uses a personal technology device or account to conduct school business or to store school business-related ESI, an inspection of the employee's device or account may be necessary to ensure that all public records and education records are preserved.

By using personal technology devices or accounts to conduct school business or to store school business-related ESI, employees are deemed to consent to the school system accessing and inspecting such devices or accounts to gather school business-related ESI and ensure that all public records and education records are preserved. If school officials have a reasonable basis to conclude that school business-related ESI is stored on an employee's personal technology device or account, a reasonable inspection of the employee's device or account may be performed in order to retain any public records or education records required to be retained by law and/or board policy. Such an inspection shall be made only after consultation with the board attorney.

C. REQUIRED NOTICES AND CONSENT

All employees must be informed annually of the terms of this policy and the methods by which they may obtain a copy of this policy. Employees must sign a statement indicating that they understand and will comply with the requirements of this policy.

Legal References: U.S. Const. amend IV; Stored Communications Act, 18 U.S.C. 2701, *et seq.*; Computer Fraud and Abuse Act, 18 U.S.C. 1030; G.S. 14-454, -458

Cross References: Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), Internet Safety (policy 3226/4205), Student Records (policy 4700), Public Records – Retention, Release, and Disposition (policy 5070/7350), Electronically Stored Information Retention (policy 5071/7351), Employee Use of Social Media (policy 7335)

Adopted: November 14, 2019

Technology infrastructures and networks are capable of reaching a vast audience. The vehicle of technology lends itself to targeting specific audiences and various interest groups. Although community networks and the World Wide Web offer information regarding commercial products and services, it is in the best interest of the Cherokee County School System to use the technology infrastructure in place for educational purposes only. The following policy has been written to guide the use of the Cherokee County Schools' technology equipment and network.

- All school web pages will consist of Cherokee County School System information and educational material only.
- Individual staff members may not post personal or commercial information on any network resources.
- Schools may not advertise for specific educational vendors in return for services.
- Departments within Cherokee County Schools may use the Cherokee County Web Site to gain easy access to the North Carolina Procurement Standards for Purchasing, which may include links to specific vendors listed in the North Carolina Procurement System.
- School web postings may not endorse specific commercial products for purchase unless designated by the North Carolina Procurement System.
- Personal e-mail accounts provided by Cherokee County Schools will not be used to promote, distribute, or endorse vendor specific materials or express political affiliation of any kind.

Legal References: GS 115c-98

Adopted: October 13, 2005

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

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

A. FAIR USE

1. Unless allowed as "fair use" under federal law, permission must be acquired from the copyright owner prior to copying copyrighted material. Fair use is based on the following standards:

    a. the purpose and character of the use;

    b. the nature of the copyrighted work;

    c. the amount of and the substantiality of the portion used in relation to the copyrighted work as a whole; and

    d. the effect of the use upon the potential market for, or value of, the copyrighted work.

2. The superintendent or designee shall provide information and training to personnel and students, as appropriate, on the fair use of copyrighted materials, including in the following circumstances:

    a. single and multiple copying for instructional purposes;

    b. copying for performances and displays;

    c. off-air recording of copyrighted programs;

    d. use of "for home use only" videotapes or DVDs;

    e. computer software;

    f. copyrighted materials on the Internet and online databases;

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

    h. preparation of educational multimedia projects using portions of

copyrighted works.

B. BUDGET

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

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

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

Adopted: February 11, 1999
Amended: July 15, 1999
Amended: June 10, 2021

The board believes that time is a variable in the educational process and that students may need different amounts of instructional time in order to fulfill the educational goals and objectives of the board. The board also recognizes that the school day and school year should be planned in such a manner as to facilitate student learning and to permit an accurate assessment of student achievement in scheduled testing periods.

A. INSTRUCTIONAL TIME

The board will approve the length of the school day, which may vary from school to school. The "instructional" day includes those hours a student is assigned to a teacher for the primary purpose of instruction. Breaks in the instructional day for changing classes, homeroom, lunch, pep rallies, and similar non-instructional activities are not part of the instructional day and are not considered instructional hours.

Interruptions of instructional time and time off task must be kept to a minimum. The principal is responsible for ensuring that instructional time is maintained and protected in the school schedule. Each teacher is responsible for ensuring optimal use of instructional time in his or her classes. School personnel are encouraged to seek creative means of reducing transitional time and scheduling non-instructional activities. A proposal for alternative scheduling of classes or other such strategies may be a part of a school improvement plan.

B. SCHOOL CALENDAR

The school board will establish a school calendar that is consistent with the requirements of G.S. 115C-84.2 and any other applicable legal requirements.
The board may offer supplemental or additional educational programs or activities outside the adopted school calendar.

1. Waiver of Opening or Closing Dates

   Upon a showing of good cause, as defined by G.S. 115C-84.2(d), the board may seek a waiver of the opening date from the State Board of Education. The board will revise the closing date only if necessary to comply with the minimum requirements for instructional days or instructional time.

2. Converting to a Year-Round Calendar

   The board may initiate or review recommendations from the superintendent or a school improvement team for modifying a school's traditional school calendar to a year-round calendar. The superintendent and individual schools are encouraged to obtain input from teachers and other personnel as well as from the community in developing proposals for modifying the school calendar to year-round. A year-round school may be included as a part of a school improvement plan.

Legal References: P.L. 108-447, div. J, title I, sec. 111 (codified as a statutory note to 36 U.S.C.

106(d)); G.S. 115C-12(33), -36, -47, -84.2, -105.21(b)(2), -238.31, -288; State Board of Education Policy BEPL-001; *North Carolina Public Schools Benefits and Employment Policy Manual* (most current version), North Carolina Department of Public Instruction, available at https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy

Cross References: Goals and Objectives of the Educational Program (policy 3000), School Improvement Plan (policy 3430), Citizenship and Character Education (policy 3530)

Adopted: July 15, 1999
Amended: December 9, 2011
Amended: March 14, 2013
Amended: July 9, 2015
Amended: January 14, 2016
Technical Corrections: April 3, 2020
Amended: December 10, 2020
Amended: June 10, 2021

The Advance-Ed, NC SACS CASI Standard 2.3 states: The governing body ensures that the leadership at all levels has the autonomy to meet goals for achievement and instruction and to manage day-to-day operations effectively.

In compliance with SACS standards as set forth above and in order to provide to the students of this county a "free public education," the Cherokee County Board of Education enacts this "Student Fund Raising" policy. Herein, the Board mandates restrictions upon fund raising activities conducted by and involving the schools. By so doing, the Board is also reaffirming its own responsibility to provide adequate funding for a quality educational program. In addition, the Board of Education hereby affirms that Principals may not contract with private persons or organizations on behalf of the school system except as permitted herein. The Board of Education shall defend against any unauthorized use of is copyrighted and/or trademarked property, including school specific images, colors and names. Any unauthorized use of school images, colors or names must be reported immediately to the Superintendent who is authorized to pursue necessary action to prevent any unlawful infringement.

To maintain a sound and effective instructional program free from encroachment upon instructional time by fund raising projects, the Board establishes the following items as policy for all schools under its jurisdiction.

1. All fundraising projects must be approved by the school principal.

2. In no case shall salespersons, solicitors, or the like be allowed to interrupt a teacher in his/her performance of classroom duties. Teachers shall have the right to refuse to see salespersons, solicitors, etc. during their planning period, nor shall they be required to devote an excessive portion of such time to a fundraising project.

3. Elementary schools are to limit school wide fundraising projects to two per year. Elementary (K-8) students are not to be involved in door-to-door sales or solicitations for any school related fundraising project.

4. Each organization or grade level may conduct one fund raising activity annually, students maintaining membership in more than one organization may participate in each of the fundraising activities conducted by each organization.

5. Each school may permit only one nationally recognized benevolence organization (Heart Fund, March of Dimes, Read-a-thon, etc.) to raise funds through school involvement. The principal has the discretion not to allow the school to participate in any such activity. This regulation does not prohibit dissemination of information for such fund raisers if the actual collection of funds is made by some other agency without school involvement.

6. The sale of school pictures and school annuals shall be permitted.

7. Schools may participate in no more than two book fairs per school year.

8. Schools may sell pencils, pens, paper, and other school supplies to the students.

9. Cherokee County Schools encourages all Booster Clubs (e.g.: Parent-teacher organizations, athletic booster clubs, band boosters, etc.) to deposit all funds in an account established by the organization. Cherokee County Schools assumes no responsibility for funds collected by booster clubs.

10. Principals may enter into contracts related to fund raising that require the expenditure of school funds, including but not limited to advances and set-up fees, in amount not to exceed $1500.00. Contracts requiring the expenditure of school funds in excess of this threshold must be approved in writing by the Superintendent in advance.

11. Fundraising is the practice of raising money to support educational enrichment programs by schools or school groups. For these reasons, all fundraising dollars are the property of Cherokee County Schools and shall not be refunded to any student or parent for any reason. School fundraisers shall remain encumbered for the benefit of the school at the discretionary use of the building level administrator.

Adopted: June 6, 1991 (CCS)
Amended: September 5, 1996 (CCS)
Adopted: July 15, 1999 (NCSBA)
Amended: June 21, 2000
Amended: July 10, 2003
Amended: September 11, 2003
Amended: October 6, 2011
Amended: August 8, 2019
Amended: July 15, 2021

ELEMENTARY INTERSCHOLASTIC COMPETITIVE SPORTS

The Board of Education will continue to allow the use of its facilities for such activities conducted by outside groups, though this action is not to be interpreted in any way as an endorsement of interschool competitive sports for young children. For such events, as for all activities not sponsored by the school, the principal will have the responsibility for administering the Board's policy "Use of School Buildings" established on March 6, 1986.

The Board will assume no responsibility for the health and safety of the participants in these programs. Furthermore, it prohibits outside groups from using the school name for any of its teams. (For example, the people in the Ranger Community may opt to name a team the "Ranger Termites," but they may not name a team the "Ranger School Termites.")

School personnel may coach such teams but not as part of their work day activities for the school system. No class time will be used for the sports activity. There will be no pep rallies for the teams during the school day, nor will such activities in any other way encroach upon the school program.

Originally adopted: July 11, 1991
Adopted: July 15, 1999
Amended: November 12, 2015

School trips designed to stimulate student interest and inquiry may be appropriate classroom extensions and may enhance learning in the classroom. School trips may help meet educational goals and objectives by connecting learning with experiences outside of the classroom environment.

All eligible students will be given an opportunity to participate in school trips. No student will be denied participation because of economic hardship or because the student has a disability.

A. AUTHORIZATION OF SCHOOL TRIPS

A school trip occurs when a student or group of students leaves a school campus under the sponsorship of the school and under the supervision of school employees to extend the educational experiences of that student or group. This includes such trips taken by extracurricular groups but does not include trips by athletic teams to participate in athletic events or competitions that are part of the team's regular season or playoffs. The principal must approve all school trips in advance. School trips that involve travel out of state and/or an overnight stay must also receive prior approval from the superintendent or designee. The superintendent shall develop procedures for the request and approval of school trips.

B. PARENTAL NOTICE AND CONSENT

All students who participate in a school trip must provide signed parental consent forms to participate, unless a student is officially emancipated, in which case the student can consent on his or her own behalf. A student who fails to provide a signed consent form may be denied participation in the trip. No student's grade may be lowered or raised based on parental consent to participate in the school trip. The superintendent shall develop procedures to ensure parents are given proper notice of trip details and that parents provide signed authorization and consent regarding their child's participation and care during the trip.

Students are prohibited from sharing sleeping quarters with anyone of the other biological sex as defined in G.S. 12-3.3 during a school trip unless (1) the member of the other biological sex is the student's immediate family member (i.e., a parent, sibling, or grandparent, including step or half relationships) or (2) the parents of all students sharing the sleeping quarters have provided written permission to the school.

C. COSTS

Students must not be charged a fee for any trip that is an extension of the curriculum. The board may impose fees for other school trips. Pursuant to policy 4600, Student Fees, and any corresponding fee waiver or reduction procedures, any fees imposed for school trips will be waived or reduced for students who demonstrate real economic hardship.

D. STUDENT SAFETY AND DISCIPLINE

Policy 1510/4200/7270, School Safety, applies to all students, school employees, and volunteers while they are taking part in school trips. Students are also subject to the student

behavior policies in the 4300 series, the Code of Student Conduct, and all school rules while participating in a school trip. The superintendent shall develop any additional regulations necessary to ensure student safety, provide adequate supervision, and clarify student behavior standards.

E. TRANSPORTATION AND OTHER ACCOMMODATIONS

Policy 6320, Use of Student Transportation Services, applies to the use of vehicles for all school trips. Policy 6315, Drivers, applies to all drivers of school buses and activity buses but does not apply to drivers of charter buses who are not subject to school board authority, aside from any agreed upon provisions in the contract with the charter company.

Any contracts with outside companies to provide transportation, lodging, or other accommodations related to a school trip must be approved in accordance with policy 6340, Transportation Service/Vehicle Contracts, and policy 6420, Contracts with the Board.

The superintendent shall develop any necessary additional regulations governing transportation on school trips.

F. CHAPERONES AND VOLUNTEERS

All chaperones and volunteers accompanying students on school trips must meet the standards established by policy 5015, School Volunteers. The superintendent shall develop any necessary additional regulations governing chaperones and volunteers on school trips.

G. NON-SCHOOL SPONSORED TRIPS

A non-school sponsored trip is a trip or tour organized and sponsored by (1) an individual teacher or group of teachers acting as private citizens and not as school employees, (2) a travel agency, or (3) any other individual or association not employed by, sponsored by, or under contract with the board. The board and the school system assume no responsibility or liability for non-school sponsored trips.

Non-school sponsored trips may be promoted or advertised in the schools only in accordance with policy 5240, Advertising in the Schools. Promotional materials may be displayed or distributed in the schools only in accordance with policy 5210, Distribution and Display of Non-School Material. All promotional materials for non-school sponsored trips must prominently state that the trip is not sponsored or endorsed by the school or school system. Moreover, any employee who sponsors or recruits students for a non-school sponsored trip shall notify the students and their parents or guardians that the trip is not sponsored or endorsed by the school or school system and shall obtain a signed acknowledgement from each parent that the trip is not school-sponsored.

School employees shall not engage in any planning or administrative tasks associated with a non-school sponsored trip during the employee workday. School employees who want to use school facilities to hold a meeting concerning a non-school sponsored trip must follow the process set forth in policy 5030, Community Use of Facilities, and any

corresponding regulations. School employees must use eligible leave for any time missed from work during a non-school sponsored trip.

School employees are prohibited from participating in non-school sponsored trips that conflict with instructional school days or are scheduled fewer than 10 school days prior to final exams or other state-mandated assessments.

Students will not be required to participate in any non-school sponsored trip. Students are discouraged from participating in non-school sponsored trips that conflict with instructional school days or are scheduled fewer than 10 school days prior to final exams or other state-mandated assessments. Absences for non-school sponsored trips will be designated as excused or unexcused in accordance with policy 4400, Attendance.

Legal References: G.S. 12-3.3; 115C-47, -76.110, -288, -307, State Board of Education Policy TRAN-009

Cross References: School Safety (policy 1510/4200/7270), Goals and Objectives of the Educational Program (policy 3000), Student Behavior Policies (4300 series), Attendance (policy 4400), Student Fees (policy 4600), School Volunteers (policy 5015), Community Use of Facilities (policy 5030), Distribution and Display of Non-School Material (policy 5210), Advertising in the Schools (policy 5240), Drivers (policy 6315), Use of Student Transportation Services (policy 6320), Transportation Service/Vehicle Contracts (policy 6340), Contracts with the Board (policy 6420)

Adopted: July 15, 1999
Amended: December 12, 2002
Amended: September 11, 2003
Amended: October 11, 2007
Amended: December 11, 2008
Amended: April 9, 2009
Amended: July 9, 2015
Amended: April 6, 2017
Amended: October 2, 2025

OVERNIGHT FIELD TRIP REQUEST FORM

School and class or department requesting approval:

_____

Proposed dates for the trip: _____

Proposed Destination: _____

Number of students: _____ Number of chaperones: _____

Cost per student: _____

Specific fundraising opportunities to cover the total cost of the field trip:

_____

_____

Scholarship opportunities:

_____

_____

Educational objective(s):

_____

_____

Means of evaluation:

_____

_____

Means of transportation: _____

Please attach itinerary to this form

Before departure all students and parent/guardian and chaperones will read and sign the Rules and Regulations Statement and chaperones must receive Volunteer training.

The Student Health Information Form will be completed by each student's parent/guardian before departure.

I deem this field trip to be consistent with school board policy governing field trips.

_____

(Signature of teacher(s) coordinating field trip)

_____

(Signature of principal)

	Out-of-State Field Trip Request Form	

Primary Sponsor:_____ School: _____

Grade/Club:_____ Number of Students: _____

Is this a School-Sponsored Trip? ☐ Yes ☐ No

Trip Description & Educational Experience Expectations

_____
_____
_____
_____
_____
_____
_____
_____
_____
_

Destination: _____

In-State:☐ Out-of-State: ☐ (***If out-of-state the superintendent's approval is required***)

Date of Departure:_____ Time: _____ Estimated time of Return: _____

Method of Transportation:_____ Activity Bus Driver: _____

Chaperones and Volunteers Attending:

_____ _____ _____
Printed Name of Sponsor Signature Date

_____ _____
Principal's Signature Date

_____ _____
Superintendent's Signature Date

It is the intention of the Board of Education to provide the safest transportation possible for the children of Cherokee County. This effort includes the activity buses as well as the orange state sponsored fleet. The activity buses log many out of county miles each year and the Board recommends the following guidelines to ensure orderly and safe operation of this important service.

All activity school bus drivers must be certified in the same manner as yellow school bus drivers. One must have no less than a Class B CDL with the S (school bus) and P (passenger) endorsement and hold a North Carolina school bus certificate to drive an activity bus within the state of North Carolina for our school system. One must have no less than a Class B CDL with the S (school bus) and P (passenger) endorsement plus a DOT medical card and hold a North Carolina school bus certificate to drive an activity bus outside the state of North Carolina for our school system. A copy of the school bus driver's certificate will be filed in the school office.

All activity school bus drivers must have a pre-employment drug test and a criminal records check prior to driving any activity bus. All activity school bus drivers must be interviewed by a school principal as well as the transportation supervisor or auxiliary services director. The applicant, if approved by the interview process, will be referred for the North Carolina School Bus Certification program. All applicants will be required to fill out the standard application.

All activity bus drivers will report to the principal and to the transportation supervisor by the next working day any moving violation citations received while operating any motor vehicle, whether on or off duty. Any activity school bus driver charged with a criminal violation will be placed on probation.

An activity bus will be assigned to each of the following: Andrews High, Hiwassee Dam, and Murphy High Schools. Other activity buses will be assigned to the Board of Education Office for use by the schools.

In order to schedule an activity bus, a group should call either the Central Office or one of the schools where activity buses are stationed. All activity buses will be available if schedules permit to all Cherokee County Schools as the need dictates.

Buses stationed at schools are the responsibility of the principal of that school. The principal or his designee will devise a system to accomplish the following:

1. schedule dates for use;
2. ensure that the bus is cleaned and refueled after each trip;
3. check for damage inside and outside after each trip (The group using the activity bus when damage occurs is responsible for repairs.);
4. ensure that only those with North Carolina Bus Driving License drive activity buses. Any driver who is driving an activity bus out of state must have a CDL license and DOT medical card.
5. employ a system where drivers report any mechanical problems to the principal; and
6. provide a routine safety check once per month by the school bus transportation department.

Due to the amount of wear and tear placed on activity buses by school trips and excessive replacement costs, the Board will not permit use of the activity buses by non-school groups, except to assist other county agencies in emergency situations, to provide transportation during natural disasters, or during other periods of dire and unusual needs.

The changes in this policy will take effect with the beginning of the 2007-2008 school year.

Adopted: July 15, 1999 (originally adopted July 25, 1999)
Amended: July 10, 2003
Amended: February 8, 2007
Amended: February 2, 2012

CONSENT AND RELEASE FORM FOR SCHOOL PROJECTS

Policy Code: **3322**

The Cherokee County Board of Education establishes the following Consent and Release Form for use at each of the schools. The form is to be used by students and staff for use in school projects when individual consent is appropriate:

CHEROKEE COUNTY SCHOOLS
CONSENT AND RELEASE FORM

I hereby authorize Cherokee County Schools, through the _____

department of _____ school, for the purpose of _____

Project and those acting pursuant to its authority to:

(a) Record my likeness and voice, if applicable, on video, audio, photographic, digital, electronic or any other medium. Information may be used for yearbook or newspaper articles. In some cases students are conducting interviews of others for school projects; in other cases students are being interviewed.

(b) Use my name in connection with these photographs and/or recordings.

(c) Use, reproduce, exhibit or distribute in any medium (e.g. print publications, video tapes, CD-ROM, Internet/WWW) these recordings for any purpose that the school and those acting pursuant to its authority, deem appropriate, including promotional or advertising efforts.

(d) Use of my responses in anonymous surveys that do not reveal my identity, such as the Student Pride Survey or School Climate Surveys.

I release Cherokee County Schools and those acting pursuant to its authority from liability for any violation of any personal or proprietary right I may have in connection with such use. I understand that all such recordings, in whatever medium, shall remain the property of the school system. I have read and fully understand the terms of this release.

Name: _____

Address: _____

City/State/Zip: _____ Phone: _____

Student Signature: _____ Date:_____

Parent/Guardian Signature_____ Date: _____
(If student is under 18)

Adopted: May 8, 2008

An evaluation system of students' academic performance is necessary to help ensure that all students are succeeding within the framework of the educational goals and objectives of the board. The board believes that the formal issuance of student evaluations on a regular basis promotes continuous assessment of a student's performance; informs the student, his or her parents or guardians, and the school counselor about the student's performance and progress; and provides a system of notice that allows intervention strategies to be implemented if necessary to improve the student's performance. The board encourages teachers and principals to pursue innovative methods of evaluating progress.

The superintendent or designee shall establish an evaluation system for assessing an individual student's academic achievement and progress relative to benchmarks set for students at that instructional level. The evaluation system should provide for regular communication with parents so that they may be informed and involved in their child's education.

Teachers shall evaluate student performance and keep accurate records in order to substantiate a grade or assessment given in a course.

G.S.115C-288(a) reads: "The principal shall *have authority to grade and classify pupils."*
However, Laurie Mesibov from the Institute of Government reports "an Attorney General's opinion issued in 1987 suggests the limits of his (the principal's) authority. The school board is responsible for developing guidelines to ensure that the principal's power is exercised only in the most extraordinary circumstances. A principal may change a teacher's grade without his or her consent if, after conferring with the teacher, the principal determines that the grade was awarded arbitrarily and capriciously--that is, without relation to the student's performance*, or for reasons unrelated to the grading process, or contrary to law or school board policy."*

In order to comply with the Attorney General's 1987 opinion cited above, the Cherokee County Board of education hereby establishes the policy that before a principal exercises his/her authority to change a grade given by a teacher, he/she must

1. Confer with the teacher about the grade change,
2. Submit to the superintendent in writing the evidence that the teacher's grade was given "arbitrarily and capriciously," or was given in violation of law or school board policy, and
3. Secure the superintendent's approval for changing the grade.

PURPOSE OF GRADING

The purpose of grading is to:

- Provide feedback to students that can be used for self-evaluation and reflection
- Communicate mastery of grade-level standards to all stakeholders (students, parents/guardians, and school personnel)
- Provide data for instructional purposes – indicate student strengths & areas of concern, student intervention and/or enrichment, and clarify learning goals.

Grades should represent what students know, understand, and can do based upon the *North Carolina Standard Course of Study* (NCSCoS). It is the expectation that all assignments be aligned

a standard within the NCSCoS, be meaningful and relevant, and that teachers provide meaningful feedback in a timely manner.

Generally, high school teachers will have much objective data (test grades, quiz scores, etc.) from which to assign grades. In the elementary schools, the teachers will often have less objective data. At all levels, however, teachers are expected to make their grading decisions on the bases of curriculum requirements and how well students are achieving those objectives. They shall be able to articulate their rationale for any grade assigned in terms of how well the student is progressing in relationship to curriculum objectives in the "North Carolina Standard Course of Study."

The Board further requires that teachers be consistent in their assignment of grades in so far as possible. They are to adhere to the regulations stated below in order to more nearly achieve that goal.

PROGRESS & REPORT CARDS

All teachers will utilize the NCSIS gradebook to record the students' grades.
Report cards will be sent to parents at the end of each nine weeks of instruction.

Kindergarten Report Cards

Kindergarten teachers will use the following rubric:

Grade	Description	E = EXCEEDING C = CONSISTENTLY P = PROGESSING N = NOT YET
E	Exceeds grade level expectations. Shows deep understanding.	
C	Meets grade level expectations. Shows consistent understanding.	
P	Making progress towards grade level expectations. Shows partial understanding.	
N	Does not meet grade level expectations. Shows little understanding.	

To assess the following criteria:

a. Language Arts
b. Math
c. Science
d. Social Studies
e. Physical Education
f. Music/Art

Grades 1—2 Report Cards

Grades 1—2 teachers will also use the rubric ***above*** to assess the following criteria:

a. Science

b. Social Studies
c. Physical Education
d. Music/Art

Language Art and Math will receive a numerical grade for each subject area using the scale below as recommended in NC State Board of Education Policy GRAD-009 section 5.2.1

0 - 59	60 - 69	70 - 79	80 - 89	90 – 100
F	D	C	B	A
Students can demonstrate ***little or no understanding*** of grade level standards Insufficient evidence of mastery.	Students can demonstrate ***some*** understanding of the standards, however, lack proficiency in key areas	Students can demonstrate understanding of the standards ***most*** of the time and are Making progress towards mastery	Students can ***demonstrate mastery*** of the standards.	Students can ***demonstrate mastery*** of the standards and can apply knowledge above and beyond the standard.

Grades 3—5 Report Cards

Grade	Description	
E	Exceeds grade level expectations. Shows deep understanding.	E = EXCEEDING
C	Meets grade level expectations. Shows consistent understanding.	C = CONSISTENTLY
P	Making progress towards grade level expectations. Shows partial understanding.	P = PROGESSING
N	Does not meet grade level expectations. Shows little understanding.	N = NOT YET

Grades 3—5 teachers will use the rubric above to assess the following criteria:

a. Physical Education
b. Music/Art

Language Arts, Math, Science, and Social Studies will receive a numerical grade for each of the subject areas using the scale below as recommended in NC State Board of Education Policy GRAD-009 section 5.2.1

0 - 59	60 - 69	70 - 79	80 - 89	90 – 100
F	D	C	B	A
Students can demonstrate ***little or no understanding*** of grade level standards Insufficient evidence of mastery.	Students can demonstrate ***some*** understanding of the standards, however, lack proficiency in key areas	Students can demonstrate understanding of the standards ***most*** of the time and are Making progress towards mastery	Students can ***demonstrate mastery*** of the standards.	Students can ***demonstrate mastery*** of the standards and can apply knowledge above and beyond the standard.

CONDUCT

Students in Kindergarten through 5th Grade will receive a Conduct grade based on the following rubric:

S	N	U
Satisfactory	Needs Improving	Unacceptable

Grades 6—12 Report Cards

Grades 6—12 teachers will assign numeric grades for all subjects in the student's schedule using the following scale as recommended in NC State Board of Education Policy GRAD-009 section 5.2.1

0 - 59	60 - 69	70 - 79	80 - 89	90 - 100
F	D	C	B	A
Students can demonstrate ***little or no understanding*** of grade level standards Insufficient evidence of mastery.	Students can demonstrate ***some*** understanding of the standards, however, lack proficiency in key areas.	Students can demonstrate understanding of the standards ***most*** of the time and are making progress towards mastery.	Students can ***demonstrate mastery*** of the standards.	Students can ***demonstrate mastery*** of the standards and can apply knowledge above and beyond the standard.

For Grades 9 – 12, the following letter grades also may be used as applicable.

FF	FF may be used for a student who does not have a passing grade based on content and also has been absent for at least 10% of the classes for the course.
INC	If a student has extenuating circumstances, such as a medical condition, the superintendent, principal, or other designee may approve the temporary use of incomplete (INC).
P	Pass (P) may be used for elective courses but may not be awarded for non-elective graduation requirements.
WP	Withdraw (WP) may be used for courses from which a student withdraws during the current semester and receives no course credit.
CDM	Credit by demonstrated mastery (CDM) will be used to reflect earning credit for a course through the CDM process.

Auditing courses is not permitted.

GRADE CONVERSION GUIDELINES

The conversion of grades to quality points is standardized. Grades and the corresponding number of quality points are shown below.

STANDARD COURSES

90-100 = 4.0	**80-89 = 3.0**	**70-79 = 2.0**	**60-69 = 1.0**	**<59 = 0.0**
WF = 0.0	**WP = 0.0**	**INC = 0.0**	**FF = 0.0**	

HONORS COURSES (WEIGHTED

90-100 = 4.5	**80-89 = 3.5**	**70-79 = 2.5**	**60-69 = 1.5**	**<59 = 0.0**
WF = 0.0	**WP = 0.0**	**INC = 0.0**	**FF = 0.0**	

AP/COLLEGE (DUAL ENROLLMENT) COURSES (WEIGHTED)

90-100 = 5.0	**80-89 = 4.0**	**70-79 = 3.0**	**60-69 = 2.0**	**<59 = 0.0**
WF = 0.0	**WP = 0.0**	**INC = 0.0**	**FF = 0.0**	

HONOR ROLL STUDENTS

For students to be on the Alpha Honor Roll, they must receive all A's. To be on the Beta Honor Roll, they must receive no grade lower than a B.

ADDITIONAL NOTES

***Ceiling on Grades*:** Grades will not be recorded higher than 100 on a report card grade.

Issuance of Extra Academic Credit: Extra credit should be academic in nature. Things like collection of cans, donation to the blood bank, and gifts for the nursing home are admirable acts; however, they do not affect academics. Therefore, it is the policy of the Cherokee County Board of Education that any extra credit given to students shall be academic in nature relating to the curriculum established by the Department of Public Instruction.

Legal References: G.S. 115C-47; State Board of Education Policy GRAD-009
Cross References: Parental Involvement (policy 1310/4002), Goals and Objectives of the Educational Program (policy 3000)

Policy 3400
Adopted: July 15, 1999
Technical Corrections made: October 2, 2017
Amended: June 5, 2025
Merged with Policy 3415: June 5, 2025
Amended: January 8, 2026

It is the goal of the board that all students will make adequate academic progress each year and thereby acquire the skills necessary for secondary education and career success. To realize this goal, students who are at risk of academic failure and who are not successfully progressing toward grade promotion and graduation must be identified and provided additional assistance. The principal or designee is responsible for ensuring that students at risk are identified and that the school improvement team develops a plan to include successful transition between grade spans for such students in compliance with G.S. 115C-105.41.

A. IDENTIFICATION OF AND ASSISTANCE TO STUDENTS AT RISK

The superintendent shall organize available resources to implement a multi-tiered system of support (MTSS) that uses data-driven problem-solving and research-based instructional practices for all students. The superintendent shall establish processes and standards for addressing concerns about student performance and for documenting student responses to research-based instruction and interventions within the MTSS. Using information about the student's response to instruction and/or interventions and other student performance data, school personnel must identify students at risk of academic failure as early as reasonably may be done, beginning in kindergarten. School administrators and teachers shall address the needs of students identified as at risk of academic failure through the supports available in the MTSS and/or other processes established by the superintendent. The parents or guardians of such students should be included, through oral or written communication or other means, in the implementation and review of academic and/or behavioral interventions for their children.

B. TRANSITION PLANS

Transitions in the school environment can be stressful experiences that pose academic, social, and emotional challenges for students. Addressing students' academic, social, and emotional needs to create successful transitions provides students with a better chance of academic success. A comprehensive and coordinated transition plan will be implemented for students who are at risk of academic failure in order to facilitate their educational transitions between elementary school and middle school and between middle school and high school.

The superintendent shall appoint a transition team to design, implement, and evaluate a school system transition plan. This team will be comprised of stakeholders who can identify the needs of students at the different developmental levels and implement plans that produce positive results for students at risk of academic failure. Such stakeholders may include principals, teachers, support staff and other school system employees, parents of students in the school system, and local business and community leaders such as civic group leaders, health department personnel, preschool and Head Start program personnel, faith community leaders, and personnel from local colleges, universities, and community colleges. At each school, the school improvement team shall use the school system transition plan to design a school-based transition plan tailored to meet the specific needs of that school's population. The transition plan may be included in the school improvement plan. See policy 3430, School Improvement Plan.

The transition plans should be designed to encourage successful transitions that foster respect for individual differences, encourage understanding of the whole child, create a sense of trust and belonging, and reduce child and family anxiety about school. The plans must include an on-going evaluation process to verify that the outcomes established for the different transition levels are being accomplished and that these goals are updated as student data and environmental changes occur.

Legal References: G.S. 115C-105.41; State Board of Education Policy DROP-001

Cross References: School Improvement Plan (policy 3430)

Other Resources: NC DPI Multi-Tiered System of Support resource page, available at http://www.ncpublicschools.org/integratedsystems/mtss/; *Transition Planning for 21st Century Schools*, N.C. State Board of Education/Department of Public Instruction, archived version available at http://digital.ncdcr.gov/cdm/ref/collection/p249901coll22/id/158097

Adopted: March 10, 2011
Amended: March 14, 2013, December 12, 2013, December 10, 2015, Technical Corrections made: October 2, 2017
Technical Corrections: April 3, 2020

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

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

A. ADMINISTRATION OF TESTS, SCREENINGS, AND OTHER ASSESSMENTS

The superintendent shall provide for the proper administration of all state-required tests, screenings, and other assessments and any state-required remedial instruction, interventions, and/or retesting in accordance with all requirements established by law or the State Board of Education. The superintendent, in consultation with the school principals, shall determine how results from such measures will be used in determining students' final grades, provided that the requirements described in Section B, below, and any other applicable state requirements are met.

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

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

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

B. HIGH SCHOOL END-OF-COURSE TESTING

High school students must take all end-of-course (EOC) tests and Career and Technical Education (CTE) State Assessments required by the State Board of Education. The results of EOC tests and CTE State Assessments will count as 20 percent of a student's final grade in each high school course for which there is an EOC test or CTE State Assessment, with the exception of the following: (1) English Learner students in their first year in a U.S. school; (2) students following the Occupational Course of Study

Pathway or whose individualized education programs (IEPs) otherwise exclude their EOC results from their final grades; and (3) students enrolled in a course during the initial implementation year of the new EOC for that course where proficiency scores are not available due to standard setting.

C. MINIMIZING TIME SPENT TESTING

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

1. Schools will devote no more than two days of instructional time per year to the taking of practice tests that do not have the primary purpose of assessing current student learning.

2. Students will not be subject to field tests or national tests during the two-week period preceding their school's administration of end-of-grade tests, end-of-course tests, or regularly scheduled final exams.

3. No school will participate in more than two field tests at any one grade level during a school year.

4. All annual assessments of student achievement adopted by the State Board of Education pursuant to G.S. 115C-174.11(c)(1) or other applicable law and all final exams for courses will be administered within the final ten instructional days of the school year for year-long courses and within the final five instructional days of the semester for semester courses. Exceptions will be permitted on an individual basis to accommodate a student's IEP or Section 504 plan; for the administration of final exams for courses with national or international curricula required to be held at designated times; for make-up testing; and as otherwise permitted by the Department of Public Instruction.

5. A report of local standardized testing is provided to the board for review in even-numbered years and, if required, a plan for reducing the time spent on such testing is subsequently prepared and submitted to the State Board of Education in compliance with state law.

Legal References: The Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, -h; 34 C.F.R. pt. 99; G.S. 115C, art. 10A; 115C-47, -83.5, -83.6, -83.6A, -83.6B, -83.7, -83.8, -174.11, -174.12, -174.13, -174.15, -174.22, -174.25, -276, -288, -307, -402.5; S.L. 2019-212, Sec. 1; 16 N.C.A.C. 6D .0309; State Board of Education Policy series TEST and GRAD; EVAL-006, EVAL-025 through -031

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

Disposition (policy 5070/7350)

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

Adopted: March 15, 2012
Amended: January 10, 2013
Amended: August 8, 2013
Amended: December 12, 2013
Amended: August 14, 2014
Amended: January 15, 2015
Amended: December 8, 2016
Amended: August 10, 2017
Technical Changes made: October 2, 2017
Amended: November 8, 2018
Amended: June 11, 2020
Amended: December 10, 2020
Amended: December 9, 2021
Amended: November 21, 2024

A. PURPOSE

The board believes that students should progress to the next level of study only after they are proficient in their knowledge and application of the current curriculum level. To the extent reasonably possible, students should be given as much time or as little time as they need to be proficient at a particular level of study. Students will be promoted to the next level of study as described in this policy.

B. STUDENT PROMOTION STANDARDS

The superintendent shall develop (1) proposed promotion standards and (2) a process to be used in determining a student's readiness to progress to the next level of study and shall submit the standards and process to the board for approval. The standards will be based, in part, upon proficiency in reading. The standards and process must provide multiple criteria for assessing a student's readiness to progress to the next level of study, such as standardized test scores, formative and diagnostic assessments, grades, a portfolio or anthology of the student's work, and, when appropriate, accepted standards for assessing developmental growth. The standards and process will incorporate all state law and State Board of Education policy requirements, including those for the assessment and promotion of third grade students as described in G.S. 115C-83.6 *et seq*. and State Board of Education Policies KNEC-002 and -003.

The promotion standards also will require that students not be promoted from eighth grade until a career development plan is completed in accordance with the requirements of G.S. 115C-158.10 and State Board of Education rules and not be promoted from tenth grade until the career development plan is revised. Any high school student who does not already have a career development plan must complete the plan within 90 days of enrollment in school. Career development plans must be easily accessible to students and parents.

Principals shall ensure that the promotion standards are used by teachers and school administrators in assessing each student's readiness to progress to the next level of study. Principals have the authority to promote or retain students based upon the standards approved by the board and any applicable standards set by the State Board of Education.

To reduce the number of students who do not meet promotion standards, the board directs school administrators and teachers to address the needs of students who are not making adequate academic progress as required by policy 3405, Students at Risk of Academic Failure.

C. DIPLOMA STANDARDS

To receive a North Carolina high school diploma, a student must complete the requirements set forth in policy 3460, Graduation Requirements.

D. APPEALS OF PROMOTION DECISIONS

1. Appeal to the Superintendent

Within five workdays of receiving the principal's written decision to promote or retain a student, the student's parents may appeal the decision to the superintendent. The superintendent may overturn the principal's decision only upon a finding that the principal's decision was arbitrary and capricious (i.e., without a rational basis) or was otherwise an abuse of discretion.

The superintendent must render a decision within 10 workdays of receiving the appeal. The superintendent may support the principal's decision, remand it back to the principal for consideration of additional issues, or reverse the decision.

The superintendent's findings must be in writing and must be provided to the parents.

2. Appeal to the Board of Education

The superintendent's decision to promote or retain a student may be appealed to the board in accordance with the procedures set forth in subsection E.5 of policy 1740/4010, Student and Parent Grievance Procedure.

E. LITERACY INTERVENTIONS

1. Reading Camps

The board will provide reading camp opportunities as required by law at no fee for students who are entitled to this intervention under state law. The superintendent or designee shall encourage parents of eligible students to enroll their students in a reading camp. To the extent resources permit, the board will offer fee-based reading camp opportunities for students in eligible grades who are not entitled to attend at no cost. Annually, the board will establish criteria for priority enrollment in its fee-based reading camps and will set the attendance fee at an amount not to exceed the statutory limit. The superintendent or designee shall notify interested parents of the application procedure for the fee-based reading camps.

2. Individual Reading Plans

An Individual Reading Plan (IRP) will be developed in accordance with state law for any student in kindergarten through third grade demonstrating difficulty with reading development based on the results of either (1) the first diagnostic or formative assessment of the school year or (2) the first diagnostic or formative assessment of the second semester of the school year. The student's teacher shall notify the parent or guardian that the student has demonstrated difficulty with reading development and that an IRP has been developed for the student. The notice provided must include all other information required under G.S. 115C-83.6B(b) and should be in the parents' native language when

appropriate foreign language resources are readily available.

3. Digital Children's Reading Initiative

The school system will provide access through the school system website to available resources from the Department of Public Instruction's Digital Children's Reading Initiative as required by law. Printable activities from those resources will be provided in hard copy to students who do not have digital access at home.

4. Approval of Literacy Intervention Plan

By the established deadline each year, the superintendent or designee shall submit to the Department of Public Instruction for approval a plan for the literacy interventions the school system will offer in the following school year, as required by G.S. 115C-83.6A.

F. PROMOTION STANDARDS FOR STUDENTS WITH DISABILITIES

To the extent possible, students with disabilities must be held to the same promotion standards as all other students. However, for students who take alternative assessments in lieu of the end-of-grade (EOG) or end-of-course (EOC) tests, promotion decisions must be based on criteria recommended by the IEP team.

All intervention strategies and other opportunities, benefits, and resources that are made available to students without disabilities must be made available to those students with disabilities who are subject to the student promotion standards. Such opportunities must be in addition to the special education services provided to the student.

G. CREDIT BY DEMONSTRATED MASTERY

The superintendent shall provide opportunities for students in grades 9 through 12 to earn course credit by demonstrating mastery of course material without first completing the regular period of classroom instruction in the course. Students in grades 6 through 8 may earn credit by demonstrated mastery for high school courses offered in middle school. To earn credit by demonstrated mastery, students must demonstrate a deep understanding of the content standards and application of knowledge through a multi-phase assessment, in accordance with standards established by the State Board of Education and any additional standards established by the superintendent.

H. CREDIT RECOVERY

1. Students who fail a high school course may retake parts of the course through credit recovery to earn credit for the course. Credit recovery delivers a subset of the blueprint of the original course in order to specifically address deficiencies in a student's mastery of the course and target specific components of a course necessary for completion. A pre-assessment of the student's understanding of the course material will be administered and the credit recovery will be tailored to meet the

needs of the individual student. The length of credit recovery is dictated by the skills and knowledge the student needs to recover and not a fixed length of seat time.

2. If the credit recovery course has an associated EOC exam and the student is going to retake it, the exam will be administered no later than 30 days upon completion of the credit recovery course. Beginning with the 2025-26 school year, students shall earn a numeric grade for credit recovery, which will be factored into the pre-existing incomplete or fail course grade on the student's transcript to a degree proportional to the percentage of the course completed through credit recovery, resulting in a new passing numeric grade for the course.

3. The superintendent shall develop procedures addressing the implementation of credit recovery opportunities across the school system.

I. REPEATING A COURSE FOR CREDIT

1. Repeating a Previously Failed Course

As provided in State Board of Education Policy CCRE-001, high school students who fail a course for credit may repeat that course. To take advantage of this option, the student must repeat the entire course. Beginning with the 2015-16 school year, when a student initially fails a high school course and successfully repeats the course for credit, the new course grade will replace the original failing grade for the course on the student's transcript and in calculations of the student's GPA, class rank, and honor roll eligibility. The superintendent may develop procedures for students to indicate their intent to repeat a course for credit under this paragraph and may establish any other rules as necessary and consistent with State Board policy.

2. Repeating a Course for which Credit was Earned (Grade Replacement)

The board recognizes that high school students may need to repeat a course for which they have earned credit in order to increase their understanding of the course content, to improve skill mastery, or to meet postsecondary goals. Students may repeat a course for which they have previously earned credit, subject to the following preconditions and any other reasonable rules established by the superintendent:

a. the student must have earned a letter grade of C or lower in the course on the first attempt;

b. the student must make a written request to repeat the course;

c. the principal or designee must approve the request;

d. there must be space available after seats have been assigned to students who are taking the course for the first time or repeating a previously failed course;

e. the course to be repeated must be a duplicate of the original class and must be taken during the regular school day at a high school in this school system or through the North Carolina Virtual Public School;

f. upon completion of the repeated course, the new course grade will replace the student's original grade on the student's transcript and in calculations of the student's GPA, class rank, and honor roll eligibility, regardless of whether the later grade is higher or lower than the student's original mark;

g. credit towards graduation for the same course will be given only once;

h. a course may be repeated only one time; and

i. students may repeat a maximum of four previously passed courses during their high school careers.

The superintendent shall require notice to students and parents of these preconditions and of any other relevant information deemed advisable by the superintendent.

J. CREDIT FROM STUDYING ABROAD

The board encourages students to participate in foreign exchange student programs to enhance their high school academic experience and heighten their awareness and knowledge of global cultures. With careful planning, students may receive credit for courses taken abroad that have substantial equivalency to school system high school courses in content and in hours.

Students who wish to receive high school credit for courses taken during the school year in a foreign country should file a request for study abroad credit with the principal or designee by July 1 of the year preceding the proposed study. To receive credit, the student must submit a copy of the syllabus of the course with the hours of study and grading system described. The student should promptly notify the principal or designee of any course changes.

K. ACCELERATION

Some students may need less time to learn the curriculum. Teachers are encouraged to challenge these students by expanding the curriculum, providing opportunities to explore subjects in greater detail, or providing different types of educational experiences. To challenge a student sufficiently, the principal may reassign the student to a different class or level of study and/or may identify concurrent enrollment or other curriculum expansion options (see policy 3101, Dual Enrollment).

The principal, after consulting with the professional staff and the student's parents, may determine that skipping a grade level is appropriate.

Students also have the option of using an accelerated pathway to complete high school in three years rather than four (see policy 3460, Graduation Requirements).

L. REPORTING REQUIREMENTS

1. Superintendent's Report to the Board

   At least on an annual basis, the superintendent shall provide the board with the following information for each school:

   a. aggregate student performance scores on state-mandated tests and any other standardized tests used by a school or the school system;

   b. the number and percentage of students retained and/or not meeting the standards for their grade level;

   c. the number and percentage of third grade students exempt from mandatory third grade retention by category of exemption as listed in state law; and

   d. remedial or additional educational opportunities provided by the school system and the success of these efforts in helping students meet promotion standards.

2. Report to the North Carolina State Board of Education and Department of Public Instruction

   Pursuant to statutory requirements and standards established by the Department of Public Instruction, all required information regarding student performance will be provided annually to the State Board of Education and the Department of Public Instruction.

3. Publication on the School System Website

   Information about the reading performance of first, second, and third grade students will be posted on the school system website in accordance with state law.

M. RESOURCES

Consistent with the objective of improving student performance, the board will provide schools with maximum flexibility in the allocation of state funds. School personnel are expected to budget financial resources in a manner that will meet the standards established in this policy. The board will consider requests to transfer funds from other funding allotment categories to intervention strategies as part of the school improvement plan submitted by school officials. All funds will be used in a fiscally sound manner in accordance with policy 8300, Fiscal Management Standards.

N. NOTIFICATION TO PARENTS

The superintendent or designee shall provide information regarding promotion standards to all students and parents. In addition, if a kindergarten, first grade, second grade, or third grade student (1) is demonstrating difficulty with reading development or (2) is not reading at grade level, the student's teacher shall provide the student's parents timely written notice advising that if the student is not demonstrating reading proficiency by the end of third grade, the student will be retained, unless exempt from mandatory retention for good cause. Parents are encouraged to help their children meet the promotion standards and will have opportunities to discuss the promotion standards and procedures with teachers and the principal. Information provided to parents should be in the parents' native language when appropriate foreign language resources are readily available.

The teacher of a student who does not meet promotion standards must notify the student's parents that the student has failed to meet the standards for progression to the next level of study and must provide the parents with information concerning retesting, intervention, review, and appeal opportunities. When a student is to be retained, the principal shall provide the student's parents written notice of the retention and, if the student will be retained in accordance with G.S. 115C-83.7(a) for failure to demonstrate reading proficiency, (1) written notice of the reason the student is not eligible for a good cause exemption as provided in G.S. 115C-83.7(b) and (2) a description of proposed literacy interventions that will be provided to the student to remediate areas where the student has not demonstrated reading proficiency. Teachers shall provide parents of students retained under G.S. 115C-83.7(a) at least monthly written reports on student progress toward reading proficiency. The evaluation of a student's progress will be based upon the student's classroom work, observations, tests, assessments, and other relevant information.

O. CHILDREN OF MILITARY FAMILIES

As required by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5), G.S. 115C-407.12, and policy 4155, Assignment to Classes, school administrators have the authority to exercise flexibility in waiving course or program prerequisites or other preconditions for the placement of children of military families, as defined in policy 4050, Children of Military Families, in courses or programs offered by the school system.

Legal References: G.S. 115C-36, -45(c), -47, -81.5, -83.2, -83.3, -83.6, -83.6A, -83.6B, -83.7, -83.7A, -83.8, -83.9, -83.10, -83.11, -83.31, -105.21, -158.10, -174.11, -288(a), -407.5, -407.12; S.L. 2021-8; 16 N.C.A.C. 6D .0508, .0510; State Board of Education Policies CCRE-001, GRAD-001, GRAD-006, KNEC-002, KNEC-003

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Goals and Objectives of the Educational Program (policy 3000), Dual Enrollment (policy 3101), Students at Risk of Academic Failure (policy 3405), School Improvement Plan (policy 3430), Graduation

Requirements (policy 3460), Extracurricular Activities and Student Organizations (policy 3620), Children of Military Families (policy 4050), Assignment to Classes (policy 4155), Fiscal Management Standards (policy 8300)

Other Resources: *Guidelines for Testing Students Identified as English Learners* (N.C. Department of Public Instruction), available at https://www.dpi.nc.gov/districts-schools/testing-and-school-accountability/testing-policy-and-operations/testing-students-identified-english-learners; Comprehensive Reading Plan for Achievement, available at https://www.dpi.nc.gov/districts-schools/classroom-resources/early-learning-read-achieve/k-3-literacy

Adopted: July 15, 1999
Amended: July 18, 2000
Amended: August 12, 2004
Amended: November 12, 2009
Amended: October 10, 2013
Amended: September 11, 2014
Amended: January 15, 2015
Amended: December 10, 2015
Amended: November 17, 2016
TC: October 2, 2017, November 8, 2018, April 3, 2020
Amended: December 9, 2021
Amended: November 10, 2022
Amended: August 15, 2024
Amended: November 21, 2024
Amended: June 26, 2025

CHEROKEE COUNTY SCHOOLS

"Learning for Life"

Elementary and Middle School Intervention Plan

School: _____Student Name(s)/Grade Level: _____ Date:_____

Circle One: ***PEP/Tier I*** ***Tier II*** ***Tier III***

Tier II or Tier III only: Has the student had excessive absences/tardies/transience in their school career (if yes, attach relevant attendance history)? Yes No

Student Strengths:

1. Identify the problem/concern:

   _____

2. Develop and Test Hypotheses (*Why is the problem occurring? What should our students know and be able to do?)*

Instruction:	Curriculum:	Environment:	Learner:

RIOT – Review, Interview, Observe, Test

Instruction Assessment Plan/Results:	Curriculum Assessment Plan/Results:	Environment Assessment Plan/Results:	Learner Assessment Plan Results

Precise Problem Statement:

_____

_____

CHEROKEE COUNTY SCHOOLS

"Learning for Life"

Elementary and Middle School Intervention Plan

3. Discuss and Select Solutions:

4. Develop and Implement Action Plan:

Who?	What?	Where?	How Often?

How will we know students are learning?

Baseline Score: _____

Short Term Goal:_____

Long Term Goal:_____

Measurement Strategy:_____

Data Decision rules: If_____then_____. Review Date: / / Time: _____

Participants (Name and Title):

_____ _____ _____

_____ _____ _____

CHEROKEE COUNTY SCHOOLS

"Learning for Life"

Elementary and Middle School Intervention Plan

5. Evaluate and Revise the Plan:	
How will we respond when students don't learn?	How will we respond when students have already learned?
Results:	Next Steps?

Participants (Name and Title):

_____ _____ _____

_____ _____ _____

Meeting Notes:

CHEROKEE COUNTY SCHOOLS

"Learning for Life"

High School Intervention Plan

Student Name _____ School _____ Grade_____

Social Security Number _____ Homeroom Teacher _____

End-of-Course	Scale Score	Level	End-of-Course	Scale Score	Level
Algebra I	_____	_____	US History	_____	_____
Algebra II	_____	_____	Biology	_____	_____
Geometry	_____	_____	Physical Science	_____	_____
English I	_____	_____	Chemistry	_____	_____
English II	_____	_____	Physics	_____	_____
ELPS	_____	_____			

Years Retained (Check One) None _____ Once (Grade) _____ Twice (Grades) _____ Area of Rem: Math____ Reading ___

Science ____Soc. Studies ___

Exceptional Classification _____ Date Enrolled: _____ Inclusion_____ Pullout _____

Interventions	**Comments**
___ Learning Style Inventory ___ counseling Modified Instruction ___ visual examples ___ modify length of assignment ___ divide task into parts ___ concrete instruction (hands-on) ___ rubrics ___ graphic organizers ___ copies of notes ___ oral tests	
____ Peer Tutoring	
____ Summer School	
____ Volunteer Tutoring	
____ After school remediation	
____ Saturday Academy	
____ During-the-day remediation	
____ Before-school remediation	
____ ESL Class	
Use of Supplemental materials/programs ____ NC Reading/Math Testlets ____ English 1 Testlet ____ Algebra I Testlet ____ US History Testlet ____ Resources for Grade 10 Mathematics ____ Accelerated Reader ____ CCC Software ____ Other	

Parent Signature: _____ Teacher Signature: _____ Date _____

_____ _____ _____

Assistance Team Signatures: _____ Date _____

_____ _____

The Cherokee County Board of Education is committed to provide educational opportunities to all students. Through the hospital/homebound program, instruction is provided to a non-exceptional student for whom school attendance is physically impossible or medically inadvisable.

1. Program Parameters

Any non-exceptional student who is expected to be confined for four (4) weeks or longer to a hospital or home for treatment or for a period of recuperation is eligible for this program. In order for a student to receive hospital/homebound instruction, the attending physician must provide a written medical statement that includes the medical reason(s) why the student cannot attend school, the expected duration of the condition(s), and the verifiable signature of the physician. Pregnancy without complication does not entitle the student to homebound services.

II. Program Description

The primary objective of the hospital/homebound program is to provide tutorial/instructional services so that the student can return to school with the knowledge and skills sufficient to maintain his/her previous level of academic performance. All non-exceptional students who are disabled to the extent that they are unable to attend school may receive one-on-one services of a hospital/homebound teacher at local hospitals or in their homes.

III. Homebound Program Priorities

1. Accident victims
2. Surgery
3. Extended illnesses
4. Pregnancy with medical problems that pose a health threat to mother or to fetus.

IV. Operational Procedures

Once a student has been identified by the principal or designee and the physician's statement has been received, hospital/homebound instruction may begin immediately. The following procedures will be followed:

1. The parent or guardian of the student requesting hospital/homebound instruction shall send the physician's statement to the principal's office.

2. The parent or guardian shall sign the parental consent form and send it to the principal's office.

3. The principal shall forward to central office the physician's statement, the parental consent form, and the principal's signed request for hospital/homebound services to be provided to the student.

4. The director of homebound services shall secure a teacher for the hospital/homebound student.

5. Hospital/homebound instruction begins.

a. The director of hospital/homebound services will advise service providers to request the school to indicate specific objectives, competencies, and performance indicators to be used during the student's period of confinement. The regular classroom teacher has the option of making weekly or unit assignments. The classroom teacher also has the option of having the hospital/homebound instructor grade the assignments. The hospital/homebound student and teacher shall return completed work as scheduled.

b. Hospital/homebound instructors will have the same access to texts, resources (such as teacher editions), and instructional materials as any other teacher employed by the school system.

c. Within the hospital/homebound instructional setting, there should be adequate workspace available for student and teacher to work alone. No television, music, telephone calls, or visitors will be allowed while the teacher is present. Preschoolers must be quietly occupied in other parts of the home. Scheduled appointments with the teacher shall not be canceled except in the case of an emergency. A make-up session must be scheduled immediately.

d. When objectives, competencies, and performance indicators provided by the sending/home school are used by licensed personnel, grades given and assignments completed should be accepted as appropriate indicators of student achievement.

e. The school system administering the hospital/homebound program should assure that each instructor use a minimum of three hours of each five and one-half hour instructional day for direct instruction. The school system's administrators should assure that hospital/homebound students receive the maximum instructional service time appropriate given the student's condition. Five hours per week, provided on an individual basis, will be considered equivalent to one full week of school attendance.

6. When the physician 's release form is obtained by the school and forwarded to central office, hospital/homebound instruction is completed. The student must return to school when hospital/homebound services end.

V. Extra-curricular and Co-curricular Activities

The hospital/homebound student will not be allowed to engage in extra-curricular or co-curricular activities either as a participant or a spectator. Such engagement or participation will be considered a breach of this policy and will cause the student's homebound placement to be reconsidered.

The review shall be based upon a new physical exam completed by the physician who requested the placement.

VI. Procedural Changes

Any exceptions to this policy shall be based upon the student's attending physician making a written request to the Director of the Hospital/Homebound Program. Said written request shall specifically state the therapeutic connection between the student's illness and the attendance at school or a school-sponsored event.

Cross Reference: Policy 4023 – Education for Pregnant and Parenting Teens

Adopted: July 15, 1999 *(originally adopted September 5, 1996)*
Amended: December 13, 2007

STUDENTS ENTERING OR RETURNING TO CHEROKEE COUNTY SCHOOLS *Policy Code:* 3426

Any student who has been home schooled or private schooled and wants to enroll in Cherokee County Schools must provide all regular enrollment information (birth certificate, social security number, immunization record, grade documentation, etc.). In addition, the student must take the appropriate locally adopted placement test and score at or above the grade level just completed. The student would then be enrolled in the next grade.

At the high school level, to enter grade 9, the student must score Level III or IV on the grade 8 Reading and Math EOG test. To enter grade 10, the student needs a passing score on English I and Algebra I and/or grade 8 Math. To enter Grade 11, the student must make a passing score on English I, Algebra I, and Biology. To enter grade 12, the student must make a passing grade on English I, Algebra I, Biology and US History. Additionally, documentation for all courses for which the student is seeking credit must be presented before course credit is granted.

Exceptional Children will follow guidelines established by Exceptional Children's policies and state and federal law.

Cross Reference:

Legal Reference:

Adopted: September 9, 1999 (Originally adopted September 15, 1998)
Amended: July 18, 2000
Amended: June 9, 2005

A. PRINCIPLES

Principals, assistant principals, teachers, and other instructional staff at each school are responsible for designing and implementing strategies to reach the educational goals of the board. Input from the school community, including parents, students, and representatives from businesses and other agencies, is critical in developing an educational program that will meet the needs of the students and the community.

The board affirms the General Assembly's belief that all children can learn and that the mission of public schools is to challenge, with high expectations, each child to learn, achieve, and fulfill his or her potential.

Accordingly, the board has established in its policies its vision, standards, and means of accountability for the educational program. The superintendent shall provide guidance and establish any other standards necessary for effective implementation of the board's policies. Principals shall lead each school in implementing the policies. The school improvement plan is one tool that school administrators should use to draw upon the creativity and innovation of the staff and the community. This plan should identify the school's efforts to improve student performance and reach the educational goals of the board.

B. DEVELOPMENT OF THE SCHOOL IMPROVEMENT PLAN

Each school must develop a school improvement plan that considers the goals set out in the mission statement for the public schools adopted by the State Board of Education ("State Board") and the annual performance goals for that school as established by the State Board under G.S. § 115C-105.35. In developing their school improvement plans, all schools should ensure, to the extent possible, that sufficient resources and curricula are directed toward meeting the goal of having all students performing at grade level or higher in the basic subject and skill areas identified by the State Board.

The board also expects schools to be guided by the educational goals of the board. The board encourages schools to consider innovative means of educating students to meet educational goals. Many board policies provide an opportunity for a school to incorporate innovative ideas into its school improvement plan; however, if a school would like to try an innovative method that requires deviation from board policy, the school may submit a request to the board for a waiver of the board policy. (See also policy 2400, Board Policies.) Any waiver request must identify the particular board policy that inhibits the school's ability to improve student performance, set out with specificity the circumstances under which the waiver may be used, and explain how the requested waiver will permit the school to improve student performance. The board will consider such requests to the extent the waiver is permissible by law and likely to result in improved student performance at the school.

1. School Improvement Team

Each school must have a school improvement team that develops the school improvement plan. The school improvement team must follow all legal requirements for developing and obtaining school approval of the school improvement plan. School improvement teams also must be familiar with state and local board requirements related to managing and using fiscal resources and must comply with these requirements in developing and implementing school improvement plans.

The school improvement team will consist of the principal, representatives of the assistant principals, instructional personnel, instructional support personnel and teacher assistants assigned to the school building, and parents of students attending the school. Each group of school personnel shall elect representatives from their respective group by secret ballot. Parents are to be elected in accordance with G.S. 115C-105.27(a). The school improvement team is encouraged to involve and seek assistance from central office personnel. The school improvement team, especially at the middle and high schools, also is encouraged to seek input from students. The superintendent shall provide guidance to principals to ensure that the principals establish and work together with school improvement teams to develop, review, and amend school improvement plans.

School improvement team meetings will be held at a convenient time to facilitate substantial parent participation. The principal shall ensure that the school improvement team, as a public body, complies with the Open Meetings Law in regard to its meetings. Deliberations on the school safety components of the plan must be in closed session in accordance with G.S. 143-318.11(a)(8).

2. Mandatory Components of the Plan

A school improvement plan must include the following components.

a. The plan must specify the effective instructional practices and methods to be used to improve the academic performance of students identified as at risk of academic failure or at risk of dropping out of school.
b. The plan must take into consideration the minimum annual performance goal established by the State Board and the goals set out in the mission statement for public schools adopted by the State Board.
c. The plan must be, to the greatest extent possible, data driven. The team shall use the Education Value Added Assessment System (EVAAS) or a compatible and comparable system approved by the State Board to analyze student data to identify root causes for problems and determine actions to address them and to appropriately place students in courses such as Math I. The plan must contain clear, unambiguous targets, explicit indicators and actual measures, and expeditious time frames for meeting measurement standards.
d. The plan must identify how staff development funds allocated to the

school will be used.

e. The plan must provide a duty-free lunch period for every teacher on a daily basis or as otherwise approved by the school improvement team.

f. The plan must provide duty-free instructional planning time for every full-time assigned classroom teacher, with the goal of providing an average of at least five hours of planning time per week.

g. The plan must attempt to identify and eliminate unnecessary and redundant reporting requirements for teachers and, to the extent practicable, streamline the school's reporting system and procedures, including requiring forms and reports to be in electronic form when possible and incorporating relevant documents into the student accessible components of the Instructional Improvement System.

h. As part of the school system's efforts to maintain safe and orderly schools, the plan must address safety and discipline concerns. These concerns include any special conditions at the school. The plan should include the components of any positive behavior management or positive behavior support programs that have been adopted at the school and should comply with the requirements of policy 1510/4200/7270, School Safety, and all protocols established by the superintendent or designee under that policy.

i. In accordance with policy 1310/4002, Parental Involvement, the plan must identify the goals and strategies for parents to be involved in their child's education and in the educational program of the school.

j. The plan must include a process by which the school improvement team will review the school improvement plan at least once a year. The annual review process must include (1) a review of student scores on all state- and board-mandated tests and (2) a means for the school improvement team to modify the plan, if necessary, when the school has not met the expected growth score established by the state.

k. The plan must require the principal to notify the superintendent if the school improvement team modifies a board-accepted school improvement plan.

l. The plan must include strategies for meeting the educational objectives of the board (policy 3000, Goals and Objectives of the Educational Program).

m. The plan must include intervention strategies for students who are not at grade-level proficiency or who are not likely to meet standards of promotion measured by other means (policy 3420, Student Promotion and Accountability).

3. Optional Components of the Plan

The school improvement plan may include any or all of the following components.

a. The plan may include a request to transfer state funds from one allotment category to another, as permitted by state law. The request must identify the funding allotment categories involved in the transfer and identify how

the transfer will facilitate improving student performance.

b. The plan may include a comprehensive conflict resolution plan, as provided in G.S. 115C-81.15, in order to help create a safe school.

c. The plan may provide for the use of textbooks that have not been adopted by the State Board (see policy 3200, Selection of Instructional Materials).

d. The plan may include innovative efforts to meet local educational goals. The following are examples of innovative efforts identified in board policies that the plan may address:

n. modifying the school calendar (see policy 3300, School Calendar and Time for Learning);

o. implementing alternative scheduling of classes or other strategies intended to reduce transitional time and limit interference from non-instructional activities (policy 3300);

p. adding hours of instructional time (policy 3300);

i. providing additional means for evaluating instructional programs (policy 3140, Evaluation of Instructional Programs);

ii. developing and implementing pilot programs (policy 3110, Innovation in Curriculum and Instruction);

iii. expanding the subject areas or objectives of the curriculum (policy 3100, Curriculum Development);

iv. eliminating curricula on subject areas or objectives that are not state-required (policy 3100); and

v. modifying the system-wide instructional and curriculum guides (see policy 3115, Curriculum and Instructional Guides).

4. Development and Review of the Plan

School improvement teams should review student performance data from the preceding school year in developing the school improvement plan. Based on the availability of data and when specific school standards are established by the State Board, the superintendent shall establish the date by which school improvement plans must be submitted.

The principal first shall present the proposed school improvement plan to all of the assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building for their review and vote by secret ballot. The principal then shall submit the school improvement plan to the superintendent only if the proposed school improvement plan has the approval of a majority of the staff who voted on the plan.

The superintendent or designee shall review the plans and seek legal review as necessary prior to presenting the plans with written recommendations to the

board. If the superintendent intends to recommend that a plan be rejected, the superintendent shall notify the principal of the school and explain the reasons for the decision. The school improvement team may then submit a modified plan, approved by staff vote, to the superintendent. The superintendent should submit all school improvement plans to the board at the earliest possible date.

The board will review the school improvement plans. The review of the school safety components of the plans must be in closed session. The board shall make findings on the safety components of the plan. Neither the safety components of the plans nor the board's findings on the safety components of the plans may be set out in the minutes of the board.

After review of the school improvement plans, the board will accept or reject each school improvement plan. If a plan is rejected, the board will explain the specific reason(s) for the rejection.

Any plan modified by the school improvement team after being rejected by the board must be resubmitted to the school personnel for vote and, upon majority approval, resubmitted to the superintendent for review. The superintendent shall resubmit the modified plan to the board with his or her recommendations as soon as is practical. The board will review the modifications along with any recommendations from the superintendent and accept or reject the plan.

If the board and the school improvement team cannot reach agreement on the plan within 60 days after its initial submission, the board or school may request to use the dispute resolution process developed by the State Board under G.S. 115C-105.20(b)(5). Alternatively, if use of the dispute resolution process is not requested, the board may develop a school improvement plan for the school.

A school improvement plan may be in effect for no more than two years. The plan must be reviewed at least annually by the school improvement team in accordance with the review process established in the school's plan. ***If a school does not earn an overall performance grade of at least a C or does not meet its expected growth standard as established by the State Board, the principal must submit to the superintendent and the board a report of the school improvement team. The report must explain the reasons for the standard(s) not being met and describe any modifications that will be made in the school improvement plan. After considering any recommendations of the superintendent, if the board is not satisfied with the response of the school improvement team, the board may suggest modifications to the plan or may vacate those portions of the plan that impede student performance and require the school improvement team to revise the plan.***

5. Elimination of Redundant or Unnecessary Reporting Requirements

If, at any time before or after the board approves the school improvement plan,

the school improvement team identifies a more expeditious manner of providing information to the board that will eliminate a redundant or unnecessary reporting requirement for teachers at its school, the team may make a written request to the superintendent to eliminate the redundant or unnecessary report. The superintendent shall recommend to the board whether the reporting requirement should be eliminated for that school. If the superintendent does not recommend elimination of the reporting requirement, the school improvement team may request a hearing by the board as provided in policy 2500, Hearings Before the Board.

6. Compliance with Requirements

Any employee, parent, or other interested party is encouraged to notify the principal of any concerns regarding compliance with this policy or G.S. 115C-105.27. In addition, any employee, parent, or other interested party may submit in writing to the superintendent concerns regarding compliance with this policy or G.S. 115C-105.27. The superintendent shall make a good faith effort to investigate the concern and shall provide a written response upon request.

C. POSTING THE SCHOOL IMPROVEMENT PLAN ONLINE

The school improvement plan, except for its school safety components which are not public record, must be posted on the school's website. The names and positions of the members of the school improvement team, along with the date of each member's election to the team, must also be posted on the website.

D. STAFF DEVELOPMENT

The superintendent shall develop a process by which schools can learn from other schools' improvement plans. The superintendent and the schools are encouraged to use staff development resources to provide training to staff on the development, implementation, and evaluation of school improvement plans.

School administrators must be evaluated by their supervisors on the school-based management process and on the effectiveness of the school improvement plan.

Legal References: G.S. 115C-47(38), -81.15, -83.15, -84.2, -98, -105.20, -105.21, -105.25, -105.26, -105.27, -105.32, -105.35, -105.37, -105.41(b), -301.1, -307(g); 143 art. 33C; 16 N.C.A.C. 6G .0304

Cross References: Parental Involvement (policy 1310/4002), School Safety (policy 1510/4200/7270), Compliance with the Open Meetings Law (policy 2320), Board Policies (policy 2400), Hearings Before the Board (policy 2500), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Innovation in Curriculum and Instruction (policy 3110), Curriculum and Instructional Guides (policy 3115), Lesson Planning (policy 3120), Evaluation of Instructional Programs (policy 3140), Selection of Instructional Materials (policy 3200), School Calendar and Time for Learning (policy 3300), Students at Risk

of Academic Failure (policy 3405), Student Promotion and Accountability (policy 3420)

Other Resources: *School Improvement Planning and NCStar*, North Carolina Department of Public Instruction, available at https://www.dpi.nc.gov/districts-schools/districts-schools-support/office-school-improvement/school-improvement-planning-and-ncstar

Adopted: February 2, 2012
Amended: March 14, 2013
Amended: December 12, 2013
Amended: February 11, 2016
Amended: October 2, 2017
Amended: November 8, 2018
Amended: June 9, 2022
Amended: July 16, 2026

To create and maintain a safe, orderly and inviting learning environment, students must have the skills to resolve conflicts in non-violent ways.

All schools are encouraged to include a conflict resolution plan in the school improvement plan as provided in policy 3430, School Improvement Plan.

The central curriculum committee shall explore opportunities to integrate conflict resolution skills into the standard course of study and other curricula.

Legal References: G.S. 115C-47, -81.60, -105.27, -105.32

Cross References: School Improvement Plan (policy 3430), Alternative Learning Programs/Schools (policy 3470/4305)

Adopted: July 15, 1999
Amended: September 14, 2015
Technical Corrections made: October 2, 2017

1. Reasonable Force

The Cherokee County Board of Education believes that ensuring safety for students and staff is essential. Securing order in the school environment sometimes requires that students be subject to greater controls than appropriate for adults. Except as restricted of prohibited by rules adopted by the Board of Education, principals, teachers, substitute teachers, voluntary teachers, teacher assistants, and student teachers may use reasonable force in the exercising of lawful authority to restrain or correct students and maintain order. (G.S. 115C-390) *Approved volunteers and substitute teachers must document they have read and understand this policy and will comply with its terms.*

Notwithstanding any Board of Education policy, school personnel may use reasonable force, to control behavior or to remove a person from the scene in those situations when necessary:

- to quell a disturbance threatening injury to others;
- to obtain possession of weapons or other dangerous objects on their person, or within the control, of a student;
- for self-defense;
- for the protection of persons or property; or
- to maintain order on school property, in the classroom, or at a school related activity on or off school property. (G.S. 115C 391.1)

Notwithstanding any other law, no officer or employee of the Board of Education shall be held civilly liable for using reasonable force in conform with State Law and Board Policy.

2. Physical/Mechanical Restraint

Physical restraint is defined as the use of physical force to restrict the free movement of all or a portion of a student's body. Physical restraint shall be allowed by Cherokee County Public School Personnel as a reasonable use of force under the following conditions in accordance with North Carolina General Statute 115C-391.1:

a. as reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person;
b. as reasonably needed to maintain order or prevent or break up a fight;
c. as reasonably needed for self defense;
d. as reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present;
e. to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;
f. as reasonably needed to escort a student safely from one area to another; (Students should only be physically escorted when it is deemed safe or if the current setting conditions pose hazards for the student or staff. Escorts should only be conducted in accordance with training procedures adopted by the system.)
g. if used as provided for in a student's IEP or Section 504 plan or Behavior Intervention Plan as a brief intervention strategy to assist the student in regaining self-control; or

h. as reasonably needed to prevent imminent destruction to school or another's person property.
[G.S. 115C391.1(d)(1)]

Physical restraint shall not be considered a reasonable use of force if used solely as a disciplinary consequence.

Mechanical restraint is defined as the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove. Mechanical restraint shall be allowed only in the following circumstances:

a. when properly used as an assistive technology device included in the student's IEP or as otherwise prescribed for the student by a medical or related services provider;
b. when using seat belts or other safety restraints to secure student during transportation;
c. as reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person;
d. as reasonably needed for self-defense; or
e. as reasonably needed to ensure the safety of any student, school employee, volunteer, or other person. [G.S. 115C-391.1(d)(1)]

If used for the purpose of preventing self-injurious behavior, the use of mechanical restraints should be included in the IEP as part of a Behavior Intervention Plan.

Nothing in the policy prevents the use of physical or mechanical restraint by School Resource Officers or other sworn law enforcement officers in the lawful exercise of their law enforcement duties.

Physical restraint in Cherokee County Schools shall follow the prescribed methods taught by Crisis Prevention Institute (CPI).

3. Seclusion

Seclusion is defined as the confinement of a student alone in an enclosed space from which the student is:

a. physically prevented from leaving by locking hardware or other means; or
b. not capable of leaving due to physical or intellectual capacity.

Seclusion of students by school personnel may be used in the following circumstances:

a. as reasonably needed to respond to a person in control of a weapon or other dangerous object.
b. as reasonably needed to maintain order or prevent or break up a fight;
c. as reasonably needed for self-defense;
d. as reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another

person's property; or

e. when used as specified in the student's IEP, Section 504 behavior plan; and
   - the student is constantly monitored by an adult in close proximity who is able to see and hear the student at all times.
   - the student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP, 504, or behavior intervention plan;
   - the confining space has been approved for such use by the local education agency;
   - the space is appropriately lighted, ventilated, and heated or cooled; and
   - the space is free of objects that unreasonably expose the student or others to harm. [G.S. 115C-391.1(e)(1)]

4. Isolation

Isolation means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving. Cherokee County Schools' personnel may use isolation provided that:

a. the space used for isolation is appropriately lighted, ventilated, and heated or cooled;
b. the duration of the isolation is reasonable in light of the purpose of the isolation;
c. the student is reasonably monitored while in isolation; and
d. the isolation space is free of objects that unreasonably expose the student or others to harm. [G.S. 115C-391.1(f)]

5. Aversive Procedures

Aversive procedures are defined as the systematic physical or sensory intervention for modifying behavior of student with disabilities that causes or reasonably may be expected to cause significant physical harm, serious, foreseeable long-term psychological impairment to student, or obvious repulsion to observers of the intervention due to procedures which do not follow acceptable standard practice. Cherokee County Schools prohibits the use of aversive procedures as defined above by its employees, volunteers, or personnel permitted in schools in accordance with interagency agreements. [G.S. 115C-391.1(b)(2)]

6. Time Out

Time out means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting. Teachers are authorized to use time out to regulate behavior within their classrooms. They are not authorized to remove the student from the classroom into a non-monitored setting, e.g., the hallway.

7. Notice, Reporting, and Notification

Cherokee County Schools' personnel shall follow the following notification procedures when

physical restraint or seclusion is implemented. All employees and parents/guardians shall be provided a copy of N.C.G.S. Section 115C391.1 and receive a copy of this policy and any related Board of Education policy at the beginning of each school year. [G.S. 115C-391.1(j)(1)]

School personnel shall promptly notify the principal or designee of any use of aversive procedures, any use of physical restraint resulting in observable physical injury to a student, any prohibited use of mechanical restraint, or any prohibited use of seclusion or seclusion lasting more than 10 minutes or the time specified on a student's Behavior Intervention Plan. When the principal or designee has personal knowledge or actual notice of these incidents, they shall promptly notify the parent/guardian and provide the name of the school employee they can contact regarding the incident. Prompt notification meant by the end of the workday during which the incident occurred, but in no even later than the end of the following workday.

Parent/guardian shall be given annual notification of this policy. Parent/guardian shall be given notice of any aversive procedures used against their student.

Additionally, the parent/guardian of the student shall be provided with a written incident report of any incident reported under this section within a reasonable period of time, but in no event later than 30 days, after the incident. The written documentation shall include:

a. the dated, time of day, location, duration, and description of the incident and interventions used;
b. the event or events that led up to the incident;
c. the nature and extent of any injury to the student; and
d. the name of a school employee the parent/guardian can contact regarding the incident.

In the case of seclusion incidents, the school personnel supervision the seclusion shall maintain a log of observations of the student which shall be available for inspection upon request by the parent/guardian.

8. Training of Personnel

Cherokee County Schools' personnel who are most likely to be called upon to prevent or address disruptive or dangerous student behavior shall receive appropriate training in the management of such behavior. Training shall include instruction in:

a. positive management of student behavior,
b. effective communication for defusing and de-escalating disruptive or dangerous behavior, and
c. safe and appropriate use of seclusion and restraint. [Ref. G.S. 115C-105.47(b)(9)]

Cherokee County Schools will provide pre-service training for all lateral entry employees in:

a. the identification and education of children with disabilities;
b. positive management of student behavior;

c. effective communication for defusing and de-escalating disruptive or dangerous student behavior; and
d. safe and appropriate use of seclusion and restraint [Ref. G.S. 115C-296(c)]

9. Compliance by Community Agency Personnel

All personnel working within Cherokee County Schools in accordance with interagency agreements shall adhere to the above policies. In all circumstance in which a community agency is assigned to work with a student or students in a Cherokee County School, an intervention plan which describes the crisis prevention and intervention procedures to be utilized must be developed by a team that includes parents, school, and agency personnel.

10. Legal Notices

Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under G.S. 115C-390 or modifies the rules and procedures governing discipline under G.S. 115C-391(a). Nothing in this policy is intended to prohibit or regulate the use of "time-out" as a behavior management technique where a student is separated from other students for a limited period of time in a monitored setting.

Nothing in this policy shall be construed to create a private cause of action against a local board of education, its agents or employees or to create a criminal offense.

Legal References: G.S. 115C-296(c); G.S. 115C-390; G.S. 115C-391(a); G.S. 115C-391.1; G.S. 115C-391.1 (b) (2); G.S. 115C-391.1 (c) (1); G.S. 115C-391 (d) (1) (1); G.S. 115C-391 (e) (1); G.S. 115C-391.1(f); G.S.115C-391.1(j)(1); G.S. 115C-391.1(j)(4)

Cross Reference: Policy 4302 – School Plan for Management of Student Behavior

Adopted: October 12, 2006
Amended: August 13, 2009

The board strongly encourages programs and activities that recognize and reward excellence in student academic achievement, character, and leadership.

A variety of programs, such as honor rolls, honor societies, and citizenship and leadership awards, may be implemented to recognize outstanding student achievement. The board encourages school recognition ceremonies and community recognition ceremonies to honor scholarship and distinguished character and leadership abilities.

Administrators and teachers are responsible for developing and implementing various means of recognizing student achievement.

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

Cross References: Goals and Objectives of the Educational Program (policy 3000), Class Rankings (policy 3450)

Adopted: July 15, 1999
Technical Correction: July 11, 2019

The Board of Education strongly supports academic excellence in our high schools. In recognition of high academic achievement, this policy will designate the selection of honor students as well as Summa Cum Laude, Magna Cum Laude, Cum Laude, and Career and Technical Education Honor Student at the end of the final semester grades beginning with the 9th grade year and terminating on the last school day of the third 9-weeks of the 12th grade year will be used to determine students' cumulative averages of the senior year beginning with the 2019-2020 school year.

Class rankings are one method of measuring academic performance. The board also recognizes other means of evaluating student achievement, including grade point average, courses completed, rigorousness of curriculum, results of tests and assessments, and recommendation letters.

High school principals shall provide for the compilation of class rankings to be listed on student transcripts and may make class rank information available periodically to students and their parents or guardians, and to other institutions at the request of the student or the student's parent or guardian. While high school principals may designate a Summa Cum Laude, Magna Cum Laude and Cum Laude, the board encourages principals, with input from teachers, parents and students, to develop alternative or additional means of recognizing academic achievement.

Principals shall ensure that class ranking is computed in a fair and consistent manner as provided in State Board of Education Policy GRAD-009. The superintendent and principal shall ensure that students and parents receive adequate notice as to how class rank is calculated and shall provide written procedures on how students with equal grades, or grades that may be perceived as equal, will be treated. Nothing in this policy provides a student with any legal entitlement to a particular class rank or title. Although the student grievance procedure provided in policy 1740/4010, Student and Parent Grievance Procedure, may be utilized to resolve disputes formally, the board encourages parents, students and principals to reach a resolution informally on any matters related to class rank.

A. CRITERIA FOR SELECTION

1. Students meeting the requirements for the North Carolina Scholars Program with a cumulative weighted numeric average GPA of 4.5 or greater will graduate Summa Cum Laude.

2. Students with a cumulative weighted numeric average ranging from 4.0-4.4999 will graduate Magna Cum Laude. These students do have to be NC Scholars.

3. Students with a cumulative weighted numeric average ranging from 3.75-3.999 will graduate Cum Laude. These students do not have to be NC Scholars.

4. Weighted GPAs will be used to designate junior marshals. Each high school will determine the number needed. Junior Marshalls will be determined at the end of the first semester of the junior year.

5. *Homeschool students <u>are not eligible</u> for consideration of academic honors.1*

B METHOD OF SELECTION

The Summa Cum Laude, Magna Cum Laude, Cum Laude and Career and Technical Education Honor Student shall be selected according to the following criteria.

The Summa Cum Laude shall be the students who have obtained grade point average 4.5 or higher. The Magna Cum Laude shall be the students who have obtained a grade point average between 4.0 and 4.4999. The Cum Laude shall be the students who have obtained a grade point average between 3.75-3.999.

The Career and Technical Education Honor Students must be a CTE concentrator which is met by completing the required courses in a CTE Career pathway with one being the upper-level completer course. In addition, the student has to have completed a total of four (4) Career Technical Education (CTE) credits with the additional credits being from any pathway. Additionally, the student must also achieve a silver or higher on the WorkKeys Career readiness Assessment, and have a minimum cumulative unweighted GPA of 3.0. If more than one student meets all requirements, the student with the highest unweighted GPA is selected.

Principals will determine how to recognize the CTE Honor Student by awarding either a Cord or Medal.

To be part of the Career and Technical Education Honor Society a student must be a CTE concentrator, have a 90 or above academic average in their CTE courses and achieve a silver or higher on the WorkKeys Career Readiness Assessment. Students who achieve this honor will wear Silver Cords at graduation.

1. The final semester grades beginning with the 9th grade year and terminating on the last school day of the third 9-weeks of the 12th grade year will be used to determine students' cumulative averages.

2. The principal or his/her designee shall calculate grades according to the State Reporting System Program. If a student has reason to believe that there is a discrepancy between his/her computation and that of the principal, it is the student's responsibility to request validation of the computation. Class ranking will be calculated at the end of each semester and during the first ten days of school each year.

3. The cumulative average will be computed to four places to the right of the decimal.

4. Students transferring to a Cherokee County high school from a school where numeric grades are given will have those grades converted to letter grades as follows:

    (a) Grade point average calculations are based upon standardization of academic course

1 Included in this policy based on Campbell Shatley review of policy 3620.

levels, weighting of course grades, and grading scales.

(b) Academic course levels and associated weights are defined as follows:

a. Standard courses – Course content, pace and academic rigor follow standards specified by the North Carolina Standard Course of Study (NCSCoS). Standard courses provide credit toward a high school diploma and require the end-of-course test for those courses identified as such in the NC accountability program. Quality points for the GPA calculation are assigned according to the standard 4.0 scale and receive no additional quality points.
b. Honors courses - Course content, pace and academic rigor place high expectations on the student, demanding greater independence and responsibility. Such courses are more challenging than standard level courses and are distinguished by a difference in the depth and scope of work required to address the NCSCoS. These courses provide credit toward a high school diploma and require the end-of-course test for those courses identified as such in the NC accountability program. An honors review process shall be followed, as outlined in the latest edition of the North Carolina Honors Course Implementation Guide. Effective with the freshman class of 2015-16, the weighting for Honors courses shall be one-half (.5) of a quality point.
c. Advanced Placement/International Baccalaureate (AP/IB) courses - Course content, pace and academic rigor are considered college-level as determined by the College Board or the International Baccalaureate (IB) program and are designed to enable students to earn high scores on the AP or IB test, potentially leading to college credit. These courses provide credit toward a high school diploma and require an EOC in cases where the AP/IB course is the first course taken by a student in a subject where an EOC is required by the NC accountability program. Effective with the freshman class of 2015-16, the weight for AP/IB courses shall be one (1) quality point.
d. College courses ("dual enrollment") - Course content, pace and academic rigor are, by definition, college-level for these courses. College courses, which may be delivered by a community college, public university or private college or university, provide credit toward a high school diploma and may satisfy a graduation requirement or provide an elective course credit. The state weighting system adds the equivalent of one (1) quality point to the grade earned in community college courses included on the most recent Comprehensive Articulation Agreement Transfer List, and for courses taught at four-year universities and colleges.
e. Beginning with the 2014-15 school year, the superintendent shall provide opportunities for students in grades 9 through 12 to earn course credit by demonstrating mastery of course material without first completing the regular period of classroom instruction in the course. Students in grades 6 through 8 may earn credit by demonstrated mastery for high school courses offered in middle school. To earn credit by demonstrated mastery, students must demonstrate a deep understanding of the content standards and application of

knowledge through a multi-phase assessment, in accordance with standards established by the State Board of Education and any additional standards established by the superintendent.

(c) Courses eligible for weights include higher-level high school courses that fall into one of the following categories:

a. Honors sections of standard-level academic courses, including NC Virtual Public School courses and other on-line courses, that are in accordance with the philosophy, rubric, procedures, guidelines, and standards for curriculum, instruction, and assessment as described in the North Carolina Honors Course Implementation Guide. Such courses are assigned additional quality points in accordance with section 3.1.2 above; it is not necessary to offer a standard level of a course to offer an honors level.
b. Pre-calculus, non-AP/IB calculus, mathematics courses beyond the level of calculus, and world language courses beyond the second-year level are considered inherently advanced and are assigned Honors-level weighting in accordance with section 3.1.2 above.
c. Arts education courses meeting the standards for proficient and advanced dance, music, theatre arts, and visual arts are assigned Honors-level weighting in accordance with section 3.1.2 above.
d. Project Lead the Way courses approved for college credit are assigned college-level weighting in accordance with section 3.1.4 above.

5. Graduation speakers will be selected from those students who achieve Summa Cum Laude, Magna Cum Laude, and Career and Technical Education Honors.

Legal References: G.S. 115C-47, -276, -288; 116-11(10a); State Board of Education Policy GRAD-009

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Goals and Objectives of the Educational Program (policy 3000), Recognizing Excellence (policy 3440)

Adopted: July 15, 1999 (Originally adopted August 1, 1995)
Amended: July 8, 2004
February 12, 2009
August 12, 2010
July 11, 2013
May 15, 2014
July 9, 2015
December 10, 2015
December 8, 2016
Technical Corrections made: October 2, 2017
Technical Corrections made: June 13, 2019

Amended: December 15, 2022
Amended: August 15, 2024

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

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

1. successful completion of all State Board of Education course unit requirements as described in Section A; and

2. successful completion of cardiopulmonary resuscitation instruction.

Principals shall ensure that students and parents are aware of the number and nature of credits required for high school graduation, the potential to complete high school graduation requirements in three years, and the availability of early graduate college scholarships.

3. The Cherokee County Board of Education recommends that all students accumulate at least 28 units of credit to graduate from any of the high schools in Cherokee County.

A. COURSE UNITS

As described in State Board of Education Policy GRAD-004, all students must fulfill the course unit requirements of the Future-Ready Core Course of Study, unless they are approved for the Future-Ready Occupational Course of Study. The tables below list the course unit requirements for the Future-Ready Core Course of Study and the Future-Ready Occupational Course of Study, as well as additional course units recommended by the board, based on the student's year of entry into ninth grade for the first time. School counseling program staff shall assist students in selecting high school courses to ensure that students are taking all required units and selecting electives consistent with their post-graduation plans.

In accordance with policy 3101, Dual Enrollment, and State Board of Education requirements, students may earn high school credit for college courses completed. In addition, students may earn credit for certain high school courses in the Future-Ready Core Course of Study completed prior to grade nine, as authorized by the State Board of Education. Students also have the opportunity to meet course unit requirements without completing the regular period of classroom instruction by demonstrating mastery of the course material in accordance with policy 3420, Student Promotion and Accountability, and State Board of Education requirements. For students who have transferred to the school system during high school or who, for other reasons, have completed course work outside of the school system, the principal shall determine what course work will be applied as credit toward graduation. See policy 3420 for information regarding receiving credit toward graduation for courses taken abroad.

All awards of high school course credit must be consistent with State Board of Education requirements. Any inconsistency between board policy and State Board graduation requirements will be resolved by following the State Board requirements. While the board endeavors to keep its policy up to date with current State Board of Education graduation requirements, students should verify current requirements with their school counselors when planning course schedules

or making other decisions based on graduation requirements.

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

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

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

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

*** Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at https://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/standard-course-study/mathematics/standard-course-study-supporting-resources.

† The founding principles courses, American History: Founding Principles, Civics and Economics and Founding Principles of the United States of America and North Carolina: Civic Literacy, must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses, except as provided in SBE Policy GRAD-008. See also SBE Policies CCRE-001 and GRAD-004.

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

Types of Courses		**State Requirements***	**Local Recommendations**
English	4 sequential (English I, II, III, and IV)		
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 plus two additional courses identified on the NC DPI math options chart.)***		

Science	3 (a physical science course, Biology, and an earth/environmental science course)	
Social Studies	4 (including: (1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy;† (2) an American History course which shall be either (a) American History I, (b) American History II, or (c) American History; (3) World History;± and (4) Economics and Personal Finance^)	
Health/P.E.	1	
Electives	6 (2 electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.)	
Total Credits	**22**	

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

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

*** Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at https://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/standard-course-study/mathematics/standard-course-study-supporting-resources.

† The founding principles courses, American History: Founding Principles, Civics and Economics and Founding Principles of the United States of America and North Carolina: Civic Literacy must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses, except as provided in SBE Policy GRAD-008. See also SBE Policies CCRE-001 and GRAD-004.

± It is strongly recommended that students take World History in the first year of their high school Social Studies course sequence due to the nature of the adoption of the new Social Studies Standard Course of Study effective in 2021-2022.

^ This course must, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education.

3. Future-Ready Core Course of Study Credits Required for Students Entering Ninth Grade for the First Time Between 2021-2022 and 2025-2026

Types of Courses	**State Requirements***	**Local Recommendations**
English	4 sequential (English I, II, III, and IV)	
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 plus two additional courses identified on the NC DPI math options chart.)***	
Science	3 (a physical science course, Biology, and an earth/environmental science course)	
Social Studies	4 (including: Founding Principles of the United States of America and North Carolina: Civic Literacy; Economics and Personal Finance;† American History; and World History)	
Health/P.E.	1	

Electives	6 (2 electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.)[±]	
Total Credits	**22**	

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

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

*** Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at https://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/standard-course-study/mathematics/standard-course-study-supporting-resources.

[†] This course must, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education.

[±] Students entering grade 9 for the first time in the 2025-2026 school year must complete at least one arts education course in grades 6-12 that satisfies the standard course of study for that course, unless exempt due to transfer status.

4. Future-Ready Core Course of Study Credits Required for Students Entering Ninth Grade for the First Time in 2026-2027 and Thereafter

Types of Courses	**State Requirements***	**Local Recommendations**
English	4 sequential (English I, II, III, and IV)	
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 plus two additional courses identified on the NC DPI math options chart.)***	
Science	3 (a physical science course, Biology, and an earth/environmental science course)	
Social Studies	4 (including: Founding Principles of the United States of America and North Carolina: Civic Literacy; Economics and Personal Finance;[†] American History; and World History)	
Health/P.E.	1	
Computer Science	1[±]	
Electives	5 (2 must be any combination of Career and Technical Education, Arts Education, or World Language; 3 may be from any subject area or cross-disciplinary course)[^]	
Total Credits	**22**	

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

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

*** Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at https://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/standard-course-study/mathematics/standard-course-study-supporting-resources.

† This course must, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education.

± Students who are exempt from this requirement due to a disability or because they enrolled in a NC public school after completion of grade 11 must earn one additional elective credit.

^ Students must complete at least one arts education course in grades 6-12 that satisfies the standard course of study for that course, unless exempt due to transfer status.

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

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

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

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

*** The work hours must include: (1) 150 hours of school-based training with work activities and experiences that align with the student's post-school goals; (2) 225 hours of community-based training; and (3) 225 hours of paid employment or 225 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours, for a total of 600 required work hours.

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

Types of Courses	**State Requirements**	**Local Recommendations**
English	4 (including English I, II, III, and IV)	
Mathematics	3 (including Introduction to Math, NC Math I, and Financial Management)	
Science	2 (including Applied Science and Biology)	
Social Studies	2 (including (1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy and (2) Economics and Personal Finance)	
Health/P.E.	1	
Career/Technical	4 (Career/Technical Education electives)	
Occupational Preparation	6 (including: (1) Occupational Preparation I or Employment Preparation I: Science; (2) Occupational Preparation II or Employment Preparation II: Citizenship IA and Employment Preparation II: Citizenship IB; (3) Occupational Preparation III or Employment Preparation III: Citizenship IIA and Employment Preparation III: Citizenship IIB; and (4) Occupational Preparation IV or Employment Preparation IV: Math)	
Work Hours*	600	
Electives	0	
Other Requirements	• Completion of IEP objectives • Career Portfolio	
Total Credits	**22**	

* The work hours must include: (1) 150 hours of school-based training with work activities and experiences that align with the student's post-school goals; (2) 225 hours of community-based training; and (3) 225 hours of paid employment or 225 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours, for a total of 600 required work hours.

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

Types of Courses	**State Requirements**	**Local Recommendations**
English	4 (including English I, II, III, and IV)	
Mathematics	4 (including Introduction to Math, NC Math I, Financial Management, and Employment Preparation IV: Math (to include 150 work hours))	
Science	3 (including Applied Science**, Physical Science, or Earth/Environmental Science; Biology; and Employment Preparation I: Science (to include 150 work hours))	
Social Studies	4 (including Founding Principles of the United States of America and North Carolina: Civic Literacy, Economics and Personal Finance, Employment Preparation II: Citizenship IA (to include 75 work hours), and Employment Preparation II: Citizenship IB (to include 75 work hours))	
Health/P.E.	1	
Career/Technical	4 (Career/Technical Education electives)	
Additional Employment Preparation*	2 (including Employment Preparation III: Citizenship IIA (to include 75 work hours) and Employment Preparation III: Citizenship IIB (to include 75 work hours))	
Electives	0	

Other Requirements	• Completion of IEP objectives • Career Portfolio	
Total Credits	22	

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

** Applied Science is no longer an option starting with students entering the ninth grade in the 2025-2026 school year.

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

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

C. SPECIAL CIRCUMSTANCES

1. Honor Graduates

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

2. Students with Disabilities

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

3. Children of Military Families

   In order to facilitate the on-time graduation of children of military families, as defined in policy 4050, Children of Military Families, school officials shall comply with the requirements of the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5), G.S. 115C-407.12, and the following requirements.

   a. Waiver Requirements

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

b. Testing Requirements for Graduation

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

c. Transfers During Senior Year

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

4. Early Graduation

Students have the option of graduating early by completing the State Board of Education minimum graduation requirements on an accelerated three-year pathway. Students choosing to use an accelerated pathway must follow the process required for early graduation as described in State Board Policies GRAD-001 and GRAD-006. If a student wants to graduate under the accelerated pathway, the student is not to apply or attend Tri-County Early College High School. Students attending TCEC will not have the option to be on an accelerated path for graduation in three years, as the goal of those schools is to obtain a college certificate/credential/degree in addition to a high school diploma in four or five years.

5. Graduation Certificates

Graduation certificates will be awarded to eligible students in accordance with the standards set forth in State Board Policy GRAD-010.

6. Diploma Endorsements

Students have the opportunity to earn diploma endorsements as described in State Board Policy GRAD-007. No endorsement is required to receive a diploma.

Legal References: G.S. 115C-47, -81.25(c)(10)(c), -81.45(d), -81.65, -81.90(c), -83.31, -83.32, -174.11, -276, -288, -407.5, -407.12; 16 N.C.A.C. 6D .0309, .0503, .0506, .0510; State Board of Education Policies CCRE-001, GRAD-001, GRAD-004, GRAD-006, GRAD-007, GRAD-008, GRAD-010, TEST-003

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

Adopted: July 15, 1999
Amended: January 14, 2010
Amended: October 11, 2012
Amended: August 14, 2014
Amended: December 11, 2014
Amended: August 10, 2015
Amended: January 14, 2016
Amended: February 9, 2017
Amended: October 12, 2017
Amended: June 11, 2020
Amended: January 14, 2021
Amended: June 10, 2021
Amended: August 15, 2024
Amended: November 21, 2024
Amended: December 4, 2025

Student Request for Early Graduation

School:_____

I, _____, hereby declare my intent to graduate early.
(Student's Full Name)

I understand that graduation prior to my class may be permitted based on completion of state and local requirements and with the approval of the Superintendent.
Initial: _____

I understand that based on my current transcript, GPA requirement for online classes and completion of both state and local graduation requirements can be met for early graduation if the current course plan is successfully completed.
Initial: _____

I understand should I desire to participate in graduation exercises I must receive a recommendation from the superintendent, notify the school administration and counselors of my intent during or before the summer of my Junior Year, and order appropriate graduation materials. It will be my responsibility to leave the school adequate contact information for communication of items pertaining to graduation exercises.
Initial: _____

I understand that to be eligible for Summa Cum Laude, Magna Cum Laude, Cum Laude or Vocational Honors I must complete four full consecutive semesters with my graduating class, at my high school, by the time of graduation.
Initial: _____

Signature of student:_____ Date:_____

Signature of parent(s)/guardian:_____ Date:_____

Signature of Administrator:_____ Date:_____

Signature of Counselor:_____ Date:_____

Superintendent's Endorsement:

Approved: [_____]
Disapproved: [_____]

Superintendent of Schools:_____ Date:_____

Counselors, please Initial that the student has met the accountability assessments.
NC Math 1___NC Math 3___Biology___English II___ACT___WorkKeys___

Student Request for Mid-Year Graduation

School:_____ Grade:_____

I, _____, hereby declare my intent to graduate early
(Student's Full Name)
after the first semester of my senior year.

I understand that based on my current transcript, GPA requirement and completion of both state and local graduation requirements can be met for early graduation if the current course plan is successfully completed.
Initial: _____

I understand that to be eligible for Summa Cum Laude, Magna Cum Laude, Cum Laude or Vocational Honors I must complete four full consecutive semesters with my graduating class, at my high school, by the time of graduation.
Initial: _____

I understand that I will be eligible to participate in the graduation ceremonies in the spring with my graduating class.
Initial: _____

Signature of student:_____ Date:_____

Signature of parent(s)/guardian:_____ Date:_____

Signature of Administrator:_____ Date:_____

Signature of Counselor:_____ Date:_____

Superintendent's Endorsement:

Approved: [_____]
Disapproved: [_____]

Superintendent of Schools:_____ Date:_____

Counselors, please Initial that the student has met the accountability assessments.
NC Math 1___
NC Math 3___
Biology___
English II___
ACT___
WorkKeys___

A. PURPOSES

The board is committed to the goal of providing a safe and orderly learning environment in each school. The educational program, school student behavior management plans, school improvement plans, and numerous other strategies identified in board policy are intended to create such an environment and to help each student be a successful and contributing member of the school community. As used in this policy and context, an alternative learning program or school may serve as the site to: (1) deliver educational services required by G.S. 115C-390.9 or -390.10 to a student who is serving a long-term or 365-day suspension; (2) provide concentrated support for students at risk of academic failure; and/or (3) deliver educational and other services to students who are or may be disruptive to a safe and orderly learning environment in the regular educational setting.

B. STANDARDS FOR ALTERNATIVE LEARNING PROGRAMS/SCHOOLS

Prior to implementing a new alternative learning program or school, the board will develop a program proposal that is consistent with the State Board of Education standards for alternative learning programs. The board then will submit the proposal to the State Board for its review. After the proposal has been reviewed by the State Board, the board will consider any recommendations from the State Board to modify the proposal before implementing the alternative learning program or school.

The board will review on a regular basis whether the school system's alternative learning programs and schools comply with State Board standards.

C. TRANSFER TO ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

1. Basis for Transfer

   Students generally are assigned to a school based on attendance area. However, as provided by law, the board may assign any student to a school outside of his or her attendance area in order for the student to attend a specialized school or for any other reason the board, in its sole discretion, deems sufficient. In all cases, the assignment or transfer of a student with a disability will comply with applicable federal and/or state requirements for students with disabilities.

   Students may be transferred to an alternative learning program or school on a voluntary or involuntary basis under any of the following circumstances.

   a. the student's parent or guardian and the principal agree, and a multi-disciplinary team agrees, that the transfer would be in the best interest of the student and the efficient administration of the public schools;

   b. the student has been recommended for long-term suspension or expulsion;

   c. the student poses a significant disruption to the educational environment in the regular educational setting due to continuing social/behavioral

problems;

d. the student is at risk of dropping out or not meeting standards for promotion due to academic, developmental, and/or behavioral problems, and resources in addition to or different from those available in the regular educational setting are needed to address the issue;

e. the student is a clear threat to the safety of other students or personnel; or

f. the student has been charged with a felony or with any crime that allegedly endangered the safety of others, and it is reasonably foreseeable that the student's continued presence will significantly disrupt the regular educational environment.

The board encourages parental involvement in decisions regarding the child's education and in identifying effective options for addressing concerns regarding the child's behavior or academic performance.

2. Responsibilities of Personnel at Referring School

In addition to any other procedures required by this policy, prior to referring a student to an alternative learning program or school, the principal of the referring school must:

a. document the procedures that were used to identify the student as being at risk of academic failure or as being disruptive or disorderly;

b. provide the reasons for referring the student to an alternative learning program or school; and

c. provide to the alternative learning program or school all relevant student records, including anecdotal information.

3. Referral

a. Students who are recommended for long-term suspension or expulsion and who receive due process through the disciplinary process for violations of the Code of Student Conduct do not require additional referral procedures prior to transfer.

1. Responsibilities of School Personnel at the Alternative Learning Program or School

In addition to any other procedures required by this policy, once a student is placed in an alternative learning program or school, the appropriate school

personnel of the program or school must meet to review the student's records and any other documentation forwarded by the referring school. Based on these records and any input provided by the parent or guardian concerning the student's needs, the personnel at the alternative program or school shall determine the support services and intervention strategies that are recommended for the student.

If a student who is subject to G.S. 14-208.18 is assigned to an alternative school, the student must be supervised by school personnel at all times.

2. Voluntary Referral

The board encourages parental involvement in decisions regarding the child's education and in identifying effective options for addressing concerns regarding the child's behavior or academic performance.

Voluntary transfers are encouraged whenever possible. A voluntary transfer is an agreement by the parent or guardian, the principal, and the disciplinary review committee that transfer is an appropriate option for the particular student. After agreement has been reached, the principal of the regular educational setting and the principal of the alternative learning program or school shall arrange the process and time for the transfer. The principal of the regular educational setting shall notify the superintendent of the transfer.

3. Involuntary Referral

A student may be required to be transferred from the regular educational setting to an alternative learning program or school under any of the following circumstances:

a. the student presents a clear threat to the safety of other students or personnel;
b. the student presents a significant disruption to the educational environment in the regular educational setting;
c. the student is at risk of dropping out or not meeting standards for promotion, and resources in addition to or different from those available in the regular educational setting are needed to address the issue;
d. the student has been charged with a felony or a crime that allegedly endangered the safety of others, and it is reasonably foreseeable that the educational environment in the regular educational setting will be significantly disrupted if the student remains; or
e. if the Code of Student Conduct provides for a transfer as a consequence of the student's behavior.

b. Prior to a transfer in circumstances where a student is experiencing academic or developmental difficulties or continuing social/behavioral

problems, the principal or school-based committee of the referring school shall document the student's behavior and academic performance and efforts to assist the student in the regular educational environment. School administrators are encouraged to meet with the student's parents or guardians to try to reach a consensus on how to address the student's difficulties at school.

c. In all cases where a basis for transfer exists, other than where the student has received due process pursuant to a recommendation for long-term suspension or expulsion, the principal must refer the student to a multi-disciplinary team to determine whether the student should be transferred to an alternative school. The principal must provide in writing: (1) an explanation of the student's behavior or academic performance that is at issue; (2) documentation or a summary of the documentation of the efforts to assist the student in the student's regular educational setting, if applicable; and (3) documentation of the circumstances that support the referral. A copy of the referral and other documentation must be provided to the parent or guardian by certified mail or in person.

The multi-disciplinary team shall consist of the student's parent or guardian and at least three school system employees who are informed about the student's needs. The team shall meet to consider the principal's referral and determine whether the student will be assigned to an alternative school and shall perform all other duties assigned to it by State Board of Education policy. The student's parent or guardian shall be provided written notice of the time, place, and date of the meeting.

At the meeting, the multi-disciplinary team shall determine whether the student will be transferred to the alternative school. The student's parent or guardian shall be provided written notice of the team's decision, as well as notice of the parent or guardian's appeal and due process rights. If the student's parent or guardian attended the team meeting, such notice shall be provided at the end of the meeting. If the student's parent or guardian did not attend the meeting, such notice shall be provided by certified mail within one business day of the meeting. If the multi-disciplinary team approves the transfer, the principal of the regular educational setting and the principal of the alternative school shall make all necessary arrangements.

4. Responsibilities of School Personnel at the Alternative Learning Program or School

Once a student is placed in an alternative learning program or school, the appropriate school personnel of the program or school must meet to review the student's records and any other documentation forwarded by the referring school.

Based on these records and any input provided by the parent or guardian concerning the student's needs, the personnel at the alternative program or school shall determine the support services and intervention strategies that are recommended for the student.

If a student who is subject to G.S. 14-208.18 is assigned to an alternative school, the student must be supervised by school personnel at all times.

5. Assignment of Student with Disabilities to Alternative Programs/Schools

Students who receive services under the Individuals with Disabilities Education Act (IDEA) are entitled to all of the processes and protections pursuant to the IDEA. All additional requirements specific to the assignment of students with disabilities to an alternative program or school established by State Board of Education policy shall be observed.

D. APPEALS PROCESS

If the student's transfer is the result of an IEP team decision for a student with a disability, parents or guardians who are dissatisfied with the decision must comply with the due process procedures set forth in *Procedures Governing Policies and Services for Children with Disabilities*, as adopted by the State Board of Education.

In all other cases, within three business days of receiving written notice of the decision to assign the student to an alternative program or school, the parent or guardian may appeal the decision in writing to the superintendent, who shall review the documentation and render a decision within five business days, absent extraordinary circumstances that require additional response time. Parents and guardians who are dissatisfied with the superintendent's decision may appeal to the board. The board will hear the appeal in closed session and will follow its procedures as provided in policy 2500, Hearings Before the Board. During the period of the appeal, the student may be transferred to the alternative learning program or school, except as prohibited by the IDEA.

E. ADMINISTRATIVE ASSIGNMENTS

1. Assignment During a Long-Term or 365-Day Suspension

Any student who receives a long-term or 365-day suspension must be offered alternative education services unless the superintendent provides a significant or important reason for declining to offer such services. Alternative education services include, but are not limited to, the alternative programs or schools established in this policy in accordance with G.S. 115C-105.47A.

2. Assignment of Student Sex Offenders

The board may decide, pursuant to G.S. 115C-390.11(a)(2), to assign a student

who is subject to G.S. 14-208.18 to an alternative learning program or school.

F. TRANSITION FROM ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

In most instances, the goal of the alternative learning program or school is to return the student to the regular educational setting with the skills necessary to succeed in that environment as soon as practicable. The personnel of the alternative learning program or school and those of the regular educational setting shall work together to help create a successful transition for the student.

If the student is not or will not be returned to the regular educational setting, the alternative learning program or school will assist in the student's transition to other educational settings, including other programs offered by the school system or a community college or vocational school.

For students identified as eligible under the IDEA, the student's IEP team shall make all transition decisions that would result in a change in placement.

G. ASSIGNMENT OF PROFESSIONAL PERSONNEL TO ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

When assigning professional personnel to an alternative learning program or school, the superintendent shall consider the experience and evaluation ratings of the professional employee who may be assigned to the program or school. As school system resources allow, the superintendent shall strive to avoid assigning to an alternative school or program less experienced professional personnel or professional personnel who have received unfavorable evaluations. Additionally, all school personnel at alternative learning programs or schools should receive training so that students enrolled in such programs or schools receive appropriate educational services.

H. EVALUATION OF ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

1. State Accountability

   The board will determine annually how each alternative school will participate in the State Alternative Schools' Accountability Model. The superintendent shall provide for this information to be reported to the North Carolina Department of Public Instruction by August 1 of each year.

2. Information to be Reported to the Board of Education

   Each year, the board will evaluate each alternative learning program or school based upon reports provided by the superintendent and any other information the board wishes to consider.

   a. referral patterns from the regular educational setting, including age, race,

gender, and method of transfer (voluntary, involuntary, or pursuant to suspension);

b. drop-out rates;
c. how long students stay at the alternative learning program or school and where they go (including the regular educational setting, community college/technical schools or dropping out) when they leave the alternative program or school;
d. the training and development of professional employees assigned to the alternative learning program or school;
e. a list of services or programs that the alternative learning program or school coordinates with other governmental agencies;
f. the school's results under the state's alternative school's accountability model, as applicable; and
g. any other information the superintendent requires.

To assist the board in evaluating an alternative learning program or school, each alternative school or program's school improvement plan must include measures of the effectiveness of the alternative program or school.

3. Items to be Considered

In addition to any other outcomes the board deems important, the board will determine whether:

a. a diverse group of students is referred to the alternative learning program or school;
b. the alternative learning program or school complies with State Board standards;
c. the alternative learning program or school incorporates best practices for improving student academic performance and reducing disruptive behavior;
d. school personnel at the alternative learning program or school are well-trained and provided with appropriate professional development;
e. the alternative learning program or school is organized to provide coordinated services;
f. students at the alternative learning program or school receive high quality and rigorous academic instruction; and
g. the alternative learning program or school assists students in transitioning back to the regular educational setting or to other educational settings.

G. PLACEMENT AT THE OAKS ACADEMY.

To be eligible to transfer to The Oaks Academy, a student must be referred from a Cherokee County public high school or middle school. Any student, who is classified as an Exceptional Child, must be referred by the Individual Education Plan (IEP) Team. Any student who has a 504 Modification Plan must be referred through the school's Care Team. The 504 is a plan

designed to accommodate the unique needs of an individual with a disability, as required by the American with Disabilities Act (ADA).
Any student transferring to a Cherokee County public high school or middle school from an alternative setting in their previous school district will attend The Oaks Academy for an initial 15 day evaluation period. The student shall be put on a behavior intervention plan and achieve all goals prior to consideration for mainstreaming into a regular setting.

The regular school implements interventions for students with behavioral or academic issues. If initial interventions are not successful, the student is referred to the school Care Team for further instructions. If those interventions are unsuccessful, the Care Team or principal completes The Oaks Academy pre-referral checklist. Previous interventions are documented. The behavioral concern(s) are presented to The Oaks Academy Placement Committee.

The principal of the referring school will bring the recommendation including the documented previous interventions to The Oaks Academy Placement Committee. The Oaks Academy Placement Committee will include the principal of the referring school or his designee, the principal of The Oaks Academy, a central office director, and other relevant committee members as deemed necessary by the Superintendent.

Legal References: G.S. 14-208.18; 115C-47(32a), -105.27, -105.47A, -105.48, -276(r), -288, -367, -369, -390.7, -390.9, -390.10, -390.11; 16 N.C.A.C. 6G .0314; State Board of Education Policy ACCT-038, ALTP-002, DROP-001, EXCP-000; *Policies Governing Services for Children with Disabilities*, as amended (Public Schools of N.C.); *Policies and Procedures for Alternative Learning Programs and Schools* (NC Dept. of Public Instruction), available at https://www.dpi.nc.gov/students-families/enhanced-opportunities/alternative-learning-programs#development,-implementation,-and-operations

Cross References: Parental Involvement (policy 1310/4002), Hearings Before the Board (policy 2500), School Improvement Plan (policy 3430), Conflict Resolution (policy 3431), Student Sex Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302), Student Discipline Records (policy 4345), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Assignments/Reassignments/Transfers (policy 7440)

Adopted: June 17, 1999 and July 15, 1999

Amended: July 18, 2000, June 21, 2001, January 11, 2007, July 14, 2011, September 8, 2011, July 9, 2015, August 10, 2017, December 13, 2018
Technical Corrections: April 3, 2020
Amended: June 10, 2021

The curriculum of the school system will be based on the current statewide instructional standards. The board and the school administrators will exercise their authority to select appropriate materials and teach the curriculum in an effective manner. The board supports the free exercise of religion and prohibits discrimination on the basis of religion. While students are expected to participate in all required courses and school activities, the board recognizes that at times a student or a student's parent or guardian may object to a specific classroom discussion, activity, or assigned reading. This policy is designed to provide students, parents, and guardians with a process for seeking a religious-based exemption for a student from a specific classroom discussion, activity, or assigned reading. To the extent practicable, students, parents, and guardians will be notified in advance of upcoming classroom discussions, activities, and assigned readings.

A student, parent, or guardian may petition to exempt the student from participation in a specific classroom discussion, activity, or assigned reading that the student, parent, or guardian believes would impose a substantial burden on the student's religious beliefs or invade the student's privacy by calling attention to the student's religion. Any request for exemption should be submitted to the superintendent or designee in accordance with the following guidelines.

1. The request must be in writing.

2. The request must specify the discussion, activity, or reading and explain how it would impose a substantial burden on the student's religious beliefs or invade the student's privacy by calling attention to the student's religion.

3. The request may suggest a proposed alternate activity or study.

The superintendent or designee shall review the request in accordance with any constitutional or statutory standards and shall accommodate the request as required by law. If accommodation is not required by law, the superintendent or designee may choose to accommodate such a request after weighing factors, such as the interest of the child, the impact on other students, and the availability of alternative activities or materials. An appeal of the decision may be made through the student grievance procedure.

If a student is excused from a classroom discussion, activity, or assigned reading, the student will be provided an alternative activity or assignment aligned with the standard course of study.

MOMENT OF SILENCE TO BEGIN THE SCHOOL DAY

The Cherokee County Board of Education authorizes the observance of a moment of silence at the beginning of each day in all grades in the school system. The moment of silence may not exceed one minute in length, must be completely unstructured and free of any influence from any source and no other activities will be allowed during that time.
Legal References: U.S. Const. amend. I; N.C. Const. art. I, § 14; G.S. 115C-36, -47(33b)

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100)

Adopted: July 15, 1999
Amended: September 12, 2013
Amended: October 2, 2025

The United States Constitution and North Carolina Constitution protect the right of an individual to subscribe to any religious beliefs or to no religious beliefs at all. It is the board's policy to comply with federal and state law regarding religion and religious expression in the schools. The board will neither advance nor inhibit any religion or religious belief, viewpoint, expression, or practice. It is also the policy of the board to support, within the framework of the United States Constitution and the North Carolina Constitution, the free, private exercise of individual religious beliefs by students and school employees. The board will not prevent, or otherwise deny participation in, constitutionally protected prayer in the system's schools, consistent with guidance issued by the U.S. Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution. This policy supersedes any other board policy that is inconsistent with it.

The board also recognizes the importance of the religious heritage of the United States of America and North Carolina and respects the diverse religious beliefs of members of the school community. School employees are expected to show respect for the beliefs of all students and employees. Also, school programs and activities should be designed to foster understanding, appreciation, and respect for the diverse beliefs of the school system's students and employees.

In order to ensure that the school system upholds constitutional standards within the religiously neutral role assigned to public schools, school employees should request approval from the school principal before planning a school-sponsored instructional activity, observance, program, or other event that will include religious content or could be construed as a religious ceremony or celebration. As necessary, the principal shall confer with the superintendent or designee to determine whether the proposed activity is consistent with constitutional requirements. The superintendent or designee shall consult the board attorney whenever prudent to do so to determine the applicable legal standards and/or the constitutionality of the proposed activity.

If the proposed activity is inconsistent with such standards, it will not be permitted.

The superintendent, in consultation with the board attorney, shall develop administrative regulations designed to comply with the requirements of the United States Constitution and court decisions interpreting the Constitution. The regulations also shall address pertinent statutes enacted by the North Carolina General Assembly.

Legal References: U.S. Const. amend. I; Equal Access Act, 20 U.S.C. 4071-4074; N.C. Const. art. I, § 14; G.S. 115C-36, -47, -407.30 through -407.33

Cross References: Board Attorney (policy 2610), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Religious-Based Exemptions from School Programs (policy 3510), Distribution and Display of Non-School Material (policy 5210)

Adopted: June 8, 2015

This procedure is designed to assist principals, teachers, and other school employees to implement policy 3515, Religion in the Schools. The United States Constitution and North Carolina Constitution protect the right of an individual to choose his or her religious beliefs and prohibit any governmental action that may advance or inhibit such beliefs. Nothing in this regulation is intended to violate these principles. However, this regulation cannot anticipate every possible question or fact situation that might arise concerning religion in the schools. School employees are encouraged to consult with their immediate supervisor regarding any question about religion in the schools that is not clearly answered by this regulation.

I. STANDARDS FOR RELIGION IN THE SCHOOLS

A. Religion in the Curriculum

1. The First Amendment permits the study of the role of religion as it relates to literature, history, culture, and the arts. Teachers may discuss religion in a neutral and objective manner as part of a secular program of education. Teachers may not promote or disparage a particular religion, religions in general, or the lack of religious beliefs.

2. Teachers may provide instruction on historic, political, or literary documents that include religious references if such documents are otherwise applicable to and appropriate for the course being taught.

3. When scheduling outside speakers for classes and school assembly programs, school employees will select speakers who will address topics that align with the curriculum and who are appropriate for the age and maturity of the students in the audience. Outside speakers may not lead students in prayer or other religious observances or promote or disparage religious beliefs or lack of religious beliefs during school classes and assemblies.

B. Holidays and Celebrations at School

1. School curriculum, programs, and activities may acknowledge religious holidays but may not promote or endorse religious belief or require or coerce students to participate in holiday related activities or performances. When planning school activities that acknowledge religious holidays, school employees must seek to foster attitudes of appreciation and respect for the diversity of religious beliefs in the school community, in the state, and in the nation.

2. Holiday symbols, including religious symbols, may be used as teaching aids or resources as part of neutral instruction about a religious holiday, such as Christmas or Hanukkah. Symbols that are used as examples of the cultural and religious heritage of a holiday are to be displayed only on a temporary basis. The display of holiday symbols should represent diverse

beliefs and should not focus exclusively on the beliefs and traditions of one religion.

3. Use of music, art, or literature acknowledging religious holidays is permitted during school-sponsored activities if presented in a neutral and objective manner that focuses on the cultural and historical basis for a particular holiday. Such activities may not promote or endorse belief in a particular religion or focus exclusively on the beliefs and traditions of one religion.

4. Classroom teachers should retain control of all presentations and activities in their classrooms. Students retain the right to free exercise of religion as specified in Section C, below. Teachers and other adults in the classroom must be careful to be neutral in classroom programs and activities that they plan. Classroom teachers who have questions about the suitability of materials or activities related to a holiday centered activity, including materials and activities proposed by parents or other volunteers, should consult with the principal for guidance.

5. As specified in policy 3510, Religious-Based Exemptions from School Programs, school personnel will give careful consideration to written requests from parents that students be excused from assignments or activities that the parents deem objectionable on religious grounds. If such a request is approved, an alternative activity will be provided for the student.

6. School administrators should be sensitive to the possible effects of religious holidays on school attendance when planning school activity calendars. To the extent practicable, examinations and other major events will not be scheduled on such holidays.

C. Students' Right to the Free Exercise of Religion

The First Amendment of the United States Constitution protects the free exercise rights of students. School employees must be sensitive to the religious beliefs of students when implementing board policies and school system regulations. School administrators shall maintain neutrality with regard to religion and shall not promote or criticize the religious beliefs or practices of students.

While on school property or involved in a school activity, students may voluntarily engage in the student-initiated religious activities as described in this subsection. However, a student may be prohibited from engaging in any such activity that would interfere with the duty of school officials (a) to maintain order and discipline, (b) to prevent disruption of the educational process, and (c) to determine educational curriculum and assignments. School officials also may prohibit student activities that (a) harass other persons or coerce other students to participate in the activity; or (b) otherwise infringe on the rights of other persons.

1. Students may read religious material and pray, either silently or audibly and alone or with other students, to the same extent and under the same circumstances as students are permitted to silently or audibly read, reflect, meditate, or speak on nonreligious matters alone or with other students in school.

2. Students may express, speak to, or attempt to share religious viewpoints in school to the same extent and under the same circumstances as students are permitted to express, speak to, or attempt to share viewpoints on nonreligious topics.

3. Students may express beliefs about religion in homework, artwork, and other written or oral assignments free from discrimination based on the religious content of the submission. Homework and classroom assignments will be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the board or teacher. A student will not be penalized or rewarded based on the religious views expressed in the student's work.

4. Subject to the requirements of policy 5210, Distribution and Display of Non-School Material, students may possess or distribute religious literature in school to the same extent and under the same circumstances, including any reasonable time, place, and manner restrictions, as students are permitted to possess or distribute literature on nonreligious topics.

5. Students may organize prayer groups, religious clubs, or religious gatherings before, during, or after school to the same extent that students are permitted to organize other noncurricular student groups and activities. Student religious groups will be provided the same access to school facilities for assembling as other noncurricular groups and will be permitted to advertise or announce meetings to the same extent as other noncurricular groups. Principals shall arrange for adequate supervision, if needed, of activities occurring on school grounds. The school or school system may disclaim school sponsorship of noncurricular groups and events in a manner that neither favors nor disfavors groups that meet to engage in prayer or religious speech.

D. School Employees and Religious Activity

The First Amendment of the United States Constitution protects the free exercise rights of school employees. However, teachers, administrators, and other school employees are not permitted to lead, direct, or encourage any religious or antireligious activity in violation of the First Amendment of the Constitution.

1. School personnel may read religious materials, including the Bible, and pray during their free time, engage in voluntary discussions with other

staff members about religious issues, and carry or wear religious symbols when on duty at school, as long as it does not interfere with their work.

E. Maintaining School System Neutrality in Religious Matters

1. The school system and school employees acting in their official capacities shall not promote, conduct, sponsor, or endorse any form of religious indoctrination or exercise, including prayer, at school functions. This includes graduation ceremonies. The school system and its employees shall not coerce students or employees to participate in religious activities on or off school grounds. A moment of silence may be observed at school-controlled functions, activities, or events.

2. Schools may not sponsor or conduct baccalaureate services. Parents, students, and other groups may organize and conduct voluntary baccalaureate services. Notice of any such services may be allowed in the same manner as allowed for other community activities under policy 5210, Distribution and Display of Non-School Material. School facilities must be available for use by outside groups holding baccalaureate services to the same extent as such facilities are available for use by other community groups for community activities and as specified in policy 5030, Community Use of Facilities.

II. GRIEVANCE PROCEDURE

If a student or the student's parent believes that the student's right to religious freedom, as described in this regulation or otherwise established by law, has been violated, the student or parent may file a grievance in accordance with policy 1740/4010, Student and Parent Grievance Procedure.

Adopted: June 8, 2015

The board requires that all special education programs operating in this school system be in compliance with *Policies Governing Services for Children with Disabilities* as adopted by the State Board of Education.

All children with disabilities will be accorded rights as required by federal and state law. See also policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

The residence of a child with disabilities will be determined in accordance with G.S. 115C-366 and policy 4120, Domicile or Residence Requirements.

The board encourages parents, guardians, surrogate parents, custodians, eligible students, and school employees to work cooperatively to ensure that the special needs of students are met. Parents will be provided with information about their rights, the rights of their child, and the responsibilities of the school system toward meeting the special needs of their child.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq*., 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9; 115C-366, -390.5 through -390.12; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000

Cross References: Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Domicile or Residence Requirements (policy 4120)

Adopted: July 15, 1999
Amended: October 6, 2011

The board encourages all students to develop an understanding of citizenship, including the importance of a citizen's rights and responsibilities.

The curriculum committee established in policy 3100, Curriculum Development, shall develop the curriculum to include citizenship instruction. At a minimum, the curriculum will incorporate all statutory and State Board of Education requirements concerning civics, citizenship, and character education. In addition to meeting any state requirements, the curriculum also should be designed to reinforce the student behavior management plan.

The curriculum will include character education instruction as required by G.S. 115C-81.60. Such instruction should address character traits including, but not limited to, courage, good judgment, integrity, kindness, perseverance, respect, responsibility, and self-discipline, as well as responsibilities such as respect for school personnel, responsibility for school safety, service to others, and good citizenship.

The curriculum also must require that appropriate instruction be provided on the meaning and historical origins of the North Carolina and United States flags and the Pledge of Allegiance and may include guidelines for the use and display of the North Carolina and United States flags. Any North Carolina or United States flags donated or otherwise made available will be displayed in each classroom, and recitation of the Pledge of Allegiance will be scheduled on a daily basis. The principal shall **ensure that no student** is **compelled to salute the flag, recite the Pledge of Allegiance, stand to acknowledge the flag or stand to participate in the Pledge of Allegiance, or otherwise feel coerced to participate.** The curriculum may encourage teachers to use the recitation of the Pledge of Allegiance as an opportunity to teach students about the history concerning coercion and the importance of the First Amendment to the Bill of Rights.

All schools will commemorate Constitution Day and Citizenship Day and also Memorial Day. If students are in attendance on September 17, which is Constitution Day and Citizenship Day, an educational program about the United States Constitution will be held. If students are not in attendance on September 17, the program will be held during the week preceding or following September 17. Likewise, if students are in attendance on Memorial Day, they will receive instruction on the significance of Memorial Day. If students are not in attendance on Memorial Day, instruction on the significance of Memorial Day will be provided at another time.

The curriculum may include for middle school and high school students a community volunteer service requirement in order to demonstrate the value and effectiveness of volunteer contributions to the community. Students shall receive sufficient notice of any community volunteer service requirement approved by the board.

Legal References: P.L. 108-447, div. J, title I, sec. 111 (codified as a statutory note to 36 U.S.C. 106(d)); G.S. 115C-12(33), -47(29a), -81.45, -81.60

Cross References: Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100)

Adopted: July 15, 1999
Amended: October 12, 2006
Amended: April 19, 2012
Amended: November 9, 2017

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

A. COMPREHENSIVE HEALTH EDUCATION PROGRAM

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

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

B. PARENTAL OPPORTUNITIES TO REVIEW MATERIALS AND WITHHOLD CONSENT FOR STUDENT PARTICIPATION

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

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

do so in writing to the principal.

C. STANDARDS FOR INSTRUCTION

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

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

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

Cross References: Parental Involvement (policy 1310/4002)

Adopted: July 15, 1999
Amended: May 13, 2010
Amended: February 25, 2014
Amended: February 11, 2016
Amended: October 9, 2023

Cherokee County Schools
Comprehensive Health Education Program
Permission to Participate

Dear Parent/Guardian:

Cherokee County Schools is committed to providing students with accurate information and education that encourages them to be responsible for their own health and behavior.

As required by state law, age appropriate reproductive health and safety education will be taught in seventh through ninth grades and will include the following topics: sexual abstinence until marriage, sexually transmitted diseases (STDs), the human reproductive system, effective contraceptive methods for preventing pregnancy, and awareness of sexual assault, abuse, and sex trafficking prevention and awareness. Health teachers shall follow the instructional objectives provided by the state and only use age-appropriate materials. The objectives and materials used for instruction will be made available at the media center at your child's school if you wish to review them.

Parents have the right to withhold or withdraw consent for their child's participation in all reproductive health and safety education instruction or in specific topics.

Please sign below and indicate whether or not your child may participate in the reproductive health and safety education program provided during Health/PE classes. If you have any questions, you may contact the principal or Health/PE teacher at your child's school.

Student's Name: _____

Student Grade Level: _____

Parent Signature: _____

Date: _____

_____ Yes, my child MAY participate

_____ No, my child MAY NOT participate

To improve the academic achievement of educationally and economically disadvantaged children, the board will participate in the federal Title I program.

A. TITLE I MAINTENANCE OF EFFORT

The school system will maintain fiscal effort with state and local funds as required to be eligible for the receipt of funds through Title I, Part A of the Elementary and Secondary Education Act, as amended.

B. USE AND ALLOCATION OF TITLE I FUNDS

Title I funds will be used to supplement, and not to supplant, non-federal funds that would otherwise be used for the education of students participating in the Title I program. Accordingly, state and local funds will be allocated to each school receiving Title I funds in a manner that ensures that each such school receives all of the state and local funds it would otherwise receive in the absence of Title I funding.

C. COMPARABILITY OF SERVICES

State and local funds will be used in schools receiving Title I funds to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds, or, if all schools receive Title I funds, to provide services that are substantially comparable in each school. The board will ensure equivalence among schools in the allocation of state and local resources for (1) teachers, administrators, and other staff, and (2) curriculum materials and instructional supplies. In addition, the board will establish and implement system-wide salary scales that are applicable to all staff whether assigned to Title I or non-Title I schools.

D. COMPARABILITY TESTING

The superintendent shall direct the Title I director, in conjunction with the finance officer, to conduct comparability testing before November 1 of each school year to assess the equivalent distribution of state and local resources among schools. The Title I director will determine annually whether to compare student enrollment to instructional staff or to instructional staff salary and also whether schools will be examined on a grade-span basis or on a school-by-school basis. The following will be excluded when determining comparability: (1) any resources paid with federal or private funds; (2) supplemental state or local funds expended for programs that meet the intent and purpose of Title I; (3) staff salary differentials for years of employment; (4) unpredictable changes in student enrollment or personnel assignments that occur after the beginning of a school year; (5) state and local funds expended for language instruction programs; and (6) excess costs of providing services to students with disabilities. Comparability testing will be completed using the forms and following the guidance created by the North Carolina Department of Public Instruction (NCDPI) for the calculation of comparability. The superintendent or designee shall submit the comparability testing report annually to

NCDPI by the deadline established by that agency.

E. CORRECTION OF NONCOMPLIANCE

If comparability testing identifies any instances of variance greater than 10%, the Title I director shall notify the superintendent or designee without delay. The superintendent or designee shall promptly make adjustments as needed to ensure comparability. These adjustments may include, but need not be limited to, reallocation of materials or supplies, or reassignment of personnel.

F. DOCUMENTATION OF COMPLIANCE WITH TITLE I FISCAL REQUIREMENTS

The superintendent or designee shall provide in a timely manner any assurances, additional documentation, or other information required by the State Board of Education/NCDPI to demonstrate the school system's compliance with Title I fiscal requirements.

G. RECORDS MAINTENANCE

The superintendent or designee shall maintain reports and other documentation demonstrating compliance with the requirements of this policy, including documentation to demonstrate that any needed adjustments to staff assignments were made annually, for review by the North Carolina Department of Public Instruction or auditors upon request.

The superintendent shall ensure that all other requirements for receiving Title I funds are fulfilled in an accurate and timely manner and shall develop, or cause to be developed, any additional procedures necessary to implement this policy.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6301 *et seq.*, 34 C.F.R. pt. 200

Cross References:

Other Resources: *Non-Regulatory Guidance, Title I Fiscal Issues*, U.S. Department of Education (February 2008), available at http://www2.ed.gov/programs/titleiparta/fiscalguid.pdf

Adopted: January 12, 2017
Amended: June 14, 2018

Guidance and counseling programs are provided by the school system with the ultimate aim of improving student performance by implementing strategies and activities that support and maximize student learning; helping students to grow in their personal and social development; and providing a foundation for acquiring the skills that enable students to graduate career and college ready and prepared to be lifelong learners. The principal of each school shall develop a counseling program that is data-driven and meets the objectives of the State Board of Education's comprehensive school counseling program curriculum and the academic, career, and social/emotional developmental needs of the student population at that school. The program will include individual and group counseling, classroom presentations, academic advising, career development services, consultation, parent education, and other responsive services.

In addition, the counseling program will incorporate the following specific elements.

A. INVOLVEMENT OF PARENTS AND OTHERS

The counseling program is the shared responsibility of teachers, counselors, parents, and community members, and should operate with the collaboration of all individuals involved in educating students, including those who assist children with special needs or students who are at risk of dropping out of school or not meeting performance expectations. Input from parents and students should be sought in accordance with the school's parental involvement plan. (See policy 1310/4002, Parental Involvement.)

Each year, the principal or designee shall inform parents of the guidance and counseling services available to students. Parents will be notified of the right to opt their students out of participation in certain group academic or career guidance or personal or social counseling services of a generic nature (see policy 1310/4002).

B. PROVISION OF COUNSELING SERVICES

Counseling services may be provided on an individual basis or in small or large groups. Students may seek counseling or be referred by staff or parents. School officials and teachers may recommend a counseling program to help a student meet standards of conduct and academic performance established by the board and school system administrators. If students have extensive needs or needs that go beyond the purpose of the counseling program, school counselors may refer them to community resources.

Counseling programs are most effective when voluntarily entered into by a student. Students will not be required to attend individual or small group counseling sessions to address identified significant personal issues unless agreement has been reached with the parent and student in a behavior contract, an intervention plan, or, for special education students, an individualized education plan. (See Student Behavior Policies (4300 series), policy 3420, Student Promotion and Accountability, and policy 3520, Special Education Programs/Rights of Students with Disabilities.)

C. PEER-TO-PEER SUPPORT PROGRAMS

All schools with grades six and higher will have peer-to-peer student support programs that address areas such as conflict resolution, general health and wellness, and mentoring.

Schools are encouraged to implement peer-to-peer student support programs in other grades as appropriate.

D. ACADEMIC ADVISING

School counselors and other guiding adults in middle and high schools shall support equitable access to opportunities and rigorous and relevant curricula for all students. Prior to the ninth grade, students will be informed about the course requirements for regular and accelerated college entry and the availability of early graduate scholarships for those students who complete high school in three years. School counselors shall encourage ninth grade students to complete the requirements for college entry in less than four years, if feasible and appropriate.

E. NOTIFICATION OF SAFE SURRENDER LAW

School personnel shall annually provide all students in grades 9 through 12 with information on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with Article 5A of Chapter 7B of the General Statutes.

F. EMPLOYEE MANDATORY REPORTING

Any Staff member who is aware that a student is contemplating suicide or is otherwise suffering from an emotional or psychological crisis must immediately notify the counseling program in accordance with any rules established by the superintendent or principal.

Any counselor or other staff member who knows or has cause to suspect maltreatment of a child must report the information as provided in policy 4240/7312, Child Abuse and Related Threats to Child Safety, and as required by law.

G. CONFIDENTIALITY

Information obtained in a session with a counselor may be privileged and protected from disclosure as provided by law. A counselor cannot be required to testify concerning privileged information unless, as provided by G.S. 8-53.4, the student waives the privilege or the court compels testimony as necessary to the proper administration of justice. The school counselor privilege does not, however, exempt the counselor from reporting child abuse as required by law and policy 4240/7312.

Any notation made by a counselor for his or her own use is a confidential document and is neither a public record nor a part of the student's record. Such confidential documents do not have to be shared with parents or others except as required by law. Any document prepared by a counselor that is shared or intended to be shared with other staff is considered an educational record of the student and is available to the parent or eligible student in accordance with policy 4700, Student Records.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 7B-301; 7B art. 5A; 8-53.4; 110-105.4; 115C-12, -47, -400, -401; 116 art. 23; State Board of Education Policies GRAD-006, SCOS-011

Cross References: Parental Involvement (policy 1310/4002), Goals and Objectives of the

Educational Program (policy 3000), Student Promotion and Accountability (policy 3420), Special Education Programs/Rights of Students with Disabilities (policy 3520), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Student Behavior Policies (4300 series), Student Records (policy 4700)

Adopted: July 15, 1999
Amended: January 10, 2019
Technical Corrections: April 3, 2020
Amended: June 10, 2021
Amended: September 19, 2024

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

A. REQUIREMENTS FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

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

B. ADDITIONAL RULES FOR INTERSCHOLASTIC ATHLETICS

The purpose of the Middle and High School Athletic program is to provide student athletes with meaningful experiences in the participation of an athletic event of their choice. Our goal is to be the best that we can be in every aspect of athletic competition and to do so while exhibiting the utmost in sportsmanship, team work and community pride. The following guidelines apply to all student athletes in Cherokee County Middle and High Schools. Student athletes are governed by the policies established by the North Carolina High School Athletic Association as well as the policies stated in the *Student's Rights and Responsibilities Handbook for Cherokee County Schools.* We believe that student athletic participation teaches some very important values to young people and it provides an opportunity for success at a level which otherwise may not be possible.

1. Student athletes are students first. Athletics is an adjunct to academics. Each student athlete should be at school in each class every day participating in a positive manner, unless (s)he is legitimately excused. Failure to attend class or do your best in class may result in a conference with the coach. If the coach feels that there is a serious problem, (s)he may choose to suspend the student athlete for a game or games until the problem is resolved. All student athletes must pass a minimum of their courses each semester as outlined in paragraph 2. d); and must be in attendance as stated in paragraph 2. e).

2. Middle and High School Interscholastic Athletic Competition Eligibility.

a) **Age**: A student athlete is eligible to participate in high school athletic contests during a year if the student athlete does not reach the 19th birthday on or before August 31 on that school year. A middle school student shall not participate on a ninth-grade middle school team if the student athlete becomes 16 years of age on or before August 31 of that school year.

b) **Eight Semester Rule**: No student athlete may participate at the high school level for more than eight consecutive semesters, beginning with the student athlete's first entry into grade nine or participation on a high school team, whichever occurs first.

c) **Residency**: A student athlete may participate in interscholastic athletics only at the school to which the student is assigned by the LEA. Student athletes must live in the school district to which they have been assigned or officially petitioned the Cherokee County Board of Education for reassignment. Reassignment will be granted only under the conditions prescribed by Cherokee County Board Policy. Documentation (School Assignment Form) of approved school reassignment must be on file in the principals' office of the school of attendance.

d) **Academic**:
   - The high school student athlete must pass 75% of courses each semester to be eligible to participate in the interscholastic program. On the block schedule, a student athlete must pass at least three courses to participate in the athletic program.
   - The Middle school student athlete must pass 75% of the core classes each semester to be eligible to participate in the interscholastic program; core classes are defined as Language Arts, Mathematics, Science, and Social Studies. Student athletes who have an IEP will have modifications based on the IEP. The principal, coach, and subject teachers will be responsible for arranging and offering remediation.

e) **Attendance**: Not inconsistent with board policy 4400 Attendance, in order to be eligible and maintain eligibility to participate in interscholastic athletics, the student athlete must:
   - have been in attendance at least 85% of the previous semester (missing no more than 13.5 days); and
   - have valid excuses for absences during the current semester;
   - Students who are found to be approaching being absent during the current semester for 7 days without valid excuses may be required to attend an eligibility hearing presided over by the school's principal, athletic director, and athletic coach (and any other member the principal may appoint) to present reasons for the excessive absences. In the absence of valid excuses for the excessive absences the student athlete may have eligibility to participate in athletics suspended immediately—such suspension will carry over into the upcoming semester should the absences exceeded 85%.
   - Policy 4400 Attendance lists valid excuses for temporary nonattendance for a student at school by North Carolina Law as being:
     - personal illness or injury that makes the student physically unable to attend school;
     - isolation ordered by the State Board of Health;
     - death in the immediate family;
     - medical or dental appointment;
     - participation under subpoena as a witness in a court proceeding;

- a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent(s);
- participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal;
- pregnancy and related conditions or parenting, when medically necessary; or
- visitation with the student's parent or legal guardian, at the discretion of the superintendent or designee, if the parent or legal guardian (a) is an active duty member of the uniformed services as defined by policy 4050, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting.

f) In addition to the above rules, the school principal, AD, and Coach may wave the 85% attendance eligibility rule for students who present valid *verified* excuses as listed above and in policy 4400. These rules are not intended to prevent students from participation in athletics who make a consistent and earnest effort to be in attendance but are forced to be absent through no fault of their own.

g) **Medical Exam**: The student athlete must receive a medical examination each year (365 days) by a duly licensed physician, nurse practitioner, or physician assistant.

3. All student athletes are to be present at all required practices unless previous arrangement has been made with the coach or school administration. If a student athlete is injured or sick, the student athlete should still attend practice and watch and learn if at all possible, unless the student athlete has a legitimate medical excuse. If a game or practice session is missed, the player can expect make-up activities for each day missed.

4. All student athletes are responsible for the care and upkeep of any equipment, uniforms or school property that is issued to them. Any items that are lost, destroyed or damaged beyond repair must be paid for by the student athlete at the end of the sport season or before graduation if the sport occurs during the spring of the senior year. Failure to do so will automatically eliminate the student athlete from further sports participation until the matter is resolved.

5. All student athletes are expected to help in maintaining the cleanliness and care of the athletic facilities. Any student athlete caught defacing; damaging or destroying school property will face disciplinary action determined by the principal and/or coach which could include game suspension or dismissal from the team. (See Student's Rights and Responsibilities Handbook.)

6. Stealing will not be tolerated. This includes stealing from teammates, the school, other schools, or other students within the school. First offense will result in a conference with the coach, parent, student athlete, and administration. The student athlete will also be suspended for one game. A second offense will result in dismissal from the team. All stolen items will be returned or replaced by the student athlete. Failure of the student athlete to

return or replace stolen items will result in immediate suspension from the team and disciplinary referral to the school administration.

7. If a student athlete receives a punishment of game suspension, the student athlete will serve the suspension immediately upon completion of the investigation of the violations by the principal (or designee) and/or athletic department.

8. Student athletes caught using tobacco products at school will face disciplinary action under the guidelines established by the Cherokee County Schools Code of Student Conduct contained in the Student's Rights and Responsibilities Handbook. Student athletes caught using tobacco outside of school will be subject to disciplinary action set forth by the principal and/or athletic department of the school at the beginning of the year. For the purposes of this restriction of the use of tobacco products, items that may be used to ingest nicotine or other controlled substances such as JUUL pens, E-cigarettes, pocket vapes, pen vaporizers, box mod vaporizers, POD MODS, etc., will be considered a violation of this policy and students will face disciplinary action as stated above.

9. Cherokee County Schools has a Zero Tolerance for use of illegal drugs and alcohol. The Cherokee County Code of Student Conduct, contained in the Student's Rights and Responsibilities Handbook, outlines the disciplinary actions, sanctions and consequences for violating a school rule including those pertaining to alcohol and drugs. Any and all student athletes who violate these rules can expect not only the consequences as prescribed in the Rights and Responsibilities Handbook, but also the following actions by the schools' athletic departments and coaches:

   a) **Alcohol**: Student athletes will not use, purchase, sell, distribute, be under the influence of or possess any kind of alcoholic substance or a counterfeit or imitation alcoholic substance. Student athletes in violation of this policy should expect to:
      1) Satisfy disciplinary consequences as prescribed by the school administration.
      2) Participate in a conference with parent(s), coach, student athlete and administration.
      3) The student athlete will be placed on suspension of one game for the first offense. A second offense will result in dismissal from all athletic participation for 6 weeks or until the end of the season whichever is longer. A third offense will result in dismissal from all athletic participation for one calendar year (365 days).

   b) **Drug Offenses:** Student athletes will not use, purchase, sell distribute, be under the influence of or possess any kind of controlled substance as defined by state law. This includes, but is not limited to, any narcotic; illegal or controlled drug, marijuana, cocaine, anabolic steroids, counterfeit or imitation controlled substances, and drug paraphernalia. Student athletes in violation of this policy should expect to:
      1) Satisfy disciplinary consequences as prescribed by the school administration.
      2) Participate in a conference with parent(s), coach, student athlete and administration.
      3) The student athlete will be placed on suspension for a period of six (6) weeks from any athletic activity. A second offense during the school year will result in the student athlete being immediately dismissed from all athletic participation for one calendar year from the date of the offense. If the offense occurs in the summer, or

when school is not in session, this same alcohol/drug policy is in effect. For the third offense, the student athlete is suspended from participation in any interscholastic sport in Cherokee County Schools for the remainder of their school career.

c) **Social Media:** Student athletes will not:
   1) Post anything rude, offensive, or threatening.
   2) Post anything that creates the illusion of using a controlled substance such as alcohol, tobacco, or illegal drugs.
   3) Send, text or forward images and information that might embarrass, hurt, or harass someone either through any network, including cell phone accessible networks.
   4) Take anyone's personal information and use it to damage his or her reputation.
   5) Post or distribute private information about others.
   6) Use network access or telecommunications to bully another person.
   7) Build a fake profile or website.
   8) Post or encourage others to post on the Internet private, personal or sexual information regarding a school employee or another student.
   9) Post a real or doctored image of a school employee on the Internet.
   10) Accessing, altering or erasing any computer network, data, program or software or breaking into a password-protected account or stealing or otherwise accessing passwords; and sending repeated, continuing or sustained emails to school employees or students.
   11) Make statements, whether true or false, intending to immediately provoke, and is likely to provoke, any third party to stalk or harass a school employee or student.
   12) Copy and disseminate any data pertaining to a school employee or student for the purpose of intimidating or tormenting that employee or student.
   13) Sign-up a school employee or student for a pornographic Internet site.
   14) Without permission, sign-up a school employee or student to receive junk email and instant messages.
   15) Create a "hot spot" or utilize a 3rd party carrier to initiate activity or engage in any action that is prohibited in board policy 3225/4312/7320 Technology Responsible Use.

10. Drug Screening: Guidelines established by Cherokee County School Board Policy 4326 Student Drug Testing will be used for the screening of student athletes.

11. All student athletes are fully expected to conduct themselves as ladies and gentlemen at all time during, before, and after athletic events. No profanity, obscene gesture, inciting of fights or any other less than civil actions will be tolerated. Failure of a student athlete to comply will result in a disciplinary action determined by the principal and/or coach.

12. All student athletes are required to compete and participate to the fullest intent of the sport. Making a mockery of the sport or behaving in a manner that brings embarrassment to the school or community will result in immediate dismissal from the team.

13. All student athletes are expected to show respect for all school personnel, coaches, teachers, officials, and administrators. This includes our school and participating schools. Failure of a student athlete to comply will result in disciplinary action determined by the principal and/or coach.

14. All student athletes are required to ride to the games with the team, unless permission or exception has been made, such as meeting at the game after a doctor's appointment. Riding home with parents or another adult will be left up to the coach of that sport. The coach must express to both student athletes and their parent/guardian his/her normal expectations regarding students traveling home with a parent/guardian at the beginning of each season. Such expectations should contain examples of specific extenuating circumstances wherein a student athlete may travel home with a parent/guardian should the coach require students to travel home on a team designated bus. In schools where the coach requires student athletes to travel home on a team designated bus, the student athlete may ride with another adult only after parental consent is received and verified by the coach, and such travel meets with the coaches' extenuating circumstances as stated at the beginning of the athletic season.

15. In order to promote the value of commitment the Board of Education has adopted the following rule regarding quitting a team: Once a student athlete begins a sport, he/she is committed to that sport for the entire season. A student athlete will not be allowed to begin to practice or try out for the next sport session until the current sport is completed. If a student athlete quits a sport and wishes to play that sport, or any other sport, the following year, the student athlete in question will be required to meet with the County's Athletic Grievance Committee (AGC). The AGC will consist of the principal from each high school (or a designee if the principal is unavailable), the Athletic Directors from each high school, the student in question's coach and the Superintendent and no more than 3 board of education members. If the athletic director is the coach of the sport(s) affected, then another coach will serve on the committee. The principal will inform the superintendent of the need for an AGC. The committee will determine the disposition of the student athlete's eligibility. Student athletes that quit may be subject to disciplinary action set forth by the athletic department of the school, as adjudicated by the principal, at the beginning of the school year. The principal will notify the student athlete of the decision of the AGC within 24 hours when possible. A further appeal to the Cherokee County Board of Education may be made if the student chooses to do so.

16. If a student athlete is suspended from school (OSS), he/she is automatically suspended from the team for the same number of days. A second out-of-school suspension during the same sports season will result in dismissal from the team.

    a) Student athletes placed in ISS, (In School Suspension) will not participate in any interscholastic activities, to include practice, for the duration of the ISS assignment. This restriction terminates the day after the last day of the ISS assignment.
    b) The student athlete serving OSS will become eligible to participate in a game the day after his/her OSS time has been served.

c) Student athletes assigned to After-School Detention may not practice or play during the detention time. The student athlete may report to practice after the detention. The student athlete is responsible for any make-up assignments given by the coach.

Please remember that our student athletes are held to a higher academic and disciplinary standard than non-athletes. Athletic participation is a privilege, not a right.

17. Felony Policy: Any student athlete who is charged and/or arrested for a crime classified as a felony under North Carolina or Federal Law will appear before the schools AGC to determine if the student athlete will retain eligibility status. The AGC will consist of the principal from each high school (or a designee if the principal is unavailable), the Athletic Directors from each high school, the student in question's coach and the Superintendent and no more than 3 board of education members. If the athletic director is the coach of the sport(s) affected, then another coach will serve on the committee. The principal will inform the superintendent of the need for an AGC. The committee will determine the disposition of the student athlete's eligibility. Each committee member will cast one vote and a simple majority will rule. The principal will notify the student athlete of the decision of the AGC within 24 hours when possible. A further appeal to the Cherokee County Board of Education may be made if the student athlete chooses to do so. (Student athletes are not permitted to practice or participate with any high school sports team during the appeals process.) Student athletes convicted of a felony are not eligible to participate in the North Carolina High School Athletic Association sports program. See the NCHSAA Felony Policy contained next under.

NCHSAA Felony Policy

A student shall not participate in interscholastic athletics after pleading guilty or "no contest" to, or being finally convicted of, a felony under the laws of North Carolina, the United States, or any other state. Prior to deeming the student ineligible, an administering organization shall receive a certified copy of a criminal record reflecting the conviction and verify that the student is the same individual identified in the criminal record.

18. Media Relations

The Cherokee County Board of Education supports the 1st Amendment right of all students concerning religion, expression, and assembly within the legal parameters set forth in school board policy. However, it is an expectation that student athletes represent themselves with the upmost professionalism and in such a manner as not to bring discredit to themselves, their school, or the Cherokee County School system. Accordingly, school administrators, faculty, and coaches will ensure this expectation is made clear to student athletes in the event the student athlete is called upon to conduct an interview with a news media reporter, additionally; no student athlete may be interviewed without a coach, parent, or other school representative present at the time of the interview. Any derogatory statement or conduct made by a student athlete will result in punishment as established in the Code of Student Conduct and may result in the student athlete being suspended from practice and games, depending on the severity of the conduct.

19. Concussion and Head Injury. The board recognizes that concussions and other head injuries may be serious and potentially life threatening and that such injuries may result in serious consequences later in life if managed improperly. Accordingly, the board has adopted the Concussion and Head Injury policy code 4270/6145. This policy mandates that each year information be provided to all student athlete and his or her parent(s)/guardian(s). Before any student athlete will be allowed to participate in interscholastic athletic activities, including tryouts, practices, or competitions, he or she must sign the head injury information sheet and return to the coach. Parent(s)/guardian(s) also must sign the sheet and return it to the coach before their student/athlete may participate in any interscholastic athletic activity.

20. After a student's initial entry into the ninth grade, and absent a change in residence for a bona fide purpose as stated by the NCHSAA as being: "A student shall not participate in interscholastic athletics following a change in primary residence unless it is made for a bona fide purpose. A bona fide purpose means that the change in primary residence was made with the intent that it be permanent and not primarily for athletic purposes. Cherokee County Schools shall resolve, by a preponderance of the evidence, any disputes regarding a student's primary residence or whether a change in a student's primary residence was for a bona fide purpose:

    1. A student transferring from one member school to another member school within Cherokee County Schools must sit out 365 days before being eligible to participate in any interscholastic sport in which the student was on the eligibility roster at their former school during the preceding year. Application of this rule can be appealed to the Board of Education.
    2. A student transferring from a school outside of Cherokee County to Cherokee County Schools shall not participate in interscholastic athletics for 365 calendar days following the student's enrollment in the new school, except by mutual agreement of the governing authorities of each Public School Unit. This rule does not apply to cheerleading.
        a. Absent mutual agreement, and in consideration of the above, exceptions for immediate athletic eligibility for transfers from a school outside of Cherokee County to Cherokee County Schools will be heard by a NCHSAA Transfer Committee composed of the NCHSAA Executive Committee and at least one non-district affiliated member school representative.
        b. The two-consecutive semester application occurs when a student is enrolled for at least 50% of the semester in which the student initially enrolled and all of the following semester.
    3. Students transferring to the same member school where the student's coach has relocated within a calendar year will be deemed ineligible in any sport in which the coach is involved.
    4. A student may not participate in practices or workouts, in-season or out-of-season, until the student's transfer has been approved by the Principal.
    5. Administrative placement for Unsafe School Choice Transfer, Transfer of Homeless Students, and Transfer of Students in Foster Care are exempt from the athletic eligibility requirements of this policy.
    6. In order for a change of residence to be considered bona fide (moving into the district in

which they are trying to attend), at least the following facts must exist:

a. The original residence must be abandoned as a residence; that is sold, rented or disposed of as a residence, and must not be used as residence by any member of the family.
b. The entire family must make the change and take with them the household goods and furniture appropriate to the circumstances.
c. The change must be made with the intent that it is permanent.
d. There has been a determination of abandonment of the student by such parent(s) or a determination that the student is a dependent juvenile as defined in G.S.-101(9) or comparable statute by a court or competent jurisdiction.

7. **Athletic eligibility for rising 9th graders**. A student who successfully graduates from the 8th grade and is otherwise eligible to participate in high school athletics and who's parent(s)/guardian(s) request student reassignment prior to the beginning of the student's 9th grade year, may participate from the beginning of the 9th grade school year. Likewise, a student who seeks reassignment after entering the 9th grade may be eligible for athletic participation at the requested school providing the student has not participated in any practices, clinics, etc., on the team of the student's home district school. Should the student have participated then the 365-day sit out rule applies.

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

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

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

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

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

For purposes of this subsection, a noncurriculum-related student group is one that is not

directly related to the curriculum. A student group will be considered curriculum-related only if (1) the group's subject matter is taught in a regularly offered course or relates to the curriculum as a whole; (2) participation in the group is required as part of a course; or (3) participation in the group results in course credit.

1. Overnight Trips

   Students are prohibited from sharing sleeping quarters with anyone of the other biological sex as defined in G.S. 12-3.3 during any activity or event authorized by the school unless (1) the member of the other biological sex is the student's immediate family member (i.e., a parent, sibling, or grandparent, including step or half relationships) or (2) the parents of all students sharing the sleeping quarters have provided written permission to the school.

C. SPECIAL CIRCUMSTANCES

1. Students with Disabilities

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

2. Children of Military Families

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

   a. providing information about extracurricular activities to incoming children of military families; and

   b. waiving application deadlines.

3. Athletic Participation by Home School Students

   Home school students who are dually enrolled in accordance with the school system's enrollment and assignment policies and procedures are eligible to participate in middle and high school interscholastic athletics if they comply with all of the following.

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

athletics participation.

1) Cherokee County Schools Board of Education reserves the right to limit the number of homeschool students enrolling under these criteria in order to ensure the District Average Daily Membership (ADM) does not exceed a total that would cause the system to lose eligibility for Small Schools Funding. Additionally, should this ADM threshold be achieved, homeschool students may have their enrollment rescinded.[1]

2) **Academic Honors**. Homeschool students enrolled under these criteria are not eligible for consideration of academic honors as covered under policy 3450 Academic Policy for Honor Students-Class Rankings.[2]

3) **Domicile Requirement**. A home school student in grades 6—12 (except high school football for students in grade 6) is eligible to become dual enrolled and participate in athletics at the ***middle or high school level*** in Cherokee County Schools only if their domicile is located within the administrative boundaries of Cherokee County Schools.

    a. Home school students can become dual enrolled and participate in athletics only within the LEA that their unit of residence is located—***student transfers from out of district will not be accepted***.

4) **Required Records**. The student must present a home school card from the Division of Non-Public Education for the previous and current years as well as a transcript, attendance record, and immunization records.

    a. **Standardized Test Results**. Prior to the first date of practice, the student must provide the results of a nationally standardized achievement test, taken within the last year, that indicates the student was on grade level at the time the test was taken.

    b. **Insurance Coverage**. The student must also present proof of catastrophic accident insurance coverage unless the student is covered under the board's catastrophic athletic accident insurance policy.

5) **Enrollment Criteria**. The student must have been enrolled in a registered home school for 365 days prior to participation in athletics.

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

6) **Instructional Requirements**. The student must be enrolled in classes taught on campus at least one half of the instructional day and take any course that has an EOG/EOC. Home

[1] Cherokee County Schools Board of Education inclusion.

[2] Cherokee County Schools Board of Education inclusion.

school students are not eligible for CCVS or NCVPS courses.

7) **Attendance**. Enrolled students must meet the attendance criteria outlined in board policy 4400.

8) **Academic Standards**. Dual enrolled students must continue to meet NCHSAA academic standards of attaining a minimum of three academic credits each semester and must meet Cherokee County School's promotion standards at the end of each academic year.

    a. The student must pass all classes in which the student is enrolled at the assigned school in order to maintain athletic eligibility.

9) **Intent to Try out for a Team**. The student must notify the principal of the assigned school in writing of the student's intent to try out for an athletic team at least 10 days prior to the first practice date of each sport season in which the student wishes to participate. Failure to comply with this requirement renders the student ineligible for that sport season. A "Home-Schooled Student Eligibility Checklist" is attached to this policy.

D. APPEALS PROCESS

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

E. MEDIA RELATIONS

The Cherokee County Board of Education supports the 1st Amendment right of all students concerning religion, expression, and assembly within the legal parameters set forth in school board policy. However, it is an expectation that student athletes represent themselves with the upmost professionalism and in such a manner as not to bring discredit to themselves, their school, or the Cherokee County School system. Accordingly, school administrators, faculty, and coaches will ensure this expectation is made clear to student athletes in the event the student athlete is called upon to conduct an interview with a news media reporter, additionally; no student athlete may be interviewed without a coach, parent, or other school representative present at the time of the interview. Any derogatory statement or conduct made by a student athlete will result in punishment as established in the Code of Student Conduct and may result in the student athlete being suspended from practice and games, depending on the severity of the conduct.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12132, 28 C.F.R. pt. 35; Equal Access Act, 20 U.S.C. 4071-4074; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 12-3.3; 115C art. 9, 115C-12(23), -47(4), -76.110, -390.2, -407.5, -407.55, -407.59, -407.60, -407.65, -407.70, -407.75; 16 N.C.A.C. 6E .0207, .0208, .0211; State Board of Education Policy ATHL-001; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000; N.C. High School Athletic Association Handbook, available at

https://www.nchsaa.org/handbook; Middle/Junior High School Athletic Manual (NCDPI), available at http://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/programs-and-initiatives/nc-healthy-schools/athleticshttps://www.nchsaa.org/students-and-parents/rules-and-regulations; Middle/Junior High School Athletic Manual (NCDPI), available at https://sites.google.com/dpi.nc.gov/nchealthyschools/athletics

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Evaluation of Student Progress (policy 3400), Student Promotion and Accountability (policy 3420), School Improvement Plan (policy 3430), Children of Military Families (policy 4050), Domicile or Residence Requirements (policy 4120), Homeless Students (policy 4125), School Assignment (policy 4150), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Behavior Policies (4300 series), Attendance (policy 4400), Community Use of Facilities (policy 5030)

Adopted: July 15, 1999
Amended: August 10, 2015
Amended: August 4, 2016
Amended: February 9, 2017
Amended: October 10, 2019
Amended: March 12, 2020
Amended: June 11, 2020
Amended: January 14, 2021
Amended: July 15, 2021
Amended: October 19, 2023
Amended: December 12, 2024
Amended: February 6, 2025
Amended: October 2, 2025

PARENT/GUARDIAN NAME: _____

STUDENT'S NAME: _____ GRADE: _____

HOME ADDRESS: _____, _____, ____, _____
Street City ST Zip Code

MAILING ADDRESS: _____, _____, ____, _____
Street City ST Zip Code
(***If different from Home Address***)

AGE of STUDENT:_____ SEX: ___ DATE OF BIRTH:_____

SCHOOL DISTRICT (Check the one in which you live): HDS:_____ AHS:____ MHS:____

SCHOOL YEAR:_____

CURRENT YEAR HOMESCHOOL CARD ISSUED BY DIVISION OF NON-PUBLIC EDUCATION ATTACHED: Yes:____ No:____
(The current year homeschool card must be attached to this application)

PREVIOUS YEAR HOMESCHOOL CARD ISSUED BY DIVISION OF NON-PUBLIC EDUCATION ATTACHED: Yes:____ No:____
(The previous year homeschool card must be attached to this application)

PROOF OF ENROLLMENT IN A REGISTERED HOMESCHOOL FOR 365 DAYS IS ATTACHED:
Yes:____ No: ____ (Proof of enrollment must be attached to this application)

COPY OF A NATIONALLY STANDARDIZED ACHIEVEMENT TEST RESULT ATTACHED:
Yes:____ No:____ Date of Test:_____
(NSAT must be attached to this application and must have been administered within the last year)

OVERALL GRADE LEVEL PROFICIENCY:_____
(If grade level is below the year it was taken the student is ineligible to participate in athletics)

STUDENT IS REGISTERED IN A CLASS THAT EQUALS ½ OF THE SCHOOLS INSTRUCTIONAL DAY:
Yes:____ No:____ Class(s) registered in:_____
(Student must be registered in at least one class that meets this requirement)

STUDENT IS REGISTERED IN AT LEAST ONE CLASS TO BE TAKEN ON CAMPUS: Yes:____ No:____
(Student must be registered in at least one on campus class)

STUDENT INTENDS TO TRY OUT FOR:_____ (sport)

The student must identify the sport within 10-days of tryouts to be eligible to participate and the NCHSAA Intent to Participate & Consent Form for Home-Schooled Student must be completed and submitted with this application.

Parent/Student Consent Agreement

Condition	Initials
I understand I must continue to meet NCHSAA academic standards of attaining a minimum of 3 academic credits each semester to become and remain eligible to participate in athletics	
I understand I must continue to meet promotion standards at the end of each academic year to remain eligible to participate in athletics	
I understand I must pass all classes taken within a CCS in order to remain eligible to participate in athletics	
I understand I must maintain continuous dual enrollment—failure to do so will render me ineligible for 365 days after successful reapplication	
I understand I must meet all other applicable NCHSAA rules and CCS school board policy that govern athletic participation to remain eligible to participate in athletics	

_____ _____

Signature of Student Date

_____ _____

Signature of Parent/Guardian Date

Home-Schooled Student Eligibility Checklist

This checklist must be completed to determine and validate eligibility compliance for each individual home-schooled student athlete wishing to try-out for a team. Documentation needed to support this request to begin tryouts: (1) birth certificate (age); (2) home school academic transcript; (3) attendance record to validate the student meets the LEA attendance standard for eligibility (4) copy of standardized testing information (4) current and up to date medical examination; (5) other documentation necessary to meet additional local eligibility standards, according to the LEA/school to which the student is assigned.

Student Name:_____ **Sport(s):**_____

School:_____

Head of Home School:_____ **Contact #:**_____

☐ The home school is registered with the N.C. Division of Non-Public Education (Documentation)

Residency

(RECORD HOME ADDRESS):_____

☐ Domicile is in LEA assigned district/attendance area

☐ Is the address listed above the residence for the past 12 months? **(If the answer is "no" please note address of former residence)** _____

☐ Student lives with parent(s) **OR**

☐ Student lives with court-ordered guardians/custodian(s) (Documentation)

☐ Student has attended home school the past two (2) semesters or 365 days

☐ Other (please note): _____

Attendance, Academic Load, Promotion, Age, Semester Rule, Sport Season(s)

☐ Upon initial enrollment, student is on grade level based on nationally standardized test(s)

☐ Student meets the local attendance standards for previous semester

☐ Student will take courses equal to at least one half of the instructional day each semester

☐ Student is taking at least one class on campus or meets LEA class schedule requirements

☐ Student passed minimum academic load, according to NCHSAA standards, previous semester

☐ Student has passed all member school courses in which he/she was enrolled

☐ Student has met local promotional standards and any local GPA requirements

☐ Student will not turn 19 years of age on or before August 31 of current year

- Date of birth: _____
- Year of 1st entry in 9th grade: _____
- Date of entry in current semester: _____

☐ Student has not exceeded the eight-semester rule as outlined in the NCHSAA Handbook

☐ Student has/will not exceed four (4) sport seasons w/ participation in current year

☐ Student has not been convicted of a felony.

☐ Student has medical examination (395-day period through end of season)

- Date of most current medical examination:_____

☐ Student Insurance

☐ Will purchase school Accident Insurance

☐ Parent/Custodial Waiver of Accident Insurance

School Administrator_____ **Date:**_____

The NCHSAA requires that each home-schooled student wishing to tryout out for an athletic team at any member high school have permission from the parents/legal custodian to do so. Without this expression of intent to try out for a team(s), including giving consent to do so, your student will not be allowed to try out for the team. I further understand that this form with my signature, does not guarantee that my student will "make" the team.

My child desires to try out for the following sports(s):_____

Please sign and return this form to school **at least** ten (10) days prior to the tryout date for the sport.

Student name:_____

Address: _____

City/State/Zip: _____

Home Phone: _____ Work Phone:_____

Alternate Name & Phone: _____

Parent Name:_____ Date:_____

Parent
Signature:_____

CHEROKEE COUNTY SCHOOLS
ACKNOWLEDGEMENT OF RULES AND POLICIES THAT GOVERN EXTRACURRICULAR ACTIVITIES AND STUDENT ORGANIZATIONS

Student athletes and their parents/guardians are required to read the Cherokee County Schools policy on Extracurricular Activities and Student Organizations policy code 3620 and upon completion sign this Acknowledgement of Rules and Policies that Govern Extracurricular Activities and Student Organizations.

Student athletes **WILL NOT BE** allowed to participate on any sports team until this document has been properly executed and placed on file in the coach's office.

Additional student athlete eligibility requirements are listed in:

- *Middle School Athletics in North Carolina Public Schools*
- *North Carolina High School Athletic Association Handbook*

A copy may be examined upon request at the principal's office of your local school.

_____ _____
Printed Name of Parent/Guardian(s) Signature / Date

_____ _____
Printed Name of Student Athlete Signature / Date

STUDENT VOTER REGISTRATION AND PREREGISTRATION

Policy Code: **3640/5130**

The board is committed to securing the future of democracy by preparing young people to be educated, engaged voters. Further, the board is committed to working in collaboration with the local board of elections to encourage students who are sixteen years of age or older to register or preregister to vote as permitted by North Carolina law.

In keeping with this commitment, the board directs the superintendent to establish a committee of high school social studies teachers and other appropriate school personnel to collaborate with the local board of elections to facilitate and encourage voter registration and preregistration at all high schools in the school system.

The principal of each high school shall make the application forms described in G.S. 163-82.3 available to all students and others who are eligible to register or preregister to vote.

Legal References: G.S. 115C-47(59); 163-82.1, -82.3, -82.23; *NAACP v. McCrory*, 831 F.3d 204 (4th Cir. 2016)

Cross References: Citizenship and Character Education (policy 3530)

Adopted: October 11, 2012
Amended: January 9, 2014, September 14, 2017, Technical Corrections made: October 2, 2017 & March 29, 2018

The board recognizes that providing students with the opportunity to receive a sound basic education must be the primary focus of each school, the school system, and the board. To support students in their formal education, each school should strive for a learning environment in which:

1. school grounds, buildings, and classrooms are safe, orderly, clean, and inviting;
2. students learn and practice responsible behavior;
3. students are treated fairly; and
4. students have input in decisions affecting them when feasible.

Legal References: G.S. 115C-36, -47; *Leandro v. State*, 346 N.C. 336 (1997)

Cross References: Board Authority and Duties (policy 1010)

Adopted: June 17, 1999
Amended: September 15, 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, 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 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://www.dpi.nc.gov/districts-schools/classroom-resources/exceptional-children/resources-for-families-students#ParentsRightsAndResponsibilitiesinSpecialEducation-6016

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), Pregnant and Parenting Students and Employees (policy 4023/7233)

Adopted: June 17, 1999
Amended: November 8, 2007
Amended: July 12, 2019
Amended: January 14, 2021
Amended: July 16, 2026

TRANSLATING POLICIES FOR STUDENTS AND PARENTS

Policy Code: **4003**

The board recognizes that there are many students and parents in the school system whose primary language is not English. The board further recognizes the importance of communicating the policies of the school system to all students and parents. As funds permit, to the extent practicable, and as otherwise required by law, the school system will provide translations of pertinent school system information and policies to those students and parents whose primary language is not English. During non-instructional times, staff in the English Learners Services Department may assist schools in providing such translations. The superintendent may explore additional options for providing translations or interpretations of student and parent policies.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6318; G.S. 115C-36, -47

Cross References: Parental Involvement (policy 1310/4002)

Adopted: February 9, 2017

The board will provide all pregnant and parenting students with the same educational instruction as other students or its equivalent. Pregnant and parenting students will not be discriminated against or excluded from school or from 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, school system officials shall use, as needed, supplemental funds from the At-Risk Student Services allotment to support programs for pregnant and parenting students. Students who are pregnant or parenting will be given excused absences from school for pregnancy and related conditions for the length of time the students' physicians find medically necessary and for absences 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. to the extent necessary, a homebound teacher will be assigned.

A. EMPLOYEES

The board prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions. (See also policy 7232, Discrimination and Harassment in the Workplace.) Pregnant and nursing employees will be provided accommodations as required by law.

1. Reasonable Accommodations for Pregnancy-Related Limitations

   In accordance with the Pregnant Workers Fairness Act, qualifying applicants and employees with known limitations related to pregnancy, childbirth, or related medical conditions will be provided reasonable accommodations, unless the accommodation demonstrably would impose an undue hardship on the operation of the school system. No adverse action will be taken against an applicant or employee for requesting or using a reasonable accommodation.

   The superintendent shall ensure that appropriate procedures are in place to implement this requirement.

2. Break Time to Express Milk

   For one year after the birth of an employee's child, the employee will be provided reasonable break times to express breast milk for the child each time the employee has need to express milk. The principal at each school and the site supervisor at other school system buildings and facilities will designate a place, other than a bathroom, that the employee may use to express milk. Any designated place must be functional as a space for expressing milk, shielded from view, and free from intrusion from others.

Legal References: Consolidated Appropriations Act, P.L. 117-328, div. II - Pregnant Workers Fairness Act; Fair Labor Standards Act, as amended, 29 U.S.C. 201, *et seq.*; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*, 29 C.F.R. pt. 1604; 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), Discrimination and Harassment in the Workplace (policy 7232)

Issued: August 1, 2007
Adopted: November 8, 2007
Technical corrections made: July 12, 2019, September 30, 2020
Amended: June 29, 2023

The board will provide all pregnant and parenting students with the same educational instruction as other students or its equivalent. Students will not be discriminated against or excluded from school or from any program, class, or extracurricular activity based on the students' current, potential, or past pregnancy or related conditions or because they are parenting students. For purposes of this policy, "pregnancy or related conditions" means pregnancy, childbirth, false pregnancy, termination of pregnancy, or lactation; medical conditions related to pregnancy, childbirth, false pregnancy, termination of pregnancy, or lactation; or recovery from pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, or related medical conditions.

1. General Requirements

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, school system officials shall use, as needed, supplemental funds from the At-Risk Student Services allotment to support programs for pregnant and parenting students. Students who are pregnant or parenting will be given excused absences from school for pregnancy and related conditions for the length of time the students' physicians find medically necessary and for absences 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. To the extent necessary, a homebound teacher will be assigned.

2. Providing Title IX Coordinator Contact and Other Information

When a student or student's parent or guardian informs any school system employee of the student's pregnancy or related conditions, the employee shall promptly provide that person with the Title IX coordinator's contact information and inform that person that the Title IX coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the school system's education program or activity. The employee does not need to provide such information if the employee reasonably believes that the Title IX coordinator has already been notified of the student's pregnancy or related conditions.

3. Specific Actions to Prevent Discrimination and Ensure Equal Access

Once a student or student's parent or guardian notifies the Title IX coordinator of the student's pregnancy or related conditions, the Title IX coordinator must coordinate the following specific actions designed to promptly and effectively prevent sex discrimination and ensure access to the school system's education program or activity:

a. provide the student (and, if applicable, the student's parent or guardian)

the school system's notice of nondiscrimination on the basis of sex (see policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex);

b. consult with the student in order to offer, based on the student's individualized needs, reasonable modifications to school system policies, practices, or procedures, as necessary, and implement each reasonable modification offered by the school system and accepted by the student;

c. allow the student to voluntarily access any separate and comparable portion of the school system's education program or activity provided that the separate portion is comparable to that offered to students who are not pregnant and who do not have related conditions;

d. allow the student to voluntarily take a leave of absence from the school system education program or activity to cover, at a minimum, the period of time deemed medically necessary by the student's licensed healthcare provider and when the student returns following the voluntary absence, reinstate the student to the academic status and, as practicable, to the extracurricular status that the student held when the absence began; and

e. ensure that the student can access, as needed, a lactation space, other than a bathroom, that is clean, shielded from view, free from intrusion by others, and may be used for expressing breast milk or breastfeeding.

Supporting documentation or certifications will not be required unless necessary, reasonable, and legally permissible.

A. EMPLOYEES

The board prohibits discrimination in employment on the basis of current, potential, or past pregnancy or related conditions. Pregnancy or related conditions will be treated as any other temporary medical conditions for all job-related purposes.

1. Reasonable Accommodations for Pregnancy-Related Limitations

In accordance with the Pregnant Workers Fairness Act, qualifying applicants and employees with known limitations related to pregnancy, childbirth, or related medical conditions will be provided reasonable accommodations, unless the accommodation demonstrably would impose an undue hardship on the operation of the school system. No adverse action will be taken against an applicant or employee for requesting or using a reasonable accommodation.

The superintendent shall ensure that appropriate procedures are in place to implement this requirement.

2. Break Time to Express Milk

   After the birth of an employee's child, the employee will be provided reasonable break times to express breast milk for the child or breastfeed as needed for at least one year after the child's birth. The principal at each school and the site supervisor at other school system buildings and facilities will designate a place, other than a bathroom, that the employee may use to express milk or breastfeed. Any designated place must be functional as a space for expressing milk or breastfeeding, shielded from view, and free from intrusion from others.

Legal References: Consolidated Appropriations Act, P.L. 117-328, div. II - Pregnant Workers Fairness Act, 29 C.F.R. pt. 1636; Fair Labor Standards Act, as amended, 29 U.S.C. 201, *et seq.*; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*, 29 C.F.R. pt. 1604; 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)

Issued: August 1, 2007
Adopted: November 8, 2007
Technical corrections made: July 12, 2019, September 30, 2020
Amended: June 29, 2023
Amended: September 4, 2025

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

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

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

A. ROMANTIC RELATIONSHIPS AND SEXUAL CONTACT PROHIBITED

All employees are prohibited from dating, courting, or entering into a romantic relationship or having sexual contact with any student enrolled in the school system regardless of the student's age. Employees engaging in such inappropriate conduct will be subject to disciplinary action, up to and including dismissal, and may be subject to criminal action as provided in G.S. 14-202.4 and 14-27.32. Further, school system personnel shall provide no assistance to an employee in finding another job, beyond the routine transmittal of personnel or administrative files, if the employee engaged in sexual misconduct with a minor or a student in violation of the law.

B. RESTRICTIONS ON ELECTRONIC COMMUNICATIONS

1. In accordance with policy 7335, Employee Use of Social Media, employees are prohibited from communicating with current students through non-school-controlled social media without parental permission except to the extent that the employee and student have an appropriate relationship which originated outside of the school setting. Any communication through social media authorized under policy 7335 must meet the professional standards established in this policy and must otherwise be consistent with law and all other board policy.

2. Instant messages will be treated as a form of communication through social media subject to the terms of policy 7335 and subsection B.1 above, regardless of whether the messaging service is actually provided through a social media service or otherwise.

3. Employees are prohibited from engaging in other forms of one-to-one electronic communications (e.g., voice, voice mail, email, texting, and photo or video transmission) with students without written prior approval of the employee's supervisor and the student's parent. This rule shall not apply, however, if one or

more of the following circumstances exist:

a. the communication (1) is for an educational purpose, (2) is conducted through a school system-provided platform which archives all such communications for a period of at least three years (this requirement does not apply to telephone or voice mail communications), or is conducted via an electronic video-conferencing platform (e.g., Zoom, Webex, Google Meet) that has been approved by the superintendent or designee for instructional use, and (3) occurs after the employee has given prior notice to his or her supervisor or designee that such communications will occur and when they will occur;

b. the communication serves an educational purpose and is simultaneously copied or transmitted to the employee's supervisor or designee and, upon request, to the parent or guardian;

c. the communication is necessary in a bona fide emergency, provided the communication is disclosed to the supervisor and parent or guardian as soon as reasonably possible; or

d. the communication derives from a relationship or association outside of the school setting and occurs with the consent of the parent or guardian, provided such communication does not otherwise violate this or other board policy.

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

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

5. Violations of this section will be considered unprofessional behavior subject to discipline, up to and including dismissal. Factors that may be relevant to the determination of an appropriate disciplinary response to unauthorized communications with students include, but are not limited to:

a. the content, frequency, subject, and timing of the communication(s);

b. whether the communication(s) was appropriate to the student's age and maturity level;

c. whether the communication(s) could reasonably be viewed as a solicitation

of sexual contact or the courting of a romantic relationship, including sexual grooming;

d. whether there was an attempt to conceal the communication(s) from the employee's supervisor and/or the student's parent or guardian;

e. whether the communication(s) created a disruption of the educational environment; and

f. whether the communication(s) harmed the student in any manner.

C. REPORTING INAPPROPRIATE CONDUCT

1. Reporting by Employees

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

a. that another employee is involved in a romantic or other inappropriate relationship or has had sexual contact with a student;

b. that another employee has engaged in other behavior prohibited by this policy; or

c. that the employee has witnessed behavior by another employee that has the appearance of impropriety, whether or not the behavior may have a valid purpose.

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

2. Reporting by Students

Any student who believes that he or she or another student has been subject to misconduct that violates this policy should immediately report the situation to the principal, school counselor, or the Title IX coordinator designated in policy 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex.

3. Report of Criminal Misconduct

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

4. Report to the State Board of Education

In accordance with Section F of policy 7130, Licensure, administrators shall report to the State Board of Education certain misconduct by licensed employees involving a student and resulting in termination of employment, nonrenewal of an employment contract, suspension without pay, disciplinary action, or resignation.

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

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 7926; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; G.S. 14-27.32, -202.4; 115C-47(18), -270.35(b), -326.20; 16 N.C.A.C. 6C .0601, .0602, .0604, .0605, .0608; State Board of Education Policies EVAL-014, EVAL-035, LICN-007

Cross References: Governing Principle – Removal of Barriers (policy 1700), 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), Bullying and Harassing Behavior Prohibited (policy 1735/4329/7311), Student and Parent Grievance Procedure (policy 1740/4010), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Criminal Behavior (policy 4335), School Volunteers (policy 5015), Licensure (policy 7130), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335)

Adopted: September 13, 2012
Amended: April 9, 2015
Amended: June 8, 2015
Amended: June 30, 2016
Amended: March 9, 2017
Amended: December 12, 2019
Amended: September 10, 2020
Technical Corrections: April 3, 2020
Amended: February 11, 2021
Amended: July 15, 2021
Amended: August 25, 2024
Amended: September 4, 2025

The board recognizes the unique circumstances faced by children of military families who are often required to transfer to a new school system because their parents or guardians have a new military assignment. The board also recognizes that children whose immediate family members are deployed by the military may be at increased risk of emotional, psychological, or other harm. The board is committed to supporting these children in the school system and undertaking to serve their unique needs.

A. IDENTIFICATION OF MILITARY-CONNECTED STUDENTS

Each principal shall annually identify all military-connected students enrolled in the school and shall develop a means for serving their unique needs. For purposes of this section, a military-connected student is defined as a student who has a parent, step-parent, sibling, or any other person who resides in the same household serving in the active or reserve components of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force, or National Guard.

The identification of military-connected students is not a public record subject to public records law.

B. PROVIDING EDUCATIONAL OPPORTUNITY FOR CHILDREN OF MILITARY FAMILIES

The board strives to promote flexibility and cooperation among the school system, parents and guardians, and children of military families, to promote the children's well-being, and to assist these children in achieving educational success when transitioning to their new schools. To achieve these goals, the board has adopted policies consistent with the Interstate Compact on Educational Opportunity for Military Children (hereinafter "Compact") and G.S. 115C-407.12 to facilitate the enrollment of children of military families and to provide continuity in their educational services, including in the areas of education records, immunizations, age requirements for initial entry, course and education program placement, special education services, and extracurricular activities. The superintendent shall adopt procedures necessary to implement the policies and to otherwise comply with the Compact and G.S. 115C-407.12 and to educate employees about the unique needs of children of military families.

1. Definitions

The following definitions apply to all policies and procedures adopted in compliance with the Compact and G.S. 115C-407.12.

a. Active Duty

Active duty is full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. 12301 *et seq.* and 10 U.S.C. 12401 *et seq*.

b. Children of Military Families

Children of military families are school-aged children, enrolled in kindergarten through twelfth grade, in the household of one of the following:

(1) a member of the uniformed services on active duty;

(2) a member or veteran of the uniformed services who is severely injured and is medically discharged or retired, for a period of one year after medical discharge or retirement;

(3) a member of the uniformed services who died on active duty or as a result of injuries sustained on active duty, for a period of one year after death; and

(4) an inactive member, **but only if** (1) the inactive member is required to move to perform military service–related responsibilities, (2) the move results in a transfer of school systems for the child, and (3) the inactive member presents a copy of the official military transfer order to the school from which services for the child are requested. If the move results in an interstate transfer of the child between the school system and another school system in a different state, the superintendent shall direct school officials to attempt to coordinate with the out-of-state school system on behalf of the child but cannot require the receiving school system to provide specific services.

c. Deployment

Deployment is the period one month prior to the service members' departure from their home station on military orders through six months after their return to their home station.

d. Education Records

Education records are those official records, files, and data directly related to a student and maintained by the school or school system, including but not limited to records encompassing all the material kept in the student's cumulative folder, such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

e. Extracurricular Activities

Extracurricular activities are voluntary activities sponsored by the school or school system or an organization sanctioned by the school system. Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

f. Inactive Member

An inactive member is a member of the National Guard or Reserve of any branch of the uniformed services, who is inactive and not on active duty orders pursuant to 10 U.S.C. 12301 *et seq.* or 10 U.S.C. 12401 *et seq.*

g. Member State

A member state is a state that has enacted the Compact.

h. Non-Member State

A non-member state is a state that has not enacted the Compact.

i. Receiving State

The receiving state is the state to which a child of a military family is sent, brought, or caused to be sent or brought.

j. Rule

A rule is a written statement by the Interstate Commission promulgated pursuant to Article XII of the Compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of rules promulgated under the Administrative Procedures Act as found in Chapter 150B of the North Carolina General Statutes, and includes the amendment, repeal, or suspension of an existing rule.

k. Sending State

The sending state is the state from which a child of a military family is sent, brought, or caused to be sent or brought.

l. Student

The student is the child of a military family for whom the school system receives public funding and who is formally enrolled in kindergarten through twelfth grade.

m. Transition

The transition is (1) the formal and physical process of transferring from school to school or (2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

n. Uniformed Services

The uniformed services are the Army, Navy, Air Force, Space Force, Marine Corps, and Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and the Public Health Services.

o. Veteran

A veteran is a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

C. RESOLUTION OF ISSUES

The grievance procedure provided in policy 1740/4010, Student and Parent Grievance Procedure, may be utilized by parents or guardians who disagree with a decision pertaining to education records, enrollment or eligibility for enrollment, placement, attendance, extracurricular activities, or graduation of a child of a military family, or a rule, as defined in this policy. In addition, parents or guardians may seek informal resolution of such decisions at any time by contacting the office of the North Carolina Department of Public Instruction (NCDPI) Military Liaison or the North Carolina Commissioner of the North Carolina State Council for the Interstate Compact on Educational Opportunity for Military Children. Specific contact information may be found online at www.dpi.nc.gov/students-families/student-support/nc-supports-military-children or by calling NCDPI at (984) 236-2100.

Legal References: G.S. 115C-12(18)(f), -288(m), -407.5, -407.12

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Student Promotion and Accountability (policy 3420), Graduation Requirements (policy 3460), Extracurricular Activities and Student Organizations (policy 3620), Age Requirements for Initial Entry (policy 4100), Immunization and Health Requirements for School Admission (policy 4110), Domicile or Residence Requirements (policy 4120), Assignment to Classes (policy 4155), Attendance (policy 4400), Student Records (policy 4700)

Adopted: February 2, 2012
Amended: March 14, 2013
Amended: June 8, 2015

Amended: December 9, 2021
Amended: November 10, 2022
Amended: January 8, 2026

The board of education requires all students to meet the eligibility requirements for school admission established by the state and the board, including age. Any parent or guardian who is unclear whether a child meets the age requirements is encouraged to contact the superintendent's office or the elementary school that the child is likely to attend.

A. ENTITLEMENT TO INITIAL ENTRY

A child who is presented for enrollment at any time during the first 120 days of a school year will be considered eligible for initial entry in any of the following circumstances.

1. The child reaches or reached the age of five on or before August 31 of that school year.

2. The child resided in another state and was attending school during that school year in accordance with that state's laws or rules prior to moving to North Carolina. (The child does not need to reach the age of five on or before August 31 in this circumstance.)

3. The child did not reach the age of five on or before August 31 of that school year but would be eligible to attend school during that school year in another state in accordance with the laws or rules of that state, and if all of the following apply:

    a. the child's parent is a legal resident of North Carolina who is an active member of the uniformed services assigned to a permanent duty station in another state;

    b. the child's parent is the sole legal custodian of the child;

    c. the child's parent is deployed for duty away from the permanent duty station; and

    d. the child resides with an adult who is a domiciliary of a local school administrative unit in North Carolina as a result of the parent's deployment away from the permanent duty station.

In addition, children of military families, as defined in policy 4050, Children of Military Families, who resided in another state and were attending school during that school year in the other state and who are presented for enrollment at *any point* during the school year will be considered eligible for initial entry even if they did not reach the age of five on or before August 31.

B. DISCRETIONARY ENROLLMENTS

The board may allow a child to be enrolled in either of the following circumstances.

1. The child is presented for enrollment after the first 120 days of a school year and meets one of the circumstances specified above for entitlement to initial entry.

2. The child reached the age of four on or before April 16; the child is presented for enrollment no later than the end of the first month of the school year; and the principal of the school finds, based on information submitted by the child's parent or guardian, that the child is gifted and has the maturity to justify admission to school. The board regards admission of a four-year-old child to be an extraordinary measure that should not to be used merely because the child is developmentally advanced. In making such a determination, the principal shall follow guidelines established by the State Board of Education.

C. GRADE LEVEL OF INITIAL ENTRY

The initial point of entry will be the kindergarten level. After initial entry, a principal may move the child to the first grade if the principal determines that by reason of maturity, the child may be served more appropriately in the first grade.

D. EVIDENCE OF AGE

When a child is presented for admission for the first time, the principal shall require the parent or guardian of the child to furnish a certified copy of the child's birth certificate or other competent and verifiable evidence of the child's date of birth. Such evidence may include, but is not limited to: (1) a certified copy of any medical record of the child's birth issued by the treating physician or the hospital in which the child was born; or (2) a certified copy of a birth certificate issued by a church, mosque, temple, or other religious institution that maintains birth records of its members.

A birth certificate or other satisfactory proof of age issued by a foreign country or institution will be accepted and treated in the same manner as comparable documents issued in the United States. School officials shall use such documents only for the purpose of establishing the age of the child and not to inquire about the citizenship or immigration status of the child, parent, or guardian.

For a student who is in foster care or considered homeless, the inability to provide documentation must not prevent immediate enrollment of the student. School officials, or in the case of a homeless student, the homeless liaison, shall immediately contact the last school the student attended to obtain relevant enrollment records or other information needed for enrollment. These officials shall work with the student, the parent or guardian, school personnel, and other agencies as necessary to obtain enrollment information in a timely manner.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6311(g)(1)(E); McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; G.S. 115C-288, -364, -407.5, -407.12; 130A-109; 16 N.C.A.C. 6E.0105; State Board of Education Policy KNEC-001

Cross References: Children of Military Families (policy 4050), Homeless Students (policy 4125)

Adopted: March 15, 2012
Amended: March 9, 2017
Amended: November 10, 2022

The board of education requires all students to meet the eligibility requirements for school admission established by the State and the board, including immunization and health assessments. The principal or designee shall maintain on file immunization and health assessment records for all students, and these records may be inspected by officials of the county or state health departments in accordance with state and federal law. Each school principal shall file required reports with the Department of Health and Human Services and the Department of Public Instruction.

A. IMMUNIZATION

1. Requirements for Initial Entry

   Within 30 calendar days of his or her first day of attendance in the school system, each student must show evidence of age-appropriate vaccination in accordance with state law and regulation, including the following vaccines as applicable:

   a. DTaP (diphtheria, tetanus, and pertussis);

   b. poliomyelitis (polio);

   c. measles (rubeola);

   d. rubella (German measles);

   e. mumps;

   f. Haemophilus influenzae, type b (Hib);

   g. hepatitis B;

   h. varicella (chickenpox);

   i. pneumococcal conjugate (only for children entering school before age five); and

   j. any other vaccine as may be required by law or regulation.

   The current required vaccination schedule is available from the N.C. Immunization Branch online at http://www.immunize.nc.gov/.

2. Additional Requirements

   All students entering seventh grade or who have reached age 12, whichever comes first, are required to receive the following:

a. booster dose of Tdap (tetanus, diphtheria, and pertussis vaccine), if they have not previously received it; and

b. the meningococcal conjugate vaccine (MCV).

c. All students entering the twelfth grade or who have reached age 17 are required to receive a booster dose of MCV.

3. Certificate of Immunization

a. Evidence of immunizations must be shown in the form of a certificate furnished by a licensed physician or by the health department. A student who received immunizations in a state other than North Carolina must present an official certificate that meets the immunizations requirements of G.S. 130A-154(b).

b. Principals are required to refuse admittance to any child whose parent or guardian does not present a medical certification of proper immunizations within the allotted time. If, following approved medical practice, the administration of a vaccine requires more than 30 calendar days to complete, upon certification of this fact by a physician, additional days may be allowed in order to obtain the required immunizations.

c. Exceptions to the immunization requirements will be made only for religious reasons or for medical reasons approved by a physician pursuant to state law and regulation.

B. HEALTH ASSESSMENT/VISION SCREENING

Within 30 calendar days of the first day of school entry, all students entering public schools for the first time, regardless of grade level, must furnish to the principal a form with the NC Health Transmittal Form (attached to this policy) that meets the requirements of state law indicating that the student has received a health assessment pursuant to G.S. 130A-440. A student who fails to meet this requirement will not be permitted to attend school until the required health assessment form has been presented. Such absences will not be considered suspensions, and the student will be given an opportunity to make up work missed during the absence as described below. The principal or designee shall, at the time of enrollment, notify the parent, guardian, or person standing *in loco parentis* that the completed health assessment form is needed on or before the child's first day of attendance. The date the student's health assessment form is received will be recorded in the student's official record, and the form will be maintained on file in the school.

The assessment must include a medical history and physical examination with screening for vision and hearing and, if appropriate, testing for anemia and tuberculosis. The health assessment must be conducted no more than 12 months prior to the date of school entry.

Exceptions to the health assessment requirement will be made only for religious reasons.

Vision screening must comply with the vision screening standards adopted by the former Governor's Commission on Early Childhood Vision Care. Within 180 days of the start of the school year, the parent of the child must present to the principal or designee certification that within the past 12 months, the child has obtained a comprehensive eye examination performed by an ophthalmologist or optometrist or has obtained a vision screening conducted by a licensed physician, an optometrist, a physician assistant, a nurse practitioner, a registered nurse, an orthoptist or a vision screener certified by Prevent Blindness North Carolina.

Children who receive and fail to pass the required vision screening must obtain a comprehensive eye exam conducted by a duly licensed optometrist or ophthalmologist. The provider of the exam must present to the parent a signed transmittal form, which the parent must submit to the school. If a member of the school staff has reason to believe that a child enrolled in kindergarten through third grade is having problems with vision, the staff member may recommend to the child's parent that the child have a comprehensive eye examination.

No child will be excluded from attending school solely for a parent's failure to obtain a comprehensive eye exam. If a parent fails or refuses to obtain a comprehensive eye exam or to provide the certification of a comprehensive eye exam, school officials shall send a written reminder to the parent of required eye exams.

Upon request, the teacher(s) of a student subject to an absence from school for failure to provide the health assessment form required by this section shall provide to the student all missed assignments, and to the extent practicable, the materials distributed to students in connection with the assignments. The principal or designee shall arrange for the student to take home textbooks and school-furnished digital devices for the duration of the absence and shall permit the student to take any quarterly, semester, or grading period examinations missed during the absence period.

C. HOMELESS STUDENTS

Notwithstanding the provisions of this policy, admissions for homeless students will not be prohibited or delayed due to the student's inability to provide documentation of immunizations or health assessments. The homeless liaison shall work with the student, parent/guardian, school personnel or other agencies to obtain documentation of immunization and/or the health assessment or to arrange for such immunizations and/or assessments in a timely manner.

D. FOSTER CHILDREN

Notwithstanding the provisions of this policy, admissions for students in foster care will not be prohibited or delayed due to the student's inability to provide documentation of immunizations or health assessments. The enrolling school will immediately contact the

school last attended by the foster child to obtain any relevant documentation.

E. CHILDREN OF MILITARY FAMILIES

The board acknowledges that immunization requirements for newly enrolling children of military families are governed by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5) and G.S. 115C-407.12. Children of military families, as defined in policy 4050, Children of Military Families, will have 30 days from the date of enrollment to obtain any required immunization. For a series of immunizations, initial vaccinations must be obtained within 30 days.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6311(g)(1)(E); McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; G.S. 115C-390.2(l), -407.5, -407.12; 130A-152 to -157, -440 to -443; 10A N.C.A.C. 41A .0401

Cross References: Children of Military Families (policy 4050), Homeless Students (policy 4125), Attendance (policy 4400)

Other Resources: N.C. Adopted: June 17, 1999
Amended: July 18, 2000
Amended: July 8, 2004
Amended: May 8, 2008
Amended: January 15, 2009
Amended: July 12, 2012
Amended: August 10, 2015
Amended: June 30, 2016
Amended: March 9, 2017
Amended: June 11, 2020
Amended: June 9, 2022
Amended: November 10, 2022

REQUEST FOR EXEMPTION FROM

Immunization Branch, available at http://www.immunize.nc.gov/

FOR RELIGIOUS REASONS

As the parent(s) or guardian(s) of _____ we request that
(STUDENT NAME)
our child be exempted from immunization requirements based on our religious beliefs. We understand that (s)he may come in contact with classmates with contagious diseases for which our child could have received immunization and will hold Cherokee County Schools blameless in the event our child contracts a contagious disease for which (s)he could have received immunization.

_____ _____
(SIGNATURE OF PARENT OR GUARDIAN) (DATE)

PUBLIC SCHOOLS OF NORTH CAROLINA
State Board of Education | Department of Public Instruction

January 2016

NORTH CAROLINA HEALTH ASSESSMENT TRANSMITTAL FORM

This form and the information on this form will be maintained on file in the school attended by the student named herein and is confidential and not a public record.
(Approved by North Carolina Department of Public Instruction and Department of Health and Human Services)

PARENT to COMPLETE THIS SECTION

Student Name: ☐ M ☐ F
(Last) (First) (Middle)

Birthdate (M/D/YYYY): **School Name:**

Hispanic of Latino Origin: ☐ 1 Yes ☐ 2 No

Race: ☐ 1 Other Non-White ☐ 2 White ☐ 3 Black ☐ 4 American Indian ☐ 5 Chinese ☐ 6 Japanese ☐ 7 Hawaiian ☐ 8 Filipino ☐ 9 Other Asian ☐ 10 Unknown

Home Address: **City:** **State:** **County:**

Parent Information: Name of Parent, Guardian, or person standing in loco parentis:

Telephone(s)
Home:
Work:
Cell Phone:

Health Concerns to be shared with authorized persons (school administrators, teachers, and other school personnel who require such information to perform their assigned duties):

HEALTH CARE PROVIDER TO COMPLETE THIS SECTION

Medications prescribed for student:

Student's allergies, type, and response required:

Special diet instructions:

Health-related recommendations to enhance the student's school performance:

Vision screening information:
Passed vision screening: ☐ Yes ☐ No
Concerns related to student's vision:

Public Health
HEALTH AND HUMAN SERVICES

BEHAVIOR STANDARDS FOR TRANSFER STUDENTS

Policy Code: **4115**

This policy applies to transfer students seeking admission to the school system. Transfer students are students who have been enrolled in or who have attended a private school or a public school in this state or another state.

In accordance with state law, the student's parent, guardian or custodian must provide a statement made under oath or affirmation before a notary indicating (1) whether at the time of the admission request the student is under suspension or expulsion from attendance at a private or public school in this or any other state and (2) whether the student has been convicted of a felony in this or any other state.

STUDENTS UNDER SUSPENSION/EXPULSION OR CONVICTED OF A FELONY

If at the time of the admission request the student is under a suspension or an expulsion or has been convicted of a felony, the parent, guardian or custodian must provide to the school system all requested information related to the conduct. The superintendent or designee shall review the information and make a recommendation to the board as to whether the student should be admitted and, if so, whether any reasonable conditions should be imposed.

1. Suspension: The board may deny admission to a student who is under a suspension for conduct that could have led to a suspension from a school within the school system. Admission may be denied until the suspension has expired.

2. Expulsion: The board may deny admission to a student who has been expelled from a school pursuant to G.S. 115C-390.11 or who has been expelled from a school for behavior that indicated the student's continued presence in school constituted a clear threat to the safety of other students or employees. The student may request reconsideration of the board's decision in accordance with G.S. 115C-390.12.

3. Felony Conviction: The board may deny admission to a student who has been convicted of a felony in this state or any other state. The student may request reconsideration of the board's decision in accordance with G.S. 115C-390.12.

In any of the above-described circumstances in which admission may be denied, the board alternatively may place reasonable conditions on the admission of the student. Such conditions include, but are not limited to, behavior contracts, alternative school placement and limits on free time and extracurricular activities. Drug testing and weapon searches also may be reasonable conditions so long as they meet any constitutional requirements.

Notwithstanding the provisions of this policy, students under a suspension or an expulsion who have been identified as having a disability pursuant to the Individuals with Disabilities Education Act and otherwise meet the requirements for enrollment in the school system are entitled to services to the extent mandated by federal and state law.

Legal References: Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq*., 34 C.F.R. pt. 300; G.S. 115C-366(a3), (a4), (a5), -390.5, -390.7, -390.10, -390.11, -390.12
Cross References: Discretionary Admission (policy 4130)

Adopted:	June 17, 1999
Amended:	July 18, 2000 *(Affidavits attached)*
Amended:	May 13, 2010
Amended:	October 6, 2011

A student who is domiciled within the geographic area served by the school system, who is under age 21 (22 for students entitled to special education services), who has not completed the prescribed courses for high school graduation and who otherwise qualifies for admission, is entitled to be admitted without payment of tuition. Under certain circumstances specified by law, a student who resides in the area served by the school system and who otherwise qualifies for admission to its schools also is entitled to be admitted without payment of tuition. In addition, students who are homeless or in foster care may be entitled to continue attending their school of origin without payment of tuition regardless of a change in their domicile or residency status.

Children with disabilities are required to meet state domicile requirements to be entitled to admission to school without payment of tuition unless they are "grandfathered" into the system under subsection C.6, below, or unless they otherwise meet one of the circumstances that entitle them to admission without payment of tuition. (See Section C, below.)

A. DOMICILE AND RESIDENCE DEFINED

Domicile requires the intent to abandon one's prior home and remain in the new location as a permanent home for an indefinite period. In contrast, a residence need not be one's exclusive home and does not require an intention that the residence be the permanent home.

B. MEETING DOMICILE REQUIREMENTS

1. Domicile of Students Generally

   The domicile of a student under 18 years of age is presumed to be the domicile of his or her parents, legal guardian, or legal custodian as defined by the General Statutes of North Carolina.

2. Domicile of Emancipated Students

   If a student is at least 18 years of age, is married, or has been abandoned by his or her parents, or if the court declares a student to be emancipated, the student may establish a domicile independent from that of his or her parents, legal guardian, or legal custodian. A student who establishes domicile as a result of being emancipated is a domiciliary of the school system and is entitled to the same rights and privileges of other students domiciled in the school system.

3. Domicile of Students with Divorced or Separated Parents

   Domicile for the purpose of school admission and assignment will be determined by the following criteria.

a. In the event that a student's parents are divorced or separated and physical custody has been given to only one parent, the student's domicile follows that of the parent who has been granted physical custody.

b. If physical custody has not been determined or has been granted jointly to both parents, or if the custodial parent wishes the student to attend school in the non-custodial parent's system of residence, then the parents must jointly agree on which residence will be used to determine the student's domicile. The selected residence must be submitted in writing to the superintendent.

c. The selection may not be changed during the school year unless the parents satisfy the board's policies on transfers and releases.

d. In the event that the parents cannot agree on which residence will be used to determine the student's domicile for school assignment purposes, school officials shall assign the student according to the residence of the parent with physical custody of the student at the beginning of each school year.

C. MEETING RESIDENCE REQUIREMENTS

A student who resides in the system in any of the following circumstances will be admitted without payment of tuition.

1. The student is homeless as defined in state and federal law and policy 4125, Homeless Students. A student living with a friend or relative is not a homeless student unless he or she lives there due to conditions that constitute homelessness under state and federal statutes. A homeless student will be assigned in accordance with policy 4125, Homeless Students.

2. The parent, guardian, or legal custodian residing in the school system attendance area is a student, employee, or faculty member of a college or university or is a visiting scholar at the National Humanities Center.

3. The student resides in a group home, foster home, or other similar facility or institution.

4. The student resides in a pre-adoptive home following placement by a county department of social services or a licensed child-placing agency.

5. The parent, guardian, or legal custodian residing in the school system attendance area is on active military duty and is assigned by official military order to a military installation or reservation in North Carolina.[7]

6. The student is considered a child with a disability by the General Statutes and the North Carolina *Policies Governing Services for Children with Disabilities* and the child was (a) enrolled in the school system on the last day of school for the 2006-07 school year or (b) enrolled in and attending a school in the school system on August 1, 2007, for the 2007-08 school year, so long as the child lives within and is continuously enrolled in the system.

7. The student resides with an adult who is a domiciliary of the school system as a result of any of the following.

    a. The death, serious illness, or incarceration of the child's parent or legal guardian.

    b. The abandonment by the child's parent or legal guardian of the complete control of the student as evidenced by the failure to provide substantial financial support and parental guidance.

    c. Abuse or neglect by the parent or legal guardian.

    d. The physical or mental condition of the parent or legal guardian is such that he or she cannot provide the student with adequate care and supervision.

    e. The relinquishment of physical custody and control of the student by the student's parent or legal guardian upon the recommendation of the department of social services or the Division of Mental Health.

    f. The loss or uninhabitability of the student's home as the result of a natural disaster.

    g. The parent or legal guardian is one of the following: (1) a member or veteran of the uniformed services who is severely injured and medically discharged or retired (but only for a period of one year after the medical discharge or retirement of the parent or guardian); or (2) a member of the uniformed services who has died while on active duty or as a result of injuries sustained on active duty (but only for a period of one year after the death of the parent or guardian). Assignment under this subsection is only available if some evidence of the medical discharge, retirement, or death is tendered with the affidavits required under G.S. 115C-366.

    h. The parent or legal guardian is on active military duty, not including periods of active duty for training for less than 30 days, and the commanding officer of the parent or legal guardian provides in a signed letter that the parent or legal guardian's military orders prevent him or her from physically residing with the student. Assignment under this subsection is only available if the signed letter from the commanding

officer is included with the affidavits required under G.S. 115C-366, and the commanding officer indicates the time period that such military orders will be in effect.

In order to be admitted under this provision, the student may not be currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or an expulsion from the local school administrative unit, unless the student is identified as eligible for special education and related services under the Individuals with Disabilities Education Act, 20 U.S.C. 1400, *et seq*., and evidence of such eligibility is tendered with the affidavits described below.

The adult with whom the student resides and the student's parent, guardian, or legal custodian, if available, must complete and sign separate affidavits available from the superintendent's office attesting to information required by G.S. 115C-366(a3). If it is found that a person willfully and knowingly provided false information in the affidavit, the maker of the affidavit will be guilty of a Class 1 misdemeanor and will pay to the board an amount equal to the cost of educating the student during the period of enrollment. Repayment will not include state funds.

D. REMOTE ENROLLMENT OF CHILDREN OF MILITARY FAMILIES

A student who is not domiciled in the school system attendance area is permitted to enroll by remote means, including electronic means, prior to commencement of the student's residency in the school system attendance area if all of the following apply.

1. The student's parent or legal guardian (a) is on active military duty and is transferred or pending transfer pursuant to an official military order to a military installation or reservation in North Carolina or (b) will be separating from active military duty within a 12-month period.

2. Upon request by the school system, the parent or legal guardian provides a copy of (a) the official military order transferring to the military installation or reservation, (b) the official separation orders, or (c) an official military document showing the anticipated date of separation or date of projected permanent change of station.

3. The parent or legal guardian completes and submits the school system's enrollment forms and documentation, other than proof of residency and documentation related to disciplinary actions required under policy 4115, Behavior Standards for Transfer Students.

4. The parent or legal guardian submits to the school system the proof of residency and documentation related to the disciplinary actions upon the student commencing attendance. If the proof of residency has not yet become available

because the parent or legal guardian and student are residing in temporary housing, the student will be permitted to enroll and begin attending school based on the anticipated domicile: (a) for a period up to one year from the parent or legal guardian's reporting-for-duty date, separation date from active military duty, or anticipated separation date from active military duty; (b) through the end of the school year; or (c) through high school graduation for a student who is enrolling as a high school junior or senior.

The school system will make available to a student who registers to enroll pursuant to this section the same opportunities available to a domiciled student, such as requesting or applying for school assignment, registering for courses, and applying for any other programs that require additional request or application.

E. PARTICIPATION IN JROTC BY HOME SCHOOL STUDENTS

A home school student who resides within the assignment area of a school that maintains a Junior Reserve Officers' Training Corps (JROTC) unit shall be permitted membership in the JROTC unit of the school without regard to domicile if the student is otherwise qualified for membership but for lack of enrollment in the school.

F. STUDENTS PARTICIPATING IN THE NORTH CAROLINA ADDRESS CONFIDENTIALITY PROGRAM

In determining whether a student meets the domicile or residence requirements of this policy, school personnel shall consider the actual address of a participant in the North Carolina Address Confidentiality Program established by G.S. Chapter 15C, but such address will remain confidential in accordance with law and policy 4250/5075/7316, North Carolina Address Confidentiality Program.

G. APPEAL OF ADMISSION DECISIONS

Within 10 working days of receiving all of the information required under this policy, the superintendent or designee shall provide a written decision to the applicant for admission to the school system. The superintendent's decision regarding admission of the student may be appealed to the board in accordance with subsection E.5 in policy 1740/4010, Student and Parent Grievance Procedure.

Legal References: 10 U.S.C. 2031(f); Elementary and Secondary Education Act, 20 U.S.C. 6303 *et seq.*; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq*., 34 C.F.R. pt. 300; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; *Non-Regulatory Guidance: Ensuring Educational Stability and Success for Students in Foster Care,* U.S. Department of Education and U.S. Department of Health and Human Services (November 2024), available at https://www.ed.gov/media/document/non-regulatory-guidance-ensuring-educational-stability-and-success-students-foster-care-november-15-2024-108448.pdf; *Non-Regulatory Guidance on Education for Homeless Children and Youths Program,* U.S. Department of Education (July 2016), available at

https://www.ed.gov/sites/ed/files/2020/07/160240ehcyguidanceupdated082718.pdf; G.S. 7B art. 35; 35A art. 6; 15C-8(i); 50-13.1 to -13.3; 115C-106.2, -106.3, -107.6, -108.1(a), -366, -407.5; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000, available at http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Children of Military Families (policy 4050), Behavior Standards for Transfer Students (policy 4115), Homeless Students (policy 4125), North Carolina Address Confidentiality Program (policy 4250/5075/7316)

Adopted: June 17, 1999
Amended: June 9, 2005
Amended: May 10, 2007
Amended: May 8, 2008
Amended: May 13, 2010
Amended: January 9, 2014
Amended: December 11, 2014
Amended: April 6, 2017
Amended: December 9, 2021
Amended: October 2, 2025
Amended: January 8, 2026

As required by the North Carolina Constitution and North Carolina law, the board of education is committed to providing a free public school education to all children who are legally entitled to enroll in the school system. In accordance with the McKinney-Vento Homeless Assistance Act and the North Carolina State Plan for Educating Homeless Children, the board will make reasonable efforts to identify homeless children and youth of school age located within the area served by the school system, encourage their enrollment, and eliminate barriers to their receiving an education that may exist in school system policies or practices. Based on individual need, homeless students will be provided services available to all students, such as preschool, free or reduced price school meals, services for English learners, special education, career and technical education (CTE), academically or intellectually gifted (AIG) services, and before- and after-school care.

The provisions of this policy will supersede any and all conflicting provisions in board policies that address the areas discussed in this policy.

A. DEFINITION OF HOMELESS STUDENTS

Homeless students are children and youth who lack a fixed, regular, and adequate nighttime residence. The term "homeless student" will also be deemed to include the term "unaccompanied youth," which includes a youth who is not in the physical custody of a parent or guardian. Homeless children and youth include those students who are as follows:

1. sharing the house of other persons due to loss of housing, economic hardship, or a similar reason;

2. living in motels, hotels, transient trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

3. living in emergency or transitional shelters;

4. abandoned in hospitals;

5. living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;

6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or

7. living in a migratory situation that qualifies as homeless because the child lacks a fixed, regular, and adequate nighttime residence.

B. ENROLLMENT, ASSIGNMENT, AND TRANSPORTATION OF HOMELESS STUDENTS

1. Enrollment

a. Eligibility

Notwithstanding the enrollment eligibility requirements established by the board elsewhere in policy, school personnel shall immediately enroll homeless students even if they do not have proof of residency, school and immunization records, birth certificates, or other documents; have missed application or enrollment deadlines during a period of homelessness; have outstanding fees; or are not accompanied by an adult. The homeless liaison shall assist the students and parents or guardians in securing appropriate records or otherwise meeting enrollment requirements.

b. Records

Homeless students transferring into the school system may provide cumulative and other records directly to school system personnel. The superintendent or designee shall not require that such records be forwarded from another school system before the student may enroll. However, school personnel shall immediately request the official records from the previous school.

Information regarding a child or youth's homeless situation must be treated as a student record and protected accordingly. See policy 4700, Student Records.

2. Assignment

A homeless student (or the student's parent or guardian) may request to attend (1) his or her school of origin or (2) any public school that other students living in the same attendance area are eligible to attend. The school of origin is defined as the school the student attended before losing permanent housing or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools. Unless not in the student's best interest, a homeless student who continues attending the school of origin will remain enrolled in the school of origin for the entire time the student is homeless and until the end of any academic year in which the student moves into permanent housing.

The superintendent shall designate the director of student assignment or other appropriate personnel to decide, in consultation with the homeless liaison, which school a homeless student will attend. The decision must be based upon consideration of student-centered factors related to the student's best interest, including factors concerning the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or the unaccompanied youth. The superintendent's designee must presume that keeping the student in the school of origin is in the

student's best interest unless contradicted by the student's parent or guardian or the unaccompanied youth.

If the superintendent's designee determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian or unaccompanied youth, he or she must provide a written explanation of the reasons for the determination to the parent or guardian or unaccompanied youth, along with information regarding the right to appeal the placement decision as described in Section D, below.

3. Transportation

The board of education will provide homeless students with transportation services comparable to those of other students. In addition, at the parent or guardian's request (or at the request of the homeless liaison for unaccompanied youth), the board will provide transportation services to/from the school of origin. The superintendent or designee and the homeless liaison shall coordinate homeless students' transportation needs, based on the child's best interest. In situations in which a student attends school in this system but his or her temporary housing is in another system (or vice versa), the superintendent or designee shall work with the other system to share the cost and/or responsibility for transportation. If an agreement cannot be reached between the systems, the cost of such transportation will be divided evenly.

If a homeless student becomes permanently housed and chooses to remain in his or her school of origin, the board will provide transportation to the student for the remainder of the school year.

C. ELIGIBILITY FOR TITLE I SERVICES

Homeless students are automatically eligible for Title I services. The homeless liaison and the Title I director shall collaborate to identify the needs of homeless students.

D. DISPUTE RESOLUTION PROCESS

A parent, guardian, or unaccompanied youth who disagrees with a decision of school officials with regard to eligibility, school selection, or enrollment of a student who is homeless (hereinafter, referred to as a "complainant") may appeal the decision to the school system's homeless liaison in accordance with this section upon registering or attempting to register the child or youth at the school in which enrollment is sought.

Any employee who is aware that an unaccompanied youth or a parent or guardian of a homeless student is dissatisfied with a decision of school officials with regard to eligibility, school selection, or enrollment should immediately refer that individual to the school system's liaison for homeless students.

As used in this section, "school days" means days when students are scheduled to be in attendance.

1. Notice, Stay Put, and Informal Resolution

   Upon learning of a complainant's disagreement with a decision of school officials, the homeless liaison shall take the following actions.

   a. The homeless liaison shall arrange to have the student immediately admitted to the school in which enrollment is sought (either the school of origin or the school located in the attendance zone of the student's temporary residence) if enrollment is at issue. Once enrolled, the student must receive all services for which he or she is eligible and must be allowed to participate fully in school activities, pending resolution of the dispute.

   b. Within one school day of learning of the complainant's disagreement, the homeless liaison shall provide the complainant a copy of the school system's uniform statement of rights and procedures that is written in a language, manner, and form the complainant can understand, to the extent the school system deems practicable. The written statement must include all of the following:

      1) contact information, including telephone number, e-mail address, and physical address of the homeless liaison and of the State Coordinator for homeless education, with a brief description of their roles;

      2) notice that, within two school days of the school's decision, the complainant has the right to notify the homeless liaison that the complainant intends to appeal the decision;

      3) an explanation of the appeal procedure, including the timeline and process for making the initial appeal and for pursuing a subsequent appeal to the superintendent and board, as provided by this policy;

      4) a complaint form that a complainant can understand, complete, and submit to the homeless liaison to initiate the dispute resolution process and to pursue any subsequent appeals to the superintendent and board;

      5) notice that the board of education or a designated panel of the board will make the final decision on behalf of the school system;

      6) notice of the right to appeal, or request an extension of time to appeal, the final decision of the school system to the State

Coordinator within three school days of receipt of the final decision;

7) notice of the right to enroll immediately in the school located in the assignment area of the student's temporary residence or remain in the school of origin with transportation provided by the school system pending resolution of the dispute, if such transportation is requested by the parent, guardian, or homeless liaison on behalf of the youth;

8) notice that the right to enroll includes the right to fully participate in all school activities;

9) notice of the right to obtain assistance of advocates or attorneys; and

10) notice of the right to provide supporting written or oral documentation during the appeals process.

c. The homeless liaison shall attempt to informally resolve the matter. Complainants are encouraged to attempt informal resolution through discussion with the homeless liaison when possible.

d. If informal resolution is unsuccessful, the homeless liaison shall inform the complainant of the right to appeal the matter by initiating the dispute resolution process provided in subsection D.2, below.

e. If the complaint initiates the dispute resolution process, the homeless liaison shall expedite the process so that a final decision in the dispute is reached within 15 school days or 30 calendar days, whichever is less.

2. Steps in the Dispute Resolution Process and Related Timelines

a. Homeless Liaison Review

i. If informal resolution of a complaint is unsuccessful, the complainant may initiate the dispute resolution process by making a formal appeal to the homeless liaison, either directly or through the principal of the school in which enrollment is sought. The appeal must be presented within five school days of the decision giving rise to the complaint unless the homeless liaison agrees to an extension of up to five additional school days for good cause.

ii. The appeal may be made orally or in writing on the designated complaint form. If the complainant makes an oral appeal, the

homeless liaison shall complete the written complaint form on the complainant's behalf without delay.

iii. The complaint should include the date of the filing, a description of the disputed action pertaining to eligibility, school selection, or enrollment, the name of the person(s) involved, and a description of the relief requested. The complainant must be informed of the right to provide supporting written or oral documentation and to seek the assistance of an advocate or attorney.

iv. No more than two school days after the complainant initiates the dispute resolution process, the local liaison shall (1) inform the superintendent, other school officials participating in the dispute resolution process, and the State Coordinator of the dispute and (2) provide a written decision, including the reasons for the decision, to the complainant and the superintendent.

b. Appeal to the Superintendent of the Liaison's Decision

i. Within two school days of receiving the liaison's decision, the complainant may appeal the decision to the superintendent orally or in writing using the form designated for this purpose. Oral appeals must be made to the homeless liaison, who shall commit the appeal to writing on the designated form. The homeless liaison shall ensure that the superintendent receives copies of the written complaint and the response of the liaison.

ii. The superintendent or designee shall schedule a conference with the complainant to discuss the complaint.

iii. Within four school days of receiving the appeal, the superintendent or designee shall provide a written decision to the complainant including a statement of the reasons for the decision.

c. Appeal to the Board of the Superintendent's Decision

i. If the complainant is dissatisfied with the superintendent's decision, he or she may file an appeal with the board of education within two days.

ii. The appeal may be filed orally or in writing using the form designated for this purpose. Oral appeals must be made to the homeless liaison, who shall commit the appeal to writing on the designated form.

iii. The board or a panel of at least two board members acting on behalf of the board will render a decision on the appeal. The board or board panel will provide the complainant with a written decision within five school days of receiving the appeal. In unusual circumstances the board or board panel may extend this time but will avoid exceeding the lesser of (1) 15 school days from when the complaint was received or (2) 30 calendar days from when the complaint was received.

iv. The board or board panel's decision will constitute the final decision of the school system for purposes of the complaint's right to appeal to the State Coordinator.

v. If the matter under appeal is a school assignment, a board panel decision will be a recommendation that must be submitted to the full board for a final determination as required by state law and policy 4150, School Assignment. However, in order to ensure an expedited appeals process for students who are homeless, the recommendation of the board panel shall be considered the final decision of the board for purposes of appeal to the State Coordinator if a final determination by the full board reasonably cannot be accomplished by the deadline described in the previous paragraph.

vi. The written statement of the final decision will include the name and contact information of the State Coordinator for homeless education and will describe the appeal rights to the State Coordinator. If the matter under appeal is a school assignment and the appeal was not heard by the full board, the written decision will also note that review of the matter by the full board as required by state law is pending.

d. Appeal to the State Coordinator of the Board's Decision

If the complainant is dissatisfied with the decision of the board or board panel, he or she may file an oral or written appeal with the State Coordinator for homeless education within three school days of receiving the board or panel's decision or within the period of any extension granted. The State Coordinator will issue a final decision on the complaint. The appeal must include:

i. the name of the complainant and, if available, his or her physical address, e-mail address, and telephone number;

ii. the relationship or connection of the person to the child in question;

iii. the name of the school system and the school in question;

iv. the federal requirement alleged to have been violated;

v. how the requirement is alleged to have been violated; and

vi. the relief the person is seeking.

Within three school days following a request from the State Coordinator, the homeless liaison shall provide the record of complaint, a copy of the board or panel's decision, and any other documents necessary to complete the record.

E. HOMELESS LIAISON

The superintendent or designee shall appoint and train a school employee to serve as the homeless liaison. In addition to the duties specifically assigned elsewhere in this policy, the homeless liaison's duties shall include, but not be limited to, the following:

1. ensuring that school personnel identify homeless children and youth;

2. ensuring school/preschool enrollment of and opportunities for academic success for homeless children and youth;

3. ensuring that homeless families and children have access to and receive educational services for which they are eligible;

4. ensuring that homeless families and children receive referrals to healthcare, dental, mental health and substance abuse, housing, and other appropriate services;

5. informing parents or guardians and any unaccompanied youth of available transportation services and helping to coordinate such services;

6. ensuring that public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians and unaccompanied youth;

7. informing parents or guardians of educational and related opportunities available to their children and ensuring that parents or guardians have meaningful opportunities to participate in their children's educations;

8. communicating the dispute resolution process to parents, guardians, and unaccompanied youth experiencing homelessness;

9. helping to mediate enrollment disputes, including ensuring that a homeless child or youth is enrolled immediately pending final resolution of the dispute;

10. developing a uniform written notice that explains to parents, guardians, and unaccompanied youth their rights and the process for appealing a decision of school officials, as required by subsection D.1.b of this policy. The notice must be written in a simple and understandable format and translated to other languages as needed and practicable;

11. ensuring that when parents, students, and unaccompanied youth initiate the dispute resolution process, all parties comply with the dispute resolution policy and that parents, students, and unaccompanied youth are provided with the information listed in subsection D.1.b of this policy;

12. informing unaccompanied youth of their status as independent students and assisting in verifying such status for the purposes of the Free Application for Federal Student Aid;

13. ensuring that school personnel providing services to homeless students receive professional development and other support;

14. working with school personnel, the student, parents or guardians, and/or other agencies to obtain critical enrollment records, including immunization and medical records, in a timely manner; and

15. working with the superintendent or designee to identify board policies or procedures that might serve as a barrier to enrollment of homeless students, including those related to immunization records, medical records, uniforms or dress codes, school fees, and school admission.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; *Non-Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S. Department of Education (July 2016); G.S. 115C-366(a2), -369; 16 N.C.A.C. 6H .0114, .0115, .0116; State Board of Education Policy SPLN-000
Cross References: Immunization and Health Requirements for School Admission (policy 4110), Domicile or Residence Requirements (policy 4120), Discretionary Admission (policy 4130), School Assignment (policy 4150), Student Records (policy 4700)

Adopted: May 10, 2007
Amended: March 19, 2009
Amended: March 9, 2017
Amended: December 13, 2018
Amended: July 15, 2021

The school system generally is limited to those students who meet the domicile or residence requirements outlined in policy 4120, Domicile or Residence Requirements. However, on occasion, special circumstances may warrant a student's enrollment in a different school system. The board, in its discretion, may admit non-domiciled students into the school system and may release domiciled students to another school system in accordance with this policy.

All discretionary admissions decisions will be made in a manner that is not arbitrary, capricious, discriminatory, prohibited by state or federal law, or for personal or political reasons.

A. ADMISSION CRITERIA

The board may choose to admit a non-domiciled student only if the following conditions are met.

1. The parent, legal guardian, or legal custodian explains in writing why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school system. An explanation of need will be considered valid grounds for discretionary admission only if there are compelling, specific circumstances indicating that the student should attend school in the school system. Any reason having to do with athletics or participation in athletics is not a valid or sufficient explanation of need.

2. The board must have determined that space is available in the school system and in the particular school or program in which the student seeks to enroll, and it is determined the additional student enrollment will not increase the total district ADM to a number that exceeds the threshold of eligibility for Small Schools Funding.

3. The student must demonstrate that he or she was in good standing in the previous school attended by that student, in terms of academics, discipline, and other measures of standing and progress in the school system. The student also must satisfy the requirements in policy 4115, Behavior Standards for Transfer Students.

4. The student must furnish a transcript and other student record data, including evidence of compliance with the North Carolina immunization requirements.

5. If the student is transferring from another school system in North Carolina, the student must submit a release approved by the board of education of the school system from which the transfer is being made. If the student's discretionary admission request is granted, the admission will be subject to the terms and conditions agreed to in writing between the board and the board of education of the other school system.

6. If the student resides with an adult who is not the student's parent, legal guardian, or legal custodian, the student must furnish the school system with a notarized document showing (in lieu of a court order or other qualifying legal instrument, the Cherokee County Schools requires Affidavit B and Affidavit C)1 that the parent, legal guardian, or legal custodian

1 This requirement is included by the CCS BoE.

consents to the student attending school in the school system and authorizes the adult with whom the student lives to make all decisions relating to the student's education, including, but not limited to, any decisions relating to placement, services, field trips, medical treatment, grading and reporting, discipline, participation in extracurricular activities, and participation in athletics.

7. If the student does not reside within the assignment area of the school the student will attend, the parent, legal guardian, or legal custodian must agree to provide transportation to and from school.

8. If the student is asserting residency in the geographic area served by the school system, sufficient evidence, such as a copy of utility bills, must be provided.

9. If a student's address changes, it is the responsibility of his/her parent or guardian to notify the principal of the school which the student attends immediately. The principal can again require verification of residency.

B. RESCINDMENT/RENEWAL OF DISCRETIONARY ADMISSION

1. Admission may be granted for the duration of a student's stay in a school. That is, a student being approved to attend Pre-K at a school may continue to attend that school until the student is promoted to the Middle School grades. When this occurs, the parent, guardian, or legal custodian must submit a Student Transfer request to the principal of the school to which admission is requested. Also, such long-term approvals are contingent upon the admission criteria outlined herein.2

C. DISCRETIONARY ADMISSION DECISIONS

1. Application and Decision

2. Non-domiciled students who meet the admission criteria may submit a written application for discretionary admission to the superintendent or designee. The application must be accompanied by all required supporting documents, as described above in Section A. Applications from students who are residents of the geographic area served by the school system will have first priority. After reviewing the application and supporting documents, the superintendent or designee shall make a recommendation to the board to approve or deny the discretionary admission request. If it is determined, at any point in the school year, that a class room has exceeded the maximum number of students allowed based on the student teacher ratio, those out of district students' admission approval may be rescinded. This action will be made on a case by case basis beginning with the latest approved being re-considered first. Additionally, factors such as disciplinary infractions, academic standing, and attendance will be considered in determining which student's admission approval will be

2 This criteria is included by CCS BoE.

rescinded.3

3. If it is determined, at any point in the school year, that the district ADM will exceed the threshold of eligibility for Small Schools Funding the superintendent may rescind a student's eligibility for enrollment in Cherokee County Schools. This action, if required, will be made on a case by case basis beginning with the latest approved student(s) being considered first; factors such as disciplinary infractions, academic standing, and attendance will be considered in determining which student's admission approval will be rescinded.4

4. Students who are admitted based upon false or misleading information on their application will have their application voided and acceptance rescinded.

The board will provide a written response to an applicant within 30 working days of receipt of the information required under this policy. Final decisions regarding discretionary admissions may be delayed until the board has determined whether space is available in the requested school. Therefore, the written response may provide either a final decision or a notification that a final decision is pending until the board determines space availability.

D. RELEASE TO ANOTHER SCHOOL SYSTEM

A student domiciled in the school system may request a release from the board to attend a school in a different school system in North Carolina. The student must have both approval of the board to release the student and approval of the receiving board of education to admit the student. The decision whether to admit the student is made under the policies of the receiving board of education.

The superintendent or designee may develop and administer a procedure to implement this policy.

Legal References: G.S. 7B, art. 35; 35A, art. 6; 50-13.1 to 13.3; 115C-47(69), -231, -364 to -366.1
Cross References: Behavior Standards for Transfer Students (policy 4115), Domicile or Residence Requirements (policy 4120), Tuition for Discretionary Admissions (policy 4135)

Adopted: June 17, 1999
Amended: June 9, 2005
Amended: October 11, 2007
Amended: November 13, 2008
Amended: July 9, 2009
Amended: November 8, 2012
Amended: September 13, 2018
Amended: November 10, 2022
Amended: April 20, 2023
Technical Correction: October 22, 2025

3 This criteria is included by CCS BoE.
4 This criteria is included by CCS BoE.

A. ASSIGNMENT OF STUDENTS

Students are expected to attend the school in which they are assigned by virtue of their parents' or legal guardians' residence. Students should enroll in the county school of appropriate grade within the attendance area for the child of prescribed by the Cherokee County Board of Education.

The Cherokee County Board of Education has adopted the North Carolina Department of Public Standards for class size. Therefore, principals may accept out-of-district/out-of-county students as long as DPI standards and the following priorities for student acceptance into the school are met.

1. Having residence in Cherokee County, but out-of-district (the assigned attendance area):

    a. Students presently enrolled in the out-of-district school, based upon length of previous enrollment, will be given first priority if space is available.

    b. Students who have a sibling presently enrolled in the out-of-district, school, based upon length of enrollment, will be given second priority.

    c. After 1.a and 1.b have been met, the order of proper application, based upon the Spring and Fall Registration Periods, shall be used. These periods will be ten (10) school days each as defined by the Superintendent's office each year.

2. Having residence out of Cherokee County and, after 1.a, 1.b and 1.c are satisfied; and space is available consideration may be given to out-of-county students. Student admittance will be according to the same criteria as defined in 1.a, 1.b and 1.c.

3. No out-of-district/out-of-county students will be permitted to enroll after the designated fall registration period ten (10 days) as defined by the Superintendent's office each year.

4. Out-of-county/out-of-district students who become a documented behavior or an attendance problem may be transferred back to their assigned attendance area. Students may not be transferred back to their home school at any time other than normal breaks (nine weeks, semester, end of year) without the approval of the Superintendent.

5. A minimum space must be reserved for new students moving into the attendance area.

6. If a student's legal residence changes during the school year, causing the student to become an out-of-district/out-of-county student, the student will be permitted to complete the school year in the school where he/she is currently enrolled, providing there is space available. If the enrollment numbers are not acceptable, the student must maintain a legal in-district residence for at least the first (1st) semester of the school year in order to remain in the out-of-district school. Otherwise, the student must enroll in their assigned attendance area school.

7. The Principal will confer with the Exceptional Children Supervisor in order to ensure proper placement of special education students making application to enroll from out-of-district/out-of-county.

8. Students of Cherokee County School employees who work four (4) or more hours daily can attend school in the district where the parent works with the exception of Pre-K, which must meet all state and federal regulations for students before consideration of employee students.

9. Bus transportation to and from school will not be provided for out-of-district/out-of-county students attending a school in another attendance areas unless legally required. Cherokee County Schools will not pick-up or drop-off at or outside the county or district lines.

10. Student assignment will meet all federal regulation associated with students who are homeless, in foster care, students with disabilities, and/or other federal regulated programs.

11. Student transfer in association with athletic eligibility must meet the rules and regulations established by the North Carolina High School Athletic Association (NCHSAA).

12. The transfer or reassignment of a student is valid for one year and an out-of-district/out-of-county application must be completed each year and approved by the principal.

13. Students approved prior to the adoption of this policy amendment may remain at the school to which reassignment was approved until the student graduates from the next grade level and is promoted to a new school. Parent/Guardian are required to submit a student reassignment request each year thereafter. This clause does not preclude a principal from rescinding a student's approval to attend a school outside the student's attendance area.

14. School assignment decision can be appealed according to policy 1740/4010 and 1742/5060.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; Elementary and Secondary Education Act, 20 U.S.C. 6301 *et seq.*; *Non-Regulatory Guidance: Ensuring Educational Stability and Success for Students in Foster Care,* U.S. Department of Education and U.S. Department of Health and Human Services (November 2024), available at

https://www.ed.gov/media/document/non-regulatory-guidance-ensuring-educational-stability-and-success-students-foster-care-november-15-2024-108448.pdf; *Non-Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S. Department of Education (July 2016), available at https://www.ed.gov/sites/ed/files/2020/07/160240ehcyguidanceupdated082718.pdf; *Unsafe School Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004), available at https://files.eric.ed.gov/fulltext/ED494736.pdf; G.S. 15C-8; 115C-36, -47(69), -366, -367, -369; State Board of Education Policy SSCH-006

Cross References: Alternative Learning Programs/Schools (policy 3470/4305), Domicile or Residence Requirements (policy 4120), Homeless Students (policy 4125), Discretionary Admission (policy 4130), Unsafe School Choice Transfer (policy 4152), North Carolina Address Confidentiality Program (policy 4250/5075/7316)

Adopted: June 17, 1999
Amended: June 21, 2001
Amended: January 13, 2005
Amended: June 9, 2005
Amended: October 11, 2007
Amended: October 9, 2008
Amended: June 8, 2010
Amended: July 12, 2012
Amended: November 8, 2012
Amended: January 9, 2014
Amended: March 9, 2017
Amended: September 14, 2017
Amended: December 9, 2021
Amended: October 2, 2017
Amended: June 29, 2023
Amended: August 15, 2024
Technical Correction: October 22, 2025

The board is committed to providing an environment at each school that is safe, orderly, and inviting. The board believes that in most cases, a student should attend the school that serves his or her domicile. Under certain circumstances or conditions, however, the board provides parents the opportunity to request that their child attend a school outside of his or her attendance area (see policy 4150, School Assignment).

Pursuant to federal and State Board of Education requirements, the board will allow a student who attends a school designated as a persistently dangerous school or a student who becomes the victim of a violent criminal offense at his or her school to attend another school that the superintendent has identified as an eligible transfer school.

A. DEFINITIONS

For purposes of this policy, the following definitions apply:

1. Violent Criminal Offenses

   Violent criminal offenses are the following crimes:

   a. homicide;
   b. assault resulting in serious bodily injury;
   c. assault involving use of a weapon;
   d. rape;
   e. sexual offense;
   f. sexual assault;
   g. kidnapping;
   h. robbery with a dangerous weapon; and
   i. taking indecent liberties with a minor.

2. Persistently Dangerous School

   A persistently dangerous school is a school in which:

   a. at least two violent criminal offenses were committed with a rate of five or more such offenses per 1000 students during each of the two most recent school years; and

   b. the conditions that contributed to the commission of such offenses are determined by the State Board of Education as being likely to continue into another school year.

3. Eligible Transfer School

   An eligible transfer school is a school that is not designated as a persistently dangerous school, that offers instruction at the student's grade level, and that the superintendent has identified as eligible for unsafe school choice transfer.

B. SCHOOL REVIEW OF VIOLENT CRIMINAL OFFENSES

Upon the commission of any violent criminal offense on school property or off school property on a school-sponsored field trip, the principal and the school improvement team shall review the incident to determine whether any conditions or procedures at the school or in the school improvement plan need to be modified as a result of the incident. The principal shall provide a report of the review to the superintendent or designee.

C. IDENTIFICATION OF SCHOOLS AS PERSISTENTLY DANGEROUS

1. Conditions Contributing to the Commission of Violent Criminal Offenses

   For any school in which at least two violent criminal offenses and five or more such offenses per 1000 students were committed on school property during each of the two most recent school years, the board will determine whether any changes need to be made in the school- or system-level school safety procedures. The superintendent shall report to the State Board of Education any conditions in the school that may have contributed to the commission of the violent criminal offenses and any plans that the board has to eliminate such conditions.

2. Probationary Schools

   If the State Board of Education determines that a school should be placed on probation, during the probationary year the principal and school improvement team shall implement strategies to protect students from violent criminal offenses and to deter future offenses from occurring. Such strategies must be incorporated into the school improvement plan. As necessary, the superintendent may request assistance from the Department of Public Instruction to help identify strategies for implementation.

3. Persistently Dangerous Schools

   If the State Board of Education determines that a school is a persistently dangerous school, the superintendent shall assign personnel from the central office to review safety procedures at the school. The central office team also shall assist the school with creating and implementing a corrective action plan for the school. The corrective action plan should be based on an analysis of the problems at the school, should include strategies to improve safety at the school, and should identify any system-level policies and procedures that need to be modified. Any strategies identified for the corrective action plan should be incorporated into the school improvement plan.

   Pursuant to the unsafe school choice transfer procedures provided below, a student who attends a persistently dangerous school will be allowed to transfer to another school that the superintendent has designated as an eligible transfer

school.

As deemed appropriate, the board will pursue any appeals process available for review of a school's designation as probationary or persistently dangerous.

D. VICTIM OF A VIOLENT CRIMINAL OFFENSE

A student shall be considered the victim of a violent criminal offense when the following criteria are met:

1. the principal determines, based upon reasonable evidence, that the student has been the victim of any of the applicable offenses identified in this policy; and

2. the offense occurred while the student was on the grounds of the public school that he or she attends.

Pursuant to the unsafe school choice transfer procedures provided below, a student who is a victim of a violent criminal offense shall be allowed to transfer to another school that the superintendent has designated as eligible for transfer.

E. UNSAFE SCHOOL CHOICE TRANSFER PROCEDURES

The superintendent shall establish procedures to facilitate the transfer of students when a school has been identified as persistently dangerous or when a student has been identified as a victim of a violent criminal offense. Such procedures must include the following elements:

1. notice to parents within 10 days of the determination that their child attends a school that has been identified as persistently dangerous or that their child has been identified as a victim of a violent criminal offense;

2. notice to parents that their student has the opportunity to transfer to another school that has not been identified as persistently dangerous, that serves the student's instructional level, and that the superintendent has designated as an eligible transfer school; this notice must be provided no later than 14 days before the start of the school year for students attending persistently dangerous schools and no later than 14 days after determining that a student has become a victim of a violent criminal offense;

3. identification of those schools, including any virtual schools, within the system that are eligible to receive unsafe school choice transfers;

4. identification of other options for unsafe school choice transfers if no schools in the school system are eligible;

5. a process for parents to request transfer upon receiving notification of the unsafe

school choice transfer option;

6. a process to ensure that transfers are completed by the start of the school year for students attending a school designated as persistently dangerous or as expeditiously as possible but not later than the start of the school year for a student victim, except in extraordinary circumstances; and

7. a report to the State Board of Education and to the local board of education of each student transfer made pursuant to this policy.

Transfers made because a student's school was designated as persistently dangerous will remain in effect as long as the school is so identified. Transfers made because a student was a victim of a violent criminal offense will remain in effect at least through the remainder of the school year in which the incident occurred.

F. TRANSPORTATION

Parents who decide to transfer their child pursuant to this policy are responsible for transportation of their child to the receiving school.

Legal References: Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA), 20 U.S.C. 7912; *Unsafe School Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004), available at https://files.eric.ed.gov/fulltext/ED494736.pdf; G.S. 14-17, -18, -27.21, -27.22, -27.24 through -27.27, -27.29, -27.30, -27.33, -32 through -34.10, -39, -87, -202.1, -202.2, -202.4; 115C-36, -105.27, -366, -367; 16 N.C.A.C. 6E .0107; State Board of Education Policy SSCH-006

Cross References: School Safety (policy 1510/4200/7270), School Improvement Plan (policy 3430), Conflict Resolution (policy 3431), School Assignment (policy 4150)

Adopted: April 19, 2012
Amended: April 18, 2013
Amended: August 10, 2015
Amended: April 19, 2016
Legal Update: October 1, 2018
Technical Corrections: April 3, 2020
Amended: December 9, 2021
Technical Corrections: October 22, 2025

FOREIGN EXCHANGE STUDENTS

Policy Code: 4153-C

In order to assure the safe placement of foreign exchange students with host families, prior home placement approval by the superintendent, principal and a school-based committee and/or the school social worker must be made before an exchange student can be enrolled in Cherokee County Schools. It is the responsibility of the placement coordinator to get this approval prior to enrolling the student.

Each high school in Cherokee County will be able to host a maximum of three foreign exchange students. The high school must be notified at least 30 days prior to students being placed.

Foreign exchange students will only be accepted at the beginning of each semester (i.e. beginning of school or beginning of spring semester). The foreign exchange student must be enrolled and ready to begin school the first week of each semester. Enrollment must be completed prior to the first day of the semester.

Foreign exchange students will not be *guaranteed* the opportunity to receive a high school diploma. In order to receive a North Carolina High School diploma, foreign exchange students should have completed the following requirements prior to enrolling in a Cherokee County high school:

- Scored 500, or a minimum score, on the English Test of Foreign Language (TOFL) or equivalent test.
- Have an existing 20 units
- Have completed at least three years of English curriculum
- Have completed a math equivalent to Math I
- Have completed World Study
- Have completed a physical science and biology

It should be further understood that, provided the student has completed the above requirements, he/she will not be guaranteed the opportunity to receive a high school diploma if scheduling does not permit.

Diploma foreign exchange students must be enrolled for two (2) semesters.

To receive a diploma, upon enrollment students must take and pass End-of-Course tests in:

- ❖ English II
- ❖ Biology
- ❖ Math I or equivalent

As a student in Cherokee County Schools, they must enroll in:

- ❖ English III (US Literature)
- ❖ English IV
- ❖ U.S. History
- ❖ Civics and Economics

What is needed to meet all state and local requirements.

Adopted: June 17, 1999
Amended: June 23, 2014

Cherokee County Schools

Foreign Exchange Student Checklist

Student Name: _____ School: _____

Country: _____ DOB: _____ Age: _____ Grade Recommendation: _____

Sponsoring Organization: _____

Area Placement Counselor Name, Address & Phone: _____

_____

Host Family Information

Host Family Name: _____

Both host parents must be at least 30 years of age and agree to reside in the home for the entire school year.

Address: _____ Phone: _____

The Sponsoring Organization will:

1. Show Evidence that the organization has a representative based in Cherokee County
2. Show evidence that the prospective exchange student has fulfilled the requirements for entry into the United States on a J-1 visa.
3. Assume financial responsibility for the exchange student.
4. Inform the student of the policies of Cherokee County Schools by the time of the student's acceptance by the foreign exchange agency.
5. Recruit and orient the host family. CCS will not be responsible for recruiting host families.
6. Prior to the student's entry into the United States, secure written permission from the Director of Student Services for the student to enroll in Cherokee County Schools.
7. Agency has background information on student at the time of application.
8. Agency provides proof of an in-home interview with the prospective host family prior to acceptance.
9. Agency provides adequate background information regarding host family.

Requirements for Acceptance

1. Organization has a FULL LISTING with the Council on Standards for International Travel (CSIET) Advisory List at https://www.csiet.org/advisory-list/
2. Students will only be accepted at the beginning of each semester, i.e., beginning of school or beginning of Spring semester.
3. Provide documentation of eligibility for enrollment in grades 11—12 and not have graduated in their own country. Provide transcript of acceptable academic achievement translated into English.
4. Student is between the ages of 16 and 18 ½ years old.
5. Student is proficient in English and requires no special language assistance.
6. Foreign exchange students will not be *guaranteed* the opportunity to receive a high school diploma. In order to receive a North Carolina High School diploma, foreign exchange students should have completed the following requirements prior to enrolling in a Cherokee County high school:
   - Scored 500, or a minimum score, on the English Test of Foreign Language (TOFL) or equivalent test. [____]
   - Have an existing 20 units. [____]
   - Have completed at least three years of English curriculum Have completed a math equivalent to Math I. [____]
   - Have completed World Study. [____]
   - Have completed a physical science and biology. [____]
7. Student must agree to abide by the CCS Student Code of Conduct, policies, and regulations that govern other students.
8. The Student must present documentation of:
   - Acceptable academic achievement.
   - Accident and medical insurance.
   - A recent physical examination.
   - Immunization records consistent with NC state requirements.
   - Written permission (if applicable) of parent and sponsoring agency to participate in interscholastic athletics.

School Use Only

Signature: _____ Date: _____
(School Counselor)

Signature: _____ Date: _____
(School Principal)

Signature: _____ Date: _____
(Director of Student Services)

Signature: _____ Date: _____
(Superintendent)

A. GENERAL AUTHORITY

The principal has the authority to assign students to classes, subject to applicable legal requirements. The principal is encouraged to seek input from the professional staff in making these decisions. Parents may submit to the principal written requests for assignment or reassignment of their children so long as the parents provide a compelling reason for the request. The principal shall consider parental requests in assigning students to classes. Unless otherwise required by law or the special circumstances described below, the principal shall balance any individual request for assignment or reassignment against the welfare of other students and the efficient operation of the school.

B. SPECIAL CIRCUMSTANCES

1. Multiple Birth Siblings

School officials will defer to parental preference in making the initial classroom assignment of multiple birth siblings to the extent provided in this section and applicable state law. "Multiple birth siblings" means twins, triplets, quadruplets, or other siblings resulting from a multiple birth.

a. Consultative Meeting with the School Principal

The parent or guardian of multiple birth siblings who are assigned to the same grade level and school may request a consultative meeting with the principal to consider whether to initially place the siblings into the same classroom or into separate classrooms. The request must be made no later than five days before the first day of each school year or, if the students are enrolled after the school year starts, five days after their first day of attendance.

At the meeting, the parent may request either that the students be placed (1) into the same classroom; or (2) into separate classrooms. School officials may offer professional educational advice to the parent or guardian and may recommend an appropriate classroom placement for the students.

b. Initial Classroom Placement

Following the meeting, the principal shall place the students in accordance with the parent or guardian's request unless doing so would require adding an additional class at the students' grade level.

This section shall not otherwise limit the principal's authority to determine the specific classroom assignment(s) for multiple birth siblings, including

the students' assignment to a specific teacher or team.

c. Change to Initial Classroom Placement

The principal may change the initial classroom assignment of one or more multiple birth siblings in the following circumstances:

1) the principal, in consultation with the students' classroom teacher(s), determines at the end of the first grading period that the requested placement is disruptive to the school; or

2) the principal determines that one or more of the multiple birth siblings must be removed from a classroom pursuant to any board discipline policy, school rule, and/or the Code of Student Conduct.

2. Newly Enrolled Children of Military Families

The principal shall comply with the requirements of the Interstate Compact for Military Children (G.S. 115C-407.5), G.S. 115C-407.12, and the following provisions when making class assignments for children of military families, as defined in policy 4050, Children of Military Families.

a. Course Placement

When a student transfers before or during the school year, school administrators shall initially honor placement in educational courses based on the student's enrollment in his or her sending school and/or educational assessments conducted at the sending school if the courses are offered. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advanced Placement, Cambridge International Examination Courses, and career and technical education (CTE) pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses are to be primary concerns when considering the student's course placement.

b. Educational Program Placement

For a newly enrolled student, school administrators shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation/placement in similar programs in the sending state. Such programs include, but are not limited to, academically or intellectually gifted (AIG) programs and English as a Second Language programs.

c. Special Education Services

In compliance with the Individuals with Disabilities Education Act, school administrators shall initially provide comparable services to a student with disabilities based on his or her current Individualized Education Program (IEP). In compliance with the requirements of Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act, school administrators shall make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, in order to provide the student with equal access to education. This accommodation does not preclude school administrators from performing subsequent evaluations to ensure appropriate placement of the student.

d. Placement Flexibility

The board authorizes and directs the superintendent and school administrators to be flexible in waiving course or program prerequisites or other preconditions for placement in courses or programs offered by the school system.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq*., 34 C.F.R. pt. 300; G.S. 115C-36, -83.7, -288, -366.3, -366.4, -390.7, -407.5, -407.12

Cross References: Children of Military Families (policy 4050)

Adopted: June 17, 1999
Amended: April 19, 2012
Amended: April 18, 2013
Amended: December 15, 2022
Amended: April 20, 2023

The board directs the superintendent to implement a system-wide loss prevention/safety program with the goal of maintaining a safe working environment for employees and a safe learning environment for students. The program must be consistent with the requirements for school safety established in policy 1510/4200/7270, School Safety, and with applicable state and federal rules related to workplace safety and other safety issues in the school environment.

The superintendent shall establish a system-wide health and safety leadership team to oversee the school system's injury and loss prevention efforts. These efforts will include (1) accident and injury prevention and investigation; (2) hazard investigation and control; and (3) promotion of safe practices and safety awareness in the school environment. The team shall be responsible for developing processes for accident investigation and for the identification, reporting, and correction of hazards and other unsafe conditions within the school environment, as described below. The superintendent or designee shall lead the health and safety leadership team in carrying out its responsibilities.

A. ACCIDENT INVESTIGATION AND CORRECTION OF HAZARDS

The health and safety leadership team shall develop an accident investigation protocol, or improve existing protocols, for investigating all employee work-related injuries. The protocol may also address investigation of accidental injuries to students or visitors, as well as incidents of violence in the school environment.

The accident investigation protocol must include steps to identify in a timely manner the cause(s) of the accident and any underlying factors that may have contributed to it. It must also require the identification and implementation of actions to address unsafe conditions to prevent recurrence of the incident. Investigation steps may include, but are not limited to, interviews of the injured employee(s) and witnesses, examination of physical evidence, examination of the workplace, and data collection.

The protocol must provide for recording the findings of cause, recommendations for correction, and actions taken.

The health and safety leadership team shall develop additional protocols, or improve existing protocols, as necessary to investigate reports of hazards and other unsafe conditions within the school environment.

B. PREVENTATIVE MEASURES: IDENTIFICATION, EVALUATION, AND CONTROL OF HAZARDS

The health and safety leadership team shall establish or improve processes and strategies for the identification, investigation, and control of hazards and other unsafe conditions in the school environment, including those arising from safety hazards (e.g., slippery floors, cluttered work areas, overloaded electrical outlets); chemical and biological hazards (e.g., solvents, pesticides, lab chemicals, bloodborne pathogens); other health hazards (e.g., allergens and other indoor air pollution, noise), and ergonomic risk factors (e.g., repetition, use of excessive force, awkward posture).

The processes for identification, investigation, and control may include periodic worksite inspections to identify potential or actual safety hazards; job task safety analysis; employee safety surveys; analysis of ergonomic risk factors; review of injury data, accident reports, and workers' compensation records; hazard control analysis; and/or other standard means of hazard identification and control that are consistent with the goal of improving safety in the school environment. The superintendent or designee may appoint site-based safety teams to conduct these activities at each school system site that houses employees. If site-based teams are utilized, they shall report to the health and safety leadership team on a schedule to be established by the superintendent or designee.

C. CORRECTION OF IDENTIFIED HAZARDS

The processes and strategies for improving safety in the school environment required by this policy must include a system for correcting identified hazards and must require the immediate removal of employees from an area where there is an imminent danger that cannot be immediately corrected (e.g., a chemical spill).

The system for correcting hazards must give priority to solutions that actually remove the hazard. If the hazard cannot be removed altogether, procedures that limit exposure to the hazard should be implemented when practicable. In addition, personal protective equipment may be provided to protect the individual(s) from direct exposure to a hazard that cannot be eliminated. A combination of these methods should be used if needed to address the hazardous condition.

D. REPORTING HAZARDS OR OTHER UNSAFE CONDITIONS

The health and safety leadership team shall establish or improve processes for employees and others to report hazards and other unsafe conditions to supervisory or administrative personnel without fear of reprisal.

E. DEVELOPMENT OF SAFE WORK PRACTICES

The health and safety leadership team shall assist the superintendent or designee in the development of safety standards for facilities, equipment, machinery, tools, and work practices. The standards must be consistent with all applicable federal and state standards.

F. SAFETY EDUCATION AND TRAINING

The health and safety leadership team shall coordinate a system-wide safety education program to educate individuals in the school environment on safety practices. The program of education and training must be documented and must include instruction on workplace-related safety practices, relevant job- or activity-specific safety practices, and site-specific safety and emergency procedures. It must also include instruction on measures for reporting any unsafe conditions, work practices, or injuries.

G. RECORDKEEPING

The health and safety leadership team shall establish uniform processes for recordkeeping that comply with the requirements of federal and state law.

H. EMPLOYEE RESPONSIBILITY FOR SAFETY

All employees are expected to follow safe work practices, use appropriate personal protective equipment as instructed by their supervisors, and attend safety education programs as assigned. Employees must report unsafe conditions or work practices, accidents, or injuries as soon as practicable, in accordance with established procedures.

Legal References: 29 C.F.R. Part 1910; 13 N.C.A.C. 07F.0101; State Board of Education Policy INSR-003

Cross References: School Safety (policy 1510/4200/7270), Hazardous Materials (policy 6540), Occupational Exposure to Bloodborne Pathogens (policy 7260), Occupational Exposure to Hazardous Chemicals in Science Laboratories (policy 7265)

Adopted: August 8, 2019

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 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 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, and any other procedure established by the superintendent under policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

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

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

Adopted: May 15, 2014
Amended: June 8, 2015
Technical Corrections: September 30, 2020

Only high school students with valid drivers' licenses may operate motor vehicles on the campuses of Cherokee County Schools. At the discretion of the principal, a student's driving privilege may be revoked for failing to follow established school rules for operating a motor vehicle on school property. The only exception to this policy will be for student drivers who are under the direction of a drivers' education teacher.

Adopted: September 9, 2004

The safety of students is a paramount concern of the board and school system. The principal or designee shall make reasonable efforts to verify that any person appearing at a school and requesting permission to take a student from the school is properly identified before the student is released to him or her.

Except in the most extreme circumstances, custody of a student shall not be relinquished to any person without the prior approval of the parent or guardian who has physical custody of the student. However, if the parents are divorced or separated, the student may be released to either parent, unless the principal has been provided with a copy of a court order or agreement that specifies otherwise.

If the principal or designee judges that the student's health or safety may be harmed by releasing the student, the principal shall contact law enforcement and/or the department of social services as appropriate.

Principals are encouraged to develop guidelines as necessary to implement this policy.

Legal References: G.S. 115C-36, -47, -288

Cross References: Child Abuse and Related Threats to Child Safety (policy 4240/7312), Relationship with Other Governmental Agencies (policy 5100)

Adopted: June 17, 1999
Technical Corrections: July 12, 2019
Technical Corrections: April 3, 2020

LEAVING CAMPUS FOR LUNCH

Policy Code: **4215**

STUDENTS LEAVING CAMPUS FOR LUNCH

The Cherokee County Board of Education believes that it is unsafe for students to travel off campus for lunch. The Board recognizes that occasionally a parent or guardian may want to eat with their child or children. Therefore, the Board will allow a child or children to leave campus for lunch only when they are picked up at the main office by a parent or guardian and returned to the office by their parent or guardian by the end of their regular lunch period. No early dismissals for the sole purpose of eating away from campus will be permitted by phone. The practice of picking up students for lunch should not be abused.

Adopted: June 17, 1999

A. ACCIDENT INSURANCE

Membership in a group accident insurance program will be made available to students each year. In arranging for this insurance, the board will make every reasonable attempt to identify a company offering comprehensive insurance at economical rates. Information on the plan will be made available through school publications.

Purchase of this insurance constitutes an agreement between the student and/or parent or guardian and the insurance company. The student and/or parent or guardian is responsible for payment of the accident insurance premiums. the school system is not a party to this agreement. The school system does not assume any contractual responsibility for expenses not covered by insurance.

Students who choose to participate in programs that may have a higher risk of physical injury than most school activities, including off-site internship programs, football, and other interscholastic sports, are required to have accident insurance through the group plan or comparable coverage. The superintendent may designate other activities, including certain school trips, as requiring accident insurance.

B. CATASTROPHIC INSURANCE

The board will purchase catastrophic insurance to cover students and school system employees while they are participating in or responsible for supervising high school interscholastic athletic activities, including school-supervised practices, game-related activities, and related travel.

Legal References: G.S. 58-31A-60, -51-81; 115C-36, -407.65

Adopted:	June 17, 1999
Technical Corrections:	July 12, 2019
Amended:	December 15, 2022

The board strives to provide a safe and healthy environment for all students and employees. The board also strives to maintain a balance among the needs to educate all eligible students, to protect students' and employees' rights, and to control communicable diseases.

Under certain circumstances, students with communicable diseases may pose a threat to the health and safety of other students and employees. Decisions regarding the educational status of students with communicable diseases will be made on a case-by-case basis in accordance with this policy. Nothing in this policy is intended to grant or confer any school attendance or education rights beyond those existing by law. This policy will be shared with school employees annually and with new employees as part of any initial orientation.

A. DEFINITIONS

A "communicable disease" is defined as an illness due to an infectious agent (usually a virus or bacterium), or its toxic products, that is transmitted directly or indirectly to a person from an infected person or animal.

A "communicable condition" exists if a person is infected with a communicable agent but does not have symptoms.

A "reportable disease or condition" is defined as a communicable disease or condition declared to be dangerous to the public health and required by the N.C. Department of Health and Human Services to be reported after the disease or condition is reasonably suspected to exist.

B. PRECAUTIONS

In order to prevent the spread of communicable diseases, school system officials shall distribute guidelines for necessary health and safety precautions that all school system employees must follow. (See policy 7260, Occupational Exposure to Bloodborne Pathogens, and policy 7262, *Communicable* Diseases – Employees). Employees are also required to follow the school system's bloodborne pathogens exposure control plan that contains universal precautions and specific work practice controls relating to the handling, disposal, and cleanup of blood and other potentially infectious materials.

Students should not be involved *in the* handling, disposal, and cleanup of potentially infectious materials unless the students have been specifically trained in the handling of such materials and are qualified to perform first aid services. Employees shall take reasonable precautions to avoid allowing students to come in contact with these substances.

CURRICULUM

The curriculum will include health, hygiene, and safety education, including age-appropriate information concerning safe health practices that inhibit and prevent the spread of communicable diseases. (See policy 3540, Comprehensive Health Education Program.)

REPORTING, NOTICE, AND CONFIDENTIALITY REQUIREMENTS

1. Principal's Report to Health Department and Superintendent

   In accordance with G.S. 130A-136, school principals shall report suspected cases of reportable diseases and conditions to the county health department. Such reports must be made in a manner consistent with the school system's Family Educational Rights and Privacy Act (FERPA) obligations. Confidentiality of such reports is protected by law. school principals are immune from liability under state law for making such reports in good faith.

Without releasing any information that would identify the student in violation of FERPA, The principal also must report suspected cases of reportable diseases or conditions to the superintendent.

2. Privacy and Confidentiality of Affected Persons

   a. The local health director is responsible for determining whether and which school personnel will be informed of the identity of students with communicable diseases or conditions required to be reported.

   b. Any employee who is informed of or becomes aware of a student's communicable disease or condition, whether reportable or not, shall respect and maintain that student's right of privacy and the confidentiality of his or her records and may not share that information in a manner that violates FERPA.

   c. In addition, if the student has a disease or condition that is required to be reported to the local health director, Employees who are informed of or become aware of the student's status may not share that information with anyone, including other school personnel, unless specifically permitted to do so by the health director, by written consent of the student's parent or guardian, or by other applicable state or federal laws or regulations.

   d. Any documents relating to a student's reportable disease or condition, including HIV infection or AIDS, will be retained in a strictly confidential manner, such as in a locked cabinet separate from the student's other school records and medical records, and will be released or shared only as necessary to comply with this policy.

Employees who are informed of the student's reportable disease or condition will be provided appropriate information concerning necessary precautions and will be made aware of the strict confidentiality requirements. The Release of confidential information or records relating to a student's reportable disease or condition, except as permitted by law, is a

misdemeanor and may subject the employee to discipline up to and including dismissal.

3. Employee Reports of Communicable Diseases

In order to address the needs of the student within the school environment, school employees are required to notify the principal if they have reason to believe that any student is suffering from a communicable disease. Parents will be encouraged to notify the principal as well.

4. Notice Relating to Students Who are Immunodeficient

Students who are immunodeficient face an increased risk of severe complications from exposure to communicable diseases that appear in the school setting. students and their parents or guardians are encouraged to inform the principal if a student suffers from immunodeficiency.

If notified that a student suffers from an immunodeficiency, the principal should request that the notifying party provide information about what types of exposures might put the student at risk and what reasonable practices can be taken in the school setting to minimize risk to the student. Whenever possible, the principal of a school should notify the parents or guardians of an infected or immunodeficient student (or the student himself or herself, where appropriate) about the presence of chicken pox, influenza, meningococcus, measles, tuberculosis, or other contagious diseases occurring in the school that may present a serious threat to the student's health. Students who are removed from school as a result of such conditions will be provided instruction in an appropriate alternative educational setting.

5. Notification to Parent/Guardian of Exposure to Infectious Agent

Parents or guardians will be notified in a timely manner when their child has potentially been exposed to an infectious agent, such as an instance of blood-to-blood contact, and will be encouraged to contact their private physician or the county health department for consultation.

EDUCATION/SCHOOL ATTENDANCE FOR STUDENTS WITH AIDS/HIV INFECTION OR HEPATITIS B INFECTION

Students with AIDS or HIV infection or hepatitis B infection will be permitted to attend school without special restrictions except in accordance with 10A N.C.A.C. 41A .0201-.0203 and this subsection.

1. Appointment of an Interdisciplinary Committee

When the local health director notifies the superintendent that a student with AIDS, HIV infection, or hepatitis B infection may pose a significant risk for transmission, the superintendent, in consultation with the local health director, shall appoint an interdisciplinary committee in accordance with state health regulations and procedures

established by the superintendent. The committee shall consult with the local health director regarding the risk of transmission and advise the superintendent regarding the placement of the student. The committee will include appropriate school system personnel, medical personnel, and the student's parent or guardian and may include legal counsel. The parent may request additional participants as necessary to appropriately evaluate the risk. The health director will be responsible for determining whether to add additional members requested by the parents. The superintendent shall inform the board whenever a committee has been formed and shall advise the board of the professional composition of the committee.

2. Determination of Educational Placement

The interdisciplinary committee shall review each case individually in consultation with the local health director to determine (1) the degree to which the student's conduct or presence in school exposes others to possible transmission or other harm and (2) what risk the school environment may pose to the infected student. If the local health director concludes that a significant risk of transmission exists in the student's current placement, the committee must determine whether an appropriate adjustment can be made to the student's school program to eliminate this risk. If that is not possible, the student will be provided instruction in an appropriate alternative educational setting that incorporates protective measures required by the local health director.

3. Referral for Special Education Services as Appropriate

If the administrative or instructional personnel on the committee determine that the student has limited strength, vitality, or alertness due to a chronic or acute health problem that adversely affects the student's educational performance, they must refer the student for possible identification and placement as a student with special needs.

4. Confidentiality

All deliberations of the interdisciplinary committee will be kept strictly confidential and shared only as allowed by law. Any student records related to the deliberations of the committee will be retained in a strictly confidential manner, such as in a locked cabinet separate from the student's other school records and medical records.

C. EDUCATION/SCHOOL ATTENDANCE FOR STUDENTS WITH COMMUNICABLE DISEASES OTHER THAN AIDS OR HIV OR HEPATITIS B INFECTION

In some circumstances, students with communicable diseases or conditions may pose a threat to the health and safety of other students and school employees. In other cases, students may have only mild illness and be able to attend school and participate in all activities. Accordingly, decisions regarding the educational status of students with signs and symptoms of communicable disease will be made on a case-by-case basis with input from the students' health care provider, public health specialists, and the school nurse.

A student with an acute or chronic communicable disease who remains in school shall observe any protective procedures or other control measures recommended by the student's physician, the school nurse, or other relevant medical authority.

Students with a chronic communicable disease may be referred for special education services or a Section 504 plan of accommodation, as consistent with law.

D. OTHER CONTROL MEASURES

School personnel shall implement measures to control the spread of communicable disease as directed by the state or local health department. In the case of emerging illnesses not addressed by state or local health department rules or guidance, school personnel shall implement control measures recommended by the CDC unless directed otherwise by the school nurse or other relevant medical authority.

Decisions regarding school closures shall be made in accordance with policy 5050, Emergency Closings.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 34 C.F.R. pt. 99; G.S. 115C-36, 130A-25, -136, -142 to -145, -152 to -157; 10A N.C.A.C. 41A, subchapter A

Cross References: Comprehensive Health Education Program (policy 3540), Emergency Closings (policy 5050), Occupational Exposure to Bloodborne Pathogens (policy 7260), Communicable Diseases – Employees (policy 7262)

Adopted: March 11, 1999
Amended: July 18, 2000
Amended: June 4, 2009
Amended: June 23, 2014
Amended: June 11, 2020

The board is concerned with the health, safety, and welfare of all children and recognizes the legal and ethical obligations that school employees, contractors, and volunteers have to report known or suspected maltreatment of children. North Carolina has two separate systems that mandate reports to state authorities of suspected child abuse, neglect, dependency, or maltreatment and a third system for mandated reporting of certain crimes against juveniles to local law enforcement.

When a parent or other caretaker is suspected to have caused a child to be abused, neglected, or dependent, this information must be reported to the county child welfare agency. Suspected human trafficking, involuntary servitude, and sexual servitude of a child and death of a child as a result of maltreatment are special forms of child abuse under law and must be reported to the county child welfare agency, regardless of the relationship between the victim and the perpetrator. By contrast, suspected child maltreatment by a caregiver in a child care facility, including in a licensed preschool classroom or other licensed classroom or program operated by the school system, must be reported to the Department of Health and Human Services (DHHS), Division of Child Development and Early Education (DCDEE). When the source of the harm or threat of harm to the child is uncertain, a report should be made to both the county child welfare agency and DCDEE.

In addition, state law mandates reports to local law enforcement when a child is a victim of certain violent offenses, sexual offenses, or misdemeanor child abuse. An adult who knows or reasonably should have known of any of these offenses inflicted upon a child must report that information immediately.

The board of education supports all employees who in good faith make a report under North Carolina's mandated reporting laws.

The superintendent shall develop any necessary procedures for making a report or otherwise implementing this policy.

A. DUTY TO REPORT CERTAIN CRIMES AGAINST CHILDREN TO LOCAL LAW ENFORCEMENT

A school employee, contractor, or volunteer is legally required to report to local law enforcement when the employee or volunteer knows or reasonably should know that a child has been a victim of any of the following crimes:

1. a sexual offense (which for purposes of this policy, the board interprets to mean any offense that relates to inappropriate sexual conduct with or involving a child);

2. an offense that inflicts serious bodily injury or serious physical injury upon the child by nonaccidental means;

3. an attempt, solicitation, or conspiracy to commit either offense described above, or aiding and abetting either offense; or

4. misdemeanor child abuse, which occurs when a parent or any other person providing care or supervision to a child who is under the age of sixteen (1) inflicts or allows to be inflicted physical injury to the child by nonaccidental means or (2) creates or allows a substantial risk of physical injury to the child by nonaccidental means.

Compliance with this reporting requirement does not relieve the employee or volunteer from his or her duty to report pursuant to Sections B and C of this policy. The employee, contractor, or volunteer also shall immediately report the case to the principal.

A school employee, contractor, or volunteer is immune by statute from any state civil and/or criminal liability when making a report in good faith under this Section. An employee who fails to report or who prevents another person from making a report is subject to disciplinary action by the school system and civil and criminal action under the law. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system and is subject to civil and criminal action under the law.

B. DUTY TO REPORT CHILD ABUSE, NEGLECT, DEPENDENCY, OR DEATH AS A RESULT OF MALTREATMENT TO THE COUNTY CHILD WELFARE AGENCY

A school employee, contractor, or volunteer who knows or has cause to suspect that (1) a parent, guardian, custodian, or caretaker of a child has caused the child to be abused, neglected, or dependent, or (2) that a child has died as a result of maltreatment or been a victim of human trafficking, involuntary servitude, or sexual servitude by any person is legally required to report the case to the director of social services. The employee, contractor, or volunteer also shall immediately report the case to the principal. Any doubt about reporting a suspected situation must be resolved in favor of reporting, and the report must be made immediately.

A school employee, contractor, or volunteer is immune by statute from any civil and/or criminal liability when making a report in good faith under this Section. An employee who fails to report or who prevents another person from making a report is subject to disciplinary action by the school system and civil and criminal action under the law. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system and is subject to civil and criminal action under the law.

C. DUTY TO REPORT CHILD MALTREATMENT IN A CHILD CARE FACILITY TO THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION

A school employee, contractor, or volunteer who has cause to suspect that a child in a child care facility has been maltreated by a caregiver or has died as a result of

maltreatment occurring in a child care facility is legally required to report the case to DCDEE.

A "child care facility" includes any DHHS-licensed classroom or program operated by the school system, including for example, licensed pre-school or Title I classrooms, licensed afterschool programs, and licensed developmental day programs.

Any doubt about reporting a suspected situation or uncertainty whether the child's care is being provided in a child care facility must be resolved in favor of reporting, and the report should be made immediately.

An employee making a report to DCDEE also shall immediately report the case to the principal. If the suspected maltreatment occurred in a licensed preschool classroom or other licensed classroom or program operated by board, the principal shall immediately notify the superintendent of the suspected maltreatment. No reprisals of any kind may be taken against an employee who makes a good faith report of child maltreatment occurring in any licensed preschool classroom or other licensed classroom or program operated by the board.

An employee who fails to make a report as required by law and this policy may be subject to disciplinary action by the school system. In addition, if the employee works in a licensed preschool classroom or other licensed classroom or program operated by the board, failure to report maltreatment of a child in the program or classroom may itself constitute child maltreatment and result in the employee being placed on the state child maltreatment registry. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system.

D. DUTY TO REPORT LICENSED EMPLOYEES TO THE STATE BOARD OF EDUCATION

In addition to the other reporting requirements of this policy and in accordance with Section F of policy 7130, Licensure, administrators shall report to the State Board of Education certain misconduct by licensed employees (1) involving physical injury to or sexual contact with a child, (2) justifying automatic revocation of the employee's license, or (3) resulting in certain criminal charges, when such misconduct results in termination of employment, nonrenewal of an employment contract, suspension without pay, disciplinary action, or resignation.

E. COOPERATION WITH STATE AND LOCAL AGENCIES

1. The principal may establish a contact person in the school to act as a liaison with state and local agencies charged with investigating reports made pursuant to this policy.

2. Employees shall cooperate fully with agency personnel conducting an investigation.

3. In a case under the jurisdiction of local law enforcement in which the child's parent, guardian, or custodian is suspected of wrongdoing, employees shall permit the child to be interviewed by local law enforcement on school campuses during school hours. Otherwise, permission from the parent, guardian, or custodian must be obtained before the child may be interviewed by local law enforcement on school campus during school hours.

4. In a case under the jurisdiction of social services, employees shall permit the child to be interviewed by social services on school campuses during school hours.

5. In a case under the jurisdiction of DCDEE concerning suspected child maltreatment by a caregiver in a child care facility, permission from the parent must be obtained before the child may be interviewed on school campus during school hours.

6. Employees shall provide confidential information to agency personnel, so long as the disclosure does not violate state or federal law.

7. Any confidential information disclosed by the investigating agency to employees must remain confidential and may be redisclosed only for purposes directly connected with carrying out the responsibilities of the school system or the employee.

F. SHARING INFORMATION WITH OTHER AGENCIES

Upon request and to the extent permitted by law, school system officials shall share with other agencies designated in G.S. 7B-3100(a) information that is relevant to (1) any assessment by the department of social services of a report of child abuse, neglect, dependency, or death as a result of maltreatment; (2) the provision or arrangement of protective services in a child abuse, neglect, or dependency case by the department of social services; or (3) any case in which a petition is filed alleging that a juvenile is abused, neglected, dependent, undisciplined, or delinquent. School system officials and the designated agencies must continue to share such information until the protective services case is closed by the department of social services or, if a petition is filed, until the juvenile is no longer subject to the jurisdiction of juvenile court.

G. CHILD SEXUAL ABUSE AND SEX TRAFFICKING TRAINING PROGRAM

In even numbered years, the school system will provide a child sexual abuse and sex trafficking education and awareness training program for teachers, instructional support personnel, principals, and assistant principals. The program will include at least two hours of training related to best practices from the field of prevention, the grooming process of sexual predators, the warning signs of sexual abuse and sex trafficking, how to intervene when sexual abuse or sex trafficking is suspected or disclosed, legal responsibilities for reporting sexual abuse or sex trafficking, and available resources for

assistance. Designated school personnel shall participate in such training as required by law and board policy.

H. CHILD ABUSE AND NEGLECT INFORMATION AND RESOURCES FOR STUDENTS

In accordance with G.S. 115C-47(65) and State Board of Education Policy SHLT-003, the school system will provide information on child abuse and neglect, including age-appropriate information on sexual abuse, to students in grades 6 through 12. Such information will be provided in the form of (1) a document given to all students in grades 6 through 12 at the beginning of each school year, (2) a display posted in visible, high-traffic areas throughout each secondary school, and (3) a video produced by the Center for Safer Schools shown to all students in grades 6 through 12 no more than five days after the first day of the school year.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 7B-101, -301, -302, -309, -3100; 8-53.4; 14-208.6, -318.2, -318.4, -318.6; 110-90.2, -105.3, -105.4, -105.5; 115C-12(47), -47(65), -270.35(b), -326.20, -375.20, -400, -402; 126-5; 16 N.C.A.C. 6C .0608; 16 N.C.A.C. 6D .0403; State Board of Education Policy SHLT-003

Cross References: Professional and Staff Development (policy 1610/7800), Staff-Student Relations (policy 4040/7310), Student Records (policy 4700), Licensure (policy 7130)

Adopted: June 17, 1999
Amended: May 8, 2008
Amended: June 13, 2019
Technical corrections made: September 30, 2019
Amended: April 23, 2020
Amended: July 15, 2021
Amended: June 9, 2022
Amended: December 15, 2022
Amended: August 15, 2024
Amended: September 4, 2025
Amended: January 8, 2026

NORTH CAROLINA
ADDRESS CONFIDENTIALITY PROGRAM

Policy Code: **4250/5075/7316**

The board seeks to provide a work and school environment free from violence or the threat of violence against employees, students, or other persons. The board encourages eligible individuals to participate in the North Carolina Address Confidentiality Program established pursuant to Chapter 15C of the General Statutes. This program protects the address of relocated victims of domestic violence, sexual offense, stalking, or human trafficking to prevent a victim's assailants or potential assailants from finding the victim through public records. The program provides participants with the use of a substitute mailing address and denies public access to a participant's actual address.

A. PROGRAM DETAILS

The Address Confidentiality Program is administered by the State Attorney General. Information and assistance in applying to the program may be obtained by telephone from the Attorney General's Address Confidentiality Program Office at (919) 716-6785.

Program participants receive an authorization card with a substitute mailing address that may be presented whenever an address is required. Mail sent to the substitute address is forwarded cost-free by the program to the participant at his or her residential address. Students, parents, or school personnel enrolled in the Address Confidentiality Program must provide a valid authorization card if they wish to keep their home address confidential.

B. SCHOOL PERSONNEL PARTICIPANTS

The name, actual address, and telephone number of any school system personnel participating in the Address Confidentiality Program will not be open to inspection as a public record, will not be included as part of any employee directory published by the school system, and will be redacted from any record released pursuant to G.S. 115C-320, provided the employee has provided a valid authorization card to the superintendent or designee. (See policies 5070/7350, Public Records – Retention, Release, and Disposition, and 7820, Personnel Files.)

C. STUDENT PARTICIPANTS

The school system will use the actual address of a program participant, not the substitute address designated by the Attorney General, for any purpose related to admission or assignment but will keep the actual address confidential from the public, provided the student or parent has provided a valid authorization card to the principal. Student records will reflect only the substitute address and not the student's actual address. The student's telephone number also will be kept confidential from the public. The parent or guardian of a student participant may request that a student's name be withheld from any release of directory information by the school, as provided in policy 1310/4002, Parental Involvement.

When transferring school records from one school to another, the transferring school may send the files to the participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program to ensure confidentiality of the student's new location.

D. DISCLOSURE PROHIBITED

The knowing and intentional disclosure of a program participant's actual address or telephone number to unauthorized persons is prohibited. Failure to comply with this policy may result in disciplinary action, up to and including termination. In addition, violators may be subject to criminal prosecution.

Legal References: G.S. Ch. 15C; 115C-47, -320, -366(g), -402(f); 132-1.1(d)

Cross References: Parental Involvement (policy 1310/4002), Domicile or Residence Requirements (policy 4120), School Assignment (policy 4150), Student Records (policy 4700), Public Records – Retention, Release, and Disposition (policy 5070/7350), Personnel Files (policy 7820)

Adopted: August 14, 2014
Amended: September 14, 2017

The board is committed to the safety of students, school employees, and other persons on school property. In order to create and maintain a safe school environment and to comply with G.S. 14-208.18, the board establishes the following policy provisions.

A. STUDENT SEX OFFENDER ON SCHOOL PROPERTY

A student who is enrolled in the school system and is a registered sex offender subject to policy 5022, Registered Sex Offenders, is expressly prohibited from (1) knowingly being present on any school grounds or any property owned or operated by the school system where minors frequently congregate and (2) attending school-sponsored or school-related activities, except to the extent the student is permitted to be on school property to receive educational services.

B. EDUCATIONAL SERVICES FOR STUDENT SEX OFFENDERS

1. If permitted by the board, a student who is subject to Section A of this policy and is eligible to attend public school under G.S. 115C-378 may be present on school property subject to any conditions and restrictions imposed by the board.
2. The board will hold a hearing to determine whether to expel the student or provide the student with educational services in accordance with subsection B.4.b of policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.
3. Prior to expelling a student pursuant to G.S. 115C-390.11(a)(2), the board will consider whether there are alternative education services that may be offered to the student.
4. If the board determines that a student will be provided with educational services on school property, the student must be supervised by school personnel at all times.
5. If a student subject to this policy violates the conditions and restrictions placed on the student by the board, school officials will impose disciplinary consequences consistent with the terms of the conditions and restrictions placed on the student's admission or as otherwise provided in Section D of policy 4300, Student Behavior Policies, and any applicable provisions of the Code of Student Conduct.
6. If a student subject to this policy is a student with disabilities, he or she will be provided with educational services in compliance with federal and state law.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq*., 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 14-208.18, -208.19; 115C art. 9; 115C-378, -390.2, -390.11(a)(2)

Cross References: School Safety (policy 1510/4200/7270), Alternative Learning Programs/Schools (policy 3470/4305), Student Behavior Policies (policy 4300), Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Registered Sex Offenders (policy 5022)

Adopted: November 13, 2008
Amended: September 8, 2011
Amended: July 21, 2022

The board recognizes that concussions and other head injuries may be serious and potentially life threatening and that such injuries may result in serious consequences later in life if managed improperly. The board is committed to practices that reduce the potential for short-term or long-term effects from such injuries. In support of this commitment, the board directs school employees to comply with the concussion safety rules for interscholastic athletic competition adopted by the State Board of Education as required by G.S. 115C-407.57 and initially established in the Gfeller-Waller Concussion Awareness Act of 2011. The superintendent or designee shall develop plans consistent with state requirements and shall implement and monitor compliance with this policy. The superintendent is authorized to investigate the use of baseline testing for student-athletes and require that student-athletes undergo such testing prior to their participation in any interscholastic athletic competition.

A. DEFINITION OF CONCUSSION

A concussion is a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in a loss of consciousness.

B. CONCUSSION EDUCATION VIDEO FOR HIGH SCHOOL STUDENT-ATHLETES

All high school student-athletes and parents of high school student-athletes must view the CrashCourse concussion education video prior to each sport season.

C. SCHOOL HEAD INJURY INFORMATION SHEET

Each year, all coaches, school nurses, athletic directors, first responders, volunteers, student-athletes, and parents of student-athletes must be provided with a concussion and head injury information sheet that meets the requirements of the State Board. Before any student, school employee, volunteer, or first responder will be allowed to participate in interscholastic athletic activities, including tryouts, practices, or competitions, he or she must sign the head injury information sheet and return it to the coach. Parents also must sign the sheet and return it to the coach before their children may participate in any interscholastic athletic activity. The principal of each school shall ensure that a complete and accurate record of the returned signed sheets is maintained in accordance with law and State Board policy.

D. REMOVAL FROM AND RETURN TO PLAY

Any student-athlete who is exhibiting signs or symptoms consistent with a concussion must be removed from athletic activity immediately. Further, the student-athlete must not be allowed to return to play or practice that day or on any subsequent day until he or she has been evaluated and has received written clearance for participation that complies with the requirements of G.S. 115C-407.57 and any other applicable law or State Board policy or rule.

E. RETURN TO LEARNING

The superintendent or designee shall develop a plan that meets all the requirements of the State Board of Education for addressing the needs of students in grades Pre-K through 12 who suffer concussions. The superintendent or designee shall also arrange for information and professional development to be provided annually to all teachers and other school personnel on return-to-learn issues and other concerns related to concussion and brain injuries. Parents and students must be offered the opportunity annually to provide information related to any head injury or concussion the student may have incurred during the past year on the health history and emergency medical information update form.

F. EMERGENCY ACTION PLANS

Each principal or designee shall develop a venue-specific emergency action plan to respond to serious medical injuries and acute medical conditions in which the condition of the injured student may deteriorate rapidly. All such plans must include a delineation of roles, methods of communication, available emergency equipment, and a plan for emergency transport. The plans must be (1) in writing, (2) reviewed by an athletic trainer who is licensed in North Carolina, (3) approved by the principal if developed by a designee, (4) distributed, posted, reviewed, and rehearsed in accordance with G.S. 115C-407.58, and (5) compliant with any other requirements of state law and State Board policy or rules.

G. ATHLETIC TRAINERS AND FIRST RESPONDERS

Each high school principal shall designate at least one licensed athletic trainer or first responder who meets the requirements of state law and State Board of Education policy. The principal shall monitor each athletic trainer's or first responder's compliance with the duties assigned to the position by the State Board and any additional duties assigned by the superintendent or designee, including, but not limited to, attendance at football games and practices and wrestling matches and tournaments and compliance with all applicable training and certification requirements.

To the extent funding and resources are available, the superintendent shall work toward having a licensed athletic trainer or first responder available for all school practices and games of all high school and middle school sports.

H. RECORDKEEPING

The superintendent shall require each principal to maintain complete and accurate records of actions taken in his or her school to comply with this policy and applicable legal authority. Records shall include accounts of any education or training as may be required by law or State Board of Education policy or rules.

The superintendent's report to the board on compliance with laws and policies related to student wellness shall include a report on the system's compliance with laws and policies

related to concussions and head injuries. (See subsection F.4 of policy 6140, Student Wellness.)

Legal References: G.S. 90 art. 34; 115C-12(23), -407.55, -407.57, -407.58, -407.70; S.L. 2011-147; 16 N.C.A.C. 6E .0205, .0206; State Board of Education Policies ATHL-000, ATHL-003, SHLT-001; N.C. High School Athletic Association Handbook, available at https://www.nchsaa.org/handbook

Cross References: Student Wellness (policy 6140)

Other Resources: Matthew Gfeller Sport-Related TBI Research Center at UNC website, https://gfellerwallerlaw.unc.edu/; *Report to the North Carolina General Assembly: Study of Sports Injuries at Middle School and High School Levels*, N.C. Department of Public Instruction (2011), available at https://webservices.ncleg.gov/ViewDocSiteFile/16567

Adopted: September 8, 2011
Amended: April 10, 2014
Amended: March 10, 2016
Technical Corrections made: September 30, 2019
Amended: June 11, 2020
Amended: December 15, 2022
Amended: August 15, 2024
Amended: January 8, 2026

All decisions related to student behavior are guided by the board's educational objective to teach responsibility and respect for cultural and ideological differences and by the board's commitment to creating safe, orderly, and inviting schools. Student behavior policies are provided in order to establish (1) expected standards of student behavior; (2) principles to be followed in managing student behavior; (3) consequences for prohibited behavior; and (4) required procedures for addressing misbehavior. Input from teachers, school-based administrators, parents, and law enforcement agencies will be considered when existing student behavior policies are revised or when new policies are created.

A. PRINCIPLES

The reasons for managing student behavior are to (1) create an orderly environment in which students can learn; (2) teach expected standards of behavior; (3) help students learn to accept the consequences of their behavior; and (4) provide students with the opportunity to develop self-control. The following principles apply in managing student behavior.

1. Student behavior management strategies will complement other efforts to create a safe, orderly, and inviting environment.
2. Positive behavioral interventions will be employed as appropriate to improve student behavior.
3. Responsibility, integrity, civility, and other standards of behavior will be integrated into the curriculum.
4. Disruptive behavior in the classroom will not be tolerated.
5. Consequences for unacceptable behavior will be designed to help a student learn to comply with rules, to be respectful, to accept responsibility for his or her behavior, and to develop self-control.
6. Strategies and consequences will be age and developmentally appropriate.

B. COMMUNICATION OF POLICIES

Board policies related to student behavior are codified mainly in the 4300 series. The superintendent shall incorporate information from such policies into a Code of Student Conduct that notifies students of the behavior expected of them, conduct that may subject them to discipline, and the range of disciplinary measures that may be used by school officials. At the discretion of the superintendent, the Code of Student Conduct may include additional rules needed to implement the board's student behavior policies. To elaborate further on processes for addressing student misbehavior and the use of intervention strategies and consequences, each school will create a student behavior management plan that is consistent with the law, board policies, and the Code of Student Conduct (see policy 4302, School Plan for Management of Student Behavior). The Code of Student Conduct must incorporate by reference any additional student behavior standards, prohibited conduct, or disciplinary measures identified in student behavior management plans developed by individual schools. The Code of Student Conduct must not impose mandatory long-term suspension or expulsion for specific violations unless otherwise provided in state or federal law.

At the beginning of each school year, principals shall make available to each student and

parent all of the following: (1) the Code of Student Conduct; (2) any board policies related to behavior that are not part of the Code of Conduct; (3) any related administrative procedures; (4) any additional discipline-related information from the school's student behavior management plan, including behavior standards, prohibited conduct, or disciplinary measures; and (5) any other school rules. This information must be available at other times upon request and must be made available to students enrolling during the school year and their parents.

For the purpose of board policies related to student behavior, all references to "parent" include a parent, a legal guardian, a legal custodian, or another caregiver adult authorized to enroll a student under policy 4120, Domicile or Residence Requirements.

C. APPLICABILITY

Students must comply with the Code of Student Conduct in the following circumstances:

1. while in any school building or on any school premises before, during, or after school hours;
2. while on any bus or other vehicle as part of any school activity;
3. while waiting at any school bus stop;
4. during any school-sponsored activity or extracurricular activity;
5. when subject to the authority of school employees; and
6. at any other place or time when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

Notwithstanding the foregoing, students will not be disciplined for constitutionally protected behavior. School officials are encouraged to consult with senior administrators before regulating student expression that may be protected by the First Amendment to the U.S. Constitution.

D. CONSEQUENCES FOR VIOLATIONS

Violations of the Code of Student Conduct must be dealt with in accordance with the guidelines established in the school's behavior management plan (see policy 4302, School Plan for Management of Student Behavior).

1. Minor Violations

   Minor violations of the Code of Student Conduct are those less severe infractions involving a lower degree of dangerousness and harm. Examples of minor violations include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations, and minor physical altercations that do not involve a weapon or an injury. Aggravating circumstances, however, may justify treating an otherwise minor violation as a serious violation.

   Minor violations of the Code of Student Conduct may result in disciplinary

measures or responses up to and including short-term suspension. Further information regarding the procedures for short-term suspensions is provided in policy 4351, Short-Term Suspension. Other disciplinary measures or responses may include, but are not limited to, the following:

a. parental involvement, such as conferences;
b. isolation or time-out for short periods of time;
c. behavior improvement agreements;
d. instruction in conflict resolution and anger management;
e. peer mediation;
f. individual or small group sessions with the school counselor;
g. academic intervention;
h. in-school suspension;
i. detention before and/or after school or on Saturday;
j. community service;
k. exclusion from graduation ceremonies;
l. exclusion from extracurricular activities;
m. suspension from bus privileges; and
n. placement in an alternative school.

The student's parent or guardian is responsible for transportation that may be required to carry out a consequence. With the exception of suspension from bus privileges, if a parent or guardian is unable to provide transportation, another consequence will be substituted.

2. Serious Violations

Serious violations of the Code of Student Conduct may result in any of the consequences that may be imposed for minor violations. In addition, serious violations that threaten to substantially disrupt the educational environment may result in long-term suspension, and serious violations that threaten the safety of students, school employees, or school visitors may result in long-term suspension or expulsion. Certain violations involving firearms or explosive devices may result in a 365-day suspension. Further information regarding the standards and procedures for long-term suspensions, 365-day suspensions, and expulsions is provided in policies 4351, Short-Term Suspension, and 4353, Long-Term Suspension, 365-Day Suspension, Expulsion. (See also policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety, for information regarding 365-day suspensions for certain violations involving firearms or explosive devices.)

E. ENFORCEMENT

The superintendent is responsible for supervising the enforcement of the Code of Student Conduct to ensure that school disciplinary policies are uniformly and fairly applied throughout the school system and consistent with students' constitutional rights.

Legal References: U.S. Const. amend. I; *Mahanoy Area School Dist. v. B.L.*, 594 U.S. ___, 141 S. Ct. 2038 (2021); G.S. 115C-47, -276(r), -288, -307, -390.1, -390.2
Cross References: Goals and Objectives of the Educational Program (policy 3000), Counseling Program (policy 3610), Domicile or Residence Requirements (policy 4120), Student Behavior policies (4300 series)

Adopted: June 17, 1999
Amended: September 8, 2011
Amended: December 9, 2021
Amended: December 15, 2022

The principal has the authority and responsibility to investigate and take appropriate action regarding any prohibited or criminal student behavior and any other behavior appropriately referred to him or her. The principal is responsible for informing students and parents of any standards or rules that, if violated, could result in short-term or long-term suspension or expulsion.

The teacher has the authority and responsibility to manage student behavior in the classroom and when students are under his or her supervision. The teacher is expected to implement the student behavior management plan and any other school standards or rules. The teacher may develop other standards or rules consistent with the direction provided by the board, superintendent and school principal. Every teacher, student teacher, substitute teacher, voluntary teacher, teacher assistant or other school employee is required to report to the principal all acts of violence occurring in school, on school grounds or at any school-sponsored activity.

Teachers and other school personnel have the authority to manage or remove disruptive or dangerous students from the classroom and other locations within the school building. School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:

a. to correct students;
b. to quell a disturbance threatening injury to others;
c. to obtain possession of a weapon or another dangerous object on the person, or within the control, of a student;
d. for self-defense;
e. for the protection of persons or property; or
f. to maintain order on school property, in the classroom, or at a school-related activity whether on or off school property.

No school personnel who take reasonable actions in good faith to end a fight or altercation between students shall be civilly or criminally liable as a result of those actions.

Except as restricted by G.S. 115C-391.1, school personnel may use appropriate seclusion and restraint techniques reasonably needed in the circumstances described above as long as such use is consistent with state law and applicable board policies and procedures. (See policy 4302, School Plan for Management of Student Behavior.)

Students must comply with all directions of principals, teachers, substitute teachers, student teachers, teacher assistants, bus drivers and all other school personnel who are authorized to give such directions during any period of time when they are subject to the authority of such personnel.

Legal References: G.S. 115C-47, -288, -307, -390.3, -391.1

Cross References: School Safety (policy 1510/4200/7270), School Plan for Management of Student Behavior (policy 4302), Rules for Use of Seclusion and Restraint in Schools (regulation 4302-R)

Adopted: June 17, 1999
Amended: November 3, 2011
Amended: September 13, 2012

Each school must have a plan for managing student behavior that incorporates effective strategies consistent with the purposes and principles established in policy 4300, Student Behavior Policies. School officials are encouraged to implement a system of positive behavior support and to seek other positive, innovative and constructive methods of correcting and managing student behavior in an effort to avoid repeated misbehavior and suspension.

A. COMPONENTS OF THE PLAN

The plan should address: (1) the process by which student behavior will be addressed, including any use of a disciplinary committee and the means by which students at risk of repeated disruptive or disorderly conduct are identified, assessed and assisted; (2) positive behavioral interventions and possible consequences that will be used; and (3) parental involvement strategies that address when parents or guardians will be notified or involved in issues related to their child's behavior (see policy 4341, Parental Involvement in Student Behavior Issues).

No school plan for managing student behavior may authorize the use of corporal punishment. Corporal punishment is the intentional infliction of physical pain upon the body of a student as a disciplinary measure. It includes, but is not limited to, spanking, paddling and slapping. The board prohibits corporal punishment, believing that other consequences are more appropriate and effective for teaching self-control. No teacher, substitute teacher, student teacher, bus driver, or other employee, contractor or volunteer may use corporal punishment to discipline any student. Reasonable force that is necessary to protect oneself or others is not considered corporal punishment. (See also policy 4301, Authority of School Personnel.)

Principals shall avoid removing students from the classroom for a long period of time, including in-school or out-of-school suspension, unless necessary to provide a safe, orderly environment that is conducive to learning. The principal is authorized to remove students in accordance with board policies for prohibited or criminal conduct or for other behavior that interferes with a safe, orderly environment.

B. PROCESS FOR DEVELOPING AND EVALUATING THE PLAN

Principals are encouraged to use a team approach in developing and evaluating the school's plan to manage student behavior. On at least an annual basis, the plan should be evaluated based upon data on disciplinary actions taken and the impact on student academic performance. Principals shall report on at least an annual basis to the superintendent and the board on the effectiveness of the plan in minimizing classroom disruptions, referrals to the principal's office and the use of out-of-school suspension. The report also will address the plan's effect on academic performance.

The superintendent also is encouraged to consider, develop and propose new and alternative discipline programs to the board.

Legal References: G.S. 115C-47, -288, -307, -390.1, -390.2, -390.3, -391.1, -397.1

Cross References: Student Behavior Policies (policy 4300), Authority of School Personnel (policy 4301), Parental Involvement in Student Behavior Issues (policy 4341)

Adopted: June 17, 1999
Amended: May 11, 2006
Amended: October 12, 2006
Amended: November 13, 2008
Amended: November 3, 2011
Amended: May 12, 2022

The following rules will govern the use of seclusion and restraint by school personnel. As used in this regulation, "school personnel" means employees of the board and any persons working on school grounds or at a school function (1) under a contract or written agreement with the school system to provide educational or related services to students or (2) for another agency providing educational or related services to students.

Seclusion and restraint will not be used on students with disabilities (1) for behavior(s) that would not result in seclusion or restraint for students without identified disabilities, unless the use is authorized by the student's IEP or Section 504 Plan for an educational or safety-related purpose, or (2) based on assumptions or stereotypes about disabilities or students with disabilities generally.

A. PHYSICAL RESTRAINT

Physical restraint means the use of physical force to restrict the free movement of all or a part of a student's body.

Physical restraint will be considered to be a reasonable use of force when used in the following circumstances:

1. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;

2. as reasonably needed to maintain order or to prevent or break up a fight;

3. as reasonably needed for self-defense;

4. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person present;

5. as reasonably needed to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;

6. as reasonably needed to escort a student safely from one area to another;

7. if used as provided for in an IEP, Section 504 plan, or behavior intervention plan; or

8. as reasonably needed to prevent imminent destruction to school or another person's property.

Except as set forth above, physical restraint of students will not be considered a reasonable use of force, and its use is prohibited. In addition, physical restraint will not be considered a reasonable use of force when used solely as a disciplinary consequence.

Prone restraint is a form of physical restraint in which a person is held in a face-down position on the floor or other surface. Prone restraint does not include placement in a face-down position as part of a necessary medical intervention. The use of prone restraint is prohibited.

B. MECHANICAL RESTRAINT

Mechanical restraint means the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove.

Mechanical restraint of a student by school personnel is permissible only in the following circumstances:

1. when properly used as an assistive technology device included in the student's IEP, Section 504 plan, or behavior intervention plan, or as otherwise prescribed by a medical or related service provider;

2. when using seat belts or other safety restraints to secure a student during transportation;

3. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;

4. as reasonably needed for self-defense; or

5. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person.

Except as set forth above, mechanical restraint, including the tying, taping, or strapping down of a student, will not be considered to be a reasonable use of force, and its use is prohibited.

C. SECLUSION

Seclusion means the confinement of a student alone in an enclosed space from which the student is (a) physically prevented from leaving by locking hardware or other means or (b) incapable of leaving due to physical or intellectual capacity.

Seclusion of a student by school personnel may be used in the following circumstances:

1. as reasonably needed to respond to a person in control of a weapon or other dangerous object;

2. as reasonably needed to maintain order or prevent or break up a fight;

3. as reasonably needed for self-defense;

4. as reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property; or

5. when used as specified in the student's IEP, Section 504 plan, or behavior intervention plan; and

    a. the student is monitored by an adult in close proximity who is able to see and hear the student at all times while the student is in seclusion;

    b. the student is released from seclusion upon cessation of the behaviors that led to the seclusion, or as otherwise specified in the student's IEP, Section 504 plan, or behavior intervention plan;

    c. the confining space has been approved for such use by the school system;

    d. the space is appropriately lighted, ventilated, and heated or cooled; and

    e. the space is free from objects that unreasonably expose the student or others to harm.

Except as set forth above, the use of seclusion is not considered to be reasonable force, and its use is prohibited. In addition, seclusion will not be considered a reasonable use of force when used solely as a disciplinary consequence.

D. ISOLATION

Isolation means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving.

Isolation is permitted as a behavior management technique provided that:

1. the isolation space is appropriately lighted, ventilated, and heated or cooled;

2. the duration of the isolation is reasonable in light of the purpose for the isolation;

3. the student is reasonably monitored while in isolation; and

4. the isolation space is free from objects that unreasonably expose the student or others to harm.

E. TIME-OUT

Time-out means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting. Teachers are authorized to use time-out to regulate behavior within their classrooms.

F. AVERSIVE PROCEDURES

Aversive procedure means a systematic physical or sensory intervention program for modifying the behavior of a student with a disability that causes or reasonably may be expected to cause one or more of the following:

1. significant physical harm, such as tissue damage, physical illness, or death;

2. serious and foreseeable long-term psychological impairment; or

3. obvious repulsion on the part of observers who cannot reconcile such extreme procedures with acceptable standard practice, for example:

    a. electric shock applied to the body;

    b. extremely loud auditory stimuli;

    c. forcible introduction of foul substances to the mouth, eyes, ears, nose, or skin;

    d. placement in a tub of cold water or shower;

    e. slapping, pinching, hitting, or pulling hair;

    f. blindfolding or other forms of visual blocking;

    g. unreasonable withholding of meals;

    h. eating one's own vomit; or

    i. denial of reasonable access to toileting facilities.

The use of aversive procedures is prohibited.

G. NOTICE, REPORTING, AND DOCUMENTATION

1. School personnel shall promptly notify the principal or designee of any of the following:

    a. any use of aversive procedures;

b. any prohibited use of mechanical restraint;

c. any use of physical restraint resulting in observable physical injury to a student;

d. any prohibited use of seclusion; or

e. any seclusion exceeding 10 minutes or the amount of time specified in a student's behavior intervention plan.

2. Notice to Parents

When a principal or designee has personal or actual knowledge of any of the incidents listed in subsection G.1, above, he or she shall promptly notify the student's parent or guardian and shall provide the name of the school employee whom the parent or guardian may contact regarding the incident. Such notice shall be provided by the end of the workday during which the incident occurred when reasonably possible, but no later than the end of the following workday. Such notice also shall be provided in addition to the written incident report required in subsection G.3, below.

3. Written Report to Parents

Within a reasonable period of time not to exceed 30 days after any incident listed in subsection G.1 of this regulation occurs, the principal or designee shall provide the parent or guardian with a written incident report. This report must include the following:

a. the date, time of day, location, duration, and description of the incident and interventions;

b. the events or events that led up to the incident;

c. the nature and extent of any injury to the student; and

d. the name of a school employee the parent or guardian can contact regarding the incident.

4. Reporting to State Board

The board will maintain a record of incidents reported under the procedure described in subsection G.3, above, and will provide this information annually to the State Board of Education.

5. Non-Retaliation for Reporting

   Any employee making a report alleging a prohibited use of physical or mechanical restraint, seclusion, or aversive procedure will not be discharged, threatened, or retaliated against through compensation, terms, conditions, location, or privileges of employment unless the employee knew or should have known that the report was false.

Adopted: May 12, 2022

FAIR AND CONSISTENT DISCIPLINE ADMINISTRATION

Policy Code: **4303**

The board intends that student discipline policies, procedures, and practices be applied fairly, impartially, and consistently in accordance with law, without regard to a student's race, color, national origin, disability, gender, status as an English Language Learner, or other characteristic protected by federal law. As provided in policy 4300, Student Behavior Policies, the superintendent is responsible for supervising the enforcement of the Code of Student Conduct to ensure that school disciplinary policies are uniformly and fairly applied throughout the school system.

The board recognizes the negative effects of exclusionary discipline on a range of student outcomes and therefore has reserved the sanctions of suspension and expulsion for only the most serious violations of the Code of Student Conduct, as provided in policy 4300. The board further recognizes that disproportionality (overrepresentation of a particular group of students in relation to their population in a school or across the school system) in exclusionary discipline may sometimes be the result of inconsistent application of discipline to similar offenses and may be a barrier to the board's overall objective of promoting successful educational outcomes for all students. Therefore, the board will monitor the administration of its discipline policies to determine whether disciplinary and other behavior management practices are affecting groups of students disproportionately and, if so, whether the disproportionality results from inconsistencies in the application of discipline to similar offenses.

A. SUPERINTENDENT'S REVIEW OF STUDENT DISCIPLINE ADMINISTRATION

1. The board directs the superintendent to regularly review the administration of student discipline and behavior management policies across the school system to evaluate whether: (1) disciplinary practices and approaches are consistent with board policies; (2) disciplinary sanctions are consistent with the Code of Student Conduct; (3) routine misbehavior is handled consistently within each school as well as across the school system; (4) more extraordinary behavior situations are handled fairly and quickly to protect the welfare of students and employees in a manner that promotes learning and respect for others; (5) discipline policies are applied fairly and consistently to all students regardless of their race, color, national origin, disability, gender, status as an English Language Learner, or other protected personal characteristic.

2. The superintendent's review shall include consideration of the school system discipline data submitted to the North Carolina Department of Public Instruction for inclusion in the State Board of Education's Consolidated Data Report to the General Assembly and in the Civil Rights Data Collection conducted by the U.S. Department of Education, Office for Civil Rights.

B. SUPERINTENDENT'S REPORT TO THE BOARD

1. Annually, the superintendent shall provide to the board a report of the discipline data submitted to the North Carolina Department of Public Instruction as described in paragraph A.2, above. The data must be reported both system-wide

and separately for each school and must be disaggregated on the basis of race/ethnicity, gender, disability, English Language Learner status, and/or such other basis as the board may specify.

2. At its discretion, the board may request additional data or analysis of data to assess whether disciplinary and other behavior management practices in the schools are affecting groups of students disproportionately and, if so, whether the disproportionality is the result of the inconsistent application of discipline or other behavior management practices to similar offenses.

3. If the data provided to the board reveals a pattern of discipline or disciplinary practices within or across schools that affects students disproportionately due to inconsistent discipline or disciplinary practices based on race, gender, ethnicity, disability, English Language Learner status, or other personal characteristic, the superintendent shall present to the board any recommendations for changes to discipline policies or practices to reduce the potential for unjustifiable disproportionate outcomes.

C. PROFESSIONAL DEVELOPMENT TO SUPPORT EQUITABLE DISCIPLINARY PRACTICES

The superintendent shall provide a program of professional development that prepares employees to apply school discipline policies and practices in a fair and equitable manner so as not to disproportionately impact students of color, students with disabilities, English Language Learners, or other groups of students on the basis of their personal characteristics.

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.*, 34 C.F.R. pt. 300; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; 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 of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104

Cross References: Student Behavior Policies (policy 4300), School Plan for Management of Student Behavior (policy 4302), Disciplinary Action for Exceptional Children/Students with Disabilities (policy 4307)

Other References: Civil Rights Data Collection, available at http://ocrdata.ed.gov/

Adopted: July 14, 2016

DISCIPLINARY ACTION FOR EXCEPTIONAL CHILDREN/STUDENTS WITH DISABILITIES

Policy Code: **4307**

Disciplinary actions for students identified as exceptional children according to North Carolina guidelines will conform to *Policies Governing Services for Children with Disabilities* as adopted by the State Board of Education. If the *Policies Governing Services for Children with Disabilities* manual does not fully address a particular issue, the director of exceptional children will develop any necessary protocols consistent with state and federal law.

All students with disabilities will be accorded all rights as provided by state and federal law. See also policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9; 115C-390.1; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000; *Policies and Procedures for Alternative Learning Programs and Schools, Grades K-12*, State Board of Education Policy ALTP-002

Cross References: Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Special Education Programs/Rights of Students with Disabilities (policy 3520)

Adopted: June 17, 1999
Amended: October 6, 2011

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

A. PROHIBITED BEHAVIOR

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

1. cheating, including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of an unfair advantage on any form of academic work;

2. plagiarizing, including copying the language, structure, idea, and/or thought of another person or of a work produced by artificial intelligence and representing it as one's own original work;

3. violating copyright laws, including the unauthorized reproduction, duplication, and/or use of printed or electronic work, computer software, or other copyrighted material;

4. cursing or using vulgar, abusive, or demeaning language toward another person; and;

5. playing abusive or dangerous tricks or otherwise subjecting a student or an employee to personal indignity.

B. CONSEQUENCES

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

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

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

Adopted: June 17, 1999
Amended: September 8, 2011
Amended: June 29, 2023

An orderly school environment is necessary for teachers to be able to teach and for students to be able to learn. Students are encouraged to participate in efforts to create a safe, orderly and inviting school environment. Students also are entitled to exercise their constitutional right to free speech as part of a stimulating, inviting educational environment. A student's right to free speech will not be infringed upon; however, school officials may place reasonable, constitutional restrictions on time, place and manner in order to preserve a safe, orderly environment.

Principals and teachers have full authority as provided by law to establish and enforce standards and rules as necessary to create orderly schools and classrooms.

A. PROHIBITED BEHAVIOR

Students are prohibited from disrupting teaching, the orderly conduct of school activities, or any other lawful function of the school or school system. The following conduct is illustrative of disruptive behavior and is prohibited:

1. intentional verbal or physical acts that result or have the potential to result in blocking access to school functions or facilities or preventing the convening or continuation of school-related functions;
2. appearance or clothing that (1) violates a reasonable dress code adopted and publicized by the school; (2) is substantially disruptive; (3) is provocative or obscene; or (4) endangers the health or safety of the student or others (see policy 4316, Student Dress Code);
3. possessing or distributing literature or illustrations that significantly disrupt the educational process or that are obscene or unlawful;
4. engaging in behavior that is immoral, indecent, lewd, disreputable or of an overly sexual nature in the school setting;
5. failing to observe established safety rules, standards and regulations, including on buses and in hallways; and
6. interfering with the operation of school buses, including delaying the bus schedule, getting off at an unauthorized stop, and willfully trespassing upon a school bus.

B. CONSEQUENCES

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

Legal References: U.S. Const. amend. I; N.C. Const. art. I, § 14; G.S. 14-132, -132.2, -288.2, -288.4; 115C-47, -288, -307, -390.2

Cross References: Student Behavior Policies (policy 4300), Student Dress Code (policy 4316)

Adopted: 1999
Adopted: September 8, 2011

The board believes that the dress and personal appearance of students greatly affect their academic performance and their interaction with other students. The board requests that parents outfit their children in clothing that is conducive to learning. Generally, dress and grooming standards as determined by the student and his or her parents will be deemed acceptable. However, the board prohibits any appearance or clothing that does the following:

1. violates the following reasonable dress code adopted and publicized by the board of education:

    a) Dress and groom themselves so as not to jeopardize their own safety or safety of others;
    b) Not dress or groom themselves so as to reveal, accentuate, or call attention to their anatomy, or wear clothing deemed provocative or obscene;
    c) For all school activities, wear clothing that:
        1) Is appropriate for the specific occasion or activity;
        2) Acceptably covers the body. (Community customs and mores will determine "acceptability." For the school system, the test of whether or not the body is "acceptably covered" will be to determine whether or not the apparel disrupts the learning process.);
        3) Bears no printed message or symbol that is deemed profane or obscene to the point that it would be disruptive to the educational environment;
        4) Bears no printed message or symbol that is counter-productive to the teachings of the school curriculum (For example, messages that appear to support the use of alcohol and drugs would contradict the teachings of the Alcohol and Drug Defense curriculum.);
    d) Not include as part of their attire any accessories (jewelry, badges, body art – not limited to but including – body piercing and tattoos, etc.) that would violate this Code in any way.
    e) is substantially disruptive (for information on gang-related attire, see policy 4328, Gang-Related Activity);

Principals will maintain guidelines to assist students in determining appropriate dress for school, copies will be made available to parents and students. The following items are specifically prohibited for students in grades K– 12:

- Hats or other head coverings* inside buildings;
- Sunglasses inside buildings;
- Sheer or see-through blouses or skirts unless full garment is worn underneath;
- Tank tops or muscle shirts when worn alone; [inappropriate dress at all grade levels include clothing that reveals back, midriff, or cleavage. Tops must have straps at least 1-inch wide wide.]
- Any skin-tight clothing (biker's pants, etc.);
- The hem length of shorts and skirts must be no more than 4 inches above the top of the knee.
- Garments with slogans, patches or buttons that are suggestive, vulgar, racially intended or provocative;
- Garments that advertise or display drugs, alcoholic beverages, tobacco or

sex;
- Clothing that exposes midriffs or cleavage; [At the High School and Middle School levels, this is further defined as no midriff exposure when standing, sitting, or reaching,]
- Clothing with excessive holes exposing student immodestly.
- Pants worn below waist that expose undergarments. [Outerwear must cover underwear.]
- P.E. clothing must be changed before entering the main hall.

**Unless approved by the Principal or his/her designee.*

Any style of clothing tending towards immodesty by exposure or excessive emphasis of bodily features will not be considered appropriate dress for school. Loose fitting, Bermuda-type shorts or "skorts" are permitted in grades K– 12 (not to be confused with running or tennis shorts).

Judgment of questionable dress will be made on a case-by-case basis by the principal or his or her designee. Any clothing deemed by the school administration to be unacceptable or disruptive to the educational process may be prohibited. The parents or guardians will be notified when their child has been found in violation of the dress code. Those students violating the dress code will be removed from class and sent home to change clothes immediately.

The principal has the authority to interpret this policy and thus ensure its consistent enforcement.

Before receiving disciplinary consequences, a student who is not in compliance with this policy or a school dress code will be given a reasonable period of time to make adjustments so that he or she will be in compliance. Disciplinary consequences for a student who fails to comply after being offered this opportunity 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 violation of the dress code.

Legal References: G.S. 115C-47, -390.2

Cross References: Student Behavior Policies (policy 4300), School Plan for Management of Student Behavior (policy 4302), Disruptive Behavior (policy 4315), Gang-Related Activity (policy 4328)

Adopted: October 11, 2018

The board recognizes that cellular phones and other wireless communication devices are an important tool through which parents communicate with their children and through which students gather information. The board also recognizes that excessive use of wireless communication devices may pose significant health and social risks for students and negatively affect the educational environment. In order to strengthen the school system's focus on learning, promote the well-being of our students, and foster a sense of community within our schools, students are prohibited from having wireless communication devices turned on or possessing such devices during the school day unless otherwise permitted under this policy. Principals may establish additional limitations on the use, possession, or display of wireless communication devices consistent with this policy.

A. DEFINITIONS

For the purposes of this policy, the following definitions apply.

1. The "school day" runs from the beginning of the first class period of the day to the end of the last class period of the day.

A "wireless communication device" is any portable wireless device that has the capability to provide voice, messaging, or other data communication between two or more parties, including but not limited to cellular telephones, tablet and laptop computers, paging devices, two-way radios, and gaming devices.

B. AUTHORIZED USE

Individual students may use wireless communication devices as required by the student's Individualized Education Program or Section 504 plan or to manage the student's health care in accordance with a documented medical condition. In addition, teachers may authorize individual students to use the devices in the event of an emergency.

Although use generally is permitted before and after school, use of wireless communication devices ***may be prohibited*** on school buses when noise from such devices interferes with the safe operation of the buses. In addition, elementary and middle school students who participate in after-school programs are prohibited from using wireless communication devices during such programs.

C. CONSEQUENCES

School employees may immediately confiscate any wireless communication devices that are on or used in violation of this policy.

The following factors should be considered when determining appropriate consequences:

- For the first offense, the wireless communication device will be confiscated and a parent conference with the principal or designee will be held (The parent/guardian will take

possession of the device upon the conclusion of the conference or the day the offense occurred). A contract must be signed by the parent/legal guardian, student and principal/designee that the student will not be in possession of any wireless communication device while on school property for ten (10) consecutive school days.

- For the second offense, the wireless communication device will be confiscated and a parent conference with the principal or designee will be held (The parent/guardian will take possession of the device upon the conclusion of the conference or the day the offense occurred). A contract must be signed by the parent/legal guardian, student and principal/designee that the student will not be in possession of any wireless communication device while on school property for 15 consecutive school days.

- For the third and subsequent offenses, the wireless communication device will be confiscated and a parent conference with the principal or designee will be held (The parent/guardian will take possession of the device upon the conclusion of the conference or the day the offense occurred). A contract must be signed by the parent/legal guardian, student and principal/designee that the student will not be in possession of any wireless communication device while on school property for 20 consecutive school days.

Violations of this policy will result in consequences as provided in the school's student behavior management plan (see policy 4302, School Plan for Management of Student Behavior).

Aggravating factors may subject a student to more stringent disciplinary consequences, up to and including suspension. Such aggravating factors include, but are not limited to, (1) to reproduce images of tests, obtain unauthorized access to school information or assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation, or school rule; (2) to bully or harass other students; (3) to send illicit text messages; (4) to take and/or send illicit photographs; or (5) in any other manner that would make more severe disciplinary consequences appropriate.

D. SEARCH OF WIRELESS COMMUNICATION DEVICES

In accordance with policy 4342, Student Searches, a student's wireless communication device and its contents, including but not limited to text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, board policy, the Code of Student Conduct, or a school rule. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the suspected infraction.

E. LIABILITY

Students are personally and solely responsible for the security of their wireless communication devices. The school system is not responsible for the theft, loss, or damage of a cellular phone or other personal wireless communication device.

Legal References: G.S. 115C-36, -76.100, -390.2

Cross References: Student Behavior Policies (policy 4300), Disruptive Behavior (policy 4315), Student Searches (policy 4342)

Other Resources: *Best Practices Guide for North Carolina Public Schools Units Establishing Personal Communication Devices Policies*, Advisory Council for Student Safety and Well-Being, Office of Governor Josh Stein (June 3, 2025), available at https://www.ncdps.gov/best-practices-guide-north-carolina-public-schools-units-establishing-personal-communication-devices; *Phone-Free Schools Administrator Toolkit*, Phone-Free Schools Movement, available at https://www.ncsba.org/wp-content/uploads/2025/08/V2-PFSM-Toolkit-Final.pdf

Adopted: June 9, 2005
Amended: August 9, 2007
Amended: March 11, 2010
Amended: November 3, 2011
Amended: May 12, 2022
Amended: September 4, 2025

CONTRACT WITH PARENTS

I have read policy 4318 and understand that my child violated the cell phone policy and shall not be in possession of any cell phone/device while on school property for (insert banned device period here) days. I also understand the consequences that follow if my child violates the cell phone policy again.

Signature _____ Date: _____

The board is committed to creating safe, orderly, clean, and inviting schools for all students and staff. To this end, the board supports state laws that prohibit the sale or distribution of tobacco products to minors and that prohibit the use of tobacco products by minors. The board also supports state and federal laws that prohibit the use of tobacco products in school buildings, on school campuses, and in or on any other school property owned or operated by the school board. For the purposes of this policy, the term "tobacco product" means any product that contains or that is made or derived from tobacco and is intended for human consumption, including all lighted and smokeless tobacco products, as well as electronic cigarettes, vaporizers, and other electronic smoking devices even if they do not contain tobacco or nicotine.

A. PROHIBITED BEHAVIOR

In support of the board's commitments and state and federal law, students are prohibited from using or possessing any tobacco product (1) in any school building, on any school campus, and in or on any other school property owned or operated by the school board, including school vehicles; (2) at any school-related activity, including athletic events; or (3) at any time when the student is subject to the supervision of school personnel, including during school trips.

Nothing in this policy prohibits the use or possession of tobacco products for an instructional or research activity conducted in a school building, provided that the activity is conducted or supervised by a faculty member and that the activity does not include smoking, chewing, or otherwise ingesting tobacco.

B. CONSEQUENCES

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

In determining appropriate consequences for violations of this policy, school officials are encouraged to identify programs or opportunities that will provide students with a greater understanding of the health hazards of tobacco use, the hazards of secondhand smoke, and the impact of tobacco use on efforts to provide a safe, orderly, clean, and inviting school environment.

C. SERVICES FOR STUDENTS

The administration shall consult with the county health department and other appropriate organizations to provide students with information and access to support systems and programs to encourage students to abstain from the use of tobacco products. The school system may, from time to time, provide free non-smoking programs and services to its students.

D. NOTICE

Students will be provided with notice of the information in this policy through the Code of Student Conduct, student handbooks or other means identified by the principal. In addition, the principal shall post signs in a manner and at locations that adequately notify students, school personnel, and visitors about prohibitions against the use of tobacco products in all school facilities, on all school grounds, and at all school-sponsored events.

Legal References: Pro-Children Act of 1994, 20 U.S.C. 6081 *et seq.*; 21 U.S.C. 321 (rr); 21 C.F.R. 1100 *et seq.*; G.S. 14-313; 115C-47, -288, -307, -390.2, -407

Cross References: Student Behavior Policies (policy 4300), Smoking and Tobacco Products (policy 5026/7250)

Adopted: June 17, 1999
Amended: January 8, 2004
Amended: July 8, 2004
Amended: November 3, 2011
Amended: January 15, 2015
Amended: September 15, 2016
Technical Correction made: October 2, 2017

Unauthorized or illegal drugs and alcohol are a threat to safe and orderly schools and will not be tolerated. The superintendent is responsible for ensuring that this policy is consistently applied throughout the school system.

This policy applies to students while on school property or at a school-sponsored event or activity (whether on or off school property) and at any other time or place where the conduct is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

A. PROHIBITED BEHAVIOR

Students are prohibited from possessing, using, selling, delivering, manufacturing, or being under the influence of any of the following substances:

1. narcotic drugs;

2. hallucinogenic drugs;

3. amphetamines;

4. barbiturates;

5. marijuana;

6. synthetic stimulants, such as MDPV and mephedrone (e.g., "bath salts"), and synthetic cannabinoids (e.g., "Spice," "K2");

   a. any other controlled substance;

7. any alcoholic beverage, malt beverage, fortified or unfortified wine, or other intoxicating liquor;

8. any chemicals, substances, or products procured or used with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior; or

   b. any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC), regardless of whether it constitutes a controlled substance under state or federal law.

1. Students also are prohibited from possessing, using, selling, delivering, or manufacturing counterfeit (fake) drugs.

2. Students are prohibited from possessing, using, selling, delivering, or manufacturing drug paraphernalia, including but not limited to rolling papers,

roach clips, lighters, matches, vaping devices, vape liquid containers, pipes, syringes, and other delivery devices for prohibited substances.

3. Students are prohibited from possessing, using, selling, delivering, or sharing prescription or over-the-counter drugs, except in accordance with policy 6125, Administering Medicines to Students. A student who possesses or uses a prescription or over-the-counter drug in accordance with policy 6125 does not violate this policy.

4. A student is not in violation of this policy for being under the influence of a prohibited substance following its proper use as a medication lawfully prescribed for the student by a licensed health care practitioner.

Students may not participate in any way in the selling or delivering of prohibited substances, regardless of whether the sale or delivery ultimately occurs on school property.

The principal may authorize lawful uses of substances that are otherwise prohibited by this policy for legitimate curriculum-related purposes, such as the use of matches or lighters in approved chemistry or other school projects.

B. CONSEQUENCES

As required by policy 4335, Criminal Behavior, the principal must report to the appropriate law enforcement agency any student who has used or possessed a controlled substance in violation of law while on school property.

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

Legal References: G.S. 18B-301; 20-11(n1); ch. 90 art. 5 and art. 5B; 115C-47, -276, -288, -307, -390.2, -407

Cross References: Student Behavior Policies (policy 4300), Criminal Behavior (policy 4335), Administering Medicines to Students (policy 6125)

Adopted: June 17, 1999
Amended: July 13, 2006
Amended: November 3, 2011
Amended: December 12, 2019
Amended: July 30, 2020

The Cherokee County Board of Education and the educators and administrators of the different schools strongly believe that the use and abuse of drugs that are not prescribed for medical conditions can be detrimental to the physical, emotional, and mental health of its students. It is further believed that this use and abuse seriously interferes with the performance of the student, is dangerous to the student and creates an unfair and damaging stigma for those students who do not use or abuse drugs. It is from these concerns that a drug screening policy is initiated for Cherokee County Schools.

A. PURPOSE

The purpose of the Drug Screening of Students Program is to identify students who are using or abusing drugs in order that assistance can be provided to them through counseling, education, and treatment. The drug screening program is not intended to punish students or to eliminate them from participation in interscholastic sports, or parking privileges.

POSITIVE TEST RESULTS WILL NOT RESULT IN SUSPENSION FROM SCHOOL OR NOTIFICATION OF LEGAL AUTHORITIES.

B. GOALS OF STUDENT DRUG TESTING

1. To educate our students about the dangers and problems associated with drug use/abuse.

2. To prevent drug use/abuse by students.

3. To identify any student who may be using/abusing drugs and to determine the identity of the drug(s).

4. To educate students involved in drug abuse about the effect drugs have on their physical, emotional and mental wellbeing as well as the adverse effect to their school performance.

5. To provide opportunities for counseling and treatment for any student who is identified to be using/abusing drugs.

6. To remove the stigma of drug use/abuse from those students who do not use drugs.

7. To develop a drug free athletic/academic program that produces students who can serve as role models and influence their peers to lead healthy and responsible lives.

C. NOTICE

Information concerning this policy and the mandatory drug testing program will be included in the student handbook, provided to all students before beginning athletic participation and receiving parking privileges. The policy will be explained to students and faculty at least once a year and will be further publicized to students and parents.

D. STUDENTS SUBJECT TO DRUG TESTING

1. Participation in interscholastic athletics and campus parking are privileges, not rights. Students participating in these activities will be subject to scheduled and/or random drug testing procedures.

2. All students in grades 9 – 12; and 7th and 8th graders who participate in JV sports who desire to participate in any of the following voluntary school activities or privileges must agree to participate in the student drug testing program:

   a. Interscholastic activities, to include, but not limited to, Chorus and Band;

   b. Campus parking privileges (will be subject to the random drug testing only).

3. The U.S. Supreme Court has ruled that random drug testing of students who elect to participate in voluntary interscholastic activities—that are privileges not rights—is not a violation of the student's constitutional rights under the 4th amendment, therefore, participation in the drug-testing program is mandatory only for students who elect to participate in the above voluntary activities in which participation is a privilege not a right. Participation in the drug-testing program shall not be required as a condition of attending school or enrolling in any class. However, every student attending a Cherokee County School is subject to board policy 4325 (Cherokee County policy), Drugs and Alcohol, which prohibits the possession, use, transmission and being under the influence of drugs and alcohol while at school or at an off-campus school activity.

4. Any parent of a student in grades 9-12 and 7th and 8th graders who participate in JV sports may consent to the student voluntarily participating in the drug testing program, whether or not the student is a participant in any of the privileged activities listed above. The same procedures will apply, as outlined in this policy, for all students participating in the student drug testing program.

5. Students wishing to participate in the above noted activities and privileges and the student's custodial parent or guardian (unless the student is 18 years of age or emancipated) must give consent in writing on a form approved by the superintendent for student drug testing and for the release of the test results to the medical review officer, the superintendent's designee, school principal, the student, the athletic director (only if student is athlete) and the student's custodial parent or guardian.

E. ROLES OF SCHOOL PERSONNEL AND KEY IMPLEMENTATION ROLES

1. Cherokee County School personnel shall not assist with the actual testing or physical collection of the student samples, shall have no access to the test samples, and shall not select the students who will be randomly tested. School personnel will assist with the testing process by serving as a monitor in identifying students chosen and monitoring the testing area.

2. Key Implementation Roles

   a. Contracted Test Administrator (Vendor) - The drug testing program will be implemented on behalf of the school district by a Test Administrator, which shall be an independent agency or entity operating under contract with the Board of Education. The contracted Test Administrator shall have experience in implementing a drug testing program.

   b. Superintendent's Designee - The superintendent shall designate an administrator at each High School to coordinate the drug testing program. This is usually the Principal and/or the Athletic Director.

F. PROCESS FOR DRUG TESTING SELECTION

1. The selection of students to be tested shall be done in a manner calculated to protect the identity of those being tested. As allowed by school district budget and activity participation levels, the Test Administrator shall randomly select students from each high school to be tested during the school year. The day of testing shall be varied so that it does not become predictable. Cherokee County school personnel will neither assist with the actual testing nor have access to the test samples.

2. All students/athletes and prospective student athletes and their parent/guardian shall be provided a copy of the drug screening program. Written consent from the student and his/her parent/guardian shall be obtained before initial testing. The student/athlete will personally deliver the consent form to the Principal/Athletic Director. The percentage and/or number of eligible students to be tested in the course of a year will be as follows:

   a. **Athletes**: Within 30 days of the beginning of the school year, all student athletes in grades 9-12 and 7th and 8th grade JV athletes regardless of sex, who are planning to participate in any interscholastic sport at any Cherokee County School will be tested. Thereafter, all student athletes shall be subject to random testing.

   b. At the beginning of each athletic season a list of eligible athletes will be sent to the contracted vendor – all eligible athletes (eligibility includes but not limited to having a signed drug testing consent form and other forms required by athletic department) will participate in the drug test program.

      1) **Random testing** – from the above list - 10% of all eligible athletes will be randomly chosen (testing procedures and random drawing procedures below) to participate in the drug testing program. The contracted vendor will generate the random drug test list off site from the list sent by the participating school.

   c. **Students requesting parking privileges**: All students who drive to school and want to park on school campus must obtain a parking permit and complete a signed consent form to participate in the random drug testing program.

2) **Random testing** –10 % of all eligible students (eligibility includes having a signed drug testing consent form signed by parent and those who have purchased a parking permit) will be randomly chosen and participate in the drug testing program.

G. DRUG PANEL TESTING

All testing will be conducted by urine specimen. Drug testing will be for the following drugs: Amphetamines, Cocaine, Opiates, Marijuana (THC), Barbiturates, Benzodiazepines, Methadone, Methaqualone, Phencyclidine, Propoxyphene. Testing for anabolic steroids or other performance enhancing drugs, and alcohol found in alcoholic beverages, malt beverages, fortified or unfortified wine, or other intoxicating liquor may be conducted on an individual basis. Such testing may be part of the mandatory testing each August and may be part of any random testing. The drugs tested will be approved by any federally certified laboratory customarily testing such drugs.

H. TESTING PROCEDURES

1. The contracted vendor will implement testing procedures for the drug testing programs that:

   a. Respect the privacy interest of students during the collection of testing samples;

   b. Provide a secure chain of custody of each student's testing sample;

   c. Provide for a screening and confirming test using generally accepted testing procedures by an approved laboratory if positive;

   d. Provide an opportunity for a student who tests positive for drugs to submit appropriate documentation of any medications he/she is using to the MRO to explain the results before the results are reported to the athletic director and/or school principal;

   e. Provide an opportunity for a student who tests positive to submit a portion of his/her sample (if available) to a private approved laboratory at the student's expense for a second confirming test; and

   f. Ensure that if there is an exclusion from activity or privilege participation, other school staff, students, or parents shall not be told the reason by school or testing officials.

I. TESTING PROCESS

1. A school representative and the contracted vendor will check off students from the list generated off site and have the student sign a testing sheet.

2. Student will write their name and date on the test cup.

a. Male student athletes shall be directed to a urinal in the bathroom adjacent to the boys' varsity dressing room. The adult monitor will be a male member of the appropriate high school coaching and school staff and shall be present in the bathroom when the specimen is being produced. The adult monitor will stand or sit with his back to the student while the student produces the specimen. The student will then exit the bathroom and return the sample for analysis to the contracted vendor.

b. Female student athletes shall be directed to a stall in the bathroom adjacent to the girls' varsity dressing room. The adult monitor will be a female member of the appropriate high school coaching and teaching staff and shall be present in the bathroom when the specimen is being produced. The adult monitor will stand or sit with her back to the student while the student produces the specimen. The student will then exit the bathroom and return the sample for analysis to the contracted vendor.

3. After all students have submitted a sample, the contracted vendor will begin testing the samples. All results of testing will be forwarded by the contracted vendor to the Principal/Athletic Director. If a sample shows positive results the Athletic Director/principal and the student athlete will be privately informed. In the event a test is positive an MRO (Medical Review Officer) is required to verify the positive test. The Athletic Director/Principal will attempt to contact the parent/guardian of the student to set up a meeting.

4. A CCF (custody and control) form will be completed. The student and parent are responsible for any lab costs due to a positive result. If the student or parent can prove to the Medical Review Officer (MRO) why the student tested positive by providing prescriptions, then the MRO will issue a negative result. Cherokee County Schools will then reimburse this cost. Lab confirmation will take approximately 72 hours. Students and parents are required to fax the prescription and proper forms to the MRO.

J. REFUSAL TO BE TESTED

1. Without exception, all students shall be required to undergo testing in order to become eligible to participate in interscholastic sports/receive parking privileges in Cherokee County Schools.

2. Student athletes who enter school after the initial mandatory test date or who decide to participate in athletics after this initial test date will be tested during the earliest scheduled random test date.

3. Students who choose to receive parking privileges will be tested during the earliest scheduled random test date. These students will be permitted to participate in the athletic program/allowed to purchase a parking permit on a limited basis before being tested.

4. Any student who refuses to take part in a random test will immediately lose his/her eligibility and shall count as a positive drug test.

5. Students who were randomly chosen, but absent on the day of testing will have a maximum of 24 hours to complete a drug test at the Cherokee County Health Department. The Cherokee County Health Department will contact the Principal when the test has been completed. If a student fails to complete a drug test within the 24 hours required it will be treated as a first positive, (please refer to first positive discipline).

REFUSAL OF THE STUDENT/ATHLETE TO TAKE THE TEST OR HIS/HER PARENT/GUARDIAN TO SIGN THE AGREEMENT, MEDICAL RELEASE FORM AND FAILURE OF THE STUDENT TO UNDERGO COUNSELING AS SET FORTH IN THIS PARAGRAPH, SHALL BE TREATED AS A SECOND POSITIVE RESULT.

K. TAMPERING WITH A TEST

An attempt to alter, substitute, adulterate, or otherwise tamper with a test sample, shall result in a declaration of a positive test which invokes the appropriate consequence outlined in Section N of this policy. In the event a substitute sample is provided by another student, the student providing the sample shall receive a Level 9 consequence outlined in the Code of Student Conduct as deemed appropriate by the school administrator; if the student is an athlete he/she may be subject to the consequences for positive test result outline in section N, 1, below.

L. ABSENCES

A student who is present at school on the day of testing and avoids testing by leaving campus (or cutting class) without a valid excuse for that day shall be considered as having refused to be tested.

M. FALSIFICATION OF INFORMATION

Students who falsify information on the required forms will be subject to discipline sanctions under policy 4300, Student Behavior Policies, policy 4325, Drugs and Alcohol, and the Code of Student Conduct, as applicable.

N. CONSEQUENCES FOR POSITIVE TEST RESULT

Definition of a *Positive Result*: possession of drugs will constitute a first positive.

1. First positive: The student and his/her parent/guardian and the principal are notified. The student shall undergo either counseling for a minimum of a six-week period or attend a 12-hour drug education class and sign a form releasing the school system from any liability resulting from drugs or treatment. Parent/guardian shall be encouraged to attend counseling sessions with their student. The student shall be suspended from participation in inter-scholastic sports/parking privileges for a period of six weeks. Retesting will take place before eligibility is restored. If the student tests negative, he/she shall be reinstated to participate in sports/restore parking privileges provided he/she and the parent/guardian sign a form releasing the school from any liability for injury or illness. The student shall be subject to additional drug testing for a minimum of twelve months.

2. Second positive: If a student tests positive anytime during his/her career for a second time, the student and his/her parent/guardian and principal shall be immediately notified. The student shall be suspended from participation in interscholastic sports/parking privileges for a minimum of twelve (12) months from the date of the second positive. (S)he and his/her parent/guardian shall sign a written agreement that they will participate in a counseling program for a minimum period of six weeks. Retesting on or about twelve (12) months from the second positive test will take place before eligibility is restored. If the student tests negative, (s)he shall be reinstated to participate in sports/extracurricular activities/receive parking privileges provided (s)he and his/her parent/guardian sign a form releasing the school from any liability for injury or illness. The student shall be subject to additional drug testing for the remainder of their attendance in Cherokee County Schools.

REFUSAL OF THE STUDENT TO TAKE TEST OR HIS/HER PARENT/GUARDIAN TO SIGN THE AGREEMENT, MEDICAL RELEASE FORM AND FAILURE OF THE STUDENT TO UNDERGO COUNSELING AS SET FORTH IN THIS PARAGRAPH, SHALL BE TREATED AS A THIRD POSITIVE RESULT.

3. Third positive: If a student tests positive any time during his/her middle or high school career for a third time, the student and the parent/guardian and principal are immediately notified. The student is suspended from participation in any interscholastic sport/parking privileges in Cherokee County Schools for the remainder of their school career.

O. APPEALS PROCESS

Any student testing positive for drugs is eligible to appeal the decision. Retesting of a positive sample is permitted at the student/parent/guardian request by certified letter sent to the drug testing service. The sample would then be sent to another FEDERALLY CERTIFIED LABORATORY paid in advance by the student/parent/guardian retesting at their own expense. Retesting results will be submitted to the Principal for review. If the principal's decision upon retesting has not changed, the student will be eligible to make use of the student grievance policy.

P. CONFIDENTIALITY

All test results will be confidential including the maintenance of a documented chain of custody of the specimen in order to protect the identity and integrity of the sample throughout the collection and testing process. All results will be filed by the Athletic Director/Principal in a confidential medical file and will be held in a locked file cabinet. The Athletic Director, Assistant Athletic Director, and the Principal will retain keys for this cabinet.

Q. COUNSELING AND TREATMENT

All counseling and treatment must be provided by a licensed professional who is certified to treat substance abuse. It is the obligation of the student to pay for the cost of counseling and other required treatment recommended by the counselor.

R. RESOURCES

If the Cherokee County Board of Education has a counselor specializing in substance abuse employed in the school, the student athlete may utilize this service.

Legal References: Vernonia School District 47J v. Action, 515 U.S. 646 (1995), Board of Education v. Earls 536 U.S. 822 (2002), NC G.S. 115C-47(4)

Cross References: Student Driving Privileges (policy 4206), Drugs and Alcohol (policy 4325)

Adopted:
April 8, 1997
September 9, 1999
Amended:
June 21, 2001
July 8, 2004
July 13, 2006
March 13, 2008
November 8, 2012
December 13, 2012
June 30, 2016
March 9, 2017
December 12, 2019
March 11, 2021

STUDENT DRUG TESTING CONSENT FORM
FOR CHEROKEE COUNTY SCHOOL DISTRICT

Before participating in any sport, or requesting parking privileges, a student and parent/guardian must sign this consent form before the student is allowed to participate in any game or practice or be allowed to park on campus grounds.

I, _____, do hereby declare that I will be a participant
(Name of Student)

in the school board approved drug screening. I authorize the school to administer drug testing and to release the results of the test to my parent/guardian, athletic director and the principal.

The parent/guardian, _____, consents to and authorizes the
(Name of Parent/Guardian)

Cherokee County School District to conduct a test on a urine specimen provided by the student to test for drug use and the release of information concerning the results of such a test to the parent/guardian, athletic director, and the principal.

_____
Signature: Student

_____
Signature: Parent/Guardian

_____
Date

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);

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 (policy 4331), Criminal Behavior (policy 4335)

Adopted: June 17, 1999
Amended: December 9, 2010
Amended: November 3, 2011
Technical Corrections: September 30, 2020

THEFT, TRESPASS AND DAMAGE TO PROPERTY

Policy Code: **4330**

The board will not tolerate theft, trespass or damage to property by any student. Any student engaging in such behavior 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. Theft

   Students are prohibited from stealing or attempting to steal school or private property and/or from knowingly being in possession of stolen property.

2. Damage to Property

   Students are prohibited from damaging or attempting to damage school or private property.

3. Trespass

   Students are prohibited from trespassing on school property. A student will be considered a trespasser and may be criminally prosecuted in any of the following circumstances:

   a. the student is on the campus of a school to which he or she is not assigned during the school day without the knowledge and consent of the officials of that school;
   b. the student is loitering at any school after the close of the school day without any specific need or supervision; or
   c. the student has been suspended from school but is on the property of any school during the suspension period without the express permission of the principal.

B. CONSEQUENCES

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

Legal References: G.S. 14-60, -87, -87.1, -132, -132.2; 115C-47, -276(r), -288, -307, -390.2

Cross References: Student Behavior Policies (policy 4300), Integrity and Civility (policy 4310), Criminal Behavior (policy 4335)

Adopted: November 3, 2011

The board will not tolerate assaults or threats from any student. Any student engaging in such behavior 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. Assault

   Students are prohibited from assaulting, physically injuring, attempting to injure, or intentionally behaving in such a way as could reasonably cause injury to any other person. Assault includes engaging in a fight.

2. Threatening Acts

   Students are prohibited from directing toward any other person any language that threatens force, violence or disruption, or any sign or act that constitutes a threat of force, violence, or disruption.

   Bomb and terrorist threats are also addressed in policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety.

B. CONSEQUENCES

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

A student who is long-term suspended or reassigned to alternative education services as a result of assaulting or injuring a teacher shall not return to that teacher's classroom without the teacher's consent.

Legal References: G.S. 14-33, -34 through -34.2; 115C-47, -276(r), -288, -307, -390.2, -390.5, -390.7

Cross References: Bullying and Harassing Behavior Prohibited (policy 1735/4329/7311), Student Behavior Policies (policy 4300), Integrity and Civility (policy 4310), Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333)

Adopted: October 6, 2011
Amended: September 13, 2012
Amended: April 18, 2013
Amended: September 10, 2020
Technical Corrections: April 1, 2025

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 and Cherokee County Schools will seek prosecution of any student who violates this policy.

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 sprays.

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;

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;

b. 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

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:

1. 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;

2. 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;

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

3. concealing, placing, disseminating, or displaying on school system property or at a school system event any device, substance, or material, so as to cause a reasonable person to believe the same to be a weapon of mass destruction or to be intended to cause harmful or life-threatening illness or injury to another person.

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

4. Clear Threats to Student and Employee Safety

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

a. theft or attempted theft by a student from another person by using or threatening to use a weapon;

b. the intentional and malicious burning of any structure or personal property, including any vehicle;

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 (policy 4331), Criminal Behavior (policy 4335)

Adopted: December 9, 2010
Amended: October 6, 2011, December 11, 2014, June 8, 2017, December 13, 2018, December 12, 2019
Technical Corrections: September 30, 2020

The board supports and encourages the use of innovative and emerging technologies, including unmanned aircraft or drones, to further the goals and objectives of the educational program. However, the board also must consider how the use of such technologies may impact the safety, security, and privacy of people and property. Therefore, the board authorizes some use of unmanned aircraft on school property and at school-sponsored events in accordance with the requirements of this policy and to the extent that such use is not otherwise prohibited by federal, state, or local law or regulation.

This policy applies to all students, school system employees, contractors and vendors, school visitors, and other members of the general public on school property and at school-sponsored events.

A. DEFINITIONS

For purposes of this policy, the following definitions apply.

1. An "unmanned aircraft" or "drone" is an aircraft weighing less than 55 pounds that is operated without the possibility of direct human intervention from within or on the aircraft. The board strictly prohibits the use of an unmanned aircraft weighing more than 55 pounds on school property or at a school-sponsored event.

2. The "use" of an unmanned aircraft includes the launch, operation, and/or recovery of the unmanned aircraft.

3. "School property" includes any property that is owned, leased, or otherwise controlled by the board.

4. Use of an unmanned aircraft is for a "recreational" purpose if the use is solely for personal interests or enjoyment. Use for work or business purposes or for compensation or hire is not considered to be recreational.

B. AUTHORIZED USE OF UNMANNED AIRCRAFT

The use of an unmanned aircraft on school property or at a school-sponsored event for any purpose must be approved in writing by the superintendent or designee and must comply with the requirements of this policy and all other applicable board policies, including the public use requirements of policy 5030, Community Use of Facilities, when applicable. Such use also must comply with all federal, state, and local laws and regulations, including the most current registration, certification, permit, safety, and other requirements established by the Federal Aviation Administration (FAA) and the North Carolina Department of Transportation (NCDOT).

The superintendent or designee may grant approval for use on a case-by-case basis with any additional requirements or restrictions deemed appropriate, including, for example, to protect the safety, security, and privacy of people and property. However, the

superintendent or designee shall not approve the use of unmanned aircraft for recreational purposes on school property or at school-sponsored events during the school day or at any other time when groups of students or employees may be present outdoors.

Prior to obtaining approval from the superintendent or designee, the operator of any unmanned aircraft may be required to provide proof of insurance, including adequate liability coverage for any claims arising out of the use of an unmanned aircraft, and proof of the registration, certification, permit, and/or waiver required by the FAA and/or NCDOT to operate the unmanned aircraft for the intended purpose(s).

An unmanned aircraft used on school property or at a school-sponsored event must be operated either by or under the direct supervision of an FAA-certified drone pilot in accordance with subsection B.1, below, or by a recreational flyer in accordance with subsection B.2, below.

1. Use by or under the Direct Supervision of an FAA-Certified Drone Pilot

   An FAA-certified drone pilot, or an individual under the direct supervision of an FAA-certified drone pilot, may operate an unmanned aircraft for any commercial, educational, recreational, or other school system-related purpose as approved by the superintendent or designee. To qualify as an FAA-certified drone pilot, an individual must obtain a Remote Pilot Certificate from the FAA and have the certificate easily accessible during all use.

   An FAA-certified drone pilot and any individual under the direct supervision of an FAA-certified drone pilot must comply with all federal, state, and local laws and regulations, including all applicable requirements under 14 C.F.R. Part 107 ("Part 107"). In addition, if the use of an unmanned aircraft is not solely for hobby or recreational purposes, an FAA-certified drone pilot and any individual under the direct supervision of an FAA-certified drone pilot also must comply with the training and permit requirements of G.S. 63, art. 10, as applicable.

2. Use by a Recreational Flyer

   A recreational flyer may operate an unmanned aircraft strictly for recreational purposes as approved by the superintendent or designee. A recreational flyer is not required to be an FAA-certified drone pilot or under the direct supervision of an FAA-certified drone pilot. However, a recreational flyer must comply with all federal, state, and local laws and regulations, including all applicable federal requirements under the *Exception for Limited Recreational Operations of Unmanned Aircraft* (49 U.S.C. 44809).

C. UNAUTHORIZED USE OF UNMANNED AIRCRAFT

School system employees shall reasonably attempt to monitor school property and school-sponsored events for the unauthorized use of unmanned aircraft. Employees must

report any known or suspected unauthorized use of an unmanned aircraft as soon as practicable to the principal or other school official responsible for supervising the school property or school-sponsored event. If the unauthorized use poses a threat to the safety, security, or privacy of people or property, the employee should attempt to intervene directly if it is possible to do so safely and effectively and ask the operator to discontinue the use. If the employee is unable to identify the individual operating the unmanned aircraft, or if the unmanned aircraft is grounded and unattended, the employee should immediately notify the principal or other school official responsible for supervising the school property or school-sponsored event.

A student or school system employee who uses an unmanned aircraft in violation of this policy will be subject to disciplinary action, up to and including suspension or expulsion for students and termination for employees. A contractor or vendor, school visitor, or other member of the general public who uses an unmanned aircraft in violation of this policy will be asked to discontinue the unauthorized use and/or asked to leave school property or the school-sponsored event in accordance with policy 5020, Visitors to the Schools.

School officials may also report the unauthorized use of an unmanned aircraft to local law enforcement and/or the FAA, as appropriate.

D. GUIDELINES FOR ALL USE OF UNMANNED AIRCRAFT

1. FAA Safety Guidelines

   A student, school system employee, contractor or vendor, school visitor, or other member of the general public who is authorized by the superintendent or designee to operate an unmanned aircraft on school property or at a school-sponsored event must comply with all applicable FAA safety guidelines, including, but not limited to, the following.

   a. The unmanned aircraft must be registered with the FAA and marked with the registration number.

   b. No later than September 16, 2023, the unmanned aircraft must be equipped with remote identification unless flying within an FAA-recognized identification area.

   c. The unmanned aircraft must have a maximum groundspeed of 100 mph or less.

   d. The operator must keep the unmanned aircraft within his or her visual line of sight at all times.

   e. The operator must not fly the unmanned aircraft above 400 feet in uncontrolled airspace and must not fly the unmanned aircraft in controlled

airspace (e.g., near airports) without FAA authorization. The operator must comply with all other FAA airspace restrictions (e.g., near military bases).

f. The operator must not fly the unmanned aircraft near other aircraft and must always yield the right of way to all other aircraft, especially manned aircraft.

g. The operator must not fly the unmanned aircraft near emergency response activities.

h. The operator must not fly the unmanned aircraft under the influence of drugs or alcohol. In addition, the operator must not fly the unmanned aircraft if he or she knows or has reason to know of any other physical or mental condition that would interfere with the safe operation of the unmanned aircraft.

i. The operator must not otherwise fly the unmanned aircraft in a careless or reckless manner.

2. Other Guidelines

A student, school system employee, contractor or vendor, school visitor, or other member of the general public who is authorized by the superintendent or designee to operate an unmanned aircraft on school property or at a school-sponsored event also must comply with the following guidelines established by the board.

a. The operator of any unmanned aircraft on school property or at a school-sponsored event must provide appropriate documentation of approval from the superintendent or designee immediately upon request by any school system employee.

b. Students are prohibited from operating an unmanned aircraft on school property or at a school-sponsored event without appropriate faculty or other adult supervision whether or not such supervision is required under federal regulations.

c. The superintendent or designee, as well as the principal or other school official responsible for supervising school property or a school-sponsored event, may require the operator of an unmanned aircraft to temporarily or permanently suspend further use of the unmanned aircraft on school property or at a school-sponsored event at any time for any reason.

d. The use of an unmanned aircraft to photograph or to record audio and/or video of the following is prohibited without the express written approval of the superintendent: (a) students, employees, visitors, or other

individuals, (b) school- or school system-sponsored activities and other events, or (c) school buildings or other school system facilities. Any such photographs or other audio and/or video recordings obtained through the use of an unmanned aircraft may not be used for any marketing or other commercial purpose or otherwise distributed to a third party without the express written approval of the superintendent.

e. Unmanned aircraft may not be flown over people or moving vehicles without the express written approval of the superintendent. As a pre-condition of receiving approval, the operator must provide the superintendent information sufficient to determine that the flight will be conducted in compliance with applicable FAA regulations.

f. Any data or other information collected through the use of an unmanned aircraft may not be sold for profit.

g. The use of an unmanned aircraft inside any enclosed school or other building on school property (including any school or other building under construction) or indoors at a school-sponsored event off school property is prohibited without the express written approval of the superintendent or designee.

h. The use of unmanned aircraft within the physical confines of any stadium, field, arena, or other structure, including the playing area of the venue, during a North Carolina High School Athletic Association contest, including pre- and post-game activities, is prohibited.

i. Any incident resulting in an injury to a person or damage to property caused by the use of an unmanned aircraft must be reported immediately or as soon as practicable thereafter to the principal or other school official responsible for supervising the school property or school-sponsored event where the incident occurred. This requirement applies whether or not the incident is also subject to the mandatory reporting requirements under federal regulations.

j. Any unmanned aircraft owned by a school or the school system must be properly insured and must be scheduled (i.e., listed on the policy) and operated as required by the school system's liability coverage agreement.

The superintendent or designee may develop any additional administrative procedures or other regulations necessary to implement the requirements of this policy or to further protect the safety, security, and privacy of people and property.

Legal References: FAA Reauthorization Act of 2018, P.L. 115-254; 49 U.S.C. 44801 *et seq.*; 14 C.F.R. Part 89, Part 107; Federal Aviation Administration, Advisory Circular 91-57C (October

20, 2022), available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_91-57B.pdf; Federal Aviation Administration, Advisory Circular 107-2A (February 1, 2021), available at https://www.faa.gov/uas/resources/policy_library/media/AC_107-2_AFS-1_Signed.pdf; G.S. 14-7.45, -280.3, -401.24, -401.25; 15A art. 16B; 63 art. 10; 113-295; North Carolina High School Athletic Association Handbook, available at https://www.nchsaa.org/sites/default/files/attachments/2.2.3%20Facilities.pdf

Cross References: Student Behavior Policies (4300 series), Visitors to the Schools (policy 5020), Community Use of Facilities (policy 5030)

Other Resources: Federal Aviation Administration, Unmanned Aircraft Systems (UAS) website, available at https://www.faa.gov/uas/; North Carolina Department of Transportation, Division of Aviation, Unmanned Aircraft Systems website, available at https://www.ncdot.gov/divisions/aviation/uas/Pages/default.aspx

Adopted: November 14, 2019
Amended: July 21, 2022
Amended: December 15, 2022
Amended: April 20, 2023

Criminal or other illegal behavior is prohibited. Any student who the principal reasonably believes has 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 also 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 with or convicted of 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 an alternative school may be made in accordance with the criteria established in 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 the following acts 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 by the principal 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 promptly notify the parents if a school system employee suspects that any criminal offense has been committed against the parents' child, including but not limited to any of the offenses required to be reported to law enforcement, regardless of where the offense allegedly occurred, unless the incident has been reported to law enforcement or the county child services agency and notification of the parents would impede the investigation.

Certain crimes must be reported to the Department of Public Instruction in accordance with 16 N.C.A.C. 6E .0107.

In determining whether the notification of parents would impede the investigation; law enforcement or child protective services should be consulted.

Legal References: Gun-Free Schools Act, 20 U.S.C. 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, -39, -87, -202, -202.1, -202.2, -269.2; ch. 90 art. 5; 114A-10; 115C-47(56), -288(g); 16 N.C.A.C. 6E .0107

Cross References: Alternative Learning Programs/Schools (policy 3470/4305), Drugs and Alcohol (policy 4325), Theft, Trespass, and Damage to Property (policy 4330), Assaults and Threats (policy 4331), Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333), School-Level Investigations (policy 4340)

Adopted: June 17, 1999
Amended: September 8, 2005
Amended: March 13, 2008
Amended: June 8, 2010
Amended: April 19, 2012
Amended: September 13, 2012
Amended: April 18, 2013
Amended: June 8, 2017
Amended: September 30, 2020
Amended: October 19, 2023

Cherokee County Schools desire to maintain a cooperative relationship with law enforcement officials. Law enforcement can be called to a school at the request of school administration or law enforcement can initiate contact with a school. Contact between the school and law enforcement officers, other than School Resource Officers, shall be made through the office of the superintendent or the superintendent's designee and the office of the law enforcement agency excepting in exigent circumstances. Law enforcement will coordinate with the superintendent what is in the best interest of the student or the employee in conducting this contact.

For routine law enforcement matters, law enforcement officers are encouraged to contact a student or an employee away from the school. For example, drug screening of students who are on probation or parole or the service of subpoenas or the service of civil process should take place away from campus.

If law enforcement officers have a warrant for the arrest of a student or employee, law enforcement must be permitted to make that arrest. Such arrest shall be in a manner the law enforcement officer determines to be the safest for the law enforcement officer and the student or employee. Law enforcement personnel will coordinate the arrest on campus with school administration. Before removing a student from the school, the school administrator will complete the Student Release Form. The law enforcement officer shall sign the student release form. **See Attachment.**

Absent an arrest warrant, a law enforcement officer shall coordinate contact of a student or an employee with the school administrator. The school administrator and the law enforcement officer shall determine the safest manner to remove the student or employee from the classroom. Law enforcement personnel shall be cognizant of the academic day. Consideration in making the contact on campus should be based upon situations where the health, life, or safety of the student or the employee would be at risk if the contact was conducted elsewhere.

If law enforcement and the school administrator determine that a student or an employee is to be interviewed, every attempt will be made to respect the dignity of the person and the decorum of the school. In order that confidentiality can be maintained, any questioning should be conducted in a private room removed from observation by or contact with other student or school personnel.

When law enforcement is making contact with a student, the school administrator shall make a reasonable effort to notify the parents or guardian except in cases of suspected child abuse or neglect involving the parent or caretaker or if the parents are part of the crime. Parents/guardian should be given the opportunity to come to the school. Attendance of the parent/guardian in the law enforcement interview shall be determined at the age of the student. The school administrator or a designee shall be available to assist the student, but should not take part in any law enforcement contact and remain a neutral observer at all times.

Adopted: October 14, 2004

CHEROKEE COUNTY PUBLIC SCHOOLS
STUDENT RELEASE FORM

The undersigned, a law enforcement official with the:

_____
LAW ENFORCEMENT AGENCY

Hereby acknowledges that it is necessary in the exercise of his/her official duties to remove from the school premises and take into his/her custody the following student:

_____
NAME OF STUDENT

_____
NAME OF SCHOOL

As a representative of the aforesaid law enforcement agency, the undersigned assumes full responsibility for the safety and well being of the student while in his/her custody and agrees that the school and its staff shall be indemnified and held harmless from any liability as a result of the removal of this student from the school premises.

This the _____ day of _____, 20__.

_____
NAME OF OFFICER

_____
TITLE/POSITION

_____
SIGNATURE OF OFFICER

The board is committed to creating a safe, orderly environment for students and employees. Principals are authorized and responsible for investigating conduct that may violate a board policy, school standard, school rule, or the Code of Student Conduct, unless that authority and duty is conferred on another school administrator under a particular board policy.

All employees and students, including students alleged to have engaged in misconduct, are expected to respond fully and truthfully to any questions or issues raised in the course of an investigation and any related proceedings. Employees and students may be subject to disciplinary action for knowingly making false statements or knowingly submitting false information during an investigation or any related proceedings.

Any student who has violated a board policy, school standard, school rule, or the Code of Student Conduct must accept the consequences for his or her misbehavior. All consequences must be administered in a fair and nondiscriminatory manner.

The school administrator shall take the following steps in addressing all cases of alleged misbehavior appropriately referred to his or her office except when a particular board policy provides for a more specific response:

1. investigate the facts and circumstances related to the alleged misbehavior;

2. offer the student an opportunity to be heard on the matter; and

3. determine whether a board policy, school standard, school rule, or the Code of Student Conduct has been violated.

If a violation has occurred, the school administrator shall implement an appropriate consequence in accordance with the school's plan for managing student behavior, the Code of Student Conduct, or applicable board policy. Parents are to be notified and involved in accordance with policy 4341, Parental Involvement in Student Behavior Issues.

When the misbehavior may result in a suspension or an expulsion from school, procedures provided in related board policies also will apply. See policy 4351, Short-Term Suspension, and policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.

A student with disabilities recognized by Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act (IDEA) will be accorded all rights granted by federal and state laws and regulations (see policy 4307, Disciplinary Action for Exceptional Children/Students with Disabilities).

Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9; 115C-47, -288, -390.4, -390.5, -390.6, -390.7, -390.8, -390.10, -390.11; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000

Cross References: Student Behavior Policies (policy 4300), School Plan for Management of Student Behavior (policy 4302), Disciplinary Action for Exceptional Children/Students with Disabilities (policy 4307), Parental Involvement in Student Behavior Issues (policy 4341), Student Searches (policy 4342), Short-Term Suspension (policy 4351), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353)

Adopted: June 17, 1999
Amended: October 6, 2011
Amended: September 10, 2020

PARENTAL INVOLVEMENT IN STUDENT BEHAVIOR ISSUES

Policy Code: **4341**

The board recognizes the need for parents and guardians to work with school employees in helping students to learn and practice acceptable standards of behavior. School employees are directed to encourage parents to participate in discussions on effective strategies for correcting misbehavior and appropriate consequences for violations of board policies, the Code of Student Conduct, and other school standards and school rules.

School employees are expected, as part of their school's student behavior management plan, to identify strategies that involve parents. At a minimum, the plan must provide for inviting parents to conferences whenever there are repeated violations of board policies, the Code of Student Conduct, school standards or school rules or whenever there is a serious violation that may result in removing the student from his or her regular educational environment for any extended period of time. Parents also have the right to inspect or obtain copies of student records as provided in policy 4700, Student Records.

When the principal decides to impose a short-term suspension, the principal shall:

1. notify the parent in accordance with Section C of policy 4351, Short-Term Suspension;
2. maintain documents and relevant information that he or she receives about the misbehavior for review with the parent, taking into account the rights of other students or staff that may be involved;
3. make reasonable efforts, if appropriate, to meet with the parent before or at the time the student returns to school after any suspension; and
4. make available a copy of this policy, the Code of Student Conduct, and all other applicable board policies, school standards and school rules.

When a short-term suspension has been imposed, the principal shall inform the parent of the student's rights under policy 4351, Short-Term Suspension.

When the principal decides to recommend a long-term suspension, a 365-day suspension or an expulsion, the principal shall inform the parent of the student's rights, as outlined in policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion. If English is the second language of the parent or guardian, the principal shall provide the notice in English and also in the parent's or guardian's first language when the appropriate foreign language resources are available.

All records of parental contact should be maintained in the student's records and retained at least through the end of the school year.

Legal References: G.S. 115C-47, -390.5, -390.6, -390.7, -390.8, -390.10, -390.11
Cross References: Parental Involvement (policy 1310/4002), Short-Term Suspension (policy 4351), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Student Records (policy 4700)

Adopted: June 17, 1999
Amended: December 11, 2008
Amended: October 6, 2011

School officials have the authority to conduct reasonable searches of students and to seize students' unauthorized materials for the purposes of maintaining a safe, orderly environment and upholding standards of conduct established by the board or school. Any searches or seizures must be conducted in accordance with the standards described in this policy and any other applicable legal requirements. All school officials carrying out a search or seizure are expected to be knowledgeable about the legal rights of students and the appropriate procedures for conducting the search or seizure. A search must be justified at its inception, permissible in scope, and conducted using methods that are narrowly tailored to be minimally intrusive. School officials shall make reasonable, good faith efforts to investigate allegations of misconduct before a student search is conducted.

This policy applies to searches conducted on school grounds, in school facilities, or at school-sponsored events.

Policy 3225/4312/7320, Technology Responsible Use, not this policy, applies to the search of school system-owned technological resources and the data located on school system-owned electronic equipment.

A. SEARCHES BASED ON INDIVIDUALIZED REASONABLE SUSPICION

A student or the student's possessions may be searched when a school official has reasonable suspicion that the search will turn up evidence that the particular student has violated or is violating a specific law or school rule. This reasonable suspicion must be based upon specific and articulable facts, which have been acquired through reliable and/or corroborated information from employees, students, law enforcement officers, or other credible sources, or upon visual or other evidence (e.g., the smell of alcohol or marijuana, an alert from a metal detector or drug dog) viewed in light of the totality of the circumstances and the school official's professional judgment. The scope of the search must be reasonably related to the objectives of the search, and the methods used to conduct the search must be narrowly tailored to be minimally intrusive in light of the age and sex of the student and the nature of the infraction.

Reasonable suspicion is not required if a student freely and voluntarily consents to the search of his or her person or possessions.

In accordance with the standards described above, the board authorizes the following types of searches based on reasonable suspicion.

1. Searches of Personal Effects

   School officials may search a student's desk, locker, and/or personal effects, including but not limited to purses, book bags, and clothing (for example, coats or jackets) not currently being worn by the student. Policy 4318, Use of Wireless Communication Devices, addresses the circumstances under which searches of student cell phones and other electronic devices may be conducted.

2. Searches of Motor Vehicles

School officials may search the interior of a student's motor vehicle.

3. "Pat-down" Searches

A school official may conduct a frisk or "pat-down" search of a student's person. The search must be conducted in private by a school official with an adult witness present. Both the school official conducting the search and the adult witness must be the same sex as the student.

4. More Intrusive Personal Searches

More intrusive personal searches are discouraged and are to be used only in very limited circumstances. A personal search is more intrusive when it extends beyond a student's personal effects and outer clothing and potentially exposes intimate body parts and/or undergarments. Such intrusive personal searches will be permissible only if: (1) the school official has reasonable suspicion that a search of a particular student will yield dangerous contraband (e.g., drugs or weapons); and (2) the school official has reasonable suspicion that the student has hidden the contraband in his or her undergarments. This search must be conducted in private by a school official of the same sex as the student, with an adult witness of the same sex present, and only with the prior approval of the superintendent or designee, unless the health or safety of students will be endangered by the delay that might be caused by following these procedures. Body cavity searches and searches that require a student to completely disrobe are strictly prohibited.

5. Metal Detector Searches

A metal detector may be used to search a student's person and/or personal effects. The search must be conducted by a school official and will be done in private, when feasible.

B. SUSPICIONLESS GENERAL SEARCHES

In an effort to maintain a safe, drug-free, and weapon-free learning environment, school officials may conduct certain types of general, suspicionless searches in the schools. All general searches must be conducted in a minimally-intrusive, nondiscriminatory manner (e.g., all students in randomly selected classrooms, every third individual entering a school-sponsored extracurricular activity) and may not be used to single out a particular individual or category of individuals. The searches must be conducted in accordance with standardized procedures established by the superintendent or designee. Absent exigent circumstances (e.g., a report of a weapon on campus), prior to conducting general searches, school administrators must: (1) demonstrate to the superintendent or designee the need for general searches based upon a pattern or expectation of violence, drug

activity, or disruption; and (2) provide written notice to students and parents of the school policy and/or procedures governing general searches, but not of specific times when or places where searches will be conducted.

When conducted in accordance with the standards described above and any corresponding procedures, the board authorizes the following types of general, suspicionless searches.

1. Searches of Desks and Lockers

   School officials may conduct routine searches of student desks and lockers. Student desks and lockers are school property and remain at all times under the control of the school. However, students are expected to assume full responsibility for the security of their desks and lockers. Student desks and lockers may not be used to store illegal, unauthorized, or contraband materials.

   A student's personal effects found within a desk or locker, such as a backpack, gym bag, or purse, may be searched only in accordance with the guidelines for individualized searches of personal effects described in Section A, above.

2. Point-of-Entry Metal Detector Searches

   Due to the increasing problem of weapons in schools, school officials may use metal detectors to conduct general point-of-entry searches of students and other persons for weapons.

3. Use of Trained Dogs

   With the prior approval of the superintendent, and in conjunction with local law enforcement, school officials may use trained dogs (canines) to locate illegal materials. All dogs must be accompanied by a certified and authorized trainer who is responsible for the dog's actions and who is able to verify the dog's reliability and accuracy in sniffing out illegal material. Trained dogs may sniff lockers, desks, book bags, motor vehicles, and other inanimate objects. Dogs may not be used to sniff students or other persons under any circumstances. No students should be present during a dog search. Before a search occurs in a classroom, students will first be moved to a location outside the classroom.

C. SEIZED ITEMS

Any illegal contraband seized by school officials must be promptly turned over to the proper law enforcement authorities.

D. FAILURE TO COOPERATE

A student's failure to cooperate with a reasonable search or seizure as provided in this

policy will be considered a violation of the expected standard of behavior, and will subject the student to appropriate consequences.

Any person who is not a student who refuses to permit a general metal detector search of his or her person and/or belongings at the point-of-entry to a school-sponsored activity may be denied entry to the activity.

E. NOTICE

School principals shall take reasonable steps to provide notice of this policy to students and parents at the start of each school year.

Legal References: U.S. Const. amend. IV; *New Jersey v. T.L.O.*, 469 U.S. 325 (1985), *Safford United School District #1 v. Redding,* 557 U.S. 364 (2009); G.S. 115C-47, -288, -307, -390.2, -391.2

Cross References: Technology Responsible Use (policy 3225/4312/7320), School Plan for Management of Student Behavior (policy 4302), Use of Wireless Communication Devices (policy 4318), School-Level Investigations (policy 4340)

Adopted: June 17, 1999
Amended: August 13, 2009
Amended: January 9, 2014
Amended: September 19, 2024
Amended: July 16, 2026

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 (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: June 17, 1999
Amended: July 18, 2000
Amended: October 6, 2011
Amended: December 11, 2014
Technical Corrections: April 3, 2020
Technical Corrections: September 30, 2020

A short-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for up to 10 school days. A short-term suspension does not include (1) the removal of a student from class by the classroom teacher, the principal, or other authorized school personnel for the remainder of the subject period or for less than one-half of the school day, (2) the changing of a student's location to another room or place on the school premises, or (3) a student's absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school). A student who is placed on a short-term suspension will not be permitted to be on school property or to take part in any school function during the period of suspension without prior approval from the principal.

The principal or designee has the authority to determine when a short-term suspension is an appropriate consequence and to impose the suspension, so long as all relevant board policies are followed.

In accordance with G.S. 115C-390.6(e) and 115C-45(c)(1), a student is not entitled to appeal the principal's decision to impose a short-term suspension to either the superintendent or the board unless it is appealable on some other basis.

A. PRE-SUSPENSION RIGHTS OF THE STUDENT

Except in the circumstances described below, a student must be provided with an opportunity for an informal hearing with the principal or designee before a short-term suspension is imposed. The principal or designee may hold the hearing immediately after giving the student oral or written notice of the charges against him or her. At the informal hearing, the student has the right to be present, to be informed of the charges and the basis for the accusations against him or her, and to make statements in defense or mitigation of the charges.

The principal or designee may impose a short-term suspension without first providing the student with an opportunity for a hearing if the presence of the student (1) creates a direct and immediate threat to the safety of other students or staff or (2) substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school. In such cases, the principal or designee shall give the student notice of the charges and an opportunity for an informal hearing as soon as practicable.

B. STUDENT RIGHTS DURING THE SUSPENSION

A student under a short-term suspension must be provided with the following:

1. the opportunity to take textbooks home for the duration of the suspension;

2. upon request, the right to receive all missed assignments and, to the extent practicable, the materials distributed to students in connection with such assignments; and

3. the opportunity to take any quarterly, semester, or grading period examinations

missed during the suspension period.

4. Make up work turned in for the period a student is under short-term suspension will be graded and the grade received will be reduced by 1 letter grade. Missed work will be due upon the day of return from suspension.

C. NOTICE TO PARENT OR GUARDIAN

When imposing a short-term suspension, the principal or designee shall provide the student's parent or guardian with notice that includes the reason for the suspension and a description of the student conduct upon which the suspension is based. The principal or designee must give this notice by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two days after the suspension is imposed. If English is the second language of the parent, the notice must be provided in English and in the parent's primary language, when the appropriate foreign language resources are readily available. Both versions must be in plain language and easily understandable.

The initial notice may be by telephone, but it must be followed by timely written notice. The written notice must include all of the information listed above and may be sent by fax, e-mail, or any other method reasonably designed to give actual notice. School officials also shall maintain a copy of the written notice in the student's educational record.

Multiple short-term suspensions for a student with disabilities will be addressed in accordance with the *Policies Governing Services for Children with Disabilities* and other applicable state and federal law.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9; 115C-45(c), -47, -276(r), -288, -307, -390.1, -390.2, -390.5, -390.6; 130A-440; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000
Cross References: School Safety (policy 1510/4200/7270), School Plan for Management of Student Behavior (policy 4302), School-Level Investigations (policy 4340), Parental Involvement in Student Behavior Issues (policy 4341), Removal of Student During the Day (policy 4352)

Adopted: June 17, 1999
Amended: October 6, 2011
Amended: December 11, 2014
Amended: April 19, 2016
Amended: June 8, 2017

The principal is authorized to impose out-of-school short-term suspensions in accordance with board policy.

The principal may remove from school grounds a student who has been suspended during the school day, under any of the following circumstances:

1. the parent has been notified and is able to make arrangements for the student to leave the school or agrees to the student's using public transportation or driving himself or herself home;

2. the parent has been notified and is available to receive the student, and the principal is able to arrange for transportation from the school to the home; or

3. the principal involves law enforcement in the removal of the student from school grounds because such action is necessary to provide a safe, orderly school environment.

If none of these circumstances exists, the suspension will begin on the next school day.

Legal References: G.S. 115C-47, -288, -390.3, -390.5, -391.1

Cross References: Short-Term Suspension (policy 4351)

Adopted: June 17, 1999
Amended: October 6, 2011

A. DEFINITIONS

1. Superintendent

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

2. Principal

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

3. Long-Term Suspension

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

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

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

4. 365-Day Suspension

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

Threats to Safety.

5. Expulsion

An expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purposes. Upon the recommendation of the superintendent, the board may expel a student who is 14 years of age or older for certain types of misbehavior as provided in policy 4325, Drugs and Alcohol, policy 4330, Theft, Trespass, and Damage to Property, policy 4331, Assaults and Threats, 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)(2). Any appeal to the board must be made in writing within five days of receiving the superintendent's decision. The superintendent shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. In advance of the hearing, the superintendent shall provide to the student and parent and to the board a written explanation for the denial of services along with any documents or other information supporting the decision. The hearing will be conducted pursuant to policy 2500, Hearings Before the Board. The board will provide to the student and parent and to the superintendent written notice of its decision within 30 days of receiving the appeal.

If the superintendent determines that expulsion is appropriate, the superintendent

shall submit to the board a recommendation and the basis for the recommendation along with any proposal for alternative education services.

4. Hearings Before the Board

a. Long-Term or 365-Day Suspensions

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

b. Expulsions

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

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

When the board decides to expel a student, the board will document the basis for its determination that there is clear and convincing evidence that the student's behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. The board also will consider and make a written determination of whether alternative education services are to be provided to the expelled student. Regardless of whether the school system provides alternative education services, the board expects school system administrators to work with other agencies to help the student and parent identify other types of services that may be of assistance to the student. The board will send via certified mail to the student's parent a copy of the

decision, notification of what information will be included in the student's official record, the procedure for expungement of this information under G.S. 115C-402, and notice of the right to petition for readmission pursuant to G.S. 115C-390.12.

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

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

D. REDUCING SUSPENSION AND EXPULSION RATES

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

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

Cross References: Hearings Before the Board (policy 2500), Alternative Learning Programs/Schools (policy 3470/4305), Student Sex Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302), Drugs and Alcohol (policy 4325), Theft, Trespass, and Damage to Property (policy 4330), Assaults and Threats (policy 4331), Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333), Criminal Behavior (policy 4335), School-Level Investigations (policy 4340), Student Discipline Records (policy 4345), Short-Term Suspension (policy 4351), Student Discipline Hearing Procedures (policy 4370)

Adopted: June 17, 1999
Amended: July 18, 2000
Amended: October 6, 2011
Amended: April 19, 2016
Technical Corrections: September 30, 2020

REQUESTS FOR READMISSION OF STUDENTS SUSPENDED FOR 365 DAYS OR EXPELLED

Policy Code: **4362**

All requests for readmission of students who have been suspended for 365 days or expelled will be considered in accordance with the procedures set out below.

A. REQUESTS BY STUDENTS SUSPENDED FOR 365 DAYS

A student who is serving a 365-day suspension may submit a request to the superintendent for readmission any time after the 180th calendar day of his or her suspension. Upon receipt of the request, the superintendent or designee shall offer the student an opportunity for an in-person meeting to be held within five days. The student may provide documents in support of the request, such as signed statements from individuals knowledgeable about the student or documents verifying that the student is participating in or has completed counseling or rehabilitation programs. If the student demonstrates to the satisfaction of the superintendent or designee that the student's presence in school no longer constitutes a threat to the safety of other students or employees, the superintendent must readmit the student.

Within 30 days of the student's request, the superintendent or designee shall provide written notice of his or her decision to the student, the student's parents and the board. If the superintendent or designee decides to readmit the student, the notice will include the date of readmission, the school or program to which the student will be assigned and any reasonable restrictions placed on the readmission. If the superintendent or designee rejects the request for readmission, the notice will advise the parents of the right to appeal the decision to the board. Any appeal to the board must be made in writing within five days of receipt of the superintendent's or designee's decision. The superintendent or designee shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. The hearing will be conducted in accordance with policy 2500, Hearings Before the Board. The board will provide to the student, the student's parent and the superintendent or designee written notice of its decision within 30 days of receiving the appeal of the superintendent's or designee's decision.

If the request for readmission is denied, no subsequent requests from that student will be considered during that 365-day suspension.

B. REQUESTS BY EXPELLED STUDENTS

A student who has been expelled may submit a request to the board for readmission any time after 180 calendar days from the start date of the student's expulsion. The board chairperson immediately will forward the request to the superintendent, who shall arrange in a timely manner a hearing before the board. The hearing will be conducted in accordance with policy 2500. After considering the student's request and the superintendent's or designee's recommendation regarding readmission, if the board determines that the student has satisfactorily demonstrated that his or her presence in school no longer constitutes a clear threat to the safety of other students or employees, the board will readmit the student. The board will notify the student, the student's parents and the superintendent in writing of its decision within 30 days of the submission of the request for readmission.

If the board decides to readmit the student, the notice will include the date of readmission, the school or program to which the student will be assigned and any reasonable restrictions placed on the readmission. If the student was expelled as a result of assaulting or injuring a teacher, the student will not be returned to that teacher's classroom following readmission without the teacher's consent.

If the expelled student's request for readmission is denied, the board will not consider a subsequent request for readmission of that student until six months after the submission of the previous request.

Legal References: G.S. 115C-47, -390.1, -390.12

Cross References: Hearings Before the Board (policy 2500), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353)

Adopted: June 17, 1999
Amended: Octobrer 6, 2011

A. ADMINISTRATIVE HEARINGS

The rules set out below will govern hearings held by the superintendent in assessing misbehavior and appropriate consequences. The purpose of the hearing will be to determine the facts relevant to the alleged misbehavior and the credibility of witnesses, based on the evidence presented at the hearing.

1. The hearing will be informal and conducted in private.

2. Prior to the hearing, the student and his or her parents and representative will have an opportunity to review and obtain any audio or video recordings of the incident and, consistent with federal and state student records laws and regulations, the information that may be presented as evidence against the student, including statements made by witnesses whose names are withheld in accordance with number 5, below.

3. The hearing must be attended by the superintendent, the principal and/or assistant administrators and any persons the superintendent deems necessary. The student has the right to be present at the hearing, to be accompanied by his or her parents and to be represented by an attorney or non-attorney advocate. Witnesses should be present only when providing information.

4. The school representatives have the burden of proving the misbehavior; the violation of board policy, the Code of Student Conduct, school standards or school rules; and the appropriateness of the recommended consequence for the violation.

5. The school representatives will present the witnesses and documentary evidence against the student first. School officials may withhold witness names or other identifying information if identification of a witness could threaten the witness's safety.

6. After the school representatives have presented their evidence, the student or his or her representative may present evidence relating to the alleged disciplinary infraction, the student's intent at the time of the incident, any mitigating or aggravating factors involved, the disciplinary and academic history of the student and the potential benefits to the student of alternatives to suspension. Such evidence may include oral testimony by the student or witnesses, written statements and other documents.

7. Both the school representatives and the student or his or her parent or representative may examine the witnesses presented by the other side. The superintendent has the authority to limit questioning by any person if the questioning is unproductive, unnecessarily lengthy, repetitive or irrelevant.

8. In reaching a determination in the matter, the superintendent shall consider the

documents produced in the hearing, the testimony of the witnesses and other evidence presented at the hearing. If the superintendent determines that a violation occurred, the superintendent also shall determine the appropriateness of the recommended consequences for the violation. Formal rules of evidence do not apply, and the superintendent may rely on evidence that a reasonably prudent person would consider in the conduct of serious affairs.

9. Following the hearing, the superintendent shall render a written decision based on substantial evidence presented at the hearing and shall notify the student and parent of that decision in accordance with the requirements of policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.

10. The superintendent or designee shall provide for making a record of the hearing, including any findings or conclusions made by the superintendent. The student will have the right to make his or her own audio recording of the hearing.

B. BOARD HEARINGS

1. Appeal of a Long-Term or 365-Day Suspension

The board will provide the opportunity for a hearing that follows the procedures established for administrative hearings, except that (1) the superintendent or designee will represent the school system and the board or a panel of the board will be the decision maker, and (2) unless the board requests otherwise or doing so would create a substantial threat of unfairness, the board will limit presentations of testimony to the student, the student's parent and representative, and the school system's representative and will limit documentation to the records and evidence presented at the administrative hearing. The board, at its discretion, may request additional information or evidence.

The board will review any records created by the superintendent's decision and the record created from any administrative hearing held. The board will review the superintendent's decision to be sure that: (1) there was a reasonable basis for determining that the student engaged in the specified misbehavior; (2) a board policy, the Code of Student Conduct, a school standard or a school rule was violated; (3) the consequence for the violation was reasonable; and (4) procedures established by board policy were followed.

2. Board Decision on Expulsion

The board will provide an opportunity for a hearing to review the superintendent's recommendation for expulsion. The rules established for administrative hearings will be followed, except that the superintendent or designee will represent the school system and the board will be the decision maker. The board may request additional records or witnesses. A decision will be made on the superintendent's recommendation following the standards for expulsion established in policy 4353,

Long-Term Suspension, 365-Day Suspension, Expulsion.

Legal References: G.S. 115C-45, -47, -276, -288, -390.1, -390.2, -390.7, -390.8

Cross References: Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Student Records (policy 4700)

Adopted: June 17, 1999
Amended: October 6, 2011
Amended: July 26, 2018

SECTION I. GENERAL ATTENDANCE RULES[1]

School attendance and class participation are integral parts of academic achievement and the teaching-learning process. Through regular attendance, students develop patterns of behavior essential to professional and personal success in life. Regular attendance by every student is mandatory. The State of North Carolina requires that every child in the State between the ages of 7 (or younger if enrolled) and 16 attend school.

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

A. ATTENDANCE RECORDS

School officials shall keep accurate records of attendance, including accurate attendance records in each class. Students will be considered in attendance if present as outlined in. Section II, A. PK-5 Students, B. Grade 6—8, and C. Grade 9—12 applies to this rule[2].

To be in attendance during remote instruction days (with the exception of the initial enrollment day), students must: (1) complete their daily assignments, either online or offline; and/or (2) have a daily check-in through two-way communication with (a) the homeroom teacher for grades K-5 or (b) for all other grade levels, each course teacher as scheduled. School officials shall communicate the attendance procedures to students and their families before the first day remote instruction begins.

B. TARDIES AND EARLY DISMISSALS

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

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

Any disciplinary consequences for unexcused tardiness or unexcused early dismissals from school or class will be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for such offenses.

C. EXCUSED ABSENCES

When a student must miss school, a written excuse signed by a parent or guardian must be presented to the student's ***teacher, principal, or his/her designee within two (2) days of the student's return to school.***[3]

[1] CCS BoE amendment to NCSBA policy.
[2] CCS BoE amendment to NCSBA policy.
[3] CCS BoE amendment to NCSBA policy.

If a note is not presented within the two-day limit, the absence(s) will be unexcused. Absences due to extended illnesses may also require a statement from a health care practitioner. Ten (10) parental or guardian notes will be permitted per school year. At the high school level, no more than five (5) per semester will be allowed. The absences covered by the notes may not cover multiple days of absence unless the period of absence is for an unbroken period of time. For example: student is absent on Monday, Wednesday and Friday. The parent must provide three separate notes to cover these three separate and distinct periods of absence. Parental or guardian notes will be accepted for absences up to 10 days. After 10 days, a doctor's note is required.[4]

An absence may be excused for any of the following reasons:

1. personal illness or injury that makes the student physically unable to attend school;

2. isolation ordered by the local health officer or the State Board of Health;

3. death in the immediate family;

4. medical or dental appointment;

5. attendance at the proceedings of a court or administrative tribunal if the student is party to the action or under subpoena as a witness;

6. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent or legal guardian;

7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal;

8. pregnancy and related conditions or parenting, when medically necessary;

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

10. any other reason as approved by the board in a board resolution.

D. SCHOOL-RELATED ACTIVITIES

While recognizing the importance of classroom learning, the board also acknowledges that out-of-classroom, school-related activities can provide students with valuable

[4] CCS BoE amendment to NCSBA policy.

experiences not available in the classroom setting. The following school-related activities will not be counted as absences from either class or school:

1. field trips sponsored by the school;

2. job shadows and other work-based learning opportunities, as described in G.S. 115C-47(34a);

3. school-initiated and -scheduled activities;

4. athletic events that require early dismissal from school; and

5. Career and Technical Education student organization activities approved in advance by the principal.

6. In addition, students participating in disciplinary techniques categorized as in-school suspension will not be counted as absent.

E. MAKEUP WORK

In the case of excused absences, short-term out-of-school suspensions, and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her missed work. (See also policies 4110, Immunization and Health Requirements for School Admission, and 4351, Short-Term Suspension.) Assignments missed due to participation in school-related activities also are eligible for makeup by the student.
Students will have two (2) school days for each school day missed to complete make-up work. Work previously assigned before the student was absent will be due for completion on the day of the student's return. Work missed due to tardies and/or early dismissals must be made up.[5]

F. UNEXCUSED ABSENCES

The principal shall notify parents and take all other steps required by G.S. 115C-378 for excessive, unexcused absences. Refer to Section II, D. Consequences of this policy.[6]

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

G. CHRONIC ABSENTEEISM

Because class attendance and participation are critical elements of the educational process, any absences, whether excused or unexcused, can have a negative impact on a

[5] CCS BoE amendment to NCSBA policy.
[6] CCS BoE amendment to NCSBA policy.

student's academic achievement. Regular attendance must be prioritized within each school and encouraged throughout the community. School administrators shall monitor and analyze attendance data to develop and implement strategies for reducing chronic absenteeism. Such strategies should involve engaging students and parents, recognizing good and improved attendance, providing early outreach to families of students missing school, and identifying and addressing barriers to attendance.

H. SPECIAL CIRCUMSTANCES

1. Students with Chronic Health Problems

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

2. Students Experiencing Homelessness

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

3. Attendance Requirements for Extracurricular Activities

   Absences may impact eligibility for participation in extracurricular activities. Principals shall inform students and parents of the applicable attendance standards for the various types of extracurricular activities, including interscholastic athletics. Refer to Section II, I. Athletic Participation Eligibility.[7] See also policy 3620, Extracurricular Activities and Student Organizations, policy 3620-R-(HS) High School Athletics policy, and 3620-R-(MS) Middle School Athletics policy.[8]

SECTION II. AMPLIFICATION OF RULES FOR ATTENDANCE

A. PK-5 STUDENTS

Pre-K students will not be required to comply with the excused absences' policy described herein. All Pre-K students' attendance will comply with Title I and More at Four guidelines.

In grades K-5, fourteen (14) total absences per school year are permitted. Absences exceeding 14 total may be referred to the Cherokee County Schools' Attendance Committee. If six (6) unexcused absences are exceeded, the parent/guardian will be required to meet with the Cherokee County Schools' Attendance Committee. This determination shall be in writing. Members of the Cherokee County Schools' Attendance Committee will be appointed by the Superintendent or designee. The committee will be authorized to hear the parent/guardian's explanation for the students' poor attendance and the teams' recommendation will be implemented by the principal for corrective or

[7] CCS BoE amendment to NCSBA policy.
[8] CCS BoE amendment to NCSBA policy.

disciplinary action. Disciplinary action may include non-promotion. Attached with the (6) six-day compulsory attendance letter, parents/guardians will be advised when the Cherokee County Schools' Attendance Committee will meet. After ten (10) unexcused absences, the Courts may be notified of the parent/guardian's failure to comply with the Compulsory Attendance Law.

Exceptional students included in the regular classroom are subject to the routine attendance requirements. Severe and profoundly handicapped students are exempt from this policy and their attendance obligations may be considered at each student's IEP meeting.

In order for a student to be considered in attendance, (s)he must be present in the school for the school day or at a place other than the school, with the approval of the appropriate school official, for the purpose of attending an authorized school activity. Such activities may include field trips, athletic contests, student conventions, musical festivals, or a similar approved activity. Students are responsible for making up any work missed.

To be included in ADM at the elementary level, a student must have a class schedule that is at least two-thirds of the school's instructional day. All students who have a class schedule less than one-half of an instructional day must be assigned as visiting students and will not be included in the ADM.

At the Elementary School level, a student must be in attendance a minimum of two-thirds of the school day to be counted present.

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

B. GRADE 6 – 8

In grades 6-8, seven (7) total absences per semester are permitted. If six (6) unexcused absences are exceeded, the parent/guardian will be required to meet with the Cherokee County Schools' Attendance Committee. This determination shall be in writing. Members of the Cherokee County Schools' Attendance Committee will be appointed by the Superintendent or designee. The committee will be authorized to hear the parent/guardian's explanation for the students' poor attendance and the teams' recommendation will be implemented by the principal for corrective or disciplinary action see Section II. D. Consequences. Disciplinary action may include non-promotion. Attached with the (6) six-day compulsory attendance letter, parents/guardians will be advised when the Cherokee County Schools' Attendance Committee will meet. After ten (10) unexcused absences, the Courts may be notified of the parent/guardian's failure to comply with the Compulsory Attendance Law.

Exceptional students included in the regular classroom are subject to the routine attendance requirements. Severe and profoundly handicapped students are exempt from this policy and their attendance obligations may be considered at each student's IEP meeting.

In addition, for students experiencing homelessness (see board policy 4125, Homeless Students), school officials must consider issues related to the student's homelessness,

such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies.

In order for a student to be considered in attendance, (s)he must be present in the school for the school day or at a place other than the school, with the approval of the appropriate school official, for the purpose of attending an authorized school activity. Such activities may include field trips, athletic contests, student conventions, musical festivals, or a similar approved activity. Students are responsible for making up any work missed.

At the middle school level, a student must be in attendance a minimum of two-thirds of the day to be counted present.

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

C. GRADES 9 – 12

In grades 9 – 12, seven (7) total absences per class per semester are permitted. Attendance will be taken on a class-by-class basis at the high school level. If six (6) unexcused absences are exceeded, the parent/guardian will be required to meet with the Cherokee County Schools' Attendance Committee. The This committee will be appointed by the superintendent. Committee members will not review cases from their respective school. The committee will be authorized to hear the student/guardian's explanation for poor attendance and the committee's recommendation will be implemented by the principal for corrective or disciplinary action. This may include remediation, attendance in an on-line class, or attendance at summer school among other committee approved options. Disciplinary action may include, receiving no credit for the course, reduction of score for the final grade for the course, non-promotion, or failure to graduate. The superintendent will develop district guidelines for the attendance committees' actions and responsibilities.

Exceptional students included in the regular classroom are subject to the routine attendance requirements. Severe and profoundly handicapped students are exempt from this policy and their attendance obligations may be considered at each student's IEP meeting.

In order for a student to be considered in attendance, (s)he must be present in the school for the school day or at a place other than the school, with the approval of the appropriate school official, for the purpose of attending an authorized school activity. Such activities may include field trips, athletic contests, student conventions, musical festivals, or a similar approved activity. Students are responsible for making up any work missed.

At the high school level, a student must be in class a minimum of two-thirds of the class to be counted present.

High school students will be counted as part of the Average Daily Membership (ADM) by being in attendance from the start of the school day to the end of second period, or from the start of third period to the end of the school day.

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

D. CONSEQUENCES

The principal shall notify parents and take all other steps required by G.S. 115C-378 for excessive absences. *Students may be suspended for up to two days for truancy.*

If a student is absent from school more than the maximum number of days specified for each grade group listed above, the principal or committee shall review other measures of academic achievement, the circumstances of the absences, the number of absences, and the extent to which the student completed missed work. A committee may recommend to the principal and the principal may make any of the following determinations:

1. the student will not receive credit for the semester;

2. the student will receive the grade otherwise earned; or

3. the student will be given additional time to complete the missed work before a determination of the appropriate grade is made.

Students with excused absences due to documented chronic health problems are exempt from this policy. In addition, for students experiencing homelessness (see board policy 4125, Homeless Students), school officials must consider issues related to the student's homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies.

E. SUSPENDED STUDENTS

At all levels (K-12) days due to suspension do not count towards the total number of unexcused days missed.

Students who have been suspended may make up work missed: At the elementary and middle school level on the first full day of suspension, the parent/guardian of the suspended student must come by the school to pick up assignments. These assignments are due upon the student's return to school. At the high school level, students may make up the work in the school's after-school program. When the work is completed, the student may leave the after-school program.

Students placed in out-of-school suspension (OSS) will receive credit for completed work assigned during their suspension. Missed work will be due upon the day of return from suspension.

F. PARENT NOTIFICATION

The principal or the principal's designee shall notify the parent, guardian, or custodian of his or her child's excessive absences after the child has accumulated three unexcused absences in a school year. After six (6), and ten (10) accumulated unexcused absences, a parent or guardian shall be notified by mail that there may be a violation of the Compulsory Attendance Law. After ten (10) accumulated unexcused absences, tardies, or early dismissals the principal/designee shall review the record for compliance with G.S. 115C-378 to determine if the child's parent/guardian is responsible for the absence(s).

After ten (10) accumulated excused and unexcused absences, a principal or designee may notify the child's parent/guardian; additionally, after ten (10) unexcused absences, the Courts may be notified of the parent/guardian's failure to comply with the Compulsory Attendance Law.

G. HOSPITAL/HOMEBOUND

A hospital/homebound student do not have to be in attendance to be enrolled in the school. The Board requires the Programs for Exceptional Children staff to make arrangements for hospital/homebound instruction only after a medical doctor has said that the student will be hospitalized or homebound for at least four (4) weeks.

H. TARDIES AND EARLY DISMISSALS

Tardies and early dismissals will only be excused for the same reasons as previously stated for absences. Ten (10) accumulated unexcused tardies and/or unexcused early dismissals per semester may be referred to the Attendance Committee.

A student must be in class a minimum of two-thirds of the schools' instructional day to be counted present.

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

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

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

I. ATHLETIC PARTICIPATION ELIGIBILITY

To be eligible for athletic participation, a student must be in attendance consistent with Section II. B. Grades 6—8 and C. Grades 9—12 of this policy. Excessive absences may impact eligibility for participation in interscholastic athletics. See also policy 3620-R-(HS) High School Athletic Policy and 3620-R-(MS) Middle School Athletic Policy.

J. REPORTING REQUIREMENTS

Each year the Board of Education will receive a report from all the attendance committees regarding the attendance program. This report will include statistics regarding all students eligible to meet with the attendance committee, all students reviewed by the attendance committees, and the results of their reviews. No individual student reviews will be required.

K. COLLEGE VISITS

Juniors and seniors will be granted two days each year to visit post-secondary educational institutions of their choice. At their discretion, principals may increase the number days for seniors from two to a maximum of four. Students must inform their principal or his/her designee prior to making the visit. The student will be counted absent the day(s) (s)he is not in attendance at his/her school. However, upon return if (s)he presents evidence that the post-secondary institution had granted approval for the visit and verification that the student actually made the scheduled visit, the day(s) the student was not in school will be re-coded as a field trip.

L. PERFECT ATTENDANCE

In order to be recognized as having perfect attendance, a student must comply with the attendance rules set forth in this policy as well as not have been cited as having any unexcused tardies or early unexcused dismissals in the scholastic year.

M. DEFINITIONS

ADM:	Average Daily Membership
Tardy:	Arriving any time after the tardy bell
Early Dismissal:	Leaving any time before the dismissal bell
Instructional Day:	As determined by the bell times of each school
High School Period:	Block schedule unit - ninety minutes
Grading Period:	Nine-week period

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; G.S. 115C-47, -84.2, -288(a), -375.5, -378 to -383, -390.2(d), -390.2(l), -390.5, -407.5, -407.12; 130A-440; 16 N.C.A.C. 6E .0102, .0103, .0106; State Board of Education Policies ATND-000, -003

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

Other Resources: NC DPI Multi-Tiered System of Support Implementation Guide, available at https://www.livebinders.com/play/play?id=2957986#anchor

Adopted:	June 17, 1999		
Amended:	July 18, 2000	Amended:	May 13, 2010
Amended:	June 21, 2001	Amended:	April 21, 2011
Amended:	July 10, 2003	Amended:	October 6, 2011
Amended:	July 8, 2004	Amended:	February 2, 2012
Amended:	June 9, 2005	Amended:	September 12, 2013
Amended:	November 10, 2005	Amended:	July 9, 2015
Amended:	August 10, 2006	Amended:	October 8, 2015
Amended:	June 14, 2007	Amended:	August 4, 2016
Amended:	July 10, 2008	Amended:	June 8, 2017

Amended: June 14, 2018
Amended: July 18, 2019
Amended: January 16, 2020
Amended: February 11, 2021
Amended: July 15, 2021
Amended: December 9, 2021
Amended: September 15, 2022
Amended: December 15, 2022
Amended: August 6, 2026

Excused Absences	
Valid Excuses for Absences	Signed written excuse required within 2 days of student's return
ACTIVITIES, SCHOOL: School-initiated and school-scheduled activities. ***(Section I, D.3)***	NO
APPOINTMENTS: Medical or dental appointment. ***(Section I, C.4)***	YES
ATHLETICS: *School sponsored* interscholastic athletic events that require early dismissal from school. *This does **NOT** apply to **non-school sponsored athletic events**, nor does it apply to **siblings** wishing to attend **non-school or school sponsored** athletic events.* ***(Section I, D.4)***	NO
COURT: Participation under subpoena as a witness in a court proceeding. ***(Section I, C.5)***	YES
DEATH: Death in the immediate family. *The immediate family of a student includes, but is not necessarily limited to, parent(s), brother/sister, grandparent, half and step brother/sister, and in-law relations.* ***(Section I, C.3)***	YES
EDUCATIONAL: Participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, **with prior approval from the principal**. ***(Section I, C.7)***	YES
FIELD TRIP: Field trips sponsored by the school. ***(Section I, D.1)***	NO
ILLNESS: Personal illness or injury that makes the student physically unable to attend school. ***(Section I, C.1)***	YES
ISOLATION: Isolation ordered by the State Board of Health. ***(Section I, C.2)***	YES
JOB SHADOWING: Job shadows and other work-based learning opportunities, as described in G.S. 115C-47(34a). ***(Section I, D.2)***	NO
MILITARY: Visitation with the student's parent or legal guardian, at the discretion of the superintendent or designee, if the parent or legal guardian (a) is an active duty member of the uniformed services as defined by policy 4050, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting. ***(Section I, C.9)***	YES
PREGNANCY: Pregnancy and related conditions or parenting, when medically necessary. ***(Section I, C.8)***	YES
RELIGION: A minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent(s). ***(Section I, C.6)***	YES
STUDENT ORGANIZATION: Career and Technical Education student organization activities approved in advance by the principal. ***(Section I, D.5)***	NO
SUSPENSION, IN SCHOOL: In-school suspensions. ***(Section I, D.6)***	NO

Students Required to Comply with Excused Absence Policy	
Pre-K	**NO**. Comply with Title I and More at Four guidelines. ***(Section II, A.)***
K-5	**YES**. **14** total absences per school year are permitted. Absences in excess of 14 may be referred to the Cherokee County Schools' Attendance Committee. If 6 **unexcused** absences are exceeded, the parent/guardian will be required to meet with the Cherokee County Schools' Attendance Committee. After ten (10) **unexcused** absences, the Courts may be notified of the parent/guardian's failure to comply with the Compulsory Attendance Law. ***(Section II, A.)***
6-8	**YES.** In grades 6-8, seven (7) total absences per semester are permitted. If six (6) unexcused absences are exceeded, the parent/guardian will be required to meet with the Cherokee County Schools' Attendance Committee. ***(Section II, B.)***
9-12	**YES**. **7** total absences per class per semester are permitted. Attendance will be taken on a class by class basis at the high school level. If seven total class absences per class per semester are exceeded, the student will not receive credit for that class; however, the student may appeal to the Attendance Committee to challenge this decision. ***(Section II, C.)***
Make Up Work	
PK-8	Students will have two (2) school days for each school day missed to complete make-up work. Work previously assigned before the student was absent will be due for completion on the day of

	the student's return. Work missed due tardies and/or early dismissals must be made up. ***(Section I, E.)***
9-12	Students will have two (2) school days for each school day missed to complete make-up work. Work previously assigned before the student was absent will be due for completion on the day of the student's return. Work missed due to tardies and/or early dismissals must be made up. ***(Section I, E.)***
Suspended Students	
K-12	At all levels (K—12) days due to suspension do not count towards the total number of unexcused days missed. Students who have been suspended may make up work missed: • At the **elementary and middle school** level on the first full day of suspension, the parent/guardian of the suspended student must come by the school to pick up assignments. These assignments are due upon the student's return to school. • At the **high school level**, students may make up the work in the school's after-school program. When the work is completed, the student may leave the after-school program. • Students placed in out-of-school suspension (OSS) will receive credit for completed work assigned during their suspension. Missed work will be due upon the day of return from suspension. ***(Section II, E.)***
Tardies & Early Dismissals	
K-12	Tardies and early dismissals will only be excused for the same reasons as previously stated for absences. Ten (10) accumulated unexcused tardies and/or unexcused early dismissals per semester may be referred to the Attendance Committee. A student must be in class a minimum of two-thirds of the schools instructional day to be counted present. ***(Section II, H.)***
Athletic Participation Eligibility	
6-12	To be eligible for athletic participation, a student must be in attendance as specified in paragraph D (for middle school) and E (high school) of this policy. *Refer to policy 3620, Extracurricular Activities and Student Organizations.* ***(Section II, I.)***
College Visits	
11-12	**Juniors and seniors** will be granted two days each year to visit post-secondary educational institutions of their choice. At their discretion, principals may increase the number days for seniors from two to a maximum of four. **Students must inform** their principal or his/her designee prior to making the visit. The student will be counted absent the day(s) not in attendance at school. However, upon return if student presents evidence that the post-secondary institution had granted approval for the visit and verification that the student actually made the scheduled visit, the day(s) the student was not in school **will be re-coded as a field trip**. ***(Section II, L.)***
Written Excuses for Absences "*Rule of Thumb"*	
K-12	A written excuse may not cover multiple days of absence unless the period of absence is for an unbroken period of time. For example, if a student is absent on Monday, Wednesday, and Friday the parent must provide three separate notifications to cover these three separate and distinct periods of absence even if the absence is for the same reason. After **three (3), six (6), and ten (10)** accumulated unexcused absences, a parent or guardian shall be notified by mail that there may be a violation of the Compulsory Attendance Law.
Parent/Guardian & Court Notes	
K-12	After **three (3), six (6), and ten (10)** accumulated unexcused absences, a parent or guardian shall be notified by mail that there may be a violation of the Compulsory Attendance Law. After ten (10) accumulated unexcused absences, tardies, or early dismissals the principal/designee shall

	review the record for compliance with G.S. 115C-378 to determine if the child's parent/guardian is responsible for the absence(s). After ten (10) accumulated excused and unexcused absences, a principal or designee may notify the child's parent/guardian; additionally after ten (10) **unexcused** absences, the Courts will be notified of the parent/guardian's failure to comply with the Compulsory Attendance Law. ***(Section II, F.)***
Perfect Attendance	
K-12	In order to be recognized as having Perfect Attendance, a student must comply with the Attendance rules set forth in policy 4400 as well as not have been cited as having any unexcused tardies or unexcused early dismissals in the scholastic year. ***(Section II, N.)***

Juniors and seniors will be granted four days minimum each year to visit post-secondary educational institutions of their choice. At their discretion, principals may increase the number days as they deem reasonable and appropriate on a case by case basis. Students must inform their principal or his/her designee prior to making the visit. The student will be counted absent the day(s) (s)he is not in attendance at his/her school.

However, upon return if (s)he presents evidence that (s)he actually made the visit, the day(s) the student was not in school will be re-coded as a field trip.

Adopted: August 14, 2003
Amended: October 9, 2003
Amended: January 18, 2024

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

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

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

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

Cross References: Parental Involvement (policy 1310/4002)

Adopted: June 17, 1999
Reviewed: August 12, 2010
Amended: October 11, 2012
Amended: January 11, 2018
Amended: February 11, 2021

All student records must be current and maintained with appropriate measures of security and confidentiality. The principal is responsible for complying with all legal requirements pertaining to the maintenance, review, and release of student records retained at the school. For purposes of this policy "student records" or "student education records" are those records, files, documents, and other materials that contain information directly related to the student that are maintained by the school system or by a party acting for the school system.

A. ANNUAL NOTIFICATION OF RIGHTS

The superintendent or designee shall provide eligible students and parents with annual notification of their rights under the Family Educational Rights and Privacy Act (FERPA). The notice must contain all information required by federal law and regulations, including the following:

1. the right to inspect and review the student's education records and the procedure for exercising this right;

2. the right to request amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or in violation of the student's privacy rights; and the procedure for exercising this right;

3. the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;

4. the type of information designated as directory information and the right to opt out of release of directory information;

5. that the school system releases records to other institutions that have requested the information and in which the student seeks or intends to enroll;

6. the right to opt out of releasing the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;

7. a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if a school official discloses or intends to disclose personally identifiable information to school officials without consent;

8. notification if the school system uses contractors, consultants, volunteers, or similar persons as school officials to perform certain school system services and functions that it would otherwise perform itself; and

9. the right to file complaints with the Student Privacy Policy Office in the U.S. Department of Education.

School officials are not required to individually notify parents or eligible students of their rights but must provide the notice in a manner reasonably likely to inform the parents and eligible students of their rights. Effective notice must be provided to parents or eligible students with disabilities or those whose primary or home language is not English.

B. DEFINITION OF PARENT AND ELIGIBLE STUDENT

1. Parent

For purposes of this policy, the term "parent" includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian. If the parents of a student are separated or divorced, both parents have the right to access the student's records as provided in this policy, unless the school system has been provided with evidence that there is a court order, state statute, or other legally binding document that specifically revokes these rights.

2. Eligible Student

For purposes of this policy, an eligible student is a student who has reached 18 years of age or is attending an institution of postsecondary education. The rights afforded to parents under this policy transfer to an eligible student. However, parents may still have access to the records as long as the student is claimed as a dependent by the parent for federal income tax purposes. An eligible student who desires to prevent access to records by his or her parents must furnish to the principal information verifying that the student is not a dependent of his or her parents. If a parent of a student who is at least 18 and no longer attending a school within the system wishes to inspect and review the student's records, he or she must provide information verifying that the student is a dependent for federal income tax purposes.

A student under age 18 may have access to student records only upon the consent of his or her parents.

C. CLASSIFICATION AND MAINTENANCE OF RECORDS

1. Student Education Records

Student education records may be separated into several categories, including, but not limited to, the following.

a. Cumulative Records

The cumulative record is the official record for each student. The cumulative record includes student identification information, such as the student's name, address (or a homeless student's living situation), sex,

race, birthplace, and birth date; family data including the parents' names, addresses, work and home telephone numbers, and places of employment; academic work completed; grades; standardized test scores; health screenings and immunization documentation; attendance records; withdrawal and reentry records; discipline records; honors and activities; class rank; date of graduation; and follow-up records.

b. Discipline Records

Student discipline records are part of the student's official record and must be maintained and reviewed pursuant to policy 4345, Student Discipline Records. Discipline records must be expunged and forwarded pursuant to the requirements of law and the procedures of policy 4345.

c. Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regard to their records as provided by state and federal law, including the Individuals with Disabilities Education Act and policy 3520, Special Education Programs/Rights of Students with Disabilities. Records for a student identified as a student with a disability are considered part of the student's official records and must be maintained in accordance with all appropriate federal and state regulations. Access to these records will be restricted to personnel having specific responsibility in this area. A list of all approved personnel having access to these restricted files will be updated as needed, and a current, dated list will be posted in the student records location.

d. Records Received from the Department of Social Services

The Department of Social Services may disclose confidential information to the school system in order to protect a juvenile from abuse or neglect. Any confidential information disclosed under these circumstances must remain confidential and may only be redisclosed for purposes directly connected with carrying out the school system's mandated educational responsibilities.

e. Juvenile Records

Juvenile records include documentation or information regarding students who are under the jurisdiction of the juvenile court. These records may be received from local law enforcement and/or other local agencies authorized to share information concerning juveniles in accordance with G.S. 7B-3100. These records also may include notice from the sheriff to the board that a student has been required to register with the sheriff because the student has been found to be a danger to the community under

G.S. Chapter 14, Part 4. Such documents must not be a part of a student's official records but must be maintained by the principal in a safe, locked storage area that is separate from the student's other records. The principal shall not make a copy of such documents under any circumstances.

Juvenile records will be used only to protect the safety of or to improve the educational opportunities for the student or others. The principal may share juvenile records with individuals who have (a) direct guidance, teaching, or supervisory responsibility for the student and (b) a specific need to know in order to protect the safety of the student and others. Persons provided access to juvenile records must indicate in writing that they have read the document(s) and agree to maintain confidentiality of the records.

The principal or designee must destroy juvenile documents if he or she receives notification that a court no longer has jurisdiction over the student or if the court grants the student's petition for expunction of the records. The principal or designee shall destroy all other information received from an examination of juvenile records when he or she finds that the information is no longer needed to protect the safety of or to improve the educational opportunities for the student or others. If the student graduates, withdraws from school, transfers to another school, is suspended for the remainder of the school year, or is expelled, the principal shall return all documents not destroyed to the juvenile court counselor. If the student is transferring, the principal shall provide the juvenile court counselor with the name and address of the school to which the student is transferring.

f. Other Student Records

School system personnel may also keep other student records but must review such records annually and destroy them in accordance with Section K of this policy.

2. Records Not Considered Education Records (Sole Possession, Employment, and Law Enforcement Records)

Student education records do not include, and release of information under this policy does not apply to:

a. records made by teachers, counselors, and administrators that are in the sole possession of the maker thereof and that are not accessible or revealed to any other person except a substitute;

b. employment records of student employees if those records relate

exclusively to the student in his or her capacity as an employee and are not made available for any other use; and

c. records created by a law enforcement unit of the school system if created for a law enforcement purpose and maintained solely by the law enforcement unit of the school system. However, a law enforcement record containing information that was obtained from a student's confidential file or other education record must be treated as an education record and may be released only in accordance with this policy.

D. RECORDS OF STUDENTS PARTICIPATING IN THE NORTH CAROLINA ADDRESS CONFIDENTIALITY PROGRAM

Students or parents enrolled in the North Carolina Address Confidentiality Program (NCACP) must provide a valid NCACP authorization card to the school principal if they wish to keep their home address confidential. The school system will maintain a confidential record of the actual home address for admission and assignment purposes only and will not release that address except as provided by law. With the exception of such specially-maintained records, student records will include only the substitute address provided by the NCACP and not the actual home address of any students or parents for whom a valid NCACP authorization card is on file.

When transferring the record of a student participating in the North Carolina Address Confidentiality Program to a school outside of the system, the transferring school may send the files to the Address Confidentiality Program participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program.

E. RECORDS OF MISSING CHILDREN

Upon notification by a law enforcement agency or the North Carolina Center for Missing Persons of the disappearance of a child who is currently or was previously enrolled in the school, school officials shall flag the record of that child. If the missing child's record is requested by another school system, the principal shall provide notice of the request to the superintendent and the agency that notified the school that the child was missing. The principal shall provide the agency with a copy of any written request for information concerning the missing child's record.

Any information received indicating that a student transferring into the system is a missing child must be reported promptly to the superintendent and the North Carolina Center for Missing Persons.

F. RECORDS OF CHILDREN OF MILITARY FAMILIES

In compliance with the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5) and G.S. 115C-407.12, school administrators shall assist in

the timely enrollment of children of military families, as defined by policy 4050, Children of Military Families, by facilitating the transfer of their educational records.

1. For Students Leaving the School System

   In the event that official education records cannot be released to the parents of military children who are transferring away from the school system, the custodian of records shall prepare and furnish to the parent a complete set of unofficial education records containing uniform information as determined by the Interstate Commission.

   When a request for a student's official record is received from the student's new school, school officials shall process and furnish the official records to the student's new school within 10 days.

2. For Students Enrolling in the School System

   Upon receiving an unofficial education record from the student's previous school, school administrators shall enroll the student and place him or her in classes as quickly as possible based on the information in the unofficial records, pending validation by the official records.

   Simultaneous with the enrollment and conditional placement of the student, school administrators shall request the student's official record from his or her previous school.

G. REVIEW, RELEASE OF RECORDS TO PARENT OR ELIGIBLE STUDENT

1. Review by Parent or Eligible Student

   A parent or eligible student may access the student's education records upon proper request. The principal or guidance office personnel of the student's school shall schedule an appointment as soon as possible but no later than 45 days after the request by the parent or eligible student. The parent or eligible student may formally review the student's complete education records only in the presence of the principal or a designee competent to explain the records. School personnel shall not destroy any education records if there is an outstanding request to inspect or review the records.

2. Review of Video or Audio Recordings and Photographs

   a. Parent's Right to Review

      Upon request, a parent or eligible student may inspect and review a video or audio recording or photograph that is determined to be an education record of the student. Individuals acting on behalf of a parent or eligible

child, such as advocates or attorneys, will not be permitted to review a video or audio recording or photo unless accompanied by the parent or eligible student.

b. Status as Education Record

A video or audio recording or photo will be deemed an education record of the student if it is directly related to the student and is maintained by the school system or its agent, as provided by law. A photo, video, or audio recording (such as a surveillance video), that is created and maintained by a law enforcement unit for a law enforcement purpose, is not an education record; however, a copy of such photo, video, or audio recording provided to the school for disciplinary or other school purposes may be an education record if it is directly related to a student and is maintained by the school system.

c. Records of More Than One Student

If the recording or photo is an education record of multiple students, the school system shall make reasonable efforts to redact or segregate out the portions of the recording or photo directly related to other students before providing the parent or eligible student access, provided doing so would not destroy the meaning of the record. If redaction or segregation of the recording or photo cannot reasonably be accomplished or would destroy the meaning of the record, then the parent of each student to whom the recording or photo directly relates or such eligible students themselves shall be permitted to access the entire record.

d. Copies of Recordings and Photos

A copy of a video or audio recording or photo will be provided to a parent or eligible student only (1) if circumstances effectively prevent the parent or eligible student from exercising the right to inspect the recording or photo, such as when the parent no longer lives within commuting distance of the school system; (2) when directed by a court order or subpoena; or (3) when otherwise required by law.

3. Request to Amend the Education Record

A parent or eligible student has the right to challenge an item in the student education record believed to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. The principal shall examine a request to amend a student record item and respond in writing to the person who challenges the item. Subsequent steps, if necessary, will follow the student grievance procedures as provided in policy 1740/4010, Student and Parent Grievance Procedure. If the final decision is that the information in the record is not inaccurate, misleading, or

otherwise in violation of the privacy rights of the student, the principal shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school system.

H. RELEASE OR DISCLOSURE OF RECORDS TO OTHERS

Before releasing or disclosing education records as permitted by law, school officials shall use reasonable methods to identify and authenticate the identity of the party to whom the records are disclosed.

1. Release/Disclosure with Parental Consent

   School officials shall obtain written permission from a parent or eligible student before releasing or disclosing student records that contain personally identifiable information, except in circumstances where the school system is authorized by law to release the records without such permission. The written permission must specify the records to be released, the purpose of the release, and the party(ies) to whom they are to be released.

2. Release/Disclosure without Parental Consent

   School system officials shall promptly release student records when a student transfers to another school. The records custodian may release or disclose records with personally identifiable information without parental permission to the extent permitted by law, including to other school officials who have a legitimate educational interest in the records.

   Personally identifiable information from a student's record may be released or disclosed to someone other than a parent or eligible student without prior written consent of the parent or eligible student only as specifically provided by federal law. Except as otherwise permitted by federal law, when personally identifiable information from a student's record is released or disclosed to someone other than a parent or eligible student without their written consent, the party to whom the information is released must agree not to disclose the information to any other party without the prior written consent of the parent or eligible student.

   The superintendent shall employ reasonable methods to ensure that teachers and other school officials obtain access only to those education records in which they have legitimate educational interests.

3. Release of Directory Information

   Permission of the parent or eligible student is not required for the release of information that is designated as directory information by the board, provided that

the parent or eligible student has been given proper notice and an opportunity to opt out. (See policy 1310/4002, Parental Involvement.)

a. The board designates the following student record information as directory information:

(1) name;

(2) address;

(3) telephone listing;

(4) email address;

(5) photograph or digital image, including still or video images of a student engaged in ordinary school activities;

(6) date and place of birth;

(7) participation in officially recognized activities and sports;

(8) weight and height of members of athletic teams;

(9) dates of attendance;

(10) grade level;

(11) diplomas (including endorsements earned), industry credentials/ certifications, and awards received; and

(12) most recent previous school or education institution attended by the student.

b. The telephone number and actual address of a student who is or whose parent is a participant in the North Carolina Address Confidentiality Program is not considered directory information and will not be released except as required by law.

c. Information about a homeless student's living situation is not considered directory information and will not be released.

d. As required by law, the names, addresses, and telephone numbers of secondary school students shall be released, upon request, to military recruiters or institutions of higher learning, whether or not such information is designated directory information by the school system. In addition, secondary school students' email addresses (which will be the

email addresses provided by the school, if available) must be provided to military recruiters upon request. Students or their parents, however, may request that the student's name, address, email address, and telephone number not be released without prior written parental consent. School officials shall notify parents of the option to make a request and shall comply with any requests made.

e. All requests for directory information must be submitted to the superintendent or designee for approval. The superintendent is directed to establish regulations regarding the release of directory information. At a minimum, the regulations must:

(1) specify the types of organizations that are eligible to receive directory information and for what purposes;

(2) provide for equal disclosure to organizations that are similar in purpose; and

(3) authorize access to directory information to recruiters of military forces of the state or United States for the purpose of informing students of educational and career opportunities available in the military to the same extent that such information is made available to persons or organizations that inform students of occupational or educational options.

4. Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regard to their records as provided by state and federal law, including the Individuals with Disabilities Education Act.

5. Disclosure of De-Identified Information

Education records may be released without consent of the parent or eligible student if all personally identifiable information has been removed. Personally identifiable information includes both direct and indirect identifiers that, alone or in combination, would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Unless specifically permitted by law, records that have been de-identified must not be released without the consent of the parent or eligible student if school officials reasonably believe that the person requesting the information knows the identity of the student to whom the education record relates.

I. WITHHOLDING RECORDS

School system administrators shall not withhold records upon a valid request by a parent, eligible student, or school to which the student is transferring for any reason, including in order to collect fines assessed to the parent or student.

J. RECORD OF ACCESS AND DISCLOSURE

The principal or designee shall maintain a record in each student's file indicating all persons who have requested or received personally identifiable information from a student's record and the legitimate reason(s) for requesting or obtaining the information. This requirement does not apply to requests by or disclosure to parents, eligible students, school officials, parties seeking directory information, a party seeking or receiving the records under a court order or subpoena that prohibits disclosure, or those individuals with written parental consent.

K. DESTRUCTION OF STUDENT RECORDS

To the extent required by law, school officials shall maintain student records in accordance with the applicable records retention and disposition schedule(s) issued by the North Carolina Department of Natural and Cultural Resources. School officials shall not destroy student records if there is an outstanding request to inspect the particular records.

School officials shall notify parents and eligible students prior to the destruction of personally identifiable information in a student's special education records so that parents may collect the records from the school system if desired. Special education records must be destroyed at the request of parents if no longer needed to provide educational services to the child, including services to protect the safety of the student or others. However, a record of a student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained permanently.

L. LONGITUDINAL DATA SYSTEM

School system administrators will comply with the data requirements and implementation schedule for the North Carolina Longitudinal Data System (NCLDS) and will transfer designated student record data to the system in accordance with the NCLDS data security and safeguarding plan and all other requirements of state law, provided that doing so does not conflict with the requirements of FERPA.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, h, 34 C.F.R. pt. 99; Individuals with Disabilities Education Act, 20 U.S.C. 1411 *et seq.*; Elementary and Secondary Education Act, 20 U.S.C. 7908; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; 10 U.S.C. 503(c)(1); G.S. 7B-302, -3100, -3101; 14-208.29; 115C-47(26), -109.3, -402, -403, -404, -407.5; 116E-6; *Program Records Schedule: Local Public School Units*, N.C. Department of Natural and Cultural Resources (2021), available at

https://archives.ncdcr.gov/documents/local-education-agencies-schedule; *General Records Schedule: Local Government Agencies*, N.C. Department of Natural and Cultural Resources (2021), available at https://archives.ncdcr.gov/government/retention-schedules/local-government-schedules/general-records-schedule-local-government

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Special Education Programs/Rights of Students with Disabilities (policy 3520), Children of Military Families (policy 4050), Homeless Students (policy 4125), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Disciplinary Action for Exceptional Children/Students with Disabilities (policy 4307), Student Discipline Records (policy 4345), Confidentiality of Personal Identifying Information (policy 4705/7825), Surveys of Students (policy 4720), Public Records – Retention, Release, and Disposition (policy 5070/7350)

Adopted:	June 17, 1999	Amended:	July 26, 2018
Amended:	October 15, 2009	Amended:	July 18, 2019
Amended:	May 9, 2013	Amended:	December 12, 2019
Amended:	February 25, 2014	Amended:	January 13, 2022
Amended:	September 15, 2016	TC:	April 1, 2022
Amended:	June 8, 2017	Amended:	January 19, 2023
TC:	March 29, 2018		

CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION

Policy Code: **4705/7825**

The board recognizes the need to protect students and employees from the improper release of social security numbers and other personal identifying information. To this end, the board requires that all school employees comply with the Identity Protection Act of 2005 and any other federal and state laws governing the collection, use and disclosure of personal identifying information. No person shall knowingly disclose, transfer or unlawfully use the social security number or other personal identifying information of any employee, student or other individual.

For purposes of this policy, personal identifying information includes: social security numbers; employer taxpayer identification numbers; drivers license numbers; state identification card numbers; passport numbers; checking accounts; savings accounts; credit card and debit card numbers; personal identification (PIN) codes; digital signatures; any numbers or information that can be used to access an individual's financial resources; biometric data; fingerprints; and passwords.

The superintendent shall establish rules and regulations to implement this policy. These rules and regulations shall provide that:

- The confidentiality of social security numbers and personal identifying information is maintained consistent with legal requirements;

- The unlawful collection, disclosure and use of social security numbers and personal identifying information are prohibited;

- Access to and dissemination of information or documents containing social security numbers and personal identifying information is limited internally within the school system and externally with the general public;

- Documents containing social security numbers and personal identifying information are disposed of properly;

- Social security numbers and personal identifying information are redacted from public documents;

- Social security numbers and personal identifying information are collected only when specifically authorized by law or if collection is imperative for the performance of the school system's duties and such need has been clearly documented;

Board procedures governing the maintenance and destruction of records are followed for all documents containing social security numbers and other personal identifying information; and

- In the event of a security breach, in which personal information is accessed and acquired without authorization, the notice requirements of G.S. 75-65 are followed.

This policy and its rules shall be published in the appropriate handbooks, manuals and other similar documents.

Any individual who fails to comply with this policy and the superintendent's rules and regulations shall be subject to disciplinary action up to and including suspension or expulsion for students and termination for employees. In addition, such person may be subject to criminal prosecution.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, h, 34 C.F.R. pt. 99; G.S. 14-113.20; ch. 75, art. 2A; 132-1.10; 143-64.60

Cross References: Confidential Information (policy 2125/7315), Student Records (policy 4700), Personnel Files (policy 7820)

Adopted: November 9, 2006
Technical Corrections: July 12, 2019

The superintendent shall ensure that all notification and other requirements of state law and the Protection of Pupil Rights Amendment are met, including all legal requirements regarding the surveying of students.

A. SURVEYS INVOLVING PROTECTED TOPICS

1. Definition of Protected Topic Survey

   For purposes of this policy, the following are considered a "protected topic":

1. political affiliations or beliefs of the student or the student's parent;

2. mental or psychological problems of the student or the student's family;

3. sex behavior or attitudes;

4. illegal, anti-social, self-incriminating, or demeaning behavior;

5. critical appraisals of other individuals with whom respondents have close family relationships;

6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

7. religious practices, affiliations, or beliefs of the student or the student's parent; or

8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

   For purposes of this policy, a "protected topic survey" is any survey, analysis, or evaluation that reveals information concerning any of the protected topics.

9. Rules Regarding Protected Topic Surveys

   a. Protection of Student Privacy

      The school system will take measures to protect the identification and privacy of students participating in any protected topic survey. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

   b. Parental Notification and Consent

      The school system will notify parents at the beginning of each school year of the specific or approximate dates of administration of protected topic surveys. At least 10 days prior to the administration of a protected topic

survey, parents and eligible students (students who are 18 years of age or older or who are emancipated minors) will be provided the opportunity to review both electronically and in person the process for providing consent to participate in the protected topic survey and the full text of the protected topic survey.

Parents will be provided notice of the opportunity to opt out of any protected topic survey given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey. Before a student will be permitted to participate in any other protected topic survey, the parent or eligible student must provide prior written consent.

B. WELL-BEING QUESTIONNAIRES AND HEALTH SCREENING FORMS

Before any student well-being questionnaire or health screening form is administered to students in kindergarten through third grade, the principal or designee shall provide parents with a copy of the questionnaire or form and shall inform parents of the means for parents to consent to the use of the questionnaire or form for their children. See also policy 1310/4002, Parental Involvement.

If a well-being questionnaire or health screening form falls under the definition of a protected topic survey, all rules for protected topic surveys, as described above in subsection A.2, also apply.

C. OTHER SURVEYS CREATED BY A THIRD PARTY

Parents and eligible students have the right, upon request, to inspect any other survey created by a third party before the survey is administered or distributed to a student.

D. COLLECTION OF STUDENT DATA FOR MARKETING PURPOSES

The school system generally will not collect, disclose, or use personal student information for the purpose of marketing or selling the information or otherwise providing the information to others for that purpose. However, in the event the board approves a collection, disclosure, or use of personal student information for one of those purposes, the school system will (1) notify parents at the beginning of each school year of the specific or approximate dates of such collection, disclosure, or use, (2) allow parents to inspect any instrument used to collect the information before the instrument is administered or distributed to a student, and (3) offer the parent the opportunity to opt out of the collection, disclosure, or use of the student's personal information.

The preceding rules for the collection, disclosure, and use of personal student information do not apply if the school system collects, discloses, or uses personal information from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following:

1. college or other postsecondary education recruitment or military recruitment;

2. book clubs, magazines, and programs providing access to low-cost literary products;

3. curriculum and instructional material used by elementary schools and secondary schools;

4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

5. the sale by students of products or services to raise funds for school-related or education-related activities; and

6. student recognition programs.

E. OTHER RELEVANT POLICIES

In addition to this policy, the board, with parental and community input, has developed other policies concerning surveys and related matters as required by the Protection of Pupil Rights Amendment. These policies include: 1310/4002, Parental Involvement; 3210, Parental Inspection of and Objection to Instructional Materials; 4700, Student Records; and 5240, Advertising in the Schools.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, 34 C.F.R. pt. 99; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h; G.S. 115C-36, -76.25(a)(11), -76.45(a)(3), -76.65, -402.15

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Parental Inspection of and Objection to Instructional Materials (policy 3210), Student Discipline Records (policy 4345), Student Records (policy 4700), Advertising in the Schools (policy 5240)

Adopted: December 10, 2009
Amended: January 13, 2022
Amended: October 19, 2023
Amended: September 19, 2024

The board recognizes that the public schools are an integral part of the community and that the public has a vested interest in having students develop into productive members of the workforce and of society. The board encourages the community to be involved in the school system and to assist the school system in the goal of providing every student with the opportunity to receive a sound basic education.

Each year the board will ensure that the report card issued for the school system by the State Board of Education receives widespread distribution to the local press or to other local channels of news and information. In addition, the school system will publish on its website all information required by law, including assessment and performance information and information on how state funds have been used to address local educational priorities.

A. POLICIES

In making policy decisions, the board will keep in mind its commitment to providing all students in our community the opportunity to obtain a sound basic education.

The board's commitment to the wider community is expressed in various policies that address the relationship between the school system and the community, such as:

1. Parental Involvement (policy 1310/4002);
2. Title I Parent and Family Engagement (policy 1320/3560);
3. Responding to Complaints (policy 1742/5060);
4. Public Participation at Board Meetings (policy 2310);
5. Compliance with the Open Meetings Law (policy 2320);
6. School Volunteers (policy 5015);
7. Visitors to the Schools (policy 5020);
8. Registered Sex Offenders (policy 5022);
9. Community Use of Facilities (policy 5030);
10. Public Records – Retention, Release, and Disposition (policy 5070/7350); and
11. Distribution and Display of Non-School Material (policy 5210).

B. SCHOOL ADMINISTRATORS

School administrators shall:

1. demonstrate a commitment to working with the community;

2. identify appropriate opportunities for community input;

3. communicate to the public the goals and objectives of the school system and the progress of the school system in meeting those goals and objectives; and

4. provide the public with school progress and performance reports as required by state and federal law.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6301; G.S. 115C-12(9)c3, -36, -47, -83.10, -105.25; *Leandro v. State*, 346 N.C. 336 (1997)

Cross References: Board Authority and Duties (policy 1010), Parental Involvement (policy 1310/4002), Title I Parent and Family Engagement (policy 1320/3560), Responding to Complaints (policy 1742/5060), Public Participation at Board Meetings (policy 2310), Compliance with the Open Meetings Law (policy 2320), School Volunteers (policy 5015), Visitors to the Schools (policy 5020), Registered Sex Offenders (policy 5022), Community Use of Facilities (policy 5030), Public Records – Retention, Release, and Disposition (policy 5070/7350), Distribution and Display of Non-School Material (policy 5210)

Adopted: November 4, 2010
Amended: May 9, 2013
Amended: February 25, 2014
Technical Corrections made: October 2, 2017
Amended: July 15, 2021

PARENT INVOLVEMENT

Policy Code: **5005**

In accordance with the *No Child Left Behind Act of 2001, Title I*, section 1118 (2), Cherokee County Schools will:

A. Involve parents in the development of the Title I Plan by using an annual parent questionnaire, *Title I Advisory Board* and the inclusion of Title I in the *School Improvement Plan.*

B. Provide Central Office support to assist schools in the planning and implementation of parent involvement activities, such as Even Start's Parents As Teachers, Parents Teacher Association and the Volunteer Program to help parents establish the Parent-Teacher Team for the success of the child.

C. Build capacity for strong parental involvement by:
   1. Helping parents understand all national, state and local standards and expectations through community-based meetings and sending information to parents.
   2. Providing materials to parents to help them with their children's education (parental skills materials from parent newsletters).
   3. Working with school staff to insure all school personnel understand the value of parental involvement.
   4. Involving parents in all of Cherokee County's preschool programs.
   5. Insuring that all communications are in easy to understand formats for all parents.
   6. Including parents on the Cherokee County Curriculum Advisory Committee and the School Calendar Committee.
   7. Providing opportunities for the schools to conduct programs in the communities.
   8. Accepting shared responsibilities for high student academic achievement as outlined in the School-Parent Compact

D. Coordinate and integrate all parental involvement strategies in Cherokee County Schools.

E. Conduct annually with parents a Review of this policy and of the strategies for parental involvement listed in the Title I Application.

F. Insure that parents are always involved in the schools' activities including being a part of each school's School Improvement Team.

Legal Ref: NCLB, Title I, Section 118(2)
Cross Reference: Policy 5010, 5015, 5020

Adopted: March 13, 2003

Automatic telephone dialing systems ("autodialers") and short message service messages ("text messages") can be used to communicate valuable information to students, parents, and the community regarding emergencies and other school-related matters. The superintendent and his or her designees are authorized to use an automated notification system to send pre-recorded telephone voice messages and/or text messages to members of the school community in accordance with applicable law and this policy.

A. APPLICABILITY OF POLICY

This policy applies to the use of an automated notification system by school system employees to deliver a text or an artificial or pre-recorded voice message to a set of pre-programmed telephone numbers. For purposes of this policy, an automated notification system is any automated telephone dialing and/or text messaging system or service. The term "calls" in this policy includes both telephone calls and text messages.

B. AUTHORIZED USES OF THE AUTOMATED NOTIFICATION SYSTEM

School system employees may use an automated notification system to make calls for emergency or informational purposes. Any such call that uses an artificial or pre-recorded voice must state the name and phone number of the school system and/or the specific school that initiated the call.

1. Emergency Calls

    a. An automated notification system may be used to call parents, guardians, or school personnel when the call is incident to a bona fide emergency potentially affecting the health and safety of students and/or school personnel, such as weather closures, fire, health risks, threats, and unexcused absences.

    b. An automated notification system may be used to call other members of the school community to make emergency public safety announcements when the announcements are relevant to the called party.

2. Informational Calls

    Subject to the consent requirements set forth in Section D of this policy, an automated notification system may be used to make non-emergency calls when the calls are closely related to the school's educational mission, such as to provide notification of official system-wide or school-specific events or activities (e.g., parent-teacher conferences, surveys on school-related issues, immunization reminders).

    When permitted by law, school officials may use the automated notification system to satisfy parental notification requirements described in policy 1310/4002, Parental Involvement. School officials shall use means other than the

automated notification system to deliver the required notices to parents who have not given consent to receive non-emergency calls or who have revoked prior consent.

C. PROHIBITED USES OF THE AUTOMATED NOTIFICATION SYSTEM

1. An automated notification system may not be used for commercial advertisement or marketing or political campaigning or promotion. Before making automated calls for any other non-emergency purpose that is not closely related to the mission of the school or school system, school system employees shall obtain the express consent of the recipient to receive calls of that nature.

2. An automated notification system may not be used to make calls for any non-emergency purpose to an individual who has notified the school that he or she does not wish to receive such calls.

D. CONSENT AND REVOCATION OF CONSENT

1. Before using an automated notification system to make any non-emergency call, school system employees must have consent from the recipient to receive such calls. Consent will be deemed to have been provided in certain situations, as described in the next paragraph. Consent is not required for emergency calls.

2. By providing a wireless telephone contact number to the school system, parents, guardians, and students are deemed to consent to receive non-emergency calls at that number for purposes that are closely related to the school's educational mission and consistent with this policy, such as to provide notification of official system-wide or school-specific events or activities.

3. Individuals may revoke prior consent to receive non-emergency calls at any time. School officials shall honor revocation requests promptly.

E. MAINTAINING CONTACT INFORMATION

To minimize the risk of calling unintended recipients, the superintendent shall require principals and supervisors to update telephone contact information on a regular basis. Parents and guardians are encouraged to provide accurate contact information during registration and to keep their child's school informed of updated information when it changes.

F. REQUESTS FOR REMOVAL FROM CALLING LISTS

All calls made using an automated notification system must include an automated voice-interactive or key-press activated opt-out method for the recipient to opt out of future non-emergency calls.

Legal References: 47 U.S.C. 227, 503; 47 C.F.R. 64.1200; *In re: Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 Order on Reconsideration and Declaratory Ruling*, CG Docket No. 02-278, FCC 22-100 (December 27, 2022), available at ; *In re: Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 Declaratory Ruling*, CG Docket No. 02-278, FCC 16-88 (August 4, 2016), available at https://apps.fcc.gov/edocs_public/attachmatch/FCC-16-88A1.pdf; *In re: Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 Declaratory Rule and Order*, CG Docket No. 02-278, WC Docket No. 07-135, FCC 15-72 (July 10, 2015), available at https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-72A1.pdf

Cross References: Parental Involvement (policy 1310/4002), School Safety (policy 1510/4200/7270), Schools and the Community (policy 5000), Emergency Closings (policy 5050)

Adopted: August 10, 2017
Amended: June 29, 2023

A. PRINCIPLES

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

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

B. CONDITIONS FOR ESTABLISHING PARENT ORGANIZATIONS

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

- All parent organizations must provide the superintendent with a document describing the purpose of the organization and the general rules and procedures by which it will operate, and at least on an annual basis a financial statement containing an accounting of funds to include receipts and expenditures. Any later modifications to the organization's purpose or general rules and procedures also must be provided in writing to the superintendent.

- Parent organizations must obtain prior approval from the principal for (a) any fund-raising event; (b) any purchase for the school; (c) any function involving the participation of students; or (d) any event that is likely to reflect upon the school or the school system.

    1. Fliers and other literature displayed or distributed by parent organizations must comply with policy 5210, Distribution and Display of Non-School Material.

- Parent organizations are responsible for maintaining their own financial records in accordance with the requirements of Section C. Employees of the school system are not permitted to manage the affairs of parent organizations during the workday.
- Parent organizations are expected to consider the cultural diversity and economic differences of students and parents in planning school-related functions.

The superintendent shall grant or deny parent organizations approval to operate at each school. Parent organizations that do not comply with board policies may have approval to operate within the school revoked by the superintendent. The superintendent shall provide a list of the approved parent organizations to the board at the regular August board meeting or as soon thereafter as feasible.

C. FUNDS MANAGEMENT

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

Parent organization funds may be deposited only in an account maintained by the organization. All checks must be signed by the organization treasurer and either the organization president or vice-president. The organization president should periodically review the organization bank records, which must be reconciled by the organization treasurer at least monthly.

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

D. Disposition of Funds Upon Dissolution of Parent Organizations

Any parent organization, booster club, parent-teacher organization (PTO), parent-teacher association (PTA), or other school-affiliated support organization that ceases operations, disbands, or dissolves shall, after payment of all outstanding debts and obligations, transfer all remaining funds and assets to the school or school system designated by the Board of Education.

Funds transferred pursuant to this policy shall be deposited into an appropriate school account and used for educational purposes that support students, programs, or activities consistent with the original intent of the parent organization, to the extent practicable and permitted by law.

As a condition of operating in support of a school within the district, all parent organizations shall include in their bylaws, articles of incorporation, or other governing documents a provision specifying that upon dissolution, any remaining assets shall be distributed to the Board of Education or the applicable school for educational purposes.

E. DONATIONS TO THE SCHOOL SYSTEM

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

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

Cross References: Parental Involvement (policy 1310/4002), Distribution and Display of Non-School Material (policy 5210), Gifts and Bequests (policy 8220)

Adopted: April 15, 1999
Amended: July 26, 2018
Amended: August 8, 2019
Amended: August 6, 2026

The board recognizes the valuable contributions that school volunteers make to the learning process and the educational goals of the school system. Instructional programs are enhanced through the contributions of students' parents, community members, and local business and industry. These volunteers contribute time, resources, and expertise that assist the school system to reach the goal of providing a sound basic education to all children.

The superintendent shall provide for parents to be notified of 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.

The board encourages school administrators to develop and implement plans and procedures for utilizing school volunteers. The superintendent and designees are responsible for implementing and supervising school volunteer programs. School volunteer programs must provide the following:

1. adequate screening of volunteers based upon the amount of contact they will have with students;

2. the requirement that volunteers comply with policy 5020, Visitors to the Schools;

- A Volunteer Application must be completed annually.
- References will be checked and interviews conducted by the principal or his/her designee all initial applications. Subsequent applications by the same person will have reference checks and interviews conducted at the discretion of the principal or his/her designee.
- reasonable supervision of volunteers based at least in part upon the amount of contact they will have with students; and
- adequate training of volunteers, including familiarizing volunteers with applicable laws, board policies (including policy 4040/7310, Staff-Student Relations), administrative procedures, and school rules.

All school volunteers are expected to be professional and dependable in their volunteer activities.

- In addition to school based volunteer training, before any volunteer can work with students, (s)he must attend board policy training that includes all non-discrimination and harassment policies (Policies 1705-1755) and any other policies or directives which the board, superintendent, or principal of the school at which the volunteer will be serving deems necessary. This training will be held semi-annually at the beginning of each semester.
- All coaching volunteers will have an annual criminal records check. All other records check will be at the discretion of the principal.

USE OF SCHOOL VOLUNTEERS

The policy of Cherokee County Board of Education is to utilize the time, talents, and services of volunteers to enhance the educational opportunities of students and adults within the K-12 curriculum and the community schools programs.

The school principal has the primary responsibility for recruiting, screening, and placing volunteers.

The interview will include specific questions regarding corporal punishment, chain of command, and prejudices toward students. Once the needs of teachers have been identified, the principal in cooperation with the staff will assign volunteers to specific areas. The volunteer's skills, aptitudes, and wishes will be matched with the needs of the school and the individual teacher's request.

Volunteer orientation, training, and a volunteer manual will be provided at the school level. Training will include review of the Board of Education Policy Manual student section and the individual school handbook. Volunteers should understand the expectations of the school program, the issue of confidentiality, and any special procedures required by a particular school. Volunteer efforts will be supervised and monitored by professionals in the system and each volunteer will have a specifically named supervisor. Volunteers will leave all discipline procedures in the hands of the supervising teacher.

All volunteers shall sign in when arriving on campus, shall wear an identification tag while participating in volunteer activities, and shall state where they will be during their visit. Volunteers shall sign out when departing the campus. Schools shall keep a record of the number of volunteers and volunteer hours assisting the school each year and report these figures to the Community Schools department at the end of the year to be submitted to Raleigh.

The Superintendent shall report the list of approved volunteers at each board meeting. The Board of Education maintains comprehensive general liability insurance which covers the board, system employees, and school volunteers for liability incurred in the performance of their assigned duties.

Legal References: G.S. 95-28.3; 115C-36, -47, -203 to -209.1

Cross References: Parental Involvement (policy 1310/4002), Staff-Student Relations (policy 4040/7310), Visitors to the Schools (policy 5020)

Adopted: April 15, 1999
Amended: December 11, 2003
Amended: March 11, 2010
Amended: December 12, 2019
Amended: February 11, 2021
Amended: July 21, 2022

VOLUNTEER COACHING APPLICATION FORM FOR _____(SCHOOL)

Name: _____ Home Phone _____
Home Mailing Address: _____ Cell Phone _____
Business/Organization Name: _____ Position/Department _____
Business Mailing Address: Office Phone _____

WORK EXPERIENCE

Business Name/Address	Immediate Supervisor/Phone No.	Dates of Employment

PERSONAL REFERENCES

Name	Address	Phone No.

VOLUNTEER COACHING EXPERIENCE

Athletic Activity Coached	Head Coach	Year Volunteered

ATHLETIC ACTIVITIES I WOULD LIKE TO HELP WITH:

☐	**Baseball**	☐	**Shooting Team**
☐	**Basketball**	☐	**Soccer**
☐	**Cheerleading**	☐	**Softball**
☐	**Dance**	☐	**Swimming**
☐	**Football**	☐	**Track and Field**
☐	**Golf**	☐	**Wrestling**
☐	**Manager**	☐	**Other:**

I have read the NCHSAA rules & regulations:_____
(applicant's initials)

Athletic Director Signature:

_____
(This must be signed by the AD or the application will not be accepted.)

This Application Must be signed and dated and be endorsed by the School Principal and Athletic Director

1. I understand I must receive discrimination and harassment training before working with students and parents/guardians**.**
2. I will hold in confidence any information revealed to me pertaining to any student.
3. I will report any home or school concerns about a child to the principal or the child's teacher before I leave for the day.
4. I understand that I have a legal obligation to report any suspected abuse or neglect that is revealed to me by a child to the principal or designated person.
5. I will not contact a child off campus or remove him/her from the school at any time.
6. I will not accompany a child into the restroom.
7. I will call the school office as soon as I know when I have to be absent.
8. I have read the school handbook and will abide by the professional dress code.
9. I understand that a criminal record check will be conducted before I am allowed to volunteer.

I have not been convicted of a felony, and I have not been charged or convicted of any offense involving drugs, alcohol, child abuse, sexual deviation, or moral turpitude. (IF YOU HAVE, PLEASE CHECK HERE:_____. EXPLAIN ON BACK OF THIS FORM.)

_____ _____ _____
PRINT NAME SIGNATURE DATE

Criminal Background results more serious than a misdemeanor will disqualify any applicant.

_____

School Principal's Signature (required)

[____] Approved [____] Not Approved. _____/_____
Signature Date

R-2/13/2019

Cherokee County Schools
Criminal Background Investigation Release Form for Volunteer Coaches

The purpose of this form is to notify you that a criminal records check will be conducted on you in the course of consideration for employment with Cherokee County Schools.

Please complete the following information: (**PLEASE PRINT LEGIBLY**)

First Name Middle Last (Maiden)

_____ _____ _____

Social Security No. Date of Birth *(mmm/dd/yyyy)* Age

_____ _____

Driver's License No. State of Issue

Present Address:_____

(Include zip code)

Other States in which you have lived within the past 10 years:

(Use a separate sheet if more room is required)

County/City/State:_____ Dates: _____

County/City/State:_____ Dates: _____

County/City/State:_____ Dates: _____

In connection with this request, I authorize all corporations, former employers, credit agencies, education institutions, law enforcement agencies, city, state, county, and federal courts, and military services to release information about my background including, but not limited to, information about my employment, education, driving record, criminal record, and general public record history to the person or company with which this form has been filed, or their agent, Chapman Corporation. This releases the aforesaid parties from any liability and responsibility for collecting the above information.

Applicant's Signature: _____ Date:_____

HELPING HANDS

VOLUNTEER APPLICATION FORM FOR _____(SCHOOL)

SCHOOL/BUSINESS/COMMUNITY PARTNERSHIP - CHEROKEE COUNTY SCHOOLS

Name: _____ Home Phone _____

Home Mailing Address: _____ Cell Phone _____

Business/Organization Name: _____ Position/Department _____

Business Mailing Address: _____ Office Phone _____

WORK EXPERIENCE

Business Name/Address	Immediate Supervisor/Phone No.	Dates of Employment

PERSONAL REFERENCES

Name	Address	Phone No.

VOLUNTEER EXPERIENCE

Business/Organization/Address	Immediate Supervisor/Phone No.	Dates of Volunteer Service

☐ I am able to commit 30 minutes to 1 hour per week during this school year to tutor a student in: ☐ Reading/Literacy ☐ Math

Day Preference: ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday

Time Preference: Mornings from _____ to _____ Afternoons from _____ to _____

School(s) at which you prefer to work: _____

Supervisor at preferred school: _____

Preferred Grade: ☐ Pre-K ☐ K ☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th ☐ 6th ☐ 7th ☐ 8th ☐ 9th-12th

OTHER ACTIVITIES I WOULD LIKE TO HELP WITH:

☐ Gather resource material
☐ Assist with a special event
☐ Typing, collating, copying
☐ Provide career information/presentation to a class
☐ Conduct a special class about _____
☐ Share applications of technology with a classroom
☐ Present science or math applications
☐ Participate in current events discussion
☐ Open our business for class tours
☐ Other _____

Must be signed and dated

10. I understand I must receive discrimination and harassment training before working with students and parents/guardians**.**
11. I will hold in confidence any information revealed to me pertaining to any student.
12. I will report any home or school concerns about a child to the principal or the child's teacher before I leave for the day.
13. I understand that I have a legal obligation to report any suspected abuse or neglect that is revealed to me by a child to the principal or designated person.
14. I will not contact a child off campus or remove him/her from the school at any time.
15. I will not accompany a child into the restroom.
16. I will call the school office as soon as I know when I have to be absent.
17. I have read the school handbook and will abide by the professional dress code.
18. I understand that a criminal record check will be conducted before I am allowed to volunteer.

I have not been convicted of a felony, and I have not been charged or convicted of any offense involving drugs, alcohol, child abuse, sexual deviation, or moral turpitude. (IF YOU HAVE, PLEASE CHECK HERE:_____. EXPLAIN ON BACK OF THIS FORM.)

_____ _____ _____

PRINT NAME SIGNATURE DATE

Criminal Background results more serious than a misdemeanor will disqualify any applicant.

School Administrator's Endorsement: _____ Approved _____ Not Approved. Signature & Date:_____

R-9-16-2014

Cherokee County Schools
Criminal Background Investigation Release Form

The purpose of this form is to notify you that a criminal records check will be conducted on you in the course of consideration for employment with Cherokee County Schools.

Please complete the following information: (**PLEASE PRINT LEGIBLY**)

First Name Middle Last (Maiden)

_____ _____ _____

Social Security No. Date of Birth *(mmm/dd/yyyy)* Age

_____ _____

Driver's License No. State of Issue

Present Address:_____

_____

(Include zip code)

Other States in which you have lived within the past 10 years:

(Use a separate sheet if more room is required)

County/City/State:_____ Dates: _____

County/City/State:_____ Dates: _____

County/City/State:_____ Dates: _____

In connection with this request, I authorize all corporations, former employers, credit agencies, education institutions, law enforcement agencies, city, state, county, and federal courts, and military services to release information about my background including, but not limited to, information about my employment, education, driving record, criminal record, and general public record history to the person or company with which this form has been filed, or their agent, Chapman Corporation. This releases the aforesaid parties from any liability and responsibility for collecting the above information.

Applicant's Signature: _____ Date:_____

Please indicate type employment applying for below:

☐ Helping Hands Volunteer

The board encourages the community and parents to be involved in and support the schools and the educational program of the schools.

A. OPPORTUNITIES TO VISIT THE SCHOOLS

To encourage involvement, the following opportunities are provided to visit the schools.

1. Visitors are welcome to observe and learn about the educational program at each school subject to reasonable rules developed by school administrators.

2. Visitors are encouraged to use school facilities made available to the public, such as media centers or meeting spaces, as provided in policy 5030, Community Use of Facilities.

3. Visitors are invited to attend school events that are open to the public, such as athletic events, musical programs, and dramatic productions.

B. REQUIREMENTS OF VISITORS TO THE SCHOOLS

While the school board welcomes visitors to the schools, the paramount concern of the board is to provide a safe and orderly learning environment in which disruptions to instructional time are kept to a minimum. The superintendent and each principal shall establish and enforce reasonable rules to address this concern.

1. All school visitors during the school day must report immediately to the administrative office at the school to request and receive permission to be in the school. Each principal shall ensure that signs are posted in the school to notify visitors of this requirement.

2. School visitors are expected to comply with all school rules and school board policies, including policy 5025, Prohibition of Drugs and Alcohol; policy 5026/7250, Smoking and Tobacco Products; and policy 5027/7275, Weapons and Explosives Prohibited.

3. Persons who are subject to policy 5022, Registered Sex Offenders, must comply with the provisions of that policy.

4. School visitors who request to spend time in a classroom are expected to complete a mandatory Visitors and Volunteers in the Schools training provided by the county, or principal or principal designee and agree to sign the release for a criminal background check.[1]

C. ADDITIONAL REQUIREMENTS OF PROBATION OFFICERS

[1] CCS BoE Amendment.

To minimize disruption to student learning and school operations, the board establishes the following additional requirements for visits by probation officers during the school day:

1. Probation officers may not visit students on school property during school hours unless the visit is conducted through the Section of Community Corrections' School Partnership Program.

2. Visits by probation officers must be authorized in advance by the school principal or designee or be the result of a request for assistance by a school counselor or school resource officer. The principal or designee at each school shall coordinate with probation officers to plan and schedule visits to occur at times least disruptive to the student's academic schedule and to school operations.

3. To protect the privacy of students, the principal or designee shall designate a private area for probation officers to meet with students away from contact with the general student population. Initial contact with the student will be made by a designated school employee, who shall direct the student to the private area to meet with the probation officer.

4. Probation officers may not initiate direct contact with any student while the student is in class or between classes.

5. All visits must be conducted in accordance with this policy and any additional guidelines developed by the superintendent or designee.

D. UNAUTHORIZED, DISRUPTIVE, OR DANGEROUS VISITORS

If a school employee becomes aware that an individual is on a school property without having received permission or that an individual is exhibiting unusual, threatening, or dangerous behavior, the employee must either direct the individual to the administrative office or notify the principal, designee, or school resource officer, depending on the circumstances.

If a school employee suspects that an individual is on school property in violation of policy 5022, Registered Sex Offenders, the employee must immediately notify the principal, designee, or school resource officer.

Students will be instructed to notify a school employee of any unusual or suspicious behavior by visitors. School employees shall inform the principal or designee immediately of a student's report of suspicious behavior on the part of a school visitor.

When an individual disrupts the educational environment, acts in a disorderly manner, damages school property, or violates board policy or the law, the principal or designee has authority to:

1. order the individual to leave school property;
2. notify law enforcement; or
3. take any other action deemed appropriate under the circumstances.

Failure to comply with a request to leave school grounds may result in the filing of trespass charges or other charges as appropriate against the offending individual.

The superintendent, upon recommendation from the principal, may deny an individual permission to come onto school grounds or enter a school facility for up to one school year if the individual is guilty of disruptive or dangerous behavior on school grounds.

Legal References: G.S. 14-132, -132.2, -159.11, -159.12, -159.13, -208.18; 115C-46.2, -523, -524, -526

Cross References: Registered Sex Offenders (policy 5022), Prohibition of Drugs and Alcohol (policy 5025), Smoking and Tobacco Products (policy 5026/7250), Weapons and Explosives Prohibited (policy 5027/7275), Community Use of Facilities (policy 5030)

Adopted: April 15, 1999

Amended: February 14, 2013
Technical Update: October 1, 2018
Amended: February 11, 2021
Amended: January 13, 2022

The board is committed to the safety of students and other persons on school property. In order to maintain a safe school environment, the superintendent and all school personnel shall enforce the provisions of this policy at all times.

A. DEFINITIONS

For purposes of this policy, the following definitions apply.

B. REGISTERED SEX Offender

A registered sex offender is a person who (1) is required to register under the Sex Offender and Public Protection Registration Program AND (2) has committed any of the following: an offense in G.S. 14, art. 7B; a federal offense or offense committed in another state, which if committed in this state, is substantially similar to an offense in G.S. 14, art. 7B; an offense in which the victim was under the age of 18 years at the time of the offense; or an offense in violation of G.S. 14-190.16, 14-190.17, or 14-190.17A or any federal offense or offense committed in another state, which if committed in this state, is substantially similar to an offense in violation of G.S. 14-190.16, 14-190.17, or 14-190.17A.

1. School Property

School property is defined as any school grounds or any property owned or operated by the school system where minors frequently congregate.

C. REGISTERED SEX OFFENDERS BANNED FROM ALL SCHOOL PROPERTY

In accordance with G.S. 14-208.18, registered sex offenders are expressly forbidden to knowingly be present on any school property, whether before, during, or after school hours. In addition, registered sex offenders may not attend or be present at any student function or field trip on or off school property that is (1) school-sponsored or (2) otherwise under the official supervision or control of school personnel. This policy applies to all registered sex offenders regardless of their relationship to or affiliation with a student in the school system.

D. ENFORCEMENT

All school personnel must immediately report to a school administrator the presence or suspected presence of a known or suspected registered sex offender on school property. School administrators and other supervisory personnel shall report to the superintendent and law enforcement when they reasonably believe that a registered sex offender is or has been on school property or at a school event.

School administrators also shall notify the superintendent or designee of any known student or parent or guardian of a student at their school who is suspected to be a registered sex offender.

E. EXCEPTIONS

A person who is banned from school property under G.S. 14-208.18 may be on school property only under the following circumstances.

1. Students

   Students who are registered sex offenders may be on school property only in accordance with policy 4260, Student Sex Offenders.

2. Voters

   Registered sex offenders who are eligible to vote may be present on school property for the sole purpose of voting if the school property is being used as a voting place. The voter must not be outside the voting enclosure other than for the purpose of entering and exiting the voting place. If the voting place is a school, the voter must notify the principal of the school that he or she is registered under the Sex Offender and Public Protection Registration Program. The voter must leave school property immediately after voting.

3. Parents or Guardians

   a. A registered sex offender who is the parent or guardian of a student enrolled in school may be on school property only for the following reasons:

      1) to attend a scheduled conference with school personnel to discuss the student's academic or social progress; or

      2) at the request of the principal or designee, for any reason relating to the welfare or transportation of the student.

   b. In order to visit school property for one of the reasons authorized by subsection (a) above, the parent or guardian must notify the principal of his or her registration under the Sex Offender and Public Protection Registration Program and of his or her presence at school. Notice of his or her presence at school includes the nature and specific times of the visit.

   c. For each visit authorized by subsection (a) above, the parent or guardian must arrange to meet a staff member at the edge of school property, check in at the principal's office upon arrival and departure, and remain under the direct supervision of school personnel at all times. If school personnel are not available to supervise the parent or guardian during any visit, then the parent or guardian will not be permitted to enter or remain on school property.

d. For each visit authorized by subsection (a) above, the parent or guardian must comply with all reasonable rules and restrictions placed upon him or her by the principal, including restrictions on the date, time, location, and length of meeting.

F. CONTRACTUAL PERSONNEL

each contract executed by the board must include a provision requiring the other party to the contract to conduct an annual check of the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, and the National Sex Offender Registry for all contracted employees whose contractual job with the board requires or may result in direct interaction with students, including but not limited to any employee whose contractual job duties include: (1) delivering services directly to students; or (2) performing tasks on or delivering products to school property.

The contract must specify that No contractor or employee of a contractor registered with the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, or the National Sex Offender Registry may have direct interaction with children. This provision applies to contracts with a single individual.

Legal References: G.S. ch. 14, art. 7B, 14-190.16, -190.17, -190.17A, -208.18, -208.19; 115C-332, -332.1

Cross References: School Safety (policy 1510/4200/7270), Student Sex Offenders (policy 4260), Visitors to the Schools (policy 5020), Recruitment and Selection of Personnel (policy 7100)

http://ncdoj.gov/Protect-Yourself/Find-Sex-Offenders/SexOffenderRegPrograms.aspx

Adopted: November 13, 2008
Amended: February 25, 2014
Amended: September 14, 2015
Amended: December 10, 2015
Amended: July 31, 2017
Amended: February 17, 2022

EMERGENCY ADMINISTRATION OF NALOXONE

Policy Code: **5023/6128/7268**

The board recognizes the growing opioid overdose epidemic and its potential impact on the school system. Naloxone, an opioid antagonist approved by the federal Food and Drug Administration, can reverse the effects of an opioid overdose when administered in a timely manner. As part of its commitment to providing a healthy and safe environment for students, employees, and visitors, the board establishes this policy to address the use of naloxone in emergency situations in schools to prevent opioid overdose deaths.

A. AVAILABILITY OF NALOXONE

To the extent funding, staff, and training are available, the superintendent or designee is authorized to obtain an adequate supply of naloxone for each school in the school system. The school nurse is responsible for monitoring the expiration dates of the school's naloxone and, prior to the expiration date, notifying the superintendent or designee of the need to procure a replacement.

Naloxone must be stored in accordance with the manufacturer's instructions in secure, but unlocked and easily accessible, locations. All employees trained to administer naloxone will be made aware of its storage locations.

Nothing in this policy should be construed to require the presence or use of school system-supplied naloxone on school property or at school events, unless otherwise required by law. The board cannot and does not guarantee that school system-supplied naloxone or a person trained in its use will be available in any particular situation.

B. ADMINISTRATION OF NALOXONE

The principal at each school where naloxone is stored shall designate one or more school employees, as part of the medical care program under G.S. 115C-375.1, to receive training regarding the storage and emergency use of naloxone. Only trained employees are authorized to administer naloxone to persons suspected to be experiencing an opioid overdose on school property. The principal shall make reasonable efforts to notify other school employees as to who has received training in order to facilitate a prompt emergency response. A list of trained employees should be maintained at the school.

C. APPLICABILITY

This policy applies only to the use of school system-supplied naloxone. Nothing in this policy is intended to regulate, restrict, or deter law enforcement officers, fire fighters, emergency medical technicians, paramedics, or other authorized individuals from administering their own supply of naloxone when responding in good faith to a suspected opioid overdose occurring on school property.

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

Legal References: G.S. 90-12.7, -21.14, -96.2; 115C-375.1

Cross References: Drugs and Alcohol (policy 4325), Prohibition of Drugs and Alcohol (policy 5025), Administering Medicines to Students (policy 6125), Drug-Free and Alcohol-Free Workplace (policy 7240)

Other Resources: *North Carolina Naloxone Distribution Toolkit*, N.C. Department of Health and Human Services, Division of Public Health, Injury and Violence Prevention Branch, available at https://www.ncdhhs.gov/about/department-initiatives/overdose-epidemic/syringe-and-naloxone-access

Adopted: August 15, 2024

EMERGENCY EPINEPHRINE AUTO-INJECTOR DEVICES

Policy Code: **5024/6127/7266**

Anaphylaxis is a severe systemic allergic reaction from exposure to allergens that is rapid in onset and can cause death. Many severe allergies are undiagnosed, and students or others may experience their first severe allergic reaction while at school. Epinephrine delivery systems can be used to administer epinephrine to provide rapid, convenient first aid for persons suffering a potentially fatal anaphylactic reaction. This policy addresses the use of emergency epinephrine delivery systems administered under a non-patient specific prescription. Student-specific orders for epinephrine delivery systems are addressed in policy 6125, Administering Medicines to Students.

Designated trained school personnel are authorized to use emergency epinephrine delivery systems to deliver emergency medical aid to any person suffering from an anaphylactic reaction during the school day or at a school-sponsored event on school property. The superintendent shall ensure that at least two emergency epinephrine delivery systems are located at each school for this purpose and are stored in secure, but unlocked and easily accessible, locations.

Each school principal shall designate one or more school personnel, as part of the medical care program under G.S. 115C-375.1, to receive initial training and annual retraining from a school nurse or qualified representative of the local health department regarding the storage and emergency use of epinephrine delivery systems. Only such trained personnel are authorized to administer epinephrine to persons believed to be having an anaphylactic reaction. The principal shall make reasonable efforts to notify other school staff members as to which employee(s) has received this training in order to facilitate a prompt emergency response.

The principal, in collaboration with appropriate school personnel, shall create an emergency action plan for the use of epinephrine delivery systems that complies with all state law requirements. Principals are encouraged to include in the plan school-wide employee training in recognizing symptoms of anaphylaxis.

Epinephrine delivery systems provided by the school are intended for unforeseen emergencies. Students known to have medical conditions requiring the availability of an epinephrine delivery system are expected to provide such a delivery system for their use at school. Parents of students with known life threatening allergies and/or anaphylaxis should provide the school with written instructions from the students' health care provider for handling anaphylaxis and all necessary medications for implementing the student specific order in accordance with policy 6125, Administering Medicines to Students. Students who meet the conditions established in policy 6125 may possess and self-administer their own medication.

This policy does not require emergency epinephrine delivery systems to be available at activities held off school grounds during or after the school day, including field trips or off-site athletic events, or during transportation to or from school, except as may be required pursuant to an individual student's IEP, Section 504 Plan, or health or emergency plan.

Legal References: G.S. 115C-375.1, -375.2A

Cross References: Administering Medicines to Students (policy 6125)

Adopted: November 13, 2014
Amended: August 10, 2015
Amended: October 2, 2025

The board prohibits the possession or use of illegal drugs and the possession or consumption of alcoholic beverages, including beer, malt liquor, and wine, on property owned or occupied by the school system. Any person who possesses, consumes, uses, or appears to be under the influence of alcoholic beverages or illegal drugs will be asked to leave the school property or event immediately and, if he or she fails to do so, may be arrested and prosecuted for criminal trespass, disorderly conduct, or any other charge that may be appropriate.

Student conduct is further governed by policy 4325, Drugs and Alcohol. Employee conduct is further governed by policy 7240, Drug-Free and Alcohol-Free Workplace.

Legal References: 21 U.S.C. 812; 21 C.F.R. 1300.01-.04 and 1308.11-.15; G.S. 18B-301; 90-89 to -94; 115C-36, -40, -47

Cross References: Drugs and Alcohol (policy 4325), Community Use of Facilities (policy 5030), Drug-Free and Alcohol-Free Workplace (policy 7240)

Adopted: April 15, 1999
Amended: December 13, 2018

The board of education promotes the health and safety of all students and staff and the cleanliness of all school facilities. The board believes that the use of tobacco products on school grounds, in school buildings and facilities, in or on any other school property owned or operated by the school board, or at school-related or school-sponsored events is detrimental to the health and safety of students, staff, and school visitors. To this end, and to comply with state and federal law, the board adopts this tobacco-free policy that prohibits smoking and the use of tobacco products as follows. For the purposes of this policy, the term "tobacco product" means any product that contains or is made or derived from tobacco and is intended for human consumption, including all lighted and smokeless tobacco products, as well as electronic cigarettes, vaporizers, and other electronic smoking devices even if they do not contain tobacco or nicotine.

1. All employees and other persons performing services or activities on behalf of the school system, including volunteers, and contractors, as well as students and visitors, are prohibited from using any tobacco products at any time in any school building, in any school facility, on school campuses, and in or on any other school property owned or operated by the school board.
2. In addition, persons attending a school-sponsored event at a location not specified in subsection 1 above are prohibited from using tobacco products when (a) in the presence of students or school personnel, or (b) in an area where use of tobacco products is otherwise prohibited by law.
3. Nothing in this policy prohibits the use of tobacco products for an instructional or research activity conducted in a school building, provided that such activity is conducted or supervised by a faculty member and that the activity does not include smoking, chewing, or otherwise ingesting tobacco.
4. The administration will consult with the county health department and other appropriate organizations to provide employees with information about support systems and programs to encourage employees to abstain from the use of tobacco products. The school system may, from time to time, provide free non-smoking programs and services to employees of the school system after the regular school day.
5. The principal of each school and other school personnel responsible for school facilities shall post signs in system facilities in a manner and location that adequately notify staff, students, and visitors that the use of tobacco products by any person is prohibited at all times in or on school property.
6. The superintendent and designees shall ensure that adequate notice of this policy is provided to students, parents, school personnel, and the public.
7. All school personnel are required to adhere to and enforce this policy and other policies, rules, or regulations addressing the use of tobacco products.

Legal References: Pro-Children Act of 1994, 20 U.S.C. 6081 *et seq.*; 21 U.S.C. 321 (rr); 21 C.F.R. 1100 *et seq.*; G.S. 14-313; 115C-47(18), -407

Cross References: Tobacco Products – Students (policy 4320)

Adopted: September 15, 2016
Technical Corrections made: October 2, 2017

The board of education is committed to providing a safe school environment that is free from violence, to the maximum extent possible. Except as otherwise specified in this policy, employees, visitors, and other persons are prohibited from possessing, carrying, using, or threatening to use, or encouraging another person to possess, carry, use, or threaten to use, weapons or explosives on school property or while attending curricular or extracurricular activities sponsored by the school system. This policy applies to weapons or explosives carried openly or concealed. This policy does not apply to students. Student conduct related to weapons and explosives is governed by policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety.

Any employee who violates this policy will be subject to immediate termination. Any visitor or other person who violates this policy will be escorted from the premises and/or school activity immediately. The superintendent or principal shall immediately report any violation of this policy to law enforcement officials. Any employee who is aware that a weapon or explosive is present on school property or at a school event in violation of this policy must immediately report this information to the principal or designee or the school resource officer, as appropriate.

A. WEAPONS AND EXPLOSIVES DEFINED

For purposes of this policy, a weapon includes, but is not limited to, any gun, rifle, pistol, or other firearm of any kind; any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors, and razor blades (except solely for personal shaving), or fireworks; any sharp-pointed or -edged instrument, except instructional supplies, unaltered nail files, and clips and tools used solely for the preparation of food, instruction, and/or maintenance on educational property; and mace, pepper spray, and other personal defense sprays. For purposes of this policy, an explosive includes, but is not limited to, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1.

B. SCHOOL PROPERTY

For purposes of this policy, school property is any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by the board of education.

C. EXCLUSIONS

This policy does not apply to:

1. a weapon or explosive used solely for educational or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority;

2. a person who has a concealed handgun permit that is valid under state law or who is exempted by state law from needing a permit to carry a concealed handgun, if

any of the following conditions are met:

a. the person has a handgun in a closed compartment or container within the person's locked vehicle or in a locked container securely affixed to the person's vehicle (the person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit);

b. the person has a handgun concealed on the person and the person remains in a locked vehicle (the person may unlock the vehicle to allow another person to enter or exit); or

c. the person is within a locked vehicle and removes the handgun from concealment only for the amount of time reasonably necessary to move it to a closed compartment or container within the vehicle or to move it from the closed compartment or container to concealment on the person.

3. firefighters, emergency service personnel, North Carolina Forest Service personnel, and any private police employed by the board of education, when acting in the discharge of their official duties;

4. law enforcement officers or other persons as provided in G.S. 14-269.2(g)(1a); or

5. a volunteer school safety resource officer providing security at a school pursuant to an agreement as provided in G.S. 115C-47(61), provided that the volunteer school safety resource officer is acting in the discharge of his or her official duties and is on the educational property of the school that the officer was assigned to by the head of the local law enforcement agency.

Legal References: G.S. 14-69.2, -269, -269.2, -284.1; 20-17; 115C-47(61), -288(g)

Cross References: Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333)

Adopted:	April 21, 2011
Amended:	December 12, 2013
Amended:	December 10, 2015
Technical Corrections:	July 12, 2019

The board is committed to providing a healthy and safe environment for its students, employees, and visitors. To provide opportunities for assistance to individuals who experience sudden cardiac arrest on school property, the board authorizes the placement of automatic external defibrillators (AEDs) in designated locations in schools and other board-owned or operated facilities and at designated events to be accessed by medical practitioners and other trained persons.

To the extent funding, staff, and training are available, the superintendent is authorized to acquire AEDs for use at designated schools and events. The superintendent is further authorized to develop a program to address access to and training, use, and maintenance of AEDs in the school system. All such AEDs and any program developed must comply with the requirements of state and federal law.

The superintendent, in consultation with medical professionals trained in cardiopulmonary resuscitation (CPR) and AED use, shall develop procedures to implement this policy. Procedures must include information regarding:

1. Medical/healthcare provider oversight: Choice of AED devices will be made in consultation with a physician licensed by the state of North Carolina. Preference will be given to machines that offer both adult and child settings. The type of AED product must be one that is approved by the United States Food and Drug Administration.

2. CPR and AED use training for anticipated responders: Training will be completed in accordance with nationally recognized training programs including those approved and provided by the American Heart Association or American Red Cross. Appropriate records of training will be maintained.

3. Coordination with the emergency medical services (EMS) system: Appropriate local EMS officials must be notified of the location and most recent placement of AEDs within a reasonable period of time of placement.

4. Appropriate device maintenance and testing.

5. Placement of AEDs.

The superintendent or designee shall report to the board on the plan for and actual use of AEDs in the school system. The superintendent shall designate a program coordinator to manage the AED program in the schools.

Nothing in this policy should be construed to require the presence or use of an AED on school property or at school sponsored events, unless otherwise required by law. The board cannot and does not guarantee that an AED or a person trained in its use will be available at any particular school site or school-sponsored event.

The board and its employees expressly reserve all immunities from civil liability which are available to them under state or federal law, including governmental immunity and the statutory

immunities set forth in North Carolina General Statutes 90-21.14, 90-21.15, and 115C-375.1 and federal statute 42 U.S.C. 238q.

Legal References: G. S. 90-21.14, -21.15; 115C-375.1; 42 U.S.C. 238q

Cross References: Student Health Services (policy 6120)

Other Resources: *N.C. Emergency Guidelines for Schools*, (NCDHHS 2009), available at http://www.nchealthyschools.org/resources/; *Implementing an AED Program*, (American Heart Association 2018), available at http://www.heart.org/idc/groups/heart-public/@wcm/@ecc/documents/downloadable/ucm_438703.pdf

Adopted: February 25, 2014
Amended: May 18, 2015
Amended: April 20, 2023

The board endorses the goals of the Community Schools Act. The board will make specified indoor and outdoor school facilities available for use by eligible community groups under agreements developed in accordance with this policy. The board also will make some outdoor school facilities available for limited recreational use by the general public when not inconsistent with the board's use of the facilities. Any use of school facilities that disrupts school activities or that damages school property will not be permitted.

A. DUTY TO REPORT—YOUTH GROUP ORGANIZATIONS

The Board endorses access to facilities for all community members or groups in keeping with the criteria set forth in this policy. Youth Group organizations provide a vital service to the education of our students, consequently the board considers such organizations an extension of the educational process. Therefore, youth group organizational leaders and members will be held to the same reporting of criminal offense standards and expectations imposed on employees of Cherokee County Schools. Accordingly, all approved youth group organization volunteers shall notify the principal of the school they are approved use of facility if they are arrested for, charged with or convicted of a criminal offense (including entering a plea of guilty or *nolo contendere*) other than a minor traffic violation (i.e., speeding, parking or a lesser violation).

Notice must be in writing, must include all pertinent facts and must be delivered to the principal no later than the next scheduled business day following the arrest, charge or conviction, unless the group member is hospitalized or incarcerated, in which case the group member must report the alleged violation within 24 hours after his or her release. Upon judicial action in the matter, the group member must report the disposition and pertinent facts in writing to the principal no later than the next business day following adjudication.

Failure by a group member to provide timely notice as described above may lead to revocation of authority to use board facilities **for the entire organization**.

The principal will, in collaboration with the Superintendent and based on the nature of the offense make a determination as to the continued access to the facility to the offending organizational leader or member.

Principals will ensure each group or organization leader making application for use of facilities reads and understands this section of the policy and that each person who will be working with students on board owned property completes the Criminal History Verification—Youth Group Leaders & Members affidavit contained in the application.

B. PRIORITY IN USE/FEE STRUCTURE

In accordance with G.S. 163-129, the county board of elections is entitled to use school facilities as a polling place on election days. School-sponsored groups and activities, such as school athletic events, and school drama and choral productions, and meetings of student organizations, including organizations permitted to meet under the Equal Access Act, will otherwise have first priority in the use of school facilities.

For-profit groups may be permitted to use school facilities providing the usage:

a) is not recurring on a semi-continuous or continuous basis, e.g., using a school facility for several days or on a cyclic basis throughout the year or longer;
b) does not directly or indirectly sell goods that are in competition with citizens of Cherokee County;
c) does not render services to the public that are ordinarily provided by private businesses;
d) does not involve contracting with anyone or leasing space in a building owned by Cherokee County Schools for the purposes of selling goods or rendering services in competition with private businesses;

The above limitation does not preclude a 501C3 from utilizing school facilities, or, on a case-by-case basis, other for-profit businesses for purposes such as, but not necessarily limited to:

a) school parking and/or other school owned properties for consolidated annual fairs, such as the craft fair;
b) community coordinated events at which for-profit vendors may be present;
c) town sponsored events at which for-profit vendors may be present;
d) privately contracted companies that provide recreational entertainment (such as bouncy houses, pony rides, and other such for-profit venues) contracted privately by an individual or group, to provide entertainment during a not-for-profit event.

Priority in the use of school facilities by other groups and the fee structure for such groups will be in accordance with law and the following user categories. Priority in use among groups within the same user category will not be based upon the viewpoints of the groups. All groups within the same user category will be charged for facility use according to the uniform fee structure.

1. School-related groups (organizations formed to support the school in some manner, such as the PTA, PTO, teachers' and principals' organizations, and booster clubs).

   Fees: Fees for use of kitchens will be charged, as applicable, to cover costs. Custodial or supervisory fees may be charged.

2. In accordance with G.S. 115C-527, political parties for the express purpose of annual or biennial precinct meetings and county and district conventions.

   Fees: Custodial and utility fees may be charged.

3. Local government and youth organizations, including, but not limited to, scouts and 4-H.

   Fees: Custodial and/or supervisory fees will be charged. Fees for use of kitchens will be charged, as applicable, to cover costs. Utility fees may be charged.

4. All other not-for-profit groups (all groups not included in the other categories as well as political parties when meeting for purposes other than precinct meetings or county or district conventions).

   Fees: Rental, utility, and custodial and/or supervisory fees will be charged. Fees for use of kitchens will be charged, as applicable, to cover costs.

When necessary, the superintendent shall submit for board approval an amended fee structure. This fee structure shall list the amount or method of calculating rent and fees to be charged for facility use.

C. REQUESTS FOR USE OF FACILITIES

An eligible individual or group that wishes to apply for permission to use a school facility must submit a written application to the principal of the school in which the facility is located. Facility use request forms will be available in the school administrative office.

D. FACILITIES AVAILABLE FOR USE

The superintendent or designee shall develop and make accessible to the public a list of school facilities available for community use. Among the types of facilities that may be available for community use are auditoriums, athletic fields, dining areas, kitchens, designated classrooms, gymnasiums, media centers, and playgrounds. School facilities not listed as available for community use may be used only in exceptional circumstances based on a justified need and in accordance with terms approved by the superintendent or designee.

E. RULES GOVERNING USE OF SCHOOL FACILITIES

The superintendent shall develop regulations consistent with this policy. The regulations will include an application process and provisions regarding the supervision of groups using facilities, the care of facilities, prohibited conduct, and other issues deemed appropriate by the superintendent. The regulations will be made available to the public along with the facilities use application form. In addition to the regulations established by the superintendent, users of school facilities must comply with the following rules.

1. Users must comply with all federal, state, and local laws and all rules established by the board, the superintendent or designee, and the principal.

2. Users must comply with the requirements of the Americans with Disabilities Act (ADA) (particularly Subchapter III pertaining to Public Accommodations and Services Operated by Private Entities) and the federal regulations that have been adopted for the implementation of the ADA.

3. Users must comply with board policy and legal requirements forbidding the use of tobacco products in school facilities and on school grounds (see policy 5026/7250, Smoking and Tobacco Products).

4. Users must not consume or possess alcohol or drugs on school grounds (see policy 5025, Prohibition of Drugs and Alcohol).

5. Users must not possess weapons or explosives while on school grounds, except in the limited circumstances permitted by state law and policy 5027/7275, Weapons and Explosives Prohibited.

6. Users must not make any modifications, improvements, or alterations to school facilities without the prior written approval of the superintendent or designee.

7. Users must not display or distribute materials that are vulgar, indecent, or obscene or use vulgar, indecent, or obscene language while on school grounds.

8. Users are responsible for supervising their activities and the people present at their activities. Users are responsible for maintaining order and safety during their activities.

9. Upon departure, users must remove any materials or equipment they brought onto school grounds.

A user's violation of the provisions of this policy or any applicable regulations is grounds for suspending the user's privilege to use school facilities for a period of time deemed appropriate by the principal, subject to the review of the superintendent and the board of education.

F. FACILITY USE AGREEMENTS

A group that wishes to apply for permission to use a school facility must submit an application to the principal of the school at which the facility is located. If a facility use request is approved, the user will enter into a written agreement signed by the user and the superintendent or designee. Absent unusual circumstances, facility use agreements will not be granted for a term longer than one year. An agreement to span more than one year must be approved in advance by the board.

Long-term leases are subject to the provisions of policy 9400, Sale, Disposal, and Lease of Board-Owned Real Property.

G. DAMAGES AND LIABILITY INSURANCE

Users of school facilities are responsible for the conduct of all persons involved in the users' activities while on school property. Users are responsible for all damage to school facilities, property, or equipment that occurs while the facility is being used by the group,

regardless of who caused the damage.

All user groups, except school-sponsored groups, must furnish a certificate of insurance for general liability coverage with a total limit coverage of $1,000,000 for each claim made. Alternatively, the superintendent or designee may require the user group to execute a waiver of liability that states that no liability will be attached to the board of education, individually or collectively, for personal injury or personal property damage by reason of use of the school property.

H. USE OF OUTDOOR SCHOOL FACILITIES BY THE GENERAL PUBLIC

Outdoor property and facilities of the school system will be open to limited use by members of the general public in accordance with rules established by the superintendent or designee. Public use will be permitted only to the extent that it: 1) is not inconsistent with the proper preservation and care of the outdoor school property; 2) does not interfere with the safe and efficient operation of the schools and school activities; and 3) does not conflict with use by any community group operating under a facility use agreement described in this policy. The superintendent is authorized to establish all terms, conditions, and rules necessary to regulate the use of outdoor facilities by members of the general public consistent with these requirements.

I. REVIEW OF DECISIONS CONCERNING USE OF SCHOOL FACILITIES

Any person or organization may request a review of any decision made by a school employee pursuant to this policy in accordance with policy 1740/4010, Student and Parent Grievance Procedure.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Equal Access Act, 20 U.S.C. 4071-4074, 28 C.F.R. pt. 36; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; 36 U.S.C. 20101 *et seq.*; G.S. 14-269.2; Community Schools Act, G.S. 115C-203 to -209.1; 115C-524, -527; 160A-274; 163-129

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Prohibition of Drugs and Alcohol (policy 5025), Smoking and Tobacco Products (policy 5026/7250), Weapons and Explosives Prohibited (policy 5027/7275), Sale, Disposal, and Lease of Board-Owned Real Property (policy 9400)

Adopted: April 15, 1999
Appended: September 9, 1999
Amended: August 13, 2009
Amended: August 9, 2012
Amended: July 14, 2016
Amended: August 10, 2017
Technical Corrections: March 29, 2018
Technical Corrections: October 1, 2018
Amended: November 5, 2020

Amended: January 13, 2022
Amended: April 21, 2022
Amended: May 18, 2023

CONDITIONS OF USE

1. The applicant will leave the facility clean and in good order (as found) at the completion of use. Any misuse of the buildings and grounds and the group will be denied further use of any school facility. The applicant is responsible for returning all required paperwork to the principal/or designee before any activity may be scheduled.

RULES OF USE

1. The principal/designee of the school is consulted and grants permission for use of buildings and grounds or In-Kind agreements.
2. The Director of Operations is consulted and grants permission for any construction occurring on school campuses.
3. The use of tobacco in any form on school campuses is prohibited.
4. **No weapons (including pocket knives) are allowed on school premises**.
5. Moving furniture and/or putting up scenery must be approved by the principal/designee.
6. The use of Non-School Technology (computers, etc.) must be approved by the Principal/ designee and the Director of Technology.
7. The use of a school cafeteria must be approved by the Food Service Manager and requires the presence of a cafeteria staff member to be compensated by the applicant.
8. The use of a facility may require the presence of a custodian to be compensated by the applicant.
9. If applicant runs concession stand they are responsible for meeting the standards set forth by the Cherokee County Health Department.
10. All school and school related activities have first priority at no charge.
11. Cafeteria personnel wages must be paid for all activities.
12. No facilities' use fee will be changed for local government, rescue squads, rural fire departments and local law enforcement; however, a custodial fee may be charged. A fee will be charged for the use of cafeteria and/or kitchen pursuant to the fee schedule.
13. Scheduled fees and required paperwork must be filed and paid one week in advance or the application will not be honored. All fees must be paid by check or money order.

Cherokee County Schools
Use of School Facilities Applications/Contract

Date of Application: _____

School:_____Area:_____

Dates(s) of Use_____Hours_____

Purpose of Use: _____

Number of Participants_____Number of Spectators_____Number of Volunteers_____

Types of Use: _____Educational ____Recreational _____Religious _____Cultural _____Civic ____Social

Applicant Group: _____ For-Profit_____ Non-Profit _____

Contact Person:_____Phone: (home)_____

Business:_____ Phone: _____(cell) _____

Address:_____

_____

Signature:_____ Date:_____
Organization/Individual Representative

Approved: _____ Date:_____
Principal

This executed application/contract reserves the named facility for your groups use. Arrangements for entry to the facility and supervision of use must be made with the school principal at least two weeks prior to use. This is the responsibility of the applicant.

Damage Codicil:

In the event that a school facility is damaged after-hours that requires Maintenance Staff attention the applicant will be charged a $250.00 Maintenance Fee plus the cost of replacing the damaged materials.

Duty to Report Criminal Offense

I have read and understand the duty to report criminal offenses contained in policy 5030 Community Use of Facilities.

*Signature of applicant:*_____ *Date:*_____

STATE OF NORTH CAROLINA)
COUNTY OF_____)

CRIMINAL HISTORY VERIFICATION
YOUTH GROUP LEADERS & MEMBERS

This is to certify that **I, _____ being a**
(First Name, MI, Last Name)
part of:_____ am not currently under **investigation**
(Youth Group/Organization)
of a criminal offense, recently arrested or charged with a criminal offense, and I am not a registered sex offender.

Sworn Under Oath or Affirmation

_____
Signature

SWORN TO AND SUBSCRIBED BEFORE ME

This_____day of _____, 20_____.

by _____
(Name **of Volunteer**)

_____
(Notary Seal)
(Signature of Notary Public)

My Commission Expires:_____

Fee Schedule

I. CAFETERIA - WITH KITCHEN

A. FOR-PROFIT

1. $150.00 payable to CCS Food Service per event
2. 5 hours minimum labor @$20.00 per hour payable directly to the CCS employee.
3. $75.00 Energy charge payable to CCS Energy Department

B. NON-PROFIT

1. $50.00 payable to CCS Food Service per event
2. 5 hours minimum labor @$20.00 per hour payable directly to the CCS employee
3. $75.00 Energy charge payable to CCS Energy Department

II. CAFETERIA - WITHOUT KITCHEN

A. FOR-PROFIT

1. $50.00 payable to CCS Food Service per event
2. 5 hours minimum labor @$20.00 per hour payable directly to the CCS employee
3. $25.00 Energy charge payable to CCS Energy Department

B. NON-PROFIT

1. $25.00 payable to CCS Food Service per event
2. 5 hours minimum labor @$15.00 per hour payable directly to employee.
3. $25.00 Energy charge payable to CCS Energy Department

III. GYMNASIUM

A. FOR-PROFIT

1. $250.00 payable to school per event
2. $125.00 Energy Surcharge payable to CCS Energy Department per event
3. 5 hour custodian surcharge @$20.00 per hour for each event payable to the CCS employee responsible for providing custodial services;
4. or, provide a $500 security deposit that will be returned when the venue used meets the standards established by and between the venue user and the Principal/designee. *(This requirement may be required at the discretion of the Principal.)*

B. NON-PROFIT (RECREATION LEAGUES-PER SPORT)

1. $100.00 payable to school per season
2. $100.00 Energy Surcharge payable to CCS Energy Department **per sport**
3. Tournament Use — Facility Fee to be determined by Principal and energy use will be $100.00 per day
4. 5 hour custodian surcharge @$20.00 per hour for each event payable to the CCS employee responsible for providing custodial services;
5. or, provide a $500 security deposit that will be returned when the venue used meets the standards established by and between the venue user and the Principal/designee. (This requirement may be required at the discretion of the Principal.)

IV. Sports Fields

A. BALL FIELD(S) FOR-PROFIT

1. $500.00 payable to school per event. In-Kind reductions are at the discretion of the principal.
2. No Energy Charge for non-lighted ball fields.
3. $500.00 Energy Surcharge if lights are used per event.
    a. $200.00 additional charge per hour after 4 hours.
4. 5 hour custodian surcharge @$20.00 per hour for each event payable to the CCS employee responsible for providing custodial services;
5. or, provide a $500 security deposit that will be returned when the venue used meets the standards established by and between the venue user and the Principal/designee. *(This requirement may be required at the discretion of the Principal.)*

B. BALL FIELDS NON-PROFIT (RECREATION LEAGUES-PER SPORT)

1. $100.00 for school year payable to the school per year
2. No Energy Charge for non-lighted fields
3. $300.00 Energy Surcharge (football fields) if lights are used for each event. Make checks or money orders payable CCS Energy Department
4. 5 hour custodian surcharge @$20.00 per hour for each event payable to the CCS employee responsible for providing custodial services;
5. or, provide a $500 security deposit that will be returned when the venue used meets the standards established by and between the venue user and the Principal/designee. *(This requirement may be required at the discretion of the Principal.)*

V. CLASSROOM

A. FOR- PROFIT

1. $100.00 for each classroom per event payable to the school
2. $25.00 Energy surcharge per hour payable to CCS Energy Dept.

3. 5 hour custodian surcharge @$20.00 per hour for each event payable to the CCS employee responsible for providing custodial services;
4. or, provide a $500 security deposit that will be returned when the venue used meets the standards established by and between the venue user and the Principal/designee. *(This requirement may be required at the discretion of the Principal.)*

B. NON-PROFIT

1. $50.00 for each classroom per event payable to CCS.
2. $25.00 Energy surcharge per hour payable to CCS Energy Dept.
3. 5 hour custodian surcharge @$20.00 per hour for each event payable to the CCS employee responsible for providing custodial services;
4. or, provide a $500 security deposit that will be returned when the venue used meets the standards established by and between the venue user and the Principal/designee. *(This requirement may be required at the discretion of the Principal.)*

VI. IN-KIND REDUCTIONS

A. Groups which provide needed services to the schools such as cleaning, painting and landscaping may have the above fees waived at the discretion of the principal.

FACILITIES USE PERMIT
ENERGY DEPARTMENT

Facility: _____

Applicant Group: _____

Group Leader:_____

Address:_____

Phone: (home)_____Business:_____ Cell:_____

Group Approved For:

(1)_____ Cost:_____ Annually____ Per Event_____
(2)_____ Cost:_____ Annually____ Per Event_____
(3)_____ Cost:_____ Annually____ Per Event_____
(4)_____ Cost:_____ Annually____ Per Event_____

Date of Use: _____

Fees paid: _____ Check No._____
(Date)

Approved By: _____
(Signature and Title)

CHEROKEE COUNTY BOARD OF EDUCATION

WAIVER OF LIABILITY AGREEMENT

This Agreement made and entered into this _____day of _____, 20___ Between CHEROKEE COUNTY BOARD OF EDUCATION and _____(USER) in consideration of the premises stated below.

WHEREAS, USER desires to be granted entry into Cherokee County Board of Education's property and/or facility known as _____, for the purpose of _____, and

WHEREAS, Cherokee County Board of Education is willing to grant entry into stated property for the stated purpose, but only upon the terms and conditions herein set forth;

NOW, THEREFORE, USER shall and does release Cherokee County Board of Education from any claim of whatsoever nature it might ever have now or in the future against Cherokee County Board of Education arising out of or in any way connected with the aforesaid activities of USER on the property, and USER further agrees to and does hereby indemnify, save harmless, and defend Cherokee County Board of Education, its agents, employees, representatives, and affiliates from the payment of any sum or sums of money or other consideration to any person in whatever capacity, including employees of Cherokee County Board of Education and employees of USER, on account of claims, lawsuits, or actions of whatever kind, growing out of or as a result of injuries to persons, including, but not limited to death, or damage to property, in any way arising out of or connected with USER's negligence, or that of employees or agents of USER, performing the activity described above, regardless of the existence or not of negligence on the part of Cherokee County Board of Education or any of its employees, agents, representatives, or affiliates.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement effective the date first above written.

CHEROKEE COUNTY BOARD OF EDUCATION

By: _____

USER

By: _____

The news media can be an important means of communicating information about the school system to the community. Consistent with policy 2220, Official School Spokesperson, the board chair and superintendent and their designees are authorized to provide information to the news media on behalf of the school system.

The superintendent shall establish an effective working relationship with the news media. The news media should be notified whenever necessary to relay information to the public, such as when there are emergency school closings. The superintendent also is expected to identify opportunities to educate the news media regarding the goals of the board and school system, especially as they relate to student success and the educational program. The superintendent also should inform the news media of the results of the school system's efforts to improve student achievement.

The school system will respond to news media requests for public records in compliance with policy 5070/7350, Public Records – Retention, Release, and Disposition.

Policy 5020, Visitors to the Schools, applies to news media. News media are expected to cooperate with school system officials in their efforts to provide a safe and orderly learning environment in which disruptions to instructional time are minimized. The principal or superintendent or their designees may require news media to leave or prevent news media from entering school grounds if the news media's presence interferes with these efforts.

Reporters may not solicit or conduct interviews with students without the express permission of the school's administration or without a faculty member present during the time of the interview—this includes student athletes before, during or after an athletic event. Policy 3620 Extracurricular Activities and Student Organizations contains guidance with regards to student conduct during news media interviews.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 115C-47, -109.3, -319 to -321, -402; 132-1 to -9

Cross References: Official School Spokesperson (policy 2220), Board Meeting News Coverage (policy 2325), Visitors to the Schools (policy 5020), Emergency Closings (policy 5050), Public Records – Retention, Release, and Disposition (policy 5070/7350)

Adopted: April 15, 1999
Amended: August 14, 2008
Amended: August 8, 2019
Technical Corrections: April 3, 2020
Amended: August 12, 2021
Amended: June 29, 2023

The superintendent shall develop procedures for the temporary closing of a school or all schools in the school system because of inclement weather or any other unforeseen occurrence that presents a threat to the safety of students and employees or causes major damage to school property. The superintendent shall notify parents, members of the board of education, the news media, and other interested parties of a decision to close a school or schools as soon as it is feasible to do so under the circumstances.

In the event that an emergency closing is for a definite period exceeding one week, the superintendent shall notify the members of the board of education before making a formal announcement of the closing. A decision to close one or more schools for an indefinite period that is anticipated to exceed one week shall be made by the superintendent in consultation with the members of the board of education.

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

Cross References:

Adopted: April 15, 1999
Reviewed: June 4, 2009
Amended: July 30, 2020

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

A. PUBLIC RECORD DEFINED

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

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

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

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

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

1. Name.

2. Age.

3. The date of original employment or appointment.

4. The terms of any past or current contract by which the employee is employed, whether written or oral, to the extent that the board has the written contract or a record of the oral contract in its possession.

5. Current position.

6. Title.

7. Current total compensation from all funding sources, including at least salary (including pay, benefits, incentives, supplements, bonuses, deferred compensation, and all other forms of compensation paid to the employee) and reimbursements and allowances (including travel-related reimbursements and allowances).

8. The date and amount of each increase or decrease in total compensation with the board.

9. The date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the board.

10. The date and general description of the reasons for each promotion with the board.

11. The date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the board. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board setting forth the specific acts or omissions that are the basis of the dismissal.

12. The office or station to which the employee is currently assigned.

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

B. DESIGNATION OF RECORDS OFFICER

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

1. Duties of the Records Officer

   The duties of the records officer include the following:

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

b. determining the most cost-effective means of storing and retrieving public records that include confidential information;

c. providing training, consultation, and guidelines to school officials who respond to or are otherwise involved in public records requests;

d. determining the actual cost of providing copies of public records in various forms, such as paper or electronic media, in which the school system is capable of providing the records;

e. determining the cost of a request for copies of public records when a special service charge is applicable or when the school system is voluntarily creating or compiling a record as a service to the requester; and

f. reviewing appeals of any denial of a request for public records.

2. Other Duties

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

a. will not impede the school system's ability to permit public inspection and examination of public records; and

b. provides a means of obtaining copies of such records.

C. REQUESTS FOR PUBLIC RECORDS

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

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

D. FEES FOR COPIES OF PUBLIC RECORDS

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

E. ELECTRONIC MAIL LISTS

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

F. DESTRUCTION OF PUBLIC RECORDS

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

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 14-113.8(6); 115C-47(40), -105.27(a2), -105.53, -105.54, -109.3, -174.13, -319 to -321, -402; 132-1 to -9; 135-8(f)(2)(f); *Program Records Schedule: Local Public School Units*, N.C. Department of Natural and Cultural Resources (2021), available at https://archives.ncdcr.gov/documents/local-education-agencies-schedule; *General Records Schedule: Local Government Agencies*, N.C. Department of Natural and Cultural Resources (2021), available at https://archives.ncdcr.gov/government/retention-schedules/local-government-schedules/general-records-schedule-local-government

Cross References: Use of Personal Technology to Conduct School Business (policy 3228/7323), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), News Media Relations (policy 5040), Electronically Stored Information Retention (policy 5071/7351), Personnel Files (policy 7820)

Adopted: August 9, 2012
Amended: February 25, 2014
Amended: May 18, 2015
Amended: May 12, 2016

Amended: July 26, 2018
Amended: January 16, 2020
Amended: February 11, 2021
Technical Corrections made: April 1, 2022
Amended: October 2, 2025

ELECTRONICALLY STORED INFORMATION RETENTION

Policy Code: **5071/7351**

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

School business-related ESI sent and/or received by an employee using a personal technology device or account is subject to this policy and policy 3228/7323, Use of Personal Technology to Conduct School Business.

A. SYSTEM-WIDE EMAIL RETENTION AND EMPLOYEE RESPONSIBILITY FOR ESI

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

B. LITIGATION HOLDS FOR ESI

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

C. INSPECTION OF ESI

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

D. DELEGATED AUTHORITY

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

Legal References: Fed. R. Civ. P. 16, 26, 33, 37, 45; North Carolina Public Records Act, G.S. 132; *Program Records Schedule: Local Public School Units*, N.C. Department of Natural and Cultural Resources (2021), available at https://archives.ncdcr.gov/documents/local-education-agencies-schedule; *General Records Schedule: Local Government Agencies*, N.C. Department of Natural and Cultural Resources (2021), available at https://archives.ncdcr.gov/government/retention-schedules/local-government-schedules/general-records-schedule-local-government

Cross References: Use of Personal Technology to Conduct School Business (policy 3228/7323), Public Records – Retention, Release, and Disposition (policy 5070/7350)

Other Resources: *Digital Records*, State Archives of North Carolina, https://archives.ncdcr.gov/government/digital-records

Adopted: July 14, 2016
Amended: January 16, 2020
Amended: July 16, 2026

RELATIONSHIP WITH OTHER GOVERNMENTAL AGENCIES

Policy Code: **5100**

Productive working relationships with other governmental agencies are critical to the school system's efforts to provide safe, orderly and inviting learning environments in which students can succeed in the educational program. These relationships also are necessary to coordinate services so that various governmental agencies can strive to meet the needs of students in an efficient and effective manner.

School administrators are expected to develop and maintain productive working relationships with other governmental agencies. Any contracts or specific agreements regarding working relationships with other governmental agencies must be approved by the board.

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

Cross References:

Adopted: April 15, 1999
Technical Corrections: July 12, 2019

RELATIONSHIP WITH COUNTY COMMISSIONERS

Policy Code: **5110**

The board strives for a productive working relationship with the board of county commissioners so that sufficient funding is provided to meet the educational goals that the board has established for the school system. The board will seek opportunities to inform the county commissioners about the needs of the school system through a five-year capital outlay plan, the annual budget, and other documents and reports the board deems necessary. The board welcomes periodic joint meetings between the boards as a means of strengthening the relationship with the board of county commissioners, clarifying expectations regarding the budget process, and educating the commissioners on the needs of the school system.

The superintendent shall develop a productive working relationship with the county manager. The superintendent is encouraged to initiate periodic meetings with key administrative personnel of the school system and county government.

Legal References: G.S. 115C-36, -47, -426, -427

Cross References:

Adopted: April 15, 1999
Technical Corrections: July 12, 2019

RELATIONSHIP WITH LAW ENFORCEMENT

Policy Code: **5120**

The board recognizes the importance of law enforcement authorities in providing safe schools. The board desires an effective working relationship with law enforcement. To this end, the superintendent and principals are expected to communicate the needs of the schools and work with law enforcement officials in developing joint programs and in establishing protocols for handling situations in which the assistance of law enforcement is helpful or necessary. The superintendent shall establish procedures for school contacts with law enforcement agencies.

The superintendent shall ensure that local law enforcement have schematic diagrams, including digital schematic diagrams, of all school facilities and provide them 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. The superintendent shall also 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.

School resource officers will be assigned duties as specified in a written understanding between the law enforcement agency and the school system.

Law enforcement officials, including school resource officers, should not initiate administrative investigations, including investigations to determine whether student behavior policies have been violated, but may be used to assist school officials in such investigations for safety or other reasons as determined necessary by the principal or designee. Law enforcement officials may be contacted to report possible criminal conduct on school premises or at school-sponsored activities. (See policy 4335, Criminal Behavior, for more information regarding mandatory reporting of certain criminal behaviors.) However, school officials will independently investigate violations of school rules or board policies even if such violations may also involve criminal behavior.

School administrators and employees are expected to cooperate in criminal investigations but should attempt to do so in a way that minimizes disruptions to the educational environment. Visits by probation officers to students during the school day must be in accordance with policy 5020, Visitors to the Schools.

Legal References: G.S. 115C-36, -47, -105.53

Cross References: School Safety (policy 1510/4200/7270), Criminal Behavior (policy 4335), Student Searches (policy 4342), Visitors to the Schools (policy 5020)

Adopted: April 15, 1999
Amended: March 13, 2008
Amended: May 9, 2013
Amended: February 25, 2014
Amended: March 10, 2016

The policies listed below require the superintendent or other school system employees to report certain information to various external governmental agencies and officials. This list is not exhaustive of all external reporting requirements. In addition to the reporting requirements described in this policy, the superintendent or designee shall make any other reports to external governmental agencies or officials when required by law or regulation or when required as a condition of a federal grant or award (see policy 8305, Federal Grant Administration).

A. THE STATE BOARD OF EDUCATION/DEPARTMENT OF PUBLIC INSTRUCTION

1. Reporting Obligations of the Superintendent

   The superintendent must ensure that all required data, reports, and other information are submitted to the State Board of Education (SBE)/Department of Public Instruction, including, but not limited to, the following:

   a. that a licensed individual has been found through a criminal records check to have a criminal history (see policy 7100, Recruitment and Selection of Personnel);

   b. the reason for the resignation of certain licensed employees if the employee's criminal history is relevant to the resignation (see policy 7900, Resignation);

   c. that certain licensed employees, who have been recommended for dismissal, have resigned without the superintendent's written consent (see policy 7900, Resignation);

   d. parental involvement information as required by SBE Policy PRNT-002 and G.S. 115C-76.70 (see policy 1310/4002, Parental Involvement);

   e. certain crimes occurring on school property or on school sponsored field trips as required by 16 N.C.A.C. 6E .0107 (see policy 4335, Criminal Behavior);

   f. if at least two violent criminal offenses and at least five or more such offenses per 1000 students were committed during each of the two most recent school years, any conditions in the school that may have contributed to the commission of the violent criminal offenses and any plans to eliminate such conditions; and each student transfer made pursuant to SBE Policy SSCH-006 (see policy 4152, Unsafe School Choice Transfer);

   g. a copy of the Chemical Hygiene Plan (see policy 7265, Occupational Exposure to Hazardous Chemicals in Science Laboratories);

   h. a plan for the literacy interventions the school system will offer in the

following school year, as required by G.S. 115C-83.6A (see policy 3420, Student Promotion and Accountability);

i. the board's determination of how each alternative school will participate in the State Alternative Schools' Accountability Model (see policy 3470/4305, Alternative Learning Programs/Schools);

j. the comparability testing report assessing the equivalent distribution of state and local resources among schools (see policy 3565/8307, Title I Program Comparability of Services);

k. mental health and student wellness information required by SBE Policy SHLT-003 (see policy 6120, Student Health Services);

l. a copy of policy 6140, Student Wellness, if requested (see policy 6140, Student Wellness);

m. a report that provides information pertaining to the school system's efforts to comply with policy 6140, Student Wellness, and SBE Policy SHLT-000 (see policy 6140, Student Wellness); and

n. student disciplinary data (see policy 4345, Student Discipline Records).

2. Reporting by Principals and Central Office Personnel of Certain Misconduct by Licensed Employees

a. Any superintendent, associate superintendent, assistant superintendent, personnel administrator, or principal who knows, has reason to believe, or has actual notice of a complaint that a licensed employee has engaged in misconduct that (1) would justify automatic revocation of the employee's license pursuant to G.S. 115C-270.35(b), has resulted in a criminal charge or indictment for any of the crimes listed in G.S. 115C-270.35(b), involved the infliction of physical injury against a child or student other than by accident or in self-defense, or involved any sexual contact with a child or student, and (2) resulted in termination of employment, nonrenewal of an employment contract, suspension without pay, disciplinary action, or resignation shall report the misconduct to the SBE (see Section F of policy 7130, Licensure).

b. If a licensed employee is dismissed, is demoted, or resigns as the result of conduct that is not covered by the preceding sentence but that may otherwise justify disciplinary sanctions against the employee's license under 16 N.C.A.C. 6C .0604, the superintendent or designee shall report the conduct to the SBE (see Section F of policy 7130, Licensure).

B. NORTH CAROLINA CENTER FOR SAFER SCHOOLS

The superintendent or designee shall send to the Center for Safer Schools a copy of any threat assessment policies, procedures, or protocols when approved or revised (see policy 1510/4200/7270, School Safety). The superintendent shall also ensure that quantitative data on the activities of all threat assessment teams is reported to the Center for Safer Schools as required (see policy 1510/4200/7270, School Safety).

C. LAW ENFORCEMENT

1. Sexual Offense, Child Abuse, or Serious Bodily or Physical Injury of a Child

   School employees, contractors, and volunteers must report to local law enforcement when they know or reasonably should know that a child has been a victim of a sexual offense or an offense that inflicts serious bodily injury or serious physical injury upon the child by nonaccidental means or an attempt, solicitation, or conspiracy to commit either of those offenses, or misdemeanor child abuse (see policy 4240/7312, Child Abuse and Related Threats to Child Safety).

2. Certain Crimes on School Property

   Principals must report to law enforcement certain crimes occurring on school property (see policy 4335, Criminal Behavior, and policy 5027/7275, Weapons and Explosives Prohibited, and policy 7240, Drug-Free and Alcohol-Free Workplace, and administrative regulation 1510/4200/7270-R, Responding to Bomb Threats).

3. Sex Offenders

   School administrators and other supervisory personnel also must report to law enforcement when they reasonably believe that a registered sex offender is or has been on school property or at a school event (see policy 5022, Registered Sex Offenders).

4. School Facilities

   The superintendent must provide law enforcement with (1) schematic diagrams of all school facilities, (2) updates of the schematic diagrams when the school system makes substantial facility modifications, (3) either keys to the main entrance of all school buildings or emergency access to key storage devices for all school buildings, and (4) updated access to school buildings when changes are made to the locks of the main entrances or to the key storage devices (see policies 1510/4200/7270, School Safety, 5120, Relationship with Law Enforcement, and 9220, Security of Facilities).

D. LOCAL EMERGENCY MEDICAL SERVICES

Appropriate local emergency medical services officials must be notified of the location and most recent placement of AEDs within a reasonable period of time of placement (see policy 5028/6130/7267, Automated External Defibrillator).

E. COUNTY DEPARTMENT OF SOCIAL SERVICES

School employees, contractors, and volunteers must report to the county department of social services if they suspect that a child is abused, neglected, dependent, or has died as the result of maltreatment (see policy 4240/7312, Child Abuse and Related Threats to Child Safety).

F. DEPARTMENT OF HEALTH AND HUMAN SERVICES

School employees, contractors, and volunteers must report to the Department of Health and Human Services (DHHS) if they have cause to suspect that a child in a child care facility has been maltreated by a caregiver or has died as a result of maltreatment occurring in a child care facility (see policy 4240/7312, Child Abuse and Related Threats to Child Safety). The assistant superintendent of human resources also must notify DHHS if a child care provider has incurred any pending charges, indictments, or convictions (other than minor traffic offenses) since the last qualification letter was issued by DHHS's Division of Child Development and Early Education (see policy 7100, Recruitment and Selection of Personnel).

In addition, the principal shall provide DHHS with an annual immunization report and a health assessment status report (see policy 4110, Immunization and Health Requirements for School Admission).

G. COUNTY HEALTH DEPARTMENT

The principal must report suspected cases of reportable diseases and conditions to the county health department (see policy 4230, Communicable Diseases – Students, and policy 7262, Communicable Diseases – Employees).

Supervisory personnel must report unsafe conduct to the county health department when they have a reasonable concern that such conduct may cause or may have caused the spread of a communicable disease (see policy 7262 Communicable Diseases – Employees).

H. DEPARTMENT OF PUBLIC SAFETY'S DIVISION OF EMERGENCY MANAGEMENT

The superintendent must provide the Department of Public Safety's Division of Emergency Management with (1) emergency response information it requests for the school risk management plan, (2) updated emergency response information when such updates are made, (3) schematic diagrams of all school facilities, and (4) updates of the schematic diagrams when the school system makes substantial facility modifications (see

policies 1510/4200/7270, School Safety, and 9220, Security of Facilities).

I. NORTH CAROLINA CENTER FOR MISSING PERSONS

School officials must report to the Center for Missing Persons any information received indicating that a student transferring into the school system is a missing child (see policy 4700, Student Records).

J. DEPARTMENT OF ADMINISTRATION

The following information must be provided to the Department of Administration: (1) all legally required reports regarding contract bids and contract purchases of goods and services from historically underutilized businesses, disabled business enterprises, and nonprofit work centers for the blind and the severely disabled (see policy 6402, Participation by Historically Underutilized Businesses); and (2) all legally required reports regarding the use of minority businesses in construction work (see policy 9125, Participation by Minority Businesses).

K. BOARD OF COUNTY COMMISSIONERS

The finance officer must provide notice to the board of county commissioners of any report received from the Teachers' and State Employees' Retirement System containing a list of employees whose retirement in the upcoming year would likely result in an assessment to the board for additional employer contribution (see policy 8510, School Finance Officer).

L. SECRETARY OF THE LOCAL GOVERNMENT COMMISSION

The finance officer must submit reports to the Secretary of the Local Government Commission as required by law (see policy 8510, School Finance Officer).

M. FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Designated employees shall report required information regarding school system commercial motor vehicle operators through the federal Commercial Driver's License Drug and Alcohol Clearinghouse (see policy 7241, Drug and Alcohol Testing of Commercial Motor Vehicle Operators).

Legal References: 49 C.F.R. 382.705; G.S. 7B-301; 14-318.6; 110-105.4; 115C-12(27), -76.70, -83.6A, -105.53, -105.54, -105.65, -270.35, -288(g), -325(o)(2) (applicable to career status teachers), -325.9(b) (applicable to non-career status teachers), -326.20, -390.4(c), -403, -436, -446; 130A-136, -155, -441; 143-48, -128.3, -131; 10A N.C.A.C. 09 .2703(m); 16 N.C.A.C. 6C .0313, .0604, .0608; 16 N.C.A.C. 6E .0107; 16 N.C.A.C. 6G .0314; State Board of Education Policies PRNT-002, SHLT-000, SHLT-003, SSCH-006

Cross References: Parental Involvement (policy 1310/4002), School Safety (policy

1510/4200/7270), Responding to Bomb Threats (administrative regulation 1510/4200/7270-R), Student Promotion and Accountability (policy 3420), Alternative Learning Programs/Schools (policy 3470/4305), Title I Program Comparability of Services (policy 3565/8307), Immunization and Health Requirements for School Admission (policy 4110), Unsafe School Choice Transfer (policy 4152), Communicable Diseases – Students (policy 4230), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Criminal Behavior (policy 4335), Student Discipline Records (policy 4345), Student Records (policy 4700), Registered Sex Offenders (policy 5022), Weapons and Explosives Prohibited (policy 5027/7275), Automated External Defibrillator (policy 5028/6130/7267), Relationship with Law Enforcement (policy 5120), Student Health Services (policy 6120), Student Wellness (policy 6140), Participation by Historically Underutilized Businesses (policy 6402), Recruitment and Selection of Personnel (policy 7100), Licensure (policy 7130), Drug-Free and Alcohol-Free Workplace (policy 7240), Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241), Communicable Diseases - Employees (policy 7262), Occupational Exposure to Hazardous Chemicals in Science Laboratories (policy 7265), Resignation (policy 7900), Federal Grant Administration (policy 8305), School Finance Officer (policy 8510), Participation by Minority Businesses (policy 9125), Security of Facilities (policy 9220)

Other Resources: *Behavioral Threat Assessment and Management: Best Practice Guidance for North Carolina Behavioral Threat Assessment and Management Teams for Harm Prevention*, N.C. Department of Public Instruction Center for Safer Schools (March 2024), available at http://www.dpi.nc.gov/best-practice-guidance-north-carolina-behavioral-threat-assessment-and-management-teams-harm; Master Data Calendar, N.C. Department of Public Instruction, available at https://www.dpi.nc.gov/data-reports/data-calendar

Adopted: December 4, 2025

DISTRIBUTION AND DISPLAY OF NON-SCHOOL MATERIAL

Policy Code: **5210**

Students and the educational program must be the focus of the school system. In order to maintain an educational environment conducive to learning and to minimize intrusions upon instructional time, distribution and display of non-school material will be limited in accordance with this policy and policy 5240, Advertising in the Schools. School officials shall screen and approve the distribution or display of non-school material on school property. (The term "non-school material" is defined in Section F below.)

This policy applies to the distribution and display of non-school material by students and school-related groups (as defined in Section F below) and by governmental agencies, educational institutions, and non-profit entities as permitted in Section C below. This policy does not apply to the distribution and display of materials by individuals or groups that are on school property in accordance with policy 5030, Community Use of Facilities. Except as provided in Section A below, this policy will not be construed as applying to or prohibiting the display of compliant political signs permitted by G.S. 136-32.

A. DISPLAY OF COMPLIANT POLITICAL SIGNS IN THE RIGHT-OF-WAY DURING DESIGNATED PERIODS

Any person may display compliant political signs in the right-of-way of the state highway system or in municipal street rights-of-way in accordance with the standards established in G.S. 136-32, even if such right-of-way constitutes school grounds. Compliant political signs may be displayed in such right-of-way from 30 days before the first day of "one-stop" early voting to 10 days after the primary or election day. School officials may remove and dispose of any political sign remaining in the right-of-way more than 40 days after the primary or election day. School officials shall observe any different rules established by applicable local ordinance for placement and removal of political signs on municipal street rights-of-way.

School officials shall not remove any political sign lawfully placed except as provided in this section but may request the Department of Transportation to remove a sign that is not in compliance with G.S. 136-32.

B. DISTRIBUTION AND DISPLAY BY STUDENTS

Students wishing to distribute or display on campus any publication, leaflet, or other written material that is not school-sponsored must submit the publication or material to the principal for review prior to distribution. The principal shall prohibit distribution or display when the publication or material contains speech that is prohibited as specified in Section D below but otherwise shall not discriminate on the basis of viewpoint in granting or denying a student permission to distribute or display non-school publications or materials. If permission to distribute or display a publication or material is denied, the student may request review of the principal's decision as specified in Section E below.

C. DISTRIBUTION AND DISPLAY BY NON-STUDENTS

1. Distribution and display of "school-sponsored or curriculum-related publications and materials" as defined in Section F are permitted during the school day, on school grounds and at school activities.

2. Distribution and display of publications and materials by school-related groups that have received prior approval of the [principal or superintendent or designee] pursuant to the standards in Section D below and the standards for review of the decision in Section E below are permitted at reasonable times and places as designated by the [principal or superintendent or designee]. The term "school-related group" is defined in Section F. The [principal or superintendent or designee] shall not discriminate on the basis of viewpoint in granting or denying permitted school-related groups permission to distribute or display non-school material.

3. The superintendent is authorized to adopt regulations regarding approval forms, how many times a year groups may distribute or display publications or materials, delivery and bundling requirements, etc.

4. Nothing in this policy will be construed to create a public forum that would allow non-students access to school property for the purpose of distributing or displaying non-school publications and materials.

D. DISTRIBUTION AND DISPLAY STANDARDS FOR NON-SCHOOL MATERIALS

School officials shall apply the following standards to approve the distribution or display of all non-school material by individuals or groups authorized by this policy on school property:

1. While materials will not be screened for viewpoint, the reviewer shall prohibit the distribution or display of any publication or material that (a) is vulgar, indecent, or obscene; (b) contains libelous statements, personal attacks, or abusive language such as language defaming a person's character, race, religion, ethnic origin, sex, family status, or disability; (c) causes or clearly threatens to cause a material and substantial disruption of a school activity; (d) encourages the commission of unlawful acts or the violation of lawful school regulations; (e) is inappropriate considering the age of the students in the school; (f) contains information that is inaccurate, misleading, or false; or (g) advertises any product or service not permitted to minors by law.

   The [principal or superintendent's designee, depending on who makes the initial decision] shall notify the superintendent before approving or prohibiting distribution or display of any publications or materials that raise a question as to whether a specific action by school officials might violate the Establishment of Religion Clause, the Free Exercise of Religion Clause, or the free speech rights guaranteed by the First Amendment of the U.S. Constitution. The superintendent

shall consult with the board attorney to determine the legally appropriate course of action.

2. The distribution of non-school material must not interfere with instructional time.

3. Non-school publications and materials distributed or displayed to students must be clearly identified, through the method of distribution or otherwise, as non-school materials that are neither endorsed nor necessarily reflective of the views of the school board or the school system.

4. In order to minimize disruption to the learning environment, political campaign materials may not be distributed to students or employees (including through employee mailboxes and e-mail) or made available on school grounds during school time or at school events. However, on election days, posters and printed materials are permitted for viewing and distribution to the public at school buildings used as polling places in accordance with state law and board of elections requirements.

   This provision does not prohibit a teacher from using political literature or campaign material for instructional purposes. However, any teacher using these materials for instructional purposes shall not use his or her position to promote a particular candidate, party, or position on a specific issue. The teacher also shall attempt to use a variety of materials that represent balanced and diverse viewpoints on the political spectrum.

E. PROCEDURES FOR REQUESTING DISTRIBUTION OR DISPLAY OF NON-SCHOOL MATERIALS

1. Any individual or organization wishing to distribute or display non-school-sponsored publications or materials must first submit for approval a copy of the publication or material to the [principal or superintendent or designee] at least five school days in advance of the distribution or display time, along with the following information: (a) the name and phone number of the individual submitting the request; (b) the date(s) and time(s) of day of intended distribution or display; (c) the desired location for distribution or display of material; and (d) if the distribution or display is intended for students, the grade(s) of students for whom the distribution or display is intended.

2. Within five school days, the [principal or superintendent or designee] shall review the request and render a decision. In the event permission to distribute or display the material is denied or restricted, the individual submitting the request will be informed in writing of the reasons for the denial or restriction.

3. Any request denied or restricted by the [principal or superintendent or designee] may be appealed in writing to the [superintendent or designee or board, depending

on who made the initial decision]. [If the principal made the initial decision, the superintendent or designee shall review the decision and render a decision within 10 school days. Any request denied by the superintendent or designee may be appealed to the board of education.] The board will review the request at its next regularly scheduled meeting. As appropriate, the superintendent or the board will consult with the board attorney concerning a request to distribute or display non-school literature.

4. Permission or denial of permission to distribute or display material does not imply approval or disapproval of its contents by school system administrators, the school board or the individual reviewing the material submitted.

F. DEFINITIONS

The following terms used in this policy are defined as follows:

1. Obscene

"Obscene" describes any speech or work that the average person, applying contemporary community standards (as opposed to "national standards"), would find, taken as a whole, appeals to prurient interest; or that depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law; and that, taken as a whole, lacks serious literary, artistic, political, or scientific value.

2. Libelous Statement

Libelous statements are false and unprivileged statements about a specific person that injure that person's reputation in the community.

3. Non-School Material

Non-school material includes any publication or other written information that is not a school-sponsored or curriculum-related publication or material.

4. Material and Substantial Disruption

A material and substantial disruption is any conduct that for any reason, including inappropriateness of time, place or type of behavior, significantly interferes with school functions, classroom instruction, or the rights of other students or school employees. Examples of material and substantial disruption include, but are not limited to, demonstrations, destruction of property, injury to students or other persons, shouting or boisterous conduct, and anything that significantly distracts students from instruction or prevents school personnel from performing their educational responsibilities.

5. School-Sponsored or Curriculum-Related Publications and Materials

   School-related materials or publications are: (a) materials published by the school system for distribution (i.e. school calendars, menus, school newsletters, etc.); (b) materials that are approved by school officials and related to activities or events that are officially sponsored by the school (i.e. announcements for sports teams, clubs, field trips, school plays, and concerts); or (c) materials that are directly related to instruction.

6. School-Related Group

   School-related groups are organizations formed to support the school in an area of recognized need, such as the PTA, the PTO, teachers' and principals' organizations, and booster clubs.

The superintendent shall adopt necessary regulations to ensure that this policy is implemented throughout the school system.

Legal References: U.S. Const. amend. I; *Peck v. Upshur*, 155 F.3d 274 (1998); G.S. 115C-36, -47; 136-32; 163-129, -166.4

Cross References: Community Use of Facilities (policy 5030), Collections and Solicitations (policy 5220), Advertising in the Schools (policy 5240)

Adopted: January 12, 2012
Amended: September 12, 2013
Amended: January 16, 2020
Amended: January 13, 2022

The board is committed to minimizing disruptions to instructional time and the educational environment. Collections and solicitations are discouraged and must not disrupt instructional time. Employees and students will not be required to contribute or respond to any collection or solicitation.

The superintendent shall develop regulations governing collections and solicitations. The regulations will specify the type and number of collections and solicitations permitted and an approval process for collections and solicitations subject to the following guidelines.

Outside organizations and/or sales representatives may not solicit individual employees or students during working hours or the school day unless prior written approval is granted by the principal or the superintendent.

1. As a general rule, Students, school organizations, teachers, and/or other school employees may not sell commercial products during the instructional school day.

2. Individuals and organizations must secure approval from the principal prior to conducting collections or solicitations on school grounds.

3. Fliers and other materials that are to be distributed or displayed in conjunction with an approved collection or solicitation must be approved by the principal based upon the criteria in Section D of policy 5210, Distribution and Display of Non-School Material, and/or policy 5240, Advertising in the Schools.

Legal References: G.S. 14-238; 115C-36, -47

Cross References: Distribution and Display of Non-School Material (policy 5210), Advertising in the Schools (policy 5240), Crowdfunding on Behalf of the School System (policy 7360/8225)

Adopted: April 15, 1999
Amended: August 8, 2019
Technical Corrections made: September 30, 2019

The board encourages agencies and individuals to conduct research on issues related to student achievement and the effective operation of the school system.

The superintendent may approve a request for participation in a research project if:

1. the research results ultimately may benefit students of the school system;
2. the project's purpose and methodology are compatible with the goals and objectives of the board and school system; and
3. the project will not disrupt instructional time.

The superintendent is encouraged to involve central office administrators, school administrators, teachers and parents in making this assessment. The superintendent shall report on approved research projects at the next regularly-scheduled board meeting.

A research project involving a survey of students must comply with policy 4720, Surveys of Students.

All research projects must comply with the confidentiality requirements of policy 4700, Student Records, and policy 4705/7825, Confidentiality of Personal Identifying Information.

Legal References: G.S. 115C-47, -230

Cross References: Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), Surveys of Students (policy 4720)

Adopted: April 15, 1999
Technical Correction: July 12, 2019

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

A. APPLICABILITY OF POLICY

This policy is intended to govern requests to advertise products, services, programs, or activities on school property, at school events, or through school publications and other media by:

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

B. PROHIBITED ADVERTISEMENT MESSAGES

The board of education prohibits advertising that (1) is vulgar, indecent, or obscene; (2) contains libelous statements, personal attacks, or abusive language, such as language defaming a person's character, race, religion, ethnic origin, family status, or disability; (3) causes or clearly threatens to cause a material and substantial disruption of a school activity; (4) encourages the commission of unlawful acts or the violation of lawful school rules or regulations; (5) is inappropriate considering the age of the students in the school; (6) includes information that is inaccurate, misleading, or false; or (7) is for any product or service not permitted to minors by law.

C. SCHOOL FORUMS

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

D. REGULATIONS GOVERNING ADVERTISING IN THE SCHOOLS

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

1. School officials may allow for commercial advertisement space on stadium, athletic, or gymnasium billboards, banners, or signage or in school publications, such as yearbooks, school newspapers, newsletters, and event programs. Such space may be sold, for a reasonable fee or an in-kind contribution, to outside organizations or individuals for the purpose of advertising their products, services, programs, or

activities.

2. School officials may permit boards, displays, or banners that acknowledge donations to or sponsors of a school or the school system.

3. School officials shall prohibit advertising through the school system employee and student e-mail system and the school system website.

   Advertising in school publications or other school media, in school facilities, and on school property will be limited to an advertiser's (a) name; (b) logo; (c) location or place of business and contact information; (d) slogans that identify the advertiser but do not promote it; and (e) products, services, programs, or activities in a value-neutral description.

4. School officials have discretion to determine whether to use commercially sponsored materials or materials containing commercial advertising in school instructional programs and activities.

5. School officials may accept donations of equipment and supplies that contain advertising messages. However, such donations must comply with the requirements of policy 8220, Gifts and Bequests.

E. PROTECTION OF STUDENT PRIVACY

Collection of student data by the school system for marketing purposes is governed by Section C of policy 4720, Surveys of Students.

No school system employees shall require students to provide marketing information to vendors either through the provision of personal information or through marketing surveys. In addition, Neither the school system nor any school system employee will enter into any contract for products or services, including electronic media services, in which students are asked to reveal personal information for collection by the providers of such services for marketing purposes. For the purposes of this section, personal information includes, but is not limited to, the student's name, telephone number, e-mail address, and home address.

F. PROCESS TO REQUEST TO ADVERTISE

Any entity or individual interested in advertising products, services, programs, or activities pursuant to this Policy and school system regulations must submit a request to the principal (for advertising specific to an individual school) or to the superintendent's designee (for system-wide advertising). The principal or superintendent's designee shall decide whether to approve the advertising request and respond within 30 working days.

If the principal or superintendent's designee denies an advertising request, the entity or individual seeking to advertise has five days to appeal the decision to the superintendent. The superintendent

shall make a decision within 10 working days of receiving the appeal. As needed, the superintendent shall consult with the board attorney concerning a request to advertise.

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

Legal References: G.S. 115C-36, -45(c), -98

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

Adopted: May 11, 2006
Amended: September 12, 2019
Amended: July 21, 2022

The board recognizes that an effective educational program must be supported by services that assist students in taking advantage of educational opportunities. The board also recognizes the need for services that help the school system use resources necessary for an educational program in an effective and efficient manner.

The board and superintendent will strive to educate the board of county commissioners and other funding sources of the importance of support services.

Legal References: G.S. 115C-36

Cross References:

Adopted: March 11, 1999
Amended: August 10, 2015

The board recognizes the link between student health and learning. The goals of Student health services are:

- to encourage the physical well-being of all students;
- to integrate health-related services provided in the school setting, including those provided by counselors and health specialists;
- to provide health services in a manner that reinforces the objectives of the healthful living education curriculum;
- to work cooperatively with other governmental agencies and professional associations interested and involved in the health of students;
- to use up-to-date research findings to develop and provide health services to students;
- to meet all legal obligations; and
- to provide courteous service to students and parents.

Legal References: G.S. 115C-36, -288(e), -307(b) and (c)

Cross References:

Adopted: March 11, 1999
Amended: April 7, 2005
Technical Correction: July 12, 2019

The superintendent shall establish student health services consistent with board goals as provided in policy 6100, Goals of Student Health Services, and state and federal laws and regulations. Duties related to the health services will be included in appropriate job descriptions. Each principal is responsible for providing supervision of the student health services offered at his or her school.

Legal References: G.S. 115C-36, -288(e), -307(b) and (c)

Cross References: Goals of Student Health Services (policy 6100)

Adopted: March 11, 1999
Technical Correction: July 12, 2019

A. STUDENT HEALTH SERVICES GENERALLY

The board will provide health services to students as required by law. State law authorizes School employees to administer medication prescribed by a health care practitioner upon the written request of the parents; give emergency health care when reasonably apparent circumstances indicate that any delay would seriously worsen the physical condition or endanger the life of the student; and perform any other first aid or lifesaving technique in which training has been provided to school employees. A registered nurse will be available to provide assessment, care planning, and ongoing evaluation of students with special health care service needs in the school setting.

The superintendent may develop procedures or delegate the development of procedures to each principal for providing these health services and meeting the board requirements listed below.

1. The principal shall determine at the beginning of each school year prior to the beginning of classes, and thereafter as circumstances require, which employees will be selected to participate in the health services program. The principal shall inform his or her staff about which health services duties are delegated to which employees.

2. Any employee designated to provide health care services must receive appropriate training.

3. Health manuals prepared by the governing state agencies must be followed in developing appropriate procedures and for determining which tasks must be performed by registered nurses.

4. Procedures must be consistent with all related board policies, including policy 4230, Communicable Diseases – Students, and policy 6125, Administering Medicines to Students.

5. Procedures must be consistent with state and federal law for students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. The *Policies Governing Services for Children with Disabilities* will be followed, as applicable.

6. Procedures must be consistent with guidelines adopted by the State Board of Education under G.S. 115C-12(31) to serve students with diabetes, including developing and implementing individual diabetes care plans for such students and providing information and training to school personnel to appropriately support and assist such students, in accordance with their individual diabetes care plans.

7. Written information maintained by the school or school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be

accorded all rights provided by the Family Educational Rights and Privacy Act (FERPA) and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.

8. School personnel must obtain parental consent for medical services as required by law. Parents will be notified of their rights in accordance with policy 1310/4002, Parental Involvement.

9. Health professionals will be consulted in the development of health services. Opportunities also will be provided for input from staff, parents, and students on the health services provided.

B. SCHOOL SYSTEM MENTAL HEALTH PLAN

The superintendent shall develop a school-based mental health plan that includes a mental health training program and suicide risk referral protocol that satisfies the requirements of State Board of Education Policy SHLT-003. The superintendent shall submit the plan to the board for approval and direct implementation of the plan within all applicable deadlines.

By September 15 of each year, the superintendent shall report to the Department of Public Instruction on (1) the content of the school system's mental health plan, including the mental health training program and suicide risk referral protocol, and (2) the school system's prior school year compliance with the requirements of State Board of Education Policy SHLT-003. The board will review the components of the school system's mental health plan at least every five years, starting August 1, 2025, and will update the mental health plan in accordance with any updated requirements provided by the State Board of Education.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), -794, 34 C.F.R. pt. 104; G.S. 90-21.10B; 115C-12(12), -12(31), -36, -307(c), -375.1, -375.3, -376.5; 16 N.C.A.C. 6D .0402; 21 N.C.A.C. 36 .0221, .0224; *Policies Governing Services for Children with Disabilities*, State Board of Education Policies EXCP-000, SHLT-003

Cross References: Parental Involvement (policy 1310/4002), Communicable Diseases – Students (policy 4230), Student Records (policy 4700), Administering Medicines to Students (policy 6125)

Adopted: March 11, 1999
Amended: May 8, 2008
Amended: August 9, 2012
Amended: March 10, 2016
Amended: October 2, 2017
Amended: September 30, 2019

Amended: July 15, 2021
Amended: October 19, 2023

The board recognizes that students may need to take medication during school hours. School personnel may administer medication prescribed by a health care practitioner upon the written request of a student's parent. In limited circumstances, a student may be authorized to self-administer medications. To minimize disruptions to the school day, students should take medications at home rather than at school whenever feasible. School officials may deny a request to administer any medication that could be taken at home or when, in the opinion of the superintendent or designee in consultation with school nursing personnel, other treatment options exist and the administration of the medication by school personnel would pose a substantial risk of harm to the student or others.

For purposes of this policy, all references to "parent" include parents, legal guardians, and legal custodians. In addition, for purposes of this policy, the term "health care practitioner" is limited to licensed medical professionals who are legally authorized to prescribe medications under North Carolina law, such as doctors of medicine, doctors of osteopathic medicine, physician assistants, and nurse practitioners.

Unless otherwise indicated, the terms "medication" and "medicine" include any substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of any disease. The term includes all prescription medications and all such substances available over-the-counter without a prescription, such as drugs, herbs, alternative medicines, and supplements (hereinafter "over-the-counter drugs"). The administration of any prescription or over-the-counter drug to students by school employees is prohibited except when performed in accordance with Section A. The self-administration of any prescription or over-the-counter drug by students at school is prohibited and constitutes a violation of policy 4325, Drugs and Alcohol, except in the limited circumstances described in Section C.

The administration, including by parents, school employees, or self-administration, of any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) at school is prohibited unless the CBD or THC product is available by prescription only and has been approved by the U.S. Food & Drug Administration (FDA) and all requirements of this policy are met.

A. MEDICATION ADMINISTRATION BY SCHOOL EMPLOYEES

1. Conditions for *Administering Medication*

   Authorized school employees may administer medication *to* students when all of *the* following conditions are met. These conditions apply to all medications, including those available over-the-counter without a prescription.

   a. Parental Consent: The student's parent must make a signed, written request that authorizes school personnel to administer the medication to the student.

   b. Medication Authorization/Order: A health care practitioner must prescribe the medication for use by the student and provide explicit written instructions for administering the medication.

c. Certification of Necessity: The student's health care practitioner must certify that administration of the medication to the student during the school day is necessary to maintain and support the student's continued presence in school. A new form must be completed at the beginning of each school year, for each new medication, and each time there is a change in dosage or time of medication administration.

d. Proper Container/Labeling: If the medication to be administered is available by prescription only, the parent must provide the medication in a pharmacy-labeled container with the child's name, the name of the medication, the exact dose to be given, the time/frequency the medication is to be given, the route of administration, the number of doses in the container, and the expiration date of the medication. If the medication is available over-the-counter, it must be provided in the original container or packaging, labeled with the student's name.

e. Proper Administration: The employee must administer the medication pursuant to the health care practitioner's written instructions provided to the school by the student's parent, and in accordance with professional standards.

The board of education and its employees assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent and health care practitioner.

2. Procedures for Administering Medications

The superintendent shall develop procedures for the implementation of this policy. The procedures and a copy of this policy must be made available to all students and parents each school year. The superintendent's procedures should be developed according to the guidelines listed below.

The health and welfare of the student must be of paramount concern in all decisions regarding the administration of medication.

a. Procedures for medication administration must be consistent with recommendations of the School, Adolescence and Child Health Unit of the Whole Child Health Section of the Division of Child and Family Well-Being of the N.C. Department of Health and Human Services, as described in the *North Carolina School Health Program Manual*.

Students with special needs are to be afforded all rights provided by federal and state law as enumerated in the *Policies* Governing Services for Children with *Disabilities*. Students with disabilities also are to be afforded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

Except as permitted by this policy, no student may possess, use, sell, deliver, or manufacture any drug or counterfeit drug prohibited by policy 4325, Drugs and Alcohol, nor be under the influence of any drug in violation of that policy.

The board generally encourages school personnel to administer medication from a centralized location. However, in all instances, whether administered from a centralized location or multiple locations, any medications kept at school for a student must be kept in a locked and secure place. An exception to the requirement for locked storage may be made for emergency medications that must be immediately accessible. Access to controlled substances should be limited to the school nurse, school staff person authorized to administer medication, and the principal or designee.

All school personnel who will be administering medications must receive appropriate training.

Only medications clearly prescribed for the student may be administered by school personnel. At the time a parent brings a medication to school for administration, if school personnel have concerns regarding the appropriateness of the medication or dosage for a student, a confirmation should be obtained from the student's health care practitioner or another health care practitioner prior to administering the medication or allowing a student to self-administer the medication.

Although efforts should be made not to disrupt instructional time, a parent has the right to administer medication to his or her child at any time while the child is on school property, unless otherwise prohibited by this policy.

Written information maintained by school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.

B. EMERGENCY MEDICATION

Students who are at risk for medical emergencies, such as those with diabetes, asthma, or severe allergies, must have an emergency health care plan developed for them to address emergency administration of medication. Students must meet the requirements of subsection A.1, above, including providing authorization and instructions from the health care practitioner and written consent of the parent, in order for emergency medication to be administered by school personnel while the student is at school, at a school sponsored activity, and/or while in transit to or from school or a school-sponsored event.

C. STUDENT SELF-ADMINISTERING MEDICATIONS

The board recognizes that students with certain health conditions like diabetes or asthma, or an allergy that could result in an anaphylactic reaction, may need to possess and self-administer medication on school property in accordance with their individualized health care plan or emergency health care plan.

Students are prohibited from self-administering medication at school unless (1) the

medicine has been prescribed for the treatment of diabetes, asthma, or anaphylactic reactions, including insulin or a source of glucose, a prescribed asthma inhaler, or a prescribed epinephrine delivery system; (2) the medicine is administered in accordance with the student's individualized health care plan or emergency health care plan and any relevant administrative regulations; and (3) the requirements of this section are met. The superintendent shall develop procedures for the possession and self-administration of such medication by students on school property during the school day, at school-sponsored activities, and/or while in transit to or from school or school-sponsored events.

1. Authorization to Self-Administer Medication

   Before a student will be allowed to self-administer medication pursuant to this subsection, the student's parent must provide to the principal or designee all of the documents listed below:

   a. written authorization from the student's parent for the student to possess and self-administer the medication;

   b. a written statement from the student's health care practitioner verifying that:

      1) the student has diabetes or asthma, or an allergy that could result in anaphylactic reaction;

      2) the health care practitioner prescribed the medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events; and

      3) the student understands, has been instructed in self-administration of the medication, has demonstrated the skill level necessary to use the medication and any accompanying device, and has been determined to be competent for self-administration;

   c. a written treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student's diabetes, asthma, or anaphylaxis episodes and for medication use by the student;

   d. a statement provided by the school system and signed by the student's parent acknowledging that the board of education and its employees and agents are not liable for injury arising from the student's possession and self-administration of the medication; and

   e. any other documents or items necessary to comply with state and federal laws.

Prior to being permitted to self-administer medication at school, the student also must demonstrate to the school nurse, or the nurse's designee, (1) the skill level necessary to use the medication and any device necessary for its administration; and (2) sufficient knowledge and maturity to be independent in the management of the medication with no oversight from school staff.

The student's parent must provide to the school backup medication that school personnel are to keep in a location to which the student has immediate access in the event the student does not have the required medication.

All information provided to the school by the student's parent must be reviewed by the school nurse and kept on file at the school in an easily accessible location. Any permission granted by the principal or designee for a student to possess and self-administer medication will be effective only for the same school for 365 calendar days. Such permission must be renewed each school year.

2. Responsibilities of the Student

A student who is authorized in accordance with this policy to carry medication for self-administration must carry the medication in the original labeled container with the student's name on the label.

3. Consequences for Improper Use

A student who uses his or her medication in a manner other than as prescribed or who permits another person to use the medication may be subject to disciplinary action pursuant to the school disciplinary policy. However, school officials shall not impose disciplinary action on the student that limits or restricts the student's immediate access to the diabetes, asthma, or anaphylactic medication.

The board does not assume any responsibility for the administration of medication to a student by the student, the student's parent, or any other person who is not authorized by this policy to administer medications to students.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq*., 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C-36, -307(c), -375.1, -375.2, -375.2A, -375.3; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000

Cross References: Parental Involvement (policy 1310/4002), Drugs and Alcohol (policy 4325), Emergency Epinephrine Delivery Systems (policy 5024/6127/7266)

Other Resources: *North Carolina School Health Program Manual* (N.C. Dept. of Health and Human Services, Div. of Child and Family Well-Being, School, Adolescence and Child Health Unit, 2023), available at

https://www.ncdhhs.gov/divisions/child-and-family-well-being/whole-child-health-section/school-adolescent-and-child-health/school-nursing-support#SchoolHealthProgramManual-4324

Adopted: March 11, 1999
Reviewed: March 19, 2009
Amended: August 14, 2014
Amended: January 11, 2018
Amended: December 13, 2018
Amended: November 14, 2019
Amended: July 15, 2021
Amended: January 19, 2023
Amended: August 15, 2024
Amended: October 2, 2025

RENDERING EMERGENCY CARE TO STUDENTS *Policy Code:* 6130

The health and safety of students is the primary concern of the Cherokee County Board of Education. It is the policy of the Cherokee County Board of Education that all school employees will render emergency care to all its students when appropriate. In emergency situations involving accident or illness, employees are generally expected to (1) render first aid and life sustaining care to the extent of their knowledge and training, and (2) seek assistance of school medical personnel and emergency medical services, when appropriate.

In the event of cardiac or respiratory arrest emergency care will be administered, including CPR and the Heimlich maneuver. Emergency medical services (911) will be called. Upon arrival, emergency medical technicians will assume responsibility for the student's care. *A copy of the student's personal information, including any prescribed medications, will accompany the student to the nearest medical center.*

Students with complex medical conditions attending Cherokee county Schools may have a request to "DO NOT RESUSCITATE." Cherokee County Schools appreciate the difficult medical and emotional decisions that must be made when families choose to limit resuscitating efforts for these students. The Cherokee County Board of Education recognizes that employees do not have the appropriate medical training or experience necessary to properly assess and/or implement a "DO NOT RESUSCITATE" (DNR) order. The Board of Education is not required by law to comply with a DNR order request.

Legal Reference: G.S. 115G-307(c)

Adopted: March 9, 2006
Amended: May 8, 2008

The board recognizes that it is important for students to maintain their physical health and receive proper nutrition in order to take advantage of educational opportunities. The board further recognizes that student wellness and proper nutrition are related to a student's physical well-being, growth, development, and readiness to learn. The board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience. As part of that commitment, the board directs the superintendent to oversee the development, implementation, and ongoing evaluation of this policy and other school system efforts to encourage students to be healthy and active, including compliance with the State Board of Education's Healthy Active Children Policy, SHLT-000, as further described in Section F, below. The superintendent may designate a school system official to carry out this responsibility ("lead wellness official").

The superintendent or designee shall make the most current version of this policy available to members of the school community and the public by posting it on the school system website and/or by distributing it annually through other means reasonably intended to reach the school community and public. In addition, the superintendent or designee shall provide a copy of this policy to the North Carolina Department of Public Instruction (NCDPI) when requested to do so.

A. SCHOOL HEALTH ADVISORY COUNCIL

The board will maintain a school health advisory council to help plan, update, implement, promote, and monitor this policy as well as to address other health and nutrition issues within the school system. The council serves as an advisory committee regarding student health issues and works in conjunction with the lead wellness official charged with oversight of this policy and the school system's efforts to promote student and employee health and wellness in compliance with state and federal requirements. The council is authorized to examine related research and laws, assess student needs and the current school environment, review existing board policies and administrative regulations, collaborate with appropriate community agencies and organizations, and help raise awareness about student health issues. The council also may make policy recommendations to the board related to this policy and other policies concerning student wellness and in conjunction with the lead wellness official, shall periodically review and suggest revisions to this policy. In addition, the council may assist in the development of a plan for measuring and assessing implementation of this policy and in developing methods to inform and update the public about the content and implementation of this policy as described in Sections F and G, below.

The council will be composed of representatives from the school system, the local health department, and the community. The council must include members of each of the following groups: the school board, school system administrators, school system food service representatives, physical education teachers, school health professionals, students, parents or guardians, and the public. The council will provide information to the board about the following areas or concerns: (1) physical activity, (2) health education, (3) employee wellness, (4) health services, (5) social and emotional climate, (6) nutrition environment and services, (7) counseling, psychological, and social services, (8) physical

environment, (9) family engagement, and (10) community involvement. The School Health Advisory Council will meet at least four times per school year.

The council shall provide periodic reports to the board and public regarding the status of its work. In addition, the council shall assist the lead wellness official in creating an annual report that includes the minutes of physical activity and the minutes of physical education and/or healthful living education received by students in the system each school year, as well as any other information required by the State Board of Education or NCDPI.

B. The board is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams of trans fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the district participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Afterschool Snack Program, and Summer Food Service Program (SFSP). All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

1) Are accessible to all students;
2) Are appealing and attractive to children;
3) Are served in clean and pleasant settings;
4) Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations

C. NUTRITION PROMOTION AND NUTRITION EDUCATION

The board believes that promoting student health and nutrition enhances readiness for learning and increases student achievement. The general goals of nutrition promotion and nutrition education are (1) to provide appropriate instruction for the acquisition of behaviors that contribute to a healthy lifestyle for students and (2) to teach, encourage, and support healthy eating by students.

The board will provide nutrition education within the Healthful Living Standard Course of Study and the grade level expectations outlined in the Healthful Living Essential Standards adopted by the State Board of Education. Nutrition education should be designed to provide all students with the knowledge and skills needed to lead healthy lives. Students should learn to address nutrition-related health concerns through age-appropriate nutrition education lessons and activities.

Nutrition education and promotion should extend beyond the school environment by engaging and involving families and communities. School system personnel may coordinate with agencies and community organizations to provide opportunities for appropriate student projects related to nutrition. School system personnel are to work to disseminate and promote consistent nutrition messages throughout the school system, schools, classrooms, school dining areas, homes, community, and media.

In conjunction with the school health advisory council, the board establishes the following additional specific evidence-based goals and strategies for nutrition promotion and education. The board will periodically measure and report progress toward meeting these goals.

1) Nutrition education that aligns with national dietary guidelines and adheres to state academic standards will be incorporated into health education classes and/or stand-alone courses for all grade levels. The nutrition curriculum will encompass:

    a. promotion of adequate nutrient intake and healthy eating practices;

    b. skill development, such as meal planning, recognizing food groups within a meal, and understanding health information and food labels to evaluate the nutrient content and contribution of foods;

    c. food safety.

2) Teachers will integrate nutrition education into core curriculum areas such as math, science, social studies, and language arts, as well as in non-core and elective subjects.

3) Nutrition education will be provided to families via handouts, newsletters, and website posts. The school menu will be posted on the school website with nutritional breakdown of menu items.

4) Nutrition education will promote fruits, vegetables, whole-grain products, low-fat dairy products, healthy food preparation methods, and accurate portion sizes.

5) School nutrition program staff at each school will employ at least three tools or strategies suggested in the USDA "Smarter Lunchroom" publication (available at http://healthymeals.nal.usda.gov/healthierus-school-challenge-resources/smarter-lunchrooms) to increase student participation in the federal school lunch and breakfast programs and to encourage students to make healthy food choices.

6) Nutrition and health posters, signage, and/or displays will be exhibited in the cafeteria food service and dining areas, classrooms, hallways, gymnasium, and/ or bulletin boards and will be frequently rotated, updated, or changed.

7) School personnel will strive to provide a pleasant eating experience for students and adults by adopting the following practices:

   a. Student input is solicited for meal choices.

   b. Nutrient analysis is available to teachers, parents, students, and health professionals when possible.

   c. Adequate time to eat is provided. The recommended eating time for each child after being served is 15 minutes for breakfast and 20 minutes for lunch. School personnel will schedule enough time, lunch periods, and serving lines so students do not have to spend excessive time waiting in line.

   d. Adult supervision and role modeling is available during the meal service times to encourage students to eat meals.

   e. Drinking fountains will be available for students to get water at meals and throughout the day.

D. NUTRITION STANDARDS AND GUIDELINES FOR ALL FOOD AND BEVERAGES AVAILABLE AT SCHOOL

Consistent with policy 6200, Goals of School Nutrition Services, all foods available in the system's schools during the school day that are offered to students should help promote student health, reduce childhood obesity, provide a variety of nutritional meals, and promote lifelong healthy eating habits. All foods and beverages sold at school must meet the nutrition standards established in policy 6230, School Meal and Competitive Foods Standards, including the following:

1. School Lunch, Breakfast, and Snack Programs

Foods provided through the National School Lunch, School Breakfast, or After School Snack Programs must comply with federal and state nutrition standards. The director of child nutrition shall ensure that school system guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

2. Competitive Foods

All foods sold on school campuses in areas *that are accessible to students during the school day (defined as the period from midnight* through *30 minutes after the* dismissal *bell rings*) in competition with the National School Lunch or School Breakfast Programs

("competitive foods") must comply with the federal Smart Snacks in School standards. Competitive foods include *food, snacks, and beverages from* a la carte menus, *vending machines,* and *outside suppliers, as well as* foods *or beverages sold in school stores* and at fund-raisers. Vending machine sales also must comply with the requirements of G.S. 115C-264.2.

3. Other Foods Available on the School Campus During the School Day and After the School Day

School principals shall establish rules for foods and beverages brought from home for classroom events or parties during the school day or for extracurricular activities after the school day. The board encourages principals to establish rules that are consistent with the Smart Snacks in School standards.
All foods brought in for classroom celebrations/events from home must be pre-packaged and labeled. Healthy food/snack ideas for classroom celebrations will be posted on the school website for parental suggestions.

Fundraising activities that involve the sale of foods and/or beverages to students during the school day (from midnight until 30 minutes after the dismissal bell rings) must comply with the Smart Snack Rules and may not be conducted until after the end of the last lunch period. See policy 6230, School Meal and Competitive Foods Standards.

School principals may establish standards for fund-raising activities conducted after the school day (beginning 31 minutes after the dismissal bell rings) that involve the sale of food and/or beverages. *The board encourages alternative fundraising activities such as non-food items or physical activity.*

4. Food and Beverage Marketing

Food and beverage marketing on school campuses during the school day must meet federal and state standards. In accordance with these standards, only foods and beverages that meet the Smart Snack standards (as described in subsection C.2, above) may be marketed or advertised on school campuses during the school day. To comply with this requirement, existing supplies, materials, or equipment that depict noncompliant products or logos will be replaced or removed in accordance with normal lifecycles or as otherwise would occur in the normal course of business.

E. PHYSICAL EDUCATION AND PHYSICAL ACTIVITY

1. Goals of the Physical Education Program

The goal of the physical education program is to promote lifelong physical activity and provide instruction in the skills and knowledge necessary for lifelong participation in physical activity. To address issues such as obesity, cardiovascular disease, and Type II diabetes, students enrolled in kindergarten through eighth grade must have the opportunity to participate in physical activity as part of the system's physical education

curriculum. The goal for elementary schools is to provide 150 minutes weekly of quality physical education with a certified physical education teacher. The goal for middle schools is to provide 225 minutes weekly of Healthful Living Education, divided equally between health and physical education with certified health and physical education teachers.

2. The Physical Education Course

The physical education course should be designed to foster support and guidance for being physically active, help students know and understand the value of being physically fit, and teach students the types of activities that contribute to total fitness. The course is to be taught in an environment where students can learn, practice, and receive assessment on developmentally appropriate skills and knowledge as defined in the North Carolina Healthful Living Standard Course of Study. Students should be engaged in moderate to vigorous physical activity for fifty percent or more of class time. Class for physical education should be equivalent in size to those of other academic classes.

3. Physical Activity Requirements and Goals

School personnel should strive to provide opportunities for age- and developmentally-appropriate physical activity during the day for all students so that students can learn how to maintain a physically active lifestyle. Schools must provide a minimum of 30 minutes of moderate to vigorous physical activity daily for kindergarten through eighth-grade students. Such activity may be achieved through a regular daily physical education class as described in Sections D.1 and D.2 above, or through recess, dance, classroom energizers and/or other curriculum-based physical activity programs of at least 10 minutes duration, that, when combined, total 30 minutes of daily physical activity. Students in grades 9-12 shall be provided with the opportunity to participate in physical activity during the school day for 60 minutes weekly. This may be provided through walking programs, classroom energizers, and/or other curriculum-based physical activity programs. Principals shall work with teachers to ensure that students meet the minimum physical activity requirement. The board will periodically measure and report progress toward meeting these goals.

To ensure that students have ongoing opportunities for physical activity and maintain a positive attitude towards physical activity, structured/unstructured recess and other physical activity may not be taken away from students as a form of punishment. In addition, severe and inappropriate exercise may not be used as a form of punishment for students.

In conjunction with the school health advisory council, the board establishes the following additional specific evidence-based goals and strategies for physical activity:

1) Middle and high schools will provide extra-curricular activities that enable students to select from a variety of sports and other active endeavors.

2) Elementary students will be provided the opportunity to participate in daily recess.

3) Classroom health education will reinforce the knowledge and skills needed to maintain a physically active lifestyle.

4) Students will be encouraged to reduce sedentary time and will not be required to engage in sedentary activities for more than two hours without an opportunity to stretch and move around.

F. OTHER SCHOOL-BASED ACTIVITIES TO PROMOTE WELLNESS

In addition to the standards discussed above, the board adopts the following goals for school-based activities designed to promote wellness:

1. Schools will provide a clean and safe meal environment.

2. Students will be provided adequate time to eat meals.

3. drinking water will be available at all meal periods and throughout the school day.

4. Professional development will be provided for school system nutrition staff.
5. To the extent possible, the school system will utilize available funding and outside programs to enhance student wellness.
6. Food will not be used in the schools as a reward or punishment.
7. As appropriate, the goals of this wellness policy will be considered in planning all school-based activities.
8. Administrators, teachers, school nutrition personnel, students, parents or guardians, and community members will be encouraged to serve as positive role models to promote student wellness.
9. School personnel will assist all students in developing the healthy practice of hand washing before eating.
10. Employees are strongly encouraged to model healthful eating habits and are discouraged from eating in front of students or sharing food with students during regular class time, outside of activities related to the nutrition education curriculum.
11. Teachers are encouraged to serve as role models by being physically active alongside their students during physical classroom activities.
12. The curriculum will include instructional goals and activities that inform students about the effects of substance abuse, negative peer pressure, and the development of a positive, productive, and safe lifestyle.

G. IMPLEMENTATION AND REVIEW OF POLICY

1. Oversight and Monitoring of Implementation and Progress

The lead wellness official, in conjunction with the school health advisory council, shall oversee the implementation of this policy and monitor system schools, programs, and curricula to ensure compliance with and to assess progress under this policy, related policies, and established guidelines or administrative regulations. Each principal shall be responsible for and shall report to the lead wellness official regarding compliance and measurements of progress in his or her school. Staff members responsible for programs related to student wellness also shall report to the lead wellness official regarding the status of such programs.

2. Review of Policy

The lead wellness official shall work with members of the school health advisory council to periodically review and update this policy based on the triennial assessment of the school system's compliance with the policy (see subsection F.4, below), progress toward meeting the policy goals, and other relevant factors. The lead wellness official shall document the review process and participants, and the method used to notify the school health advisory council and/or other stakeholders of their ability to participate.

3. Annual Reporting

a. The lead wellness official shall prepare annual written reports to the superintendent and NCDPI/State Board of Education that provide all information required by the superintendent and/or the State pertaining to the school system's efforts to comply with this policy and SBE policy SHLT-000.

4. Triennial Assessment

Beginning with school year 2017-18, and at least once every three years thereafter, the superintendent or designee shall report to the board and public on the system's compliance with laws and policies related to student wellness, the implementation of this policy, and progress toward meeting the goals of the policy. At a minimum, the superintendent or designee shall measure and report the following:

1. the extent to which the individual schools are in compliance with this policy;

2. the extent to which the board's wellness policy compares to model local school wellness policies and meets state and federal requirements; and

3. a description of the progress made in attaining the goals of this policy.

The report may also include the following items:

1. a summary of each school's activities undertaken in support of the policy goals;

2. an assessment of the school environment regarding student wellness issues;

3. an evaluation of the school nutrition services program;

4. a review of all foods and beverages sold in schools for compliance with established nutrition guidelines;

5. a review of guidelines for foods and beverages available, but not sold, during the school day, as described in subsection C.3, above;

6. information provided in the report from the school health advisory council, as described in Section A, above; and

7. suggestions for improvement to this policy or other policies or programs.

13. PUBLIC NOTIFICATION

1. The school system will publish contact information for the lead wellness official on the school system website.

2. The lead wellness official shall assist the school health advisory council with annually informing and updating the public about this policy and its implementation and State Board policy SHLT-000.

3. The superintendent or designee shall make public the results of the triennial assessment described in subsection F.4 of this policy.

All information required to be reported under this section and any additional information required by the state to be reported publicly shall be widely disseminated to students, parents, and the community in an accessible and easily understood manner, which may include by posting on the school system website.

14. **RECORDKEEPING**

The superintendent shall maintain records to document compliance with this policy and all federal and state requirements. These records, at a minimum, must include:

1. a written copy of this policy and any updates;

2. the most recent triennial assessment for each school;

3. documentation demonstrating:

   a. the efforts to review and update this policy, as described in subsection F.2 of this policy;

4. how this policy and information about the most recent triennial assessments have been made available to the public, as described in Section G;

   a. compliance with the annual reporting requirements of subsection F.3; and

5. other efforts to involve the school health advisory council and/or other community members in the implementation of or assessment of compliance with this policy.

Legal References: Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. 1751; Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296; National School Lunch Act, 42 U.S.C. 1751 *et seq.*; 7 C.F.R. 210.11, 210.12, and 210.31; G.S. 115C-264.2; 16 N.C.A.C. 6H .0104; State Board of Education Policies SHLT-000, CHNU-002

Cross References: Goals of Student Health Services (policy 6100), Goals of School Nutrition Services (policy 6200), School Meal and Competitive Foods Standards (policy 6230)

Adopted: November 14, 2013
Amended: March 12, 2015
Amended: July 31, 2017
Amended: February 14, 2019
Amended: March 12, 2020
Amended: August 12, 2021
Amended: December 15, 2022
Amended: December 4, 2025

GOALS OF SCHOOL NUTRITION SERVICES *Policy Code:* **6200**

The board recognizes that it is important for students to receive proper nutrition so that they are ready and able to take advantage of educational opportunities.

The goals of the school nutrition services program are as follows:

- operating the school nutrition program efficiently so that earnings may be used to reduce the cost of food, serve better food, or provide free or reduced price meals to eligible students;

- enhancing students' ability to learn by offering a variety of safe, nutritious, and appealing food and beverage options for student meals at school;

- minimizing obesity and encouraging lifelong healthy eating habits consistent with the health education curriculum; and

- providing courteous service to students, employees, and authorized visitors.

Legal References: 7 C.F.R. Part 210; G.G.S. 115C-47(22), -263, -264; State Board of Education policy SHLT-000

Cross References:

Adopted: March 11, 1999
Amended: August 4, 2011
Amended: May 18, 2015

ORGANIZATION OF SCHOOL NUTRITION SERVICES

Policy Code: **6210**

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

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

Legal References: Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296; G.S. 115C-36, -263

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

Adopted: March 11, 1999
Amended: May 18, 2015

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

A. OPERATIONAL STANDARDS

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

1. School officials may not discriminate based on race, sex, color, national origin, disability, age, or eligibility status for free and reduced price meals. School officials are also prohibited from retaliating against an individual for prior civil rights activity.

2. The school nutrition services program will meet safety and sanitation requirements established in local, state, and federal rules and guidelines for school nutrition services programs.

3. The school nutrition services program will have a written food safety program that includes a hazard analysis critical control point plan for each school.

4. Menu preparation, purchasing, and related record keeping will be consistent with applicable state and federal rules and guidelines.

5. Banking, financial record keeping, budgeting, and accounting will be conducted in accordance with generally accepted practices and procedures, as dictated by the School Budget and Fiscal Control Act and in accordance with state and federal guidelines.

6. Commodity foods donated by the United States Department of Agriculture will be used and accounted for in accordance with federal regulations.

7. Preference will be given in purchasing contracts to high-calcium foods and beverages, as defined in G.S. 115C-264.1 and to foods grown or raised within North Carolina.

8. Child Nutrition Program (CNP) funds will be used only for the purposes authorized by law. Indirect costs, as defined by law, will not be assessed to the CNP unless the program has an operating balance of at least two months.

9. The price for meals will be determined in accordance with federal law.

10. Nonprogram foods will be priced to generate sufficient revenues to cover the cost of those items. A nonprogram food is defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account.

11. All school nutrition services will be operated on a non-profit basis for the benefit of the CNP. School nutrition services are those that are operated from 12:01 a.m. until the end of the last lunch period.

12. All income from the sale of food and beverages that is required by law or regulation to be retained by the CNP will be deposited to the CNP account and will be used only for the purposes of the school's non-profit lunch and breakfast programs. All funds from food and beverage sales not otherwise required by law to be deposited to the CNP account will be deposited into the proper school account in accordance with guidelines developed by the superintendent or designee.

13. All competitive foods sold on school campuses will meet federal and state standards for nutrient content.

14. All employees whose job duties include procurement activities involving Child Nutrition Program funds shall adhere to the conflict of interest rules and standards for ethical conduct established by the board in policies 6401/9100, Ethics and the Purchasing Function, and 8305, Federal Grant Administration. Failure to comply with these requirements will result in disciplinary action.

B. MEAL CHARGES

Student accounts may not go into a negative balance for non-meal items at any time, therefore, students may not charge additional food items or snack items. Students with an outstanding charge balance will not be allowed to purchase a la carte items. The cash in hand will be applied towards the outstanding charge balance.

Adult staff members must either have money in hand or a positive account balance in order to receive goods from the cafeteria. Individual adult accounts are not to have a negative balance at any time.

Cherokee County School Nutrition Program has implemented the online Lunch Prepay Program which allows parents to make meal payments online and allows parents access to student balances. Parents can utilize this feature to receive automatic e-emails when their child's account balance reaches a low balance.

The child nutrition Director and Principal shall work jointly to prevent meal charges from

accumulating and shall make every effort to collect all funds due to the child nutrition program on a regular basis and before the end of the school term. Notices of low or negative balances in a child's meal account will be sent to parents and the principal at regular intervals during the school year.

Parents are expected to pay all meal charges in full by the last day of each school year. The superintendent shall ensure that federal child nutrition funds are not used to offset the cost of unpaid meals and that the CNP is reimbursed for bad debt resulting from uncollected student meal charges prior to June 30 each year.

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

Denying a student the opportunity to participate in school activities until lunch account balances are paid is strictly prohibited by the Board of Education.

Legal References: Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq*.; National School Lunch Act, 42 U.S.C. 1751 *et seq*., 2 C.F.R. pt. 200; 7 C.F.R. pt. 210; 7 C.F.R. pt. 215; 7 C.F.R. pt. 220; United States Department of Agriculture Policy Memos SP 46-2016, 47-2016, and 23-2017, available at https://childnutrition.ncpublicschools.gov/regulations-policies/usda-policy-memos; G.S. 115C-47(7), -47(22), -263, -264, -264.1, -426, -450, -522; 147 art. 6E, art. 6G; 16 N.C.A.C. 6H .0104

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

Adopted: March 11, 1999
Amended: May 9, 2013
Amended: February 25, 2014
Amended: May 18, 2015
Amended: June 8, 2017
Amended: August 9, 2018
Amended: December 13, 2018
Amended: March 12, 2020
Amended: July 21, 2022
Amended: December 15, 2022
Amended: June 29, 2023
Amended: September 4, 2025

The school system will provide free meals and reduced price meals to eligible students in the schools.

The principal shall make applications for free or reduced price meals readily available to parents or guardians and shall accept completed applications at any time during the school year.

In accordance with the guidelines for participation in these programs, and in accordance with the wishes of the board, no student who meets the criteria for eligibility for free and reduced meal benefits will be denied a free lunch, milk, or other food simply because the proper application has not been received from his or her parent or guardian. The principal may complete an application, based on the best household size and income information available, for a student known to be needy if the parent or guardian fails to apply. The source of the information must be noted on the application. The principal shall ensure that school rules and procedures are implemented in ways that do not impede eligible students from participating fully in these programs.

The information provided on each application is confidential. Employees with access to this confidential information must make reasonable efforts to maintain the anonymity of students participating in the free or reduced price meal program.

Each year, the superintendent or designee shall ensure that the school system has met all federal requirements to verify the eligibility of applicants. When school personnel become aware of information that raises concerns about the integrity of an application, the superintendent or designee must verify the questionable information by following the verification for cause procedures set forth in federal regulations.

The superintendent is authorized to apply for community eligibility as an alternative to collecting individual household applications for free and reduced price meals for any school or group of schools that meet the eligibility requirements for community eligibility established by federal law. In schools approved for participation pursuant to the community eligibility requirements, the board will serve free lunches and breakfasts to all students in the school without regard to income and will cover with non-federal funds any costs of providing the free meals above the amounts provided by federal assistance. Participating schools will not collect free and reduced price applications from households.

The superintendent shall establish procedures that conform to state and federal requirements regarding participation in programs for free and reduced priced meal benefits.

Legal References: Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq*.; 7 C.F.R. Parts 210, 215, 220, and 245; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Healthy, Hunger Free Kids Act of 2010, P.L. 111-296; National School Lunch Act, 42 U.S.C. 1751, *et seq*.; G.S. 115C-263, -264

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

Adopted: March 11, 1999
Amended: August 14, 2008
Amended: September 11, 2014
Amended: May 18, 2015

When a check is returned to Cherokee County Schools Child Nutrition Department due to non-sufficient funds, a letter will be sent by first class mail informing the endorsee that the check has been returned and a $25.00 service charge is due. The endorsee will be given 10 business days to come by the Central Office to take care of the service charge and the amount of the check. If payment is not received within 10 business days, a certified letter will be sent advising the endorsee they have 15 days to respond or worthless check criminal action will be pursued in district court.

The county magistrate requires that a certified letter be sent to the endorsee informing them they have 15 days to make payment. At the end of 15 days, the school official will appear before the county magistrate with the following items: (1) a copy of the certified letter informing the endorsee of the 15 day period; (2) the certified receipt; and (3) the original check. At this time an affidavit can be sworn for the endorsee. The school district incurs no expense for this service.

The endorsee will be served with a warrant by the county sheriff, and will be informed of the day they are required to appear in court.

When a judge renders a verdict, Cherokee County Schools Child Nutrition can recover the cost of the check and service charge provided notice of the service charge is posted where payment is made.

Adopted July 17, 2001

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

A. SCHOOL MEAL REQUIREMENTS

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

B. FOODS OTHER THAN SCHOOL MEALS

1. Definitions

   a. School day

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

   b. Competitive foods

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

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

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

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

   Each year, through its School Nutrition Program Annual Agreement, the board will establish accountability for the sale of competitive foods during the period between the end of the last lunch period and the end of the school day. All foods sold during that period must comply with the federal Smart Snacks nutrition standards. This

includes foods sold in vending machines (see subsection B.5, below), in school stores, and in other sales venues on the school campus.

4. Foods Sold After the School Day

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

5. Vending Sales During the School Day

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

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

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

6. Fund-Raising Activities Involving Food or Beverages

All fund-raising activities that involve the sale of food or beverages to students during the school day must comply with the federal Smart Snacks standards. However, no such fund-raising activities are permitted from midnight until the end of the last lunch period. Tokens of exchange for foods or beverages to be delivered later in the day also are prohibited during this time period.

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

7. Foods Brought from Home for School Events

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

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

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

lowest possible cost.

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

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

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

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

If a school is found by the North Carolina Department of Public Instruction to be in violation of the rules pertaining to the sale of competitive foods as established in federal or state law or regulation and the violations results in a monetary sanction against the School Nutrition Program, the superintendent may require the school's principal to reimburse the School Nutrition Program from the operating account of the school.

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

Legal References: Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq*.; Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296, 7 C.F.R. Part 210; National School Lunch Act, 42 U.S.C. 1751, *et seq*.; G.S. 115C-47(7), -47(22), -263, -264, -264.2; 16 N.C.A.C. 6H .0104; State Board of Education Policy CHNU-002
Cross References: Student Wellness (policy 6140), Goals of School Nutrition Services (policy 6200)
Adopted: March 11, 1999
Amended: July 10, 2003
Amended: December 14, 2006
Amended: November 13, 2008
Amended: September 14, 2015
Amended: December 15, 2022

GOALS OF STUDENT TRANSPORTATION SERVICES

Policy Code: **6300**

The board will provide school transportation services for eligible students consistent with the following goals:

- providing transportation to and from school to students most in need of the service;
- making safety a priority in maintaining quality transportation equipment and vehicles;
- teaching and expecting students to act in a safe and orderly manner while using school transportation;
- planning and providing transportation services efficiently and economically;
- using transportation services to support the types of learning opportunities available to students;
- working effectively with students, parents, guardians, private contractors and other governmental agencies in providing transportation services; and
- providing courteous service to students and responding promptly and courteously to requests by parents, guardians and students.

Legal References: G.S. 115C-36, -239, -240

Cross References:

Adopted: March 11, 1999
Technical Correction: July 12, 2019

Safety is of paramount concern in providing student transportation services. The board recognizes that providing safe transportation requires the cooperation of students, parents, volunteers, personnel, and other governmental agencies. The superintendent or designee and all principals shall make reasonable efforts to inform affected individuals or entities about safety issues and monitor compliance with legal requirements and this policy.

A. STUDENT BEHAVIOR

A safe and orderly environment is critical whenever transporting students. The Code of Student Conduct and board policies on student behavior apply as provided in policy 4300, Student Behavior Policies. All students will receive training on school bus safety as required by law regardless of whether they regularly ride a school bus to and from school.

B. TRANSPORTATION SAFETY ASSISTANTS AND BUS MONITORS

Upon recommendation of a building principal and the superintendent, the board may employ transportation safety assistants to assist bus drivers with the safety, movement, management, and care of students. In addition, the superintendent or designee may appoint a volunteer monitor to assist a bus driver with maintaining order and student safety for any bus assigned to a school. As necessary, the superintendent or designee shall designate in administrative guidelines the responsibilities of school bus transportation safety assistants and bus monitors in accordance with state law.

C. MAINTENANCE

The superintendent or designee and principals shall fulfill all duties prescribed by state law and regulations for maintaining, inspecting, and repairing school buses and other vehicles used to transport students.

D. SAFETY PRACTICES ON SCHOOL BUSES AND ACTIVITY BUSES

In addition to any rules established by the superintendent or designee for the safe operation of the student transportation services, the board expects school employees to observe the following practices.

1. All school bus drivers must utilize the North Carolina crossing signals to communicate to students when it is safe to cross the street to board the bus and when it is safe to cross the street after exiting the bus.

2. The number of students transported on any school bus, activity bus, commercial bus, or contracted vehicle will not exceed the official rated capacity for the specific vehicle being used.

3. All riders must be seated while the vehicle is in motion.

4. No person will be permitted to stand or sit in the aisle or stepwell when the vehicle is in motion.

5. All school bus drivers are expected to use good judgment in determining whether it is safe to operate a school vehicle and to permit students to enter or leave the bus at particular locations.

6. Bus drivers must report immediately any suspected mechanical defects or other unsafe conditions, including road or traffic conditions that affect the safeness of the bus route or bus stops.

E. TRAINING

It is the responsibility of the superintendent or designee to see that:

1. students and bus drivers receive training as required by law, including training on the use of the North Carolina crossing signal;

2. students taking trips on activity buses or commercial buses receive safety instruction as needed, including, but not limited to, instruction on and demonstration of emergency exit operation for the vehicle on which they are riding for any specific trip; and

3. records of student training are made as required by the State Board of Education.

F. ACCIDENT REPORTING

The driver of any school bus or other school vehicle must report immediately to the superintendent or designee any accident involving death, injury, or property damage.

Legal References: G.S. 115C-239, -240, -245, -248, -249.1; 16 N.C.A.C. 6B .0111; *Preventive Maintenance and Vehicle Replacement Manual* (*NC Bus Fleet Manual*), State Board of Education Policy TRAN-005, available at www.ncbussafety.org/documents/Buses/NCBusFleetManual.pdf; State Board of Education Policy TRAN-011; *North Carolina School Bus Driver Handout*, Department of Transportation, Division of Motor Vehicles, available at https://www.ncdot.gov/dmv/license-id/driver-licenses/new-drivers/Documents/school-bus-handbook.pdf

Cross References: Student Behavior Policies (policy 4300), Authority of School Personnel (policy 4301), School Plan for Management of Student Behavior (policy 4302), Disruptive Behavior (policy 4315)

Adopted: August 9, 2012
Amended: July 14, 2016

Legal Update: October 1, 2018
Technical
Correction: September 30, 2019
Amended: March 11, 2021
Amended: July 21, 2022
Amended: December 15, 2022

The board recognizes that emissions that accumulate from school buses can be harmful to students and bus drivers. The board further recognizes that unnecessary bus idling wastes fuel and financial resources. The board is committed to transporting students on school buses in a manner that is safe and consistent with the board's goal of resource conservation. To this end, the board prohibits all unnecessary school bus idling on school grounds. In addition, the board prohibits the warming up of buses for longer than five minutes, except in extraordinary circumstances or circumstances beyond the bus driver's control.

This policy applies to school buses and activity buses when these buses are used to transport students to or from school, extracurricular activities, field trips, and other school-related activities.

The superintendent shall develop procedures consistent with this policy. The superintendent shall ensure that school bus drivers and appropriate school personnel receive training to implement this policy.

Legal References: G.S. 115C-12(34)(b), -36, -47(50); State Board of Education Policy ALOT-003; *N.C. Public School Allotment Policy Manual*, State Allotment Formulas – Transportation of Pupils, Program Report Code 056, available at https://www.dpi.nc.gov/districts-schools/district-operations/financial-and-business-services/allotments-%E2%80%94-funding-public-school-units

Cross References: Resource Conservation (policy 6530)

Adopted: December 8, 2005
Amended: July 31, 2017
Technical Corrections: April 3, 2020

The superintendent shall establish a student transportation services program consistent with board goals established in policy 6300, Goals of Student Transportation Services, and with the requirements set forth in state and federal laws and regulations and board policies in the 6300 series. School personnel, volunteers, and private carriers are expected to be familiar with all duties imposed by law, board policy, or the superintendent.

The superintendent or designee shall develop all rules and regulations necessary to implement the board policies in the 6300 series. Specific duties related to providing student transportation services shall be included in appropriate job descriptions.

The superintendent shall ensure that a copy of all job descriptions, rules, regulations, and policies related to the safe, orderly, and efficient operation of the student transportation services program are posted on the school system website as required by the State Board of Education.

Legal References: G.S. 115C-241, -242, -244 to -246, -248; 16 N.C.A.C. 6B .0103

Cross References: Student Transportation Services policies (6300 series)

Adopted: March 11, 1999
Amended: December 4, 2025

Safety is of paramount concern in the transportation of students and others. Consistent with the board's safety goals, all drivers involved in transporting students or operating any vehicle in the course of carrying out their employment duties must comply with the following board requirements, as applicable.

A. SCHOOL BUS AND ACTIVITY BUS DRIVERS

School bus and activity bus drivers must:

1. possess required licenses and all other qualifications required by law;

2. undergo and follow all training required by law governing school bus and activity bus passenger safety and comply with the safety practices set out in policy 6305, Safety and Student Transportation Services;

3. not operate a school or activity bus on a public street, highway, or public vehicular area while using a mobile telephone or related technology while the bus is in motion, unless such use is for the sole purpose of communicating in an emergency situation;

4. use the North Carolina crossing signals required by the State Board of Education to communicate to students when it is safe to cross the street to board the bus and when it is safe to cross the street after exiting the bus;

5. report to the principal any misconduct that is in violation of any of the student behavior policies in the 4300 series or school rules;

6. use reasonable judgment in the operation of the buses;

7. make reasonable efforts to maintain good order of the students being transported;

8. not permit any person to ride who is not assigned to the bus or has not received express permission of the principal or other designated official;

9. promptly report to the principal or other designated official any defect or other concern regarding the safety of the school bus, activity bus, or other vehicle operated by the school system;

10. report to the principal or other designated official by the next workday any moving violation citations received while operating any motor vehicle, whether on or off duty;

11. promptly report to the principal or other designated official all accidents that occurred while driving a school vehicle; and

12. comply with the requirements of policy 7241, Drug and Alcohol Testing of

Commercial Motor Vehicle Operators.

B. OTHER DRIVERS

Other drivers who transport students, including volunteer drivers, and drivers who operate a vehicle for other purposes in the course of carrying out their employment duties, must:

1. possess required licenses and all other qualifications required by law;

2. report to the principal by the next working day any moving violation citations received while operating any motor vehicle, whether on or off duty; and

3. carry insurance if operating a privately owned vehicle.

If the board requires a school social worker to increase his or her private automobile liability coverage and/or to add a business use rider in order to transport students in his or her private vehicle, the social worker will be reimbursed for the additional premium charged and/or for the increased liability limits of the added rider.

The superintendent or designee shall make copies of this policy and other related policies available to drivers.

Legal References: G.S. 20-7(f)(2), -137.4, -218; 115C-47(25a), -241, -242, -244 to -246, -248, -251, -317.1; 16 N.C.A.C. 6B .0111; State Board of Education Policy TRAN-010; *North Carolina* School Bus *Driver Handout*, Department of Transportation, Division of Motor Vehicles, available at https://www.ncdot.gov/dmv/license-id/driver-licenses/new-drivers/Documents/school-bus-handbook.pdf

Cross References: Student Behavior Policies (4300 series), Safety and Student Transportation Services (policy 6305), Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241), Insurance (policy 8340)

Adopted: August 9, 2012
Amended: May 12, 2016
Legal Update: October 1, 2018
Technical Corrections made: September 30, 2019
Amended: June 29, 2023

Student transportation services will be made available in a manner consistent with the board goals set out in policy 6300, Goals of Student Transportation Services.

A. SCHOOL SYSTEM TRANSPORTATION SERVICES

The first priority of the school system transportation services is to provide eligible students transportation to and from school. The school system may make other transportation services available as funding permits and in accordance with legal requirements, board policy, and the following standards.

1. Yellow school buses may be used for instructional programs directly related to the curriculum when the trip and use of the bus are approved in accordance with board policy.

2. Yellow School buses may be used only for purposes expressly allowed by G.S. 115C-242.

3. Yellow School buses may not be used for athletic activities or extracurricular activities.

4. Activity buses and other vehicles meeting federal safety standards may be used for travel to athletic activities and travel to other approved school-related activities. In addition to students receiving regular school bus safety training, safety instruction will be provided to students traveling on activity buses or commercial buses.

5. The board encourages the superintendent and principals to provide transportation services to enable students at risk of not meeting promotion standards to take advantage of additional or enhanced opportunities for learning.

B. SPECIAL USE OF SCHOOL BUSES

The board may authorize special uses of yellow school buses as provided by G.S. 115C-242 and 115C-254 and of activity buses and yellow school buses as provided by G.S. 115C-243 and 115C-247. The board may also authorize the special use of activity buses for the purposes described in G.S. 66-58(c)(9b).

The superintendent shall present to the board any requests for special uses and the statutory support for allowing such authorization.

C. TRANSPORTATION FOR STUDENTS WITH DISABILITIES

A student who is identified as having a disability following procedures in the North Carolina *Policies Governing Services for Children with Disabilities* will be provided with transportation services as required by law. When the school system's transportation services are unable to provide transportation for a student with a disability, the board may contract with public or private carriers to provide this service, in accordance with

applicable laws and board policies.

Legal References: Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq*.; 49 U.S.C. 30125, 30165; G.S. 66-58(c)(9a) and (9b); 115C-239, -242, -243, -247, -254; 16 N.C.A.C. 6B .0111; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000; State Board of Education policy TRAN-000; Memorandum to All Superintendents from Eddie M. Speas, Jr., Special Deputy Attorney General, January 14, 1988, available at http://www.ncsba.org/wp-content/uploads/2017/03/AG-Memo-1988.pdf

Cross References: School Trips (policy 3320), Goals of Student Transportation Services (policy 6300), Safety and Student Transportation Services (policy 6305), Transportation Service/Vehicle Contracts (policy 6340), Purchase of Services (policy 6450)

Adopted: August 9, 2012
Amended: August 10, 2017
Amended: February 17, 2022

The superintendent or designee shall develop school bus routes in accordance with state law and regulations. All bus routes will be kept on file in the superintendent's office, and all changes will be filed within 10 days after such change becomes effective.

Students will be assigned to a bus that passes within one mile of the student's residence. To the extent practicable and economically feasible, ride time should be less than 45 minutes one way.

Parents will be informed of students' scheduled school bus arrival times. It is the parent's responsibility to ensure that a student is present at a bus stop prior to the scheduled arrival time.

A. TRANSPORTATION TO LOCATIONS OTHER THAN HOME

Upon request, the superintendent or designee may, but is not required to, assign a student to a bus to transport the student to and/or from a location other than home if the following conditions are met.

1. The student's parent or guardian submits a written, signed request that states the specific location other than home to which the student is to be transported and acknowledges that the parent or guardian and not the school system is responsible for the student's safety once the child has departed from the bus.

2. The request for such transportation does not require a bus to deviate in any significant way from an established route.

3. There is capacity on the bus if the request would necessitate the student's riding a different bus from the regularly assigned bus.

4. The student's residence and requested bus stop are within the zone eligible for transportation service.

5. The request for such transportation does not cause the school system to incur any additional cost.

6. The proposed bus stop meets safety standards established by law, the board, the superintendent or the principal.

Any changes in bus stops must be approved by the superintendent or designee.

B. BUS ROUTES IN HAZARDOUS CONDITIONS

School buses will not be allowed to operate if there is a serious threat to the safety of students or drivers. The superintendent may develop a more limited bus route for hazardous weather conditions in order to operate only on roads that are safe. To the extent possible, parents will be notified in advance of the bus route that will be used in hazardous conditions. The hazardous conditions bus route will be on file in the superintendent's office.

A student who is identified as having special needs following procedures in the North Carolina *Policies Governing Services for Children with Disabilities* will be provided with transportation services as required by law.

Legal References: Individuals with Disabilities Education Act Amendments of 1997, 20 U.S.C. 1400 *et seq*.; G.S. 115C-240(d), -246; 16 N.C.A.C. 6B .0111; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000; State Board of Education Policies TRAN-000, -002

Cross References:

Adopted: March 11, 1999
Amended: September 13, 2012
Technical Corrections made: October 2, 2017

ELIGIBILITY

Any student assigned to a school that is one and a half miles or more from his or her residence is eligible for transportation services to and from school. In addition, a student identified as having special needs will be provided with transportation services if entitled to such by federal and state laws and regulations. Also, the superintendent or designee shall consider applications for transportation services in the following situations:

- when factors are present that may endanger the safety of students walking to the school;
- when the student is medically certified as temporarily incapacitated; and
- if the student has voluntarily requested a transfer from his or her regularly assigned school and the requested school is greater than one and a half miles from his or her residence.

APPLICATIONS

The parent or guardian of any child enrolled in the school system may request bus services. The request should be made to the principal of the assigned school or another designated school official. The principal or other designated official shall forward the application to the superintendent or designee. If the application is denied by the superintendent or designee, the parent may seek review of the decision in accordance with policy 1740/4010, Student and Parent Grievance Procedure.

The board will direct that the student be provided transportation services if either (1) the board finds that the student is entitled to be transported to and from school on the school bus designated in the application; or (2) the board finds that the transportation of the student on the requested bus to and from such school is in the best interest of the student, will not interfere with the proper administration of the school or with the safe and efficient transportation by school bus of other students enrolled in the school, and will not endanger the health or safety of the children enrolled at the school.

Legal References: G.S. 115C-239, -240, -241, -244; *Policies* Governing Services for Children with *Disabilities*, State Board of Education Policy EXCP-000

Cross References: Student and Parent Grievance Procedure (policy 1740/4010)

Adopted: March 11, 1999

Principals may assign individual student parking spaces or designate parking areas for students. Whenever individual spaces are designated or assigned, first priority will be given to individuals with physical disabilities. Students who need transportation in order to participate in school-related internships or off-site learning opportunities will have priority for parking spaces over other students. Pursuant to G.S. 115C-46, Principals may provide for the registration of vehicles and remove cars parked in violation of school rules.

Parking on school grounds is a privilege, not a right. Parking privileges may be revoked as a consequence for violating parking rules or for violating student behavior policies, school standards or school rules as provided in policy 4302, School Plan for Management of Student Behavior. School officials retain authority to conduct routine patrols of student parking lots and inspections of the exteriors of student motor vehicles on school property for any reason without notice or consent. Student cars parked on school property may be searched in accordance with policy 4342, Student Searches.

Legal References: G.S. 115C-46

Cross References: School Plan for Management of Student Behavior (policy 4302), Student Searches (policy 4342)

Adopted: March 11, 1999
Technical Correction: July 12, 2019
Amended: July 30, 2020

No school bus, activity bus, or other vehicle owned, leased, or rented by the school system will be operated without bodily injury and property damage protection provided through the provisions of the State Tort Claims Act or through locally purchased liability coverage. School buses will not be used for any purpose or in any circumstance not covered by the State Tort Claims Act unless liability coverage has been purchased to cover such purpose or circumstance. Only activity buses and other vehicles meeting federal safety standards may be used for approved school-related activities. The superintendent or designee and principals shall monitor compliance with this policy.

Legal References: 49 U.S.C. 30125, 30165; G.S. 115C-42, -47(25), -239, -242, -257, -258, -259; G.S. 143 art. 31; Memorandum to All Superintendents from Eddie M. Speas, Jr., Special Deputy Attorney General, January 14, 1988, available at https://www.ncsba.org/wp-content/uploads/2017/03/AG-Memo-1988.pdf

Cross References: Insurance (policy 8340)

Adopted: March 11, 1999
Amended: June 29, 2023
Amended: September 4, 2025

The board may enter into contracts with public or private carriers in accordance with G.S. 115C-253, State Board of Education policy, any other applicable law, and this policy. Any contracts also must comply with policy 6450, Purchase of Services. Before acting as a driver pursuant to a contract under G.S. 115C-253, an individual must submit to a criminal history check as described in policy 7100, Recruitment and Selection of Personnel.

The superintendent or designee shall develop safety standards for contracted commercial bus transportation services used to transport students to school-related activities. The standards must comply with the requirements established by the State Board. The superintendent or designee shall develop a list of companies or individuals that meet these standards and are approved to provide student transportation services. If appropriate, the superintendent shall recommend that the board enter into interlocal cooperation agreements to assist in developing the standards and list of approved entities required under this paragraph. The superintendent shall ensure that the school system contracts for commercial bus transportation services for school-related activities only with entities on the approved list.

The board may purchase or lease student transportation vehicles in accordance with law and board policy, including policy 6430, Purchasing Requirements for Equipment, Materials, and Supplies and policy 6425, Continuing Contracts. Any such vehicle must meet federal safety standards and state requirements.

All titles will be issued to the board of education. Sufficient liability coverage must be maintained in accordance with policy 8340, Insurance.

The board will consider requests for providing transportation services to a charter school. Such consideration will take into account any factors required by law.

Legal References: 49 U.S.C. 30125, 30165; G.S. 115C-42, -47(25), -239, -240, -247, -249, -249.1, -253, -255, -332,; *North Carolina School Transportation Fleet Manual*, State Board of Education Policy TRAN-005; State Board of Education Policies TRAN-009, -010, -011; *School Charter Transportation Recommended Guidelines and Procedures*, available at http://www.ncbussafety.org/motorcoach/index.html

Cross References: Continuing Contracts (policy 6425), Purchasing Requirements for Equipment, Materials, and Supplies (policy 6430), Purchase of Services (policy 6450), Recruitment and Selection of Personnel (policy 7100), Insurance (policy 8340)

Adopted: March 11, 1999
Amended: September 13, 2012
Amended: December 11, 2014
Amended: January 11, 2018
Amended: February 10, 2022
Amended: October 2, 2025

The board is committed to using its authority to purchase goods and services in a manner most likely to help students succeed. The board, superintendent and any other employees authorized to participate in purchasing decisions or the purchasing process will strive to meet the following goals:

- obtaining the maximum benefits from all school system monies and furthering the educational goals of the board;

- conducting all purchasing activities according to applicable laws, rules and regulations, good purchasing practices and ethical principles;

- providing a climate of fair and open competition for all qualified vendors;

- requiring satisfactory and proper performance of all contractual obligations of vendors; and

1. providing prompt and courteous service to other school system personnel, other governmental entities and vendors.

Legal References: G.S. 14-234, -234.1; 115C-36

Cross References: Goals and Objectives of the Educational Program (policy 3000)

Adopted: March 11, 1999
Technical Correction: July 12, 2019

The board is committed to conducting the purchasing function in an ethical manner and in compliance with state and federal laws and regulations. The board expects all employees who are directly or indirectly involved in any aspect of the purchasing function to be aware of and comply with all current state and federal laws and regulations as these standards apply to the school system's purchasing activities.

A. STANDARDS OF CONDUCT

Employees directly or indirectly involved in any aspect of the school system's procurement, purchasing, and/or contracting process for apparatus, materials, equipment, supplies, services, real property, or construction or repair projects, regardless of source of funds, must adhere to the following standards of conduct and those established in policies 7730, Employee Conflict of Interest, and 8305, Federal Grant Administration.

1. Employees are expected to make all purchasing-related decisions in a neutral and objective way based on what is in the best interest of the school system and not in consideration of actual or potential personal benefit.

2. Employees shall not participate, directly or indirectly, in making or administering any contract from which they will obtain a direct benefit, unless an exception is allowed pursuant to law.

   An employee obtains a direct benefit when the employee or his or her spouse will receive income, commission, or property under the contract or the employee or spouse has more than a 10 percent interest in an entity that is a party to the contract. See G.S. 14-234 and policy 7730, Employee Conflict of Interest.

   Participation in making or administering a contract includes, but is not limited to, participating in the development of specifications or contract terms; obtaining or reviewing bids; preparation or award of the contract; and having the authority to make decisions about, interpret, or oversee the contract.

3. Employees shall not participate, directly or indirectly, in the selection, award, or administration of a contract supported in whole or part by a federal grant or award if the employee has a real or apparent conflict of interest. See 2 C.F.R. 200.318 and policy 8305, Federal Grant Administration.

   A real or apparent conflict exists when the employee, his or her immediate family member or partner, or an organization which employs or is about to employ any of those individuals, has a financial or other interest in or receives a tangible personal benefit from a firm considered for a contract. For purposes of this subsection, a "financial interest" means a financial interest which comprises more than five percent of the equity of the firm or business or more than five percent of the assets of the economic interest in indebtedness. It does not include

an ownership interest held through a fiduciary, such as a mutual fund or blind trust, where the individual or individual's employer has no control over the selection of holdings.

4. Employees shall not influence or attempt to influence any person involved in making or administering a contract from which the employee will obtain a direct benefit as described in paragraph 2, above.

5. Employees shall not solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the school system.

6. Employees shall notify the superintendent or designee in writing if they have an actual or potential conflict of interest under this policy or applicable state or federal law that would disqualify them from performing any aspect of their job responsibilities.

7. Employees shall not solicit or accept trips, meals, gratuities, gifts, favors, or anything of monetary value from current or recent (within the past year) contractors, subcontractors, or suppliers, or any persons or entities that foreseeably may bid on a contract in the future, unless the item is an unsolicited gift of nominal value ($50 or less), and is one of the following: an advertising item or souvenir that is widely distributed; an honorarium for participating in a meeting; a meal provided at a banquet; or other item that is clearly permitted by state and federal law. Multiple permitted items from a single contractor may not exceed an aggregate value of $100 in a twelve-month period.

   Employees shall inform existing and potential contractors, subcontractors, and suppliers about these restrictions.

8. Employees shall not solicit or accept any gift from a current or potential provider of E-rate services or products in violation of applicable federal E-rate program gifting rules.

9. Employees shall not divulge confidential information to any unauthorized person. Confidential information includes, but is not limited to (1) The school system's cost estimate for any public contract, prior to bidding or completion of other competitive purchasing processes; and (2) The identity of contractors who have obtained proposals for bid purposes for a public contract, until the bids are opened in public and recorded in the board minutes.

An employee shall not misuse information in violation of G.S. 14-234.1. Specifically, an employee shall not, in contemplation of the employee's own official action or that of the board or others acting on behalf of the school system, or in reliance on information known to the employee in his or her official capacity and not made public, to:

   a. acquire a financial interest in any property, transaction, or enterprise;

b. gain a financial benefit that may be affected by the information or contemplated action; or

c. intentionally aid another to acquire a financial interest or gain a financial benefit from the information or contemplated action.

B. TRAINING

The superintendent or designee shall ensure that all affected employees are aware of board policy requirements and applicable laws.

As described in policy 7730, Employee Conflict of Interest, employees who are involved in the making or administering of contracts shall receive conflicts of interest training that includes position-specific education on conflicts of interest and ethical standards of conduct.

C. VIOLATIONS

Any individual aware of any violation of this policy, policy 2121, Board Member Conflict of Interest, policy 7730, Employee Conflict of Interest, the conflict of interest provisions of policy 8305, Federal Grant Administration, or applicable conflict of interest laws shall report such violation in accordance with policy 1760/7280, Prohibition Against Retaliation. Employees who violate this policy, policy 2121, policy 7730, or the conflict of interest provisions of policy 8305, will be subject to disciplinary action.

Legal References: 2 C.F.R. 200.318(c); 47 C.F.R. 54.503; FCC Sixth Report and Order 10-175; G.S. 14-234, -234.1; 115C-335.15; 133-32, -33; Attorney General Opinion requested by L.W. Lamar regarding G.S. 133-32, the Applicability to Attorneys and Law Firms Providing Professional Services to Local Boards of Education, dated May 13, 1993

Cross References: Prohibition Against Retaliation (policy 1760/7280), Board Member Conflict of Interest (policy 2121), Bidders' List (policy 6441/9121), Employee Conflict of Interest (policy 7730), Federal Grant Administration (policy 8305)

Adopted: March 11, 1999
Amended: January 10, 2013
Amended: January 10, 2019
Amended: September 19, 2024

PARTICIPATION BY HISTORICALLY UNDERUTILIZED BUSINESSES

Policy Code: **6402**

The board affirms the State's commitment to encouraging the participation of historically underutilized businesses, as defined by G.S. 143-128.4, and small businesses in the school system's purchase of goods and services. The board aspires for one percent of the total annual value of the school system's purchase of goods and services to come from contracts with minority-owned businesses, female-owned businesses, disabled-owned businesses, disabled business enterprises, or non-profit work centers for the blind and severely disabled.

Notwithstanding the board's intent to promote the participation of the types of businesses described above, the board will purchase goods and services without regard to race, color, creed, national origin, sex, age, disability, or religion.

SCHOOL SYSTEM GOOD FAITH EFFORTS

The board establishes the following guidelines to ensure that the school system will make good faith efforts to reach diverse suppliers of goods and services and to encourage participation in the school system's purchasing program by such suppliers. Employees responsible for the purchasing function shall:

- make information about the school system's purchasing procedures and bidding process readily available;

    1. advertise for bids in media that reaches historically underutilized businesses;

- ensure access to bidding documents needed for making bids on projects;

- obtain directory information of small businesses, historically underutilized businesses, disabled business enterprises, and nonprofit work centers for the blind or severely disabled by using the online search functions of the North Carolina electronic Vendor Portal provided by the Division of Purchase and Contracts at the N.C. Department of Administration;

    2. sponsor or participate in purchasing seminars for all prospective vendors or, in particular, for small businesses, historically underutilized businesses, disabled business enterprises, and non-profit work centers for the blind or severely disabled;

- provide information on how to become Historically Underutilized Business (HUB)-certified and/or North Carolina Small Business Enterprise (NCSBE)-certified and how to register in the North Carolina electronic Vendor Portal;
- prepare vendor lists in accordance with policy 6442, Vendor Lists; and
- where allowed by law, permit performance guarantees rather than performance bonds for contracts for goods and services.

DOCUMENTATION AND REPORTING

The superintendent or designee shall submit all legally required reports on the use of historically underutilized businesses, disabled business enterprises, and nonprofit work centers for the blind and the severely disabled and shall document the use of such businesses as necessary to comply with applicable laws.

Legal References: City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989); G.S. 143-48, -48.4, -128.4; 01 N.C.A.C. 05B .0301

Cross References: Vendor Lists (policy 6442), Participation by Minority Businesses (policy 9125)

Adopted: March 11, 1999
Amended: June 29, 2023

In order obtain the most cost effective and reliable technology equipment for Cherokee County Schools and ensure efficient processing of the equipment, the Cherokee County Schools has established a policy for technology purchases and procurement. All hardware and software purchased for Cherokee County Schools must be purchased in accordance with the following procedures.

All purchases of equipment, materials and supplies will be made in accordance with laws and applicable policies and procedures of the State Division of Purchase and Contract. All employees involved in purchasing are expected to be familiar with these requirements.

When competitive bidding is not required, purchases should be made under conditions which foster competition among potential vendors. Purchase decisions should be made after considering price, quality, suitability for specified need and timeliness of delivery and performance. The board will not enter into a contract with any supplier or contractor when performance on any previous contract has been found to be unsatisfactory by the superintendent or the board.

Records of all informal bids will be kept and will be available for public inspection. Such records should include the date the bid is received, from whom it is received, and for what item.

Purchasing Guidelines

1. All network computer, printers, or devices must be purchased through the Technology Services Department.
2. Only approved software may be supported by the CCS network or Technology Services Department. Only licenses and system compatible software programs will be installed on CCS network computer systems.
3. Schools will use information provided by the Technology Services Department to make technology purchases. This information will be provided on the school system web site. Specifications for equipment will be outlined at the beginning of each year by the Technology Services Department.
4. If a school would like to purchase equipment not recommended by the Technology Services Department, it must be approved in advance.
5. All technology equipment should be shipped to the Technology Services Department. This allows for the equipment to be inventoried and properly installed for the network.
6. All orders will be processed in accordance with state and local guidelines for purchasing and will be distributed following the CCS Technology Services Deployment Procedure.
7. Hardware or software that does not meet or follow the procurement guidelines will not be supported by the CCS Technology Services department and may not be utilized on the CCS network. Any loss associated due to this policy will be the liability of the user or responsible party.

Legal References: Senate Bill 222, G.S. 115C-36, -522; 133-33; 143-52, -53.1; State Division of Purchase and Contract Purchasing Manual

Cross References: Contracts with the Board (policy 6420), State Purchasing Requirements for Equipment, Materials and Supplies (policy 6430)

Adopted: October 13, 2005

ORGANIZATION
OF THE PURCHASING FUNCTION

Policy Code: **6410**

The purchasing function includes the following responsibilities:

1. making purchases for all departments in accordance with applicable laws and regulations, including the requirements of the State Division of Purchase and Contract when applicable, board policy, the superintendent's directives, good purchasing practices, and ethical principles;
2. establishing and enforcing a system for approving and accounting for purchases;
3. maintaining appropriate records on price quotations of supplies most frequently purchased;
4. maintaining other supplemental data to assist in making purchases at the most economical prices possible;
5. maintaining N.C. E-Procurement compliance and making purchases through the E-Procurement Service to the extent appropriate to maximize savings and efficiency in the purchasing function;
6. establishing a practical degree of standardization of equipment, supplies, and materials with sufficient flexibility to meet unique needs of schools and departments;
7. operating a central inventory warehouse;
8. supervising the receiving of all materials, including establishing procedures to ensure received goods are properly inspected, counted, and documented;
9. maintaining lists of potential bidders for various types of materials, equipment, and supplies;
10. providing information regarding bidding opportunities to vendors;
11. providing information and service to schools and departments that wish to make purchases; and
12. maintaining current information on all applicable laws, regulations, board policies, and administrative procedures.

Legal References: G.S. 143-49, -52, -52.3; 115C-522; 147 art. 6E, art. 6G; N.C. Session Law 2003-147; N.C. Procurement Manual, Department of Administration, Division of Purchase and Contract, available at https://files.nc.gov/ncdoa/documents/files/NC-Procurement-Manual-2022-with-TOC.pdf

Cross References:

Adopted: March 11, 1999
Amended: September 14, 2015
Technical Corrections made: October 2, 2017
Amended: April 20, 2023

The board is the sole entity authorized to execute formal contracts between the school system and any firm or person offering to provide materials, equipment, or services to the school system. Creditors are on notice that the board may choose not to honor contracts entered into by school or school system officials without authority to enter into contracts.

A. AUTHORIZATION TO ENTER INTO CONTRACTS

No contract requiring the expenditure of funds may be entered into unless the budget resolution adopted pursuant to policy 8110, Budget Resolution, authorizes the expense and there is a sufficient unencumbered balance to pay the amount to be disbursed. (See policy 6421, Pre-audit and Disbursement Certifications.) No contract may be entered into with a restricted company, as listed by the state treasurer in accordance with G.S. 147, art. 6E or 6G, except as permitted by those laws.

Any contract for materials, equipment, or services involving expenditures in excess of $50,000.00 must be reviewed by the board attorney and approved in advance by the board unless provided otherwise in board policy. (Approval requirements for construction and repair contracts are established in policy 9120, Bidding for Construction Work.) Unless otherwise prohibited by statute or regulation, the superintendent or designee is authorized to enter into contracts or approve amendments to contracts for materials, equipment, supplies, or services involving amounts up to $50,000.00, except board approval is required for contracts and change orders that would result in more than $50,000.00 being paid to the same vendor during the same fiscal year or any consecutive 12-month period. However, change orders for construction and repair contracts are subject to the requirements of policy 9030, Facility Construction, not this provision.

To provide greater flexibility at the school level, the superintendent also may establish circumstances in which principals may enter contracts involving amounts up to $5000. The superintendent, with appropriate involvement of the finance officer, shall establish any procedures necessary to ensure fiscal accountability and reporting by principals who enter into contracts.

At least monthly, the superintendent shall report to the board all contracts and contract amendments approved by the superintendent under this policy that exceed $50,000.00.

B. CONTRACT FORMS

The board attorney shall review any contract forms developed for use by a school or the school system.

C. LEASE PURCHASE CONTRACTS

The finance officer must approve any request to enter lease purchase contracts as authorized by G.S. 115C-528, regardless of the dollar amount. After considering the principal and amount of interest, the superintendent must determine that the lease purchase is a fiscally prudent choice that is consistent with board policy.

The finance officer shall provide the board with periodic reports on lease purchase contracts, including the amount of the principal, interest paid, and the amount of the outstanding obligation.

D. OTHER APPLICABLE POLICIES AND LAWS

Purchases may be made through the State Division of Purchase and Contract in accordance with the Division's rules and regulations, as authorized by G.S. 115C-522.

All contracts involving construction or repair work or purchase of apparatus, supplies, materials, or equipment must be undertaken in compliance with Chapter 143 of the North Carolina General Statutes, except as provided elsewhere by state law. Contracts must also comply with applicable board policies, including, but not limited to, policies 6430, Purchasing Requirements for Equipment, Materials, and Supplies; 6450, Purchase of Services; 9030, Facility Construction; 9110, Use and Selection of Architects, Engineers, Surveyors, and Construction Managers At Risk; and 9120, Bidding for Construction Work.

All contracts subject to the E-Verify requirement will contain a provision stating that the contractor and the contractor's subcontractors must comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

Legal References: G.S. 64 art. 2; 115C-36, -47, -264, -440, -441, -522, -528; 143-49 and art. 8; 147 art. 6E, art. 6G

Cross References: Pre-audit and Disbursement Certifications (policy 6421), Purchasing Requirements for Equipment, Materials, and Supplies (policy 6430), Purchase of Services (policy 6450), Budget Resolution (policy 8110), Facility Construction (policy 9030), Use and Selection of Architects, Engineers, Surveyors, and Construction Managers At Risk (policy 9110), Bidding for Construction Work (policy 9120)

Adopted: March 11, 1999
Amended: December 14, 2006
Amended: June 10, 2013
Amended: May 12, 2016
Amended: December 8, 2016
Amended: January 11, 2018
Amended: July 26, 2018
Amended: March 12, 2020
Amended: October 2, 2025

Except as otherwise provided by law, no obligation may be incurred by the school system unless the budget resolution includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay in the current fiscal year the sums obligated by the transaction for the current fiscal year.

An obligation incurred in violation of the requirements of state law as specified in this policy is invalid and may not be enforced. The finance officer shall establish procedures in accordance with any rules adopted by the Local Government Commission to assure compliance with statutory requirements and this policy.

A. PREAUDIT CERTIFICATION

If an obligation is reduced to a written contract or written agreement requiring the payment of money, or is evidenced by a purchase order for supplies and materials, the written contract, agreement, or purchase order will include on its face a certificate stating that the instrument has been preaudited to assure compliance with state law. The finance officer shall sign the certificate, which will take substantially the following form:

> This instrument has been preaudited in the manner required by the School Budget and Fiscal Control Act.
>
> _____
> (*date*)
>
> _____
> (*signature of finance officer*)

B. DISBURSEMENT CERTIFICATION

The board authorizes bills, invoices, salaries, and other claims to be paid by check or draft on an official depository; bank wire transfer from an official depository; electronic payment or an electronic funds transfer originated by the school system through an official depository; or warrant on the State Treasurer. Any check or draft on an official depository will bear on its face a certificate signed by the finance officer (or signed by a designated board member if the board approves a claim that was disapproved by the finance officer). The certificate will take substantially the following form:

> This disbursement has been approved as required by the School Budget and Fiscal Control Act.
>
> _____
> (*signature of finance officer*)

C. EXCEPTIONS TO THE CERTIFICATION REQUIREMENTS

No preaudit or disbursement certificate is required for (1) an obligation, or a document related to the obligation, that has been approved by the Local Government Commission; (2) payroll expenditures, including employee benefits; or (3) electronic payments made in compliance with

rules adopted by the Local Government Commission.

Legal References: G.S. 115C-441; 20 N.C.A.C. 03.0409, 20 N.C.A.C. 03.0410

Cross References: Contracts with the Board (policy 6420), Budget Resolution (policy 8110), School Finance Officer (policy 8510)
Adopted: March 11, 1999
Amended: March 10, 2016
Amended: July 26, 2018

Continuing contracts, including lease purchase contracts, installment purchase contracts, and straight leases, provide flexibility to meet the school system's needs within its financial resources. The board encourages the superintendent and finance officer to consider the viability of such options in making purchasing decisions as permitted by state law.

The following procedures and standards will be used in making decisions to enter continuing contracts.

- In addition to cash price bids, the school system may solicit financing proposals from the equipment vendors or inform equipment vendors that the purchase of the equipment is contingent on obtaining satisfactory financing.

- The finance officer or other designee of the superintendent shall analyze the fiscal impact of any continuing contracts, including the amount of interest to be paid and the useful life of the equipment or goods before entering into such a contract.

- Straight leases and financing services are not subject to competitive bidding; however, a reasonable effort will be made to obtain a competitive price and good value.

- Guaranteed energy savings contracts must be entered into following the procedures established in G.S. 143-64.17A, -64.17B, -64.17D, -64.17E, -128.2 and -135.3. guaranteed energy savings contracts are exempt from otherwise applicable bidding requirements.

- Policy 6420, Contracts with the Board, must be followed for all continuing contracts.

- The finance officer shall report to the board on at least a quarterly basis on the overall debt load incurred through continuing contracts for goods and services (other than for employee salaries). The report will specify the principal, interest paid and amount of outstanding obligations.

- The board attorney shall review Installment financing agreements with terms of more than one year.

Legal References: G.S. 143-64.17A, -64.17B, -64.17D, -64.17E, -128.2, -129.4, -135.3; 115C-47(28), -441(c), -441(c1), -432(b)(4), -528, -530; 159, art. 8; 160A-19, -20

Cross References: Contracts with the Board (policy 6420), Planning to Address Facility Needs (policy 9000)

Adopted: March 11, 1999
Amended: December 14, 2006
Technical Correction: July 12, 2019

All purchases of apparatus, supplies, materials, and equipment will be made in accordance with all applicable state laws and regulations, including Article 8 of Chapter 143 and Articles 6E and 6G of Chapter 147 of the North Carolina General Statutes, board policy, and school system purchasing procedures. Purchasing contracts subject to the E-Verify requirement will contain a provision stating that the contractor and contractor's subcontractors must comply with the requirements of G.S. Chapter 64, Article 2. Purchases using federal funds must also be made in accordance with all applicable requirements of federal law and regulation, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance") issued by the U.S. Office of Budget and Management. (See also policy 8305, Federal Grant Administration.) All employees involved in purchasing must be familiar with applicable requirements.

The purchasing officer shall ensure that written specifications for desired products are descriptive and clear and incorporate the quality requirements and service needs of the school system. There is no minimum number of bids, proposals, or quotes required for the purchase of apparatus, supplies, materials, and equipment (whether formally or informally bid); however, at least two bids, proposals, or quotes should be obtained when feasible.

The appropriate school system employee shall review submissions of bids, proposals, or quotes to determine if they are responsive to the system's specifications and make recommendations to the superintendent or designee. The superintendent or designee may award the contract based upon such recommendations if it is within their authority to contract as provided in policy 6420, Contracts with the Board, or may make a recommendation to the board for award of the contract by the board.

Apparatus, supplies, materials, and equipment must be purchased in accordance with the following requirements.

A. FORMAL BIDS (EQUAL TO OR MORE THAN $90,000)

The purchase of apparatus, supplies, materials, or equipment for expenditures equal to or more than $90,000 must be secured through the competitive bid process governed by G.S. 143-129. The superintendent, in consultation with the purchasing officer, is authorized to determine the best method for formally bidding a product or, as appropriate, utilizing one of the exceptions to formal bidding as provided below in Section E. The purchasing officer shall oversee the use of any purchasing method and ensure that all state requirements are met, including advertisement, sealed bids, maintaining records, and public opening of bids. The board authorizes the use of newspaper advertisement, electronic advertisement, or both for formal bids; however, the superintendent has the authority to determine which method will be used for a specific purchase or categories of purchases.

Awards will be made to the lowest responsible bidder(s) whose bid or proposal meets the requirements and criteria set forth by the school system, taking into consideration quality, performance, and the time specified in the proposal for the performance of the contract. To be eligible for an award of a contract subject to G.S. 143-129, the contractor and its

subcontractors, if any, must demonstrate compliance with all applicable provisions of G.S. Chapter 64, Article 2, including the responsibility to use E-Verify. All contracts awarded must be in writing.

The board permits the use of the following processes for contracts that require formal bidding.

1. Competitive Sealed Bids

   A competitive sealed bid (or invitation to bid) may be used to request the cost of particular goods by providing detailed specifications in advance.

2. Reverse Auction

   Pursuant to G.S. 143-129.9(a)(1), the school system may use reverse auctions as an alternative to sealed bid procedures. For purposes of this policy, "reverse auction" means a real-time purchasing process in which bidders compete to provide goods at the lowest selling price in an open and interactive environment. The superintendent, in consultation with the purchasing officer, shall determine whether reverse auctions are appropriate for a specific purchase or category of purchases. To conduct a reverse auction, the purchase officer may use a third party, may use the state's electronic procurement system, or, if appropriate equipment is available, may conduct the auction using school system equipment.

3. Exceptions to Formal Bids

   Any of the processes outlined below in Section E may be used in lieu of formal bidding, so long as all requirements of state law are met.

B. INFORMAL BIDS ($30,000 TO $90,000)

The purchase of apparatus, supplies, materials, or equipment for expenditures of at least $30,000 but less than $90,000 must be secured through the informal bidding process governed by G.S. 143-131. The superintendent, in consultation with the purchasing officer, is authorized to determine the best method for securing informal bids on a product. The purchasing officer shall oversee the use of any purchasing method and ensure that all state requirements are met, including maintaining records of all bids submitted. Records of informal bids will not be available for public inspection until the contract has been awarded. Awards will be made to the lowest responsible, responsive bidder(s) whose bid or proposal meets the requirements and criteria set forth by the school system, taking into consideration quality, performance, and the time specified in the proposal for the performance of the contract.

1. Competitive Sealed Bids

   Informal bid requirements may be met by the use of sealed bids. The purchasing

officer may utilize the methods for formal competitive bids provided in Section A or may determine other appropriate methods for soliciting sealed bids. The bid specifications must include the time, date, and place for opening bids. No advertisement for bids is necessary (unless the formal bid process is used); however, the purchasing officer may advertise for bids as he or she deems appropriate.

2. Quotations

Informal bid requirements may be met by the solicitation of quotes from prospective vendors. Quotations may be solicited and submitted via telephone, fax, e-mail, or the North Carolina E-Procurement system. Telephone quotes must be placed in writing before a final contract will be awarded. Written quotations must be on the vendor's letterhead or an official quotation form.

3. Reverse Auction

A reverse auction may be used to solicit informal bids, consistent with the process provided in section A.2.

4. Exceptions to Informal Bids

Any of the processes outlined below in Section E may be used in lieu of informal bidding, so long as all requirements of state law are met.

C. LOCAL REQUIREMENTS FOR PURCHASES FOR LESS THAN $30,000

When competitive bidding is not statutorily required, purchases should be made under conditions that foster competition among potential vendors. Purchasing decisions should be made after considering price, quality, suitability for specified need, and timeliness of delivery and performance. The board may refuse to enter into a contract with a supplier or contractor whose performance on a previous contract was found to be unsatisfactory by the superintendent or the board.

If informal bidding is used, the informal bidding process described in Section B, above, will be followed.

D. ELECTRONIC BIDDING

Pursuant to G.S. 143-129.9(a)(2), the school system may receive bids electronically in addition to or instead of paper bids. If electronic bids are used for purchases that must be formally bid, procedures for receipt of electronic bids must be designed to ensure the security, authenticity, and confidentiality of the bids to at least the same extent as provided with paper bids. The superintendent, in consultation with the purchasing officer, shall determine whether electronic bidding is appropriate for a specific purchase or category of purchases.

E. EXCEPTIONS TO THE FORMAL AND INFORMAL BIDDING REQUIREMENTS

The school system may utilize the following purchasing options instead of pursuing competitive bidding. Formal or informal bidding is not required if any of these processes are used. The purchasing officer shall gather information to document the basis for the use of any exceptions to the competitive bidding requirements. The superintendent, in consultation with the purchasing officer, may determine that using one of the following exceptions is appropriate for a specific purchase or group of purchases.

1. Purchases from Other Governmental Agencies

   Pursuant to G.S. 143-129(e)(1), the school system may contract for the purchase, lease, or other acquisition of apparatus, supplies, materials, or equipment from any other federal, state, or local governmental agency.

2. Special Emergencies

   Pursuant to G.S. 143-129(e)(2), competitive bidding is not required in cases of special emergencies involving the health and safety of people or their property. For an emergency to exist under the statute, the following factors must exist: (1) the emergency is present, immediate, and existing; (2) the harm cannot be averted through temporary measures; and (3) the emergency was not self-created by the school system.

3. Competitive Group Purchasing

   Pursuant to G.S. 143-129(e)(3), the school system may make purchases or order repair work involving a combination of installation labor and equipment acquisition for heating and cooling systems through a competitive bidding group purchasing program, through which another entity uses a competitive process to establish contracts on behalf of multiple entities at discount prices.

4. State Term Contract

   Pursuant to G.S. 143-129(e)(9), the school system may purchase products included in state term contracts with the state vendor for the price stipulated in the state contract, if the vendor is willing to extend to the school system the same or more favorable prices, terms, and conditions as established in the state contract.

5. Sole Source Items

   Pursuant to G.S. 143-129(e)(6), upon approval of the board of education, the school system may purchase an item through a single or sole source contract under the following circumstances: (1) when performance or price competition is not available; (2) when a needed product is available from only one source of

supply; or (3) when standardization or compatibility is the overriding consideration. When requesting a purchase under the sole source exception, the purchasing officer shall provide the board with documentation that justifies the use of the exception.

6. "Piggybacking" or Previously Bid Contracts

Pursuant to G.S. 143-129(g), upon approval of the board of education, the school system may purchase from any supplier that, within the previous 12 months, has contracted to furnish the needed item to the federal government, to any state government, or to any agency or political subdivision of the federal government or any state government. Before recommending a purchase using the piggybacking exception, the purchasing officer shall ensure that the following requirements are met: (1) the price and other terms and conditions of the contract are at least as favorable as the prior contract; (2) the contract was entered into following a public, formal bidding process substantially similar to that required by North Carolina General Statutes; (3) the same vendor is used; and (4) notice of intent to award the contract without bidding is publicly advertised at least 10 days prior to the regularly-scheduled board meeting at which the contract will be approved. Before approving the contract, the board must determine that using the contract is in the best interest of the school system.

7. Purchases of Information Technology Goods and Services

Pursuant to G.S. 143-129(e)(7) and G.S. Chapter 143B, Article 15, the school system may purchase or lease information technology through contracts established by the Department of Information Technology. The purchasing officer shall work with the information technology department to ensure that any such purchases meet the needs of the school system.

In addition, the school system also may purchase information technology goods and services by using a request for proposal (RFP) pursuant to G.S. 143-129.8, provided that the following requirements are met: (1) notice of the request is provided consistent with the formal bidding notice requirements and (2) contracts are awarded to the person or entity that submits the best overall proposal as determined by the purchasing officer and superintendent. The RFP should describe the scope of work, general terms and conditions, specifications of the product needed by the school system, and the application process. The information technology supervisor shall assist the purchasing officer in reviewing the responsiveness of any RFP submitted pursuant to this subsection. RFPs will be evaluated using the "best value" method as defined in G.S. 143-135.9(a)(1) so that the system may select the most appropriate technological solution to meet the school system's objectives. However, if the purchasing officer considers the purchase to be highly complex or is unable to clearly determine what the optimal solution for the school system is, the "solution-based solicitation" or "government-vendor partnership" method may be used. The purchasing officer

may negotiate with the proposer to obtain a final contract that meets the best needs of the school system, so long as the alterations based on such negotiations do not deprive proposers or potential proposers of the opportunity to compete for the contract and do not result in the award of the contract to a different person or entity than would have received it if the alterations had been included in the RFP.

8. Gasoline, Fuel, and Oil Purchases

Pursuant to G.S. 143-129(e)(5), the school system may purchase gasoline, fuel, and oil products without using formal competitive bidding. However, such purchases are subject to the informal bidding requirements provided above.

9. Used Products

Pursuant to G.S. 143-129(e)(10), the school system may purchase previously used apparatus, supplies, materials, or equipment without using formal competitive bidding. Before purchasing used products, the purchasing officer shall ensure that the products are in good, usable condition and will be sufficient to meet the school system's needs for a reasonable period of time.

10. Published Materials

Pursuant to G.S. 115C-522(a), compliance with Article 8 of Chapter 143 of the General Statutes is not mandatory for the purchase of published books, manuscripts, maps, pamphlets, and periodicals. Such purchase shall be made in accordance with Section C of this policy.

F. LEASE PURCHASE CONTRACTS AND OTHER CONTRACTS FINANCED OVER TIME

Lease purchase contracts, contracts that include options to purchase, and leases for the life of equipment all must be bid consistent with the requirements of G.S. 143-129 and 143-131. The purchasing officer shall ensure that such contracts meet the legal requirements and the provisions of policy 6420, Contracts with the Board.

G. USE OF SCHOOL SYSTEM TERM CONTRACTS

The school system may create and use term contracts for items that are routinely purchased by the school system. If the estimated expenditure for a routine item under the term contract is equal to or exceeds $90,000, the contract must be formally bid. If the estimated expenditure is at least $30,000 but less than $90,000, the contract must be informally bid. The purchasing officer may incorporate the use of a term contract in the bidding specifications. If term contracts are used, the board attorney, in consultation with the purchasing officer, shall review the contracts.

H. HISTORICALLY UNDERUTILIZED BUSINESSES

The board affirms the state's commitment to encouraging the participation of historically underutilized businesses in purchasing functions. The board will comply with all legal requirements and the standards in policy 6402, Participation by Historically Underutilized Businesses.

Legal References: 2 C.F.R. 200.317-326; G.S. 64 art. 2; 115C-36, -522; 143 art. 8; 143B art. 15; 147 art. 6E, art. 6G; Sess. Law 2013-128

Cross References: Participation by Historically Underutilized Businesses (policy 6402), Organization of the Purchasing Function (policy 6410), Contracts with the Board (policy 6420), Federal Grant Administration (policy 8305)

Amended: December 14, 2006
Amended: March 13, 2014
Amended: May 12, 2016
Amended: January 11, 2018
Amended: June 29, 2023
Amended: September 19, 2024

The board encourages processes that will foster competition among potential bidders. The identity of contractors who have obtained proposals for bid purposes for a public contract is confidential until the bids are opened in public and recorded in the board minutes. Any employee who divulges such information to any unauthorized person will be subject to disciplinary action.

This policy is not intended to limit the superintendent's discretion to conduct prebid meetings.

Legal References: G.S. 133-33

Cross References: Ethics and the Purchasing Function (policy 6401)

Adopted: March 11, 1999
Technical Correction: July 12, 2019

The board desires to provide opportunities to responsible suppliers to do business with the school system. To this end, the superintendent is directed to develop and maintain lists of potential vendors for the various types of materials, equipment, and supplies. Such lists will be used in the development of a mailing list for distribution of specifications, invitations to bid, and notice of other competitive purchasing processes.

The superintendent or designee has the discretion to determine which vendors are included on the list and may establish standards for being placed on the list or for remaining on the list. The standards shall take into account the requirements of G.S. 147, art. 6E and art. 6G. The superintendent is encouraged to include vendors listed as historically underutilized businesses with the Division of Purchase and Contracts at the State Department of Administration.

Legal References: G.S. 115C-522; 147 art. 6E, art. 6G

Cross References: Purchasing Requirements for Equipment, Materials, and Supplies (policy 6430), Participation by Minority Businesses (policy 9125)

Adopted:	March 11, 1999
Amended:	January 12, 2017
Amended:	February 8, 2018
Technical Corrections made:	March 29, 2018

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

No contract may be entered into with a restricted company, as listed by the state treasurer in accordance with G.S. 147, art. 6E or 6G, except as permitted by those laws.

Purchases using federal funds must be made in accordance with the terms and conditions of the federal award and all applicable requirements of federal law and regulation, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance") issued by the U.S. Office of Budget and Management. (See also policy 8305, Federal Grant Administration.)

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

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

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

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

Adopted: March 11, 1999
Amended: December 8, 2016
Amended: August 10, 2017
Amended: February 8, 2018
Amended: January 10, 2019

GOALS OF EQUIPMENT, MATERIALS AND SUPPLIES SERVICES

Policy Code: **6500**

Services for managing the school district's equipment, materials and supplies will be organized by the superintendent and operated in a manner consistent with the following goals:

- enhancing students' opportunity to learn;
- utilizing technological advances and other improvement in equipment, materials and supplies to increase the effectiveness and efficiency of personnel;
- obtaining uniformity in the equipment, materials and supplies used throughout the district to the extent that such uniformity promotes quality and efficiency;
- efficiently storing, maintaining and retrieving equipment, materials and supplies;
- maximizing the useful life of equipment, materials and supplies;
- extending the usefulness of equipment, materials and supplies through reuse;
- using and disposing of property in an environmentally sound manner; and
- providing prompt and courteous service to vendors, school district personnel and others who have a need to interact with the school district in regard to equipment, materials and supplies.

Legal References: G.S. 115C-36

Cross References:

Adopted: March 11, 1999

MANAGEMENT

The superintendent shall provide centralized services for purchasing, receiving, storing and maintaining equipment, materials and supplies. Such services will be provided in a manner consistent with board goals.

The superintendent or designee shall make reasonable efforts to be informed of and to implement progressive practices in managing equipment, materials and supplies services. Conscientious efforts will be made in the management of these resources to achieve efficiency and economy through centralized and bulk purchasing when consistent with available storage and distribution facilities. Good management also requires that needed supplies, materials, equipment and spare parts be readily available when and where they are needed and that space not be used for housing unnecessary inventory. The superintendent shall develop administrative procedures for providing and using centralized services and monitor compliance with these procedures.

RECORD KEEPING

The superintendent or designee shall maintain proper records in accordance with accepted business standards and any legal requirements. These records include inventory records, receiving and distribution records, and equipment maintenance records at the system and school levels.

ISSUANCE OF EQUIPMENT, MATERIALS AND SUPPLIES

All individuals, including principals, teachers, other personnel and students, are responsible for any board-owned equipment, materials or supplies they have been issued. Responsibilities include accounting for items, maintaining and using items in a prudent manner, and storing items in a reasonably safe and secure place.

Legal References: G.S. 115C-36

Cross References: Goals of Equipment, Materials and Supplies Services (policy 6500), Use of Equipment, Materials and Supplies (policy 6520)

Adopted: March 11, 1999
Technical Correction: July 12, 2019

Cherokee County Schools recognizes the vital role that technology performs in education. The school system has invested in a technology infrastructure, technology equipment, and software. It is important for the school system to track the investment that has been made. The school system's Technology Services Department and individual schools will be responsible for keeping an accurate inventory of all technology equipment and all associated materials as required by state law.

Technology Inventory Guidelines

1. All technology equipment purchases will be delivered to the Technology Services Department.
2. Individual schools will be responsible for tracking all software license information and school technology equipment. Equipment shall include but is not limited to the following items: computers, projectors, digital cameras, digital video cameras, printers, laptops, equipment carts, scanners, digital assistants, digital white boards, monitors, external hard drives, etc.
3. Each school will be responsible for completing the Annual Media and Technology Report as required by the Department of Public Instruction.
4. The Technology Services Department will complete the District Level Annual Media and Technology Report.
5. The Technology Services Department will inventory all network infrastructure equipment and associated resources within the district.
6. The Technology Services Department will conduct an inventory of software, hardware, and network infrastructure for each school site remotely using client management software.
7. The Technology Services Department will keep a database of all inventories.
8. Individual schools will maintain a fixed asset inventory control system as outlined in Policy Code: 8350 Fixed Assets Inventory.

Legal References: GS115c-539, 115c-102.6A-C(5), 115C-523
Cross Reference: Policy 8350 Fixed Assets Inventory
Adopted: October 13, 2005
Amended: December 12, 2013

USE OF EQUIPMENT, MATERIALS, AND SUPPLIES

Policy Code: **6520**

Equipment, materials, and supplies are intended to further the board's goals as provided in policy 6500, Goals of Equipment, Materials, and Supplies Services. Any use that is inconsistent with these goals is not permitted. Equipment, materials, and supplies are made available for use in schools, on school system property, or at school-related events. The superintendent or building-level supervisor shall establish procedures or rules for allowing individuals or organizations to take such items, especially those of significant value, off of school premises.

Legal References: G.S. 115C-523, -524

Cross References: Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), Copyright Compliance (policy 3230/7330), Goals of Equipment, Materials, and Supplies Services (policy 6500), Personal Use of Equipment, Materials, and Supplies (policy 6521), Use of Equipment, Materials, and Supplies by Non-School Groups (policy 6522), Network Security (policy 6524)

Adopted: March 11, 1999
Technical Corrections made: October 2, 2017

PERSONAL USE
OF EQUIPMENT, MATERIALS AND SUPPLIES

Policy Code: **6521**

The board controls All equipment, materials and supplies purchased, leased or received as a gift. School personnel and students may not employ Such items for personal use unless the following conditions are met: (1) the use is authorized by the principal or building-level supervisor; (2) the use will have no or minimal effect on the useful life of the item; (3) the use will not interfere with use for school system purposes; and (4) the use will not interfere with the requesting individual's job responsibilities or school assignments. Any individual obtaining permission is charged with proper preservation and care of the property.

Legal References: G.S. 115C-36, -523, -524

Cross References: Use of Equipment, Materials and Supplies (policy 6520)

Adopted: March 11, 1999
Technical Correction: July 12, 2019

USE OF EQUIPMENT, MATERIALS AND SUPPLIES BY NON-SCHOOL GROUPS

Policy Code: **6522**

Members of the community may use resources in the media centers whenever the centers are open to the public. Students and school-related functions have priority over community members and non-school-related functions.

Members of the community and non-school groups may also request the loan of school property. The superintendent or designee, or principal if the requested property has been issued to the school, shall review requests. Property will be loaned only if the following conditions are met: (1) the use will have no or minimal effect on the useful life of the property; (2) the group's use of the property will not interfere with use for school system purposes; and (3) any other conditions required by the superintendent. Unless authorized by the superintendent, property of a value greater than $___ will not be loaned. Unless authorized by the superintendent, board property may not be taken off of school grounds.

Any agreement to loan the property must be in writing. The agreement must specify that the individual or group receiving the loan will be responsible for the proper care and preservation of the property and will compensate the school system for any loss in value as it is determined by the superintendent or designee. The agreement also must stipulate that no liability will attach to the board, individually or collectively, and that the board will be held harmless for personal injury suffered by the use of school property pursuant to such agreements. A reasonable use fee may be set by the superintendent or designee and included in the agreement. The superintendent is authorized to enter into such written agreements on behalf of the board.

Legal References: G.S. 115C-36, -523, -524

Cross References: Schools and the Community (policy 5000), Contracts with the Board (policy 6420), Use of Equipment, Materials and Supplies (policy 6520)

Adopted: March 11, 1999
Technical Correction: July 12, 2019

The school system computers, networks, and other technological resources support the educational and administrative functions of the school system. Because employees and students depend on these systems to assist with teaching and learning and because sensitive and confidential information may be stored on these systems, system integrity and security is of utmost importance.

A. NETWORK AND INFORMATION SECURITY

The school system information technology systems are valuable assets that must be protected. To this end, school technology personnel shall evaluate each information technology asset and assign protective controls that are commensurate with the established value of such assets. Appropriate security measures must be in place to protect all information technology assets from accidental or unauthorized use, theft, modification, or destruction, and to prevent the unauthorized disclosure of restricted information. Network security measures must include an information technology system disaster recovery process. Audits of security measures must be conducted annually.

All personnel shall ensure the protection and security of information technology assets that are under their control.

B. SECURITY AWARENESS

The technology director or designee shall provide employees with information to enhance awareness regarding technology security threats and to educate them about appropriate safeguards, network security, and information security.

C. MALWARE PROTECTION

Malware detection programs and practices must be implemented throughout the school system. The superintendent or designee is responsible for ensuring that the school system network includes current software to prevent the introduction or propagation of computer malware.

D. TRAINING FOR USE OF TECHNOLOGICAL RESOURCES

Users should be trained as necessary to use technological resources effectively and in a manner that maintains the security of the network infrastructure and ensures compliance with state and federal law and regulations. Such training should include information related to remote access, virus protection, the state student information and instructional improvement system applications, network and information security, and other topics deemed necessary by the superintendent or technology director. Training may be conducted as part of the technology-related professional development program (see policy 3220, Technology in the Educational Program).

E. ACCESS TO INFORMATION TECHNOLOGY SYSTEMS

Access to the school system's information technology assets will be controlled and managed to ensure that only authorized devices/persons have access.

1. User ID and Password

   All users of information technology systems must be properly identified and

authenticated before being allowed to access such systems. The combination of a unique user identification and a valid password is the minimum requirement for granting access to information technology systems. Depending on the operating environment, information involved, and exposure risks, additional or more stringent security practices may be required as determined by the superintendent or technology director. The technology director or designee shall establish password management capabilities and procedures to ensure the security of passwords.

2. Student Information System
The technology director or designee shall ensure that all school system computers with access to the state student information system application pursuant to State Board of Education Policy SBOP-018 adhere to relevant standards and requirements established by the State Board of Education, including provisions related to user identification and password and workstation security standards. Employees must follow all such standards when using any computer to access the student information system, including when using the employee's personal computer.

3. Remote Access
The superintendent and technology director may grant remote access to authorized users of the school system's computer systems. The technology director or designee shall ensure that such access is provided through secure, authenticated, and carefully managed access methods.

Legal References: G.S. 115C-523, -524; State Board of Education Policy SBOP-018

Cross References: Professional and Staff Development (policy 1610/7800), Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), Internet Safety (policy 3226/4205), School Improvement Plan (policy 3430), Use of Equipment, Materials, and Supplies (policy 6520)

Other References: *State of North Carolina Statewide Information Security Manual* (Enterprise Security and Risk Management Office), available at http://it.nc.gov/document/statewide-information-security-manual

Adopted: January 10, 2013
Amended: December 11, 2014
Amended: April 6, 2017
Technical Changes made: October 2, 2017

All students will be issued the necessary textbooks for their course work free of charge. In an effort to reduce educational costs and to promote individual responsibility for public property, the board establishes the following requirements for this service.

- Records will be kept on the condition of all textbooks, including the condition of the books at the time they are issued to students.
- Instructional personnel shall emphasize to students their responsibility to maintain materials in good condition.
- Students who lose or fail to return issued textbooks will be charged the cost of the book before a replacement will be issued.
- Students who return a book in such condition as to make it unusable for another student will be charged for replacing it.
- Parents or guardians will be notified of the student's responsibility in caring for textbooks properly and of the parents' or guardians' responsibility for paying for any textbooks that are lost or appreciably damaged.

Legal References: G.S. 115C-99, -100

Cross References:

Adopted: March 11, 1999
Technical Correction: July 12, 2019

The board is committed to making resource conservation an integral part of the school system's operation and to providing an example to students and the community of responsible stewardship of natural resources.

The superintendent shall establish programs that will help the school system meet the following board goals:

- integrating the concept of resource conservation, including waste reduction and recycling, into the curriculum;
- reducing the consumption of consumable materials whenever possible;
- fully utilizing all materials prior to disposal;
- minimizing the use of non-biodegradable products whenever possible;
- purchasing recycled products when financially viable; and
- encouraging suppliers, both private and public, to make recyclable products and unbleached paper products available for purchase by public schools.

Legal References: G.S. 115C-36; -47(41), -160A-327

Cross References:

Adopted: March 11, 1999
Technical Corrections made: October 2, 2017

Disposal of Obsolete Technology

Policy Code: **6535**

As technology continues to change, Cherokee County Schools must continue to replace outdated resources. It is of high priority to ensure that students have the most current resources to enhance learning. When materials are determined to be obsolete, schools must follow the Disposal of Outdated Resources and Equipment Procedure. The Technology Services Department will help assist schools in this process.

Disposal Guidelines

- Schools will determine that equipment is obsolete by referring to the Technology Services minimum support requirements. Schools may also call upon the Technology Services Department to assist in determining which equipment needs to be disposed of each year.
- Once equipment has been determined to be obsolete, the school needs to collect the equipment in a designated space.
- All viable parts or components need to be removed that could be used for replacement parts for other machines. (mouse, keyboard, monitors, etc)
- Remove all equipment from any school database or inventory system.
- The number of machines disposed needs to be recorded for the Annual Media and Technology Report for the end of the school year.
- The Technology Services Department will be responsible for destroying all data on the hard drives as to adhere to Student Data Privacy Policies. Schools should send in a work request for this service.
- The school will be responsible for disposing of the outdated equipment in accordance with local guidelines.
- The school may also donate the equipment to local organizations or needy families.

Legal References: GS 115c-518

Cross Reference: Local Purchasing Guidelines (Policy 6440), Technology Inventory Control (Policy 6515), Student Records(Policy4700)

Adopted: October 13, 2005

The board of education recognizes its responsibility for providing an environment that is reasonably secure from known hazardous materials. These materials include any substance or mixture of substances that poses a fire, explosive, reactive or health hazard as more fully defined by law.

The superintendent shall develop procedures or programs as necessary to address compliance with applicable laws and regulations and the following board requirements:

- purchasing, storing, handling, transporting and disposing of hazardous materials for all school facilities must be addressed in a reasonably safe manner.

- substituting less dangerous substances for hazardous materials should be done whenever feasible.

- training will be provided to appropriate school personnel on precautions to prevent accidents and to handle accidents in the event they occur.

The superintendent, principals and other building-level supervisors shall monitor compliance with this policy, administrative procedures, and applicable laws and regulations.

Any individual who is concerned that a hazardous material is not being handled properly or that a hazardous material may cause an unreasonable risk to safety should notify the principal, building-level supervisor or superintendent immediately.

It is not the intent of the board to expand or modify the school system's potential liability exposure through the adoption of this policy. The school system's voluntary compliance with any statute or regulation to which it is not otherwise subject will not be construed to create or assume any potential liability under any local, state or federal law or regulation.

Legal References: Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq.; Oil Pollution and Hazardous Substances Control Act, G.S. 143, art. 21A; Solid Waste Management Act, G.S. 130A, art. 9; 15A N.C.A.C. 13A

Cross References:

Adopted: March 11, 1999
Technical Correction: July 12, 2019

Vandalism is the willful destruction of school property, equipment, or materials. The board will not tolerate vandalism and may seek criminal prosecution and take any legal action available for recovery of the loss.

All losses that may be due to vandalism will be reported and recorded in accordance with procedures established by the superintendent. The principal shall notify the superintendent or designee immediately of any forceful entry that results in theft and/or damages to school property.

Policies on student behavior apply to any student who has participated in vandalizing school property.

Legal References: G.S. 1-538.1; 14-127.1, -132, -132.2; 115C-100, -276(c), -288(f), -307(h), -398, -399, -523, -524, -526

Cross References: Security of Facilities (policy 9220)

Adopted: March 11, 1999
Technical Correction: July 12, 2019

When personal property becomes unnecessary and undesirable for public school purposes, the school system will sell or dispose of the property in order to provide additional revenue for educational purposes, in accordance with the requirements of Article IX, Section 7 of the North Carolina Constitution, G.S. 115C-518, and G.S. 160A, art. 12. Equipment and supplies acquired under a federal award will be disposed of in accordance with the terms and conditions of the federal award, all applicable requirements of federal law and regulation, and the provisions of this policy not inconsistent with such requirements.

Contracts for the sale or disposal of surplus property must be consistent with G.S. 147, art. 6E and 6G. Before any property may be sold or disposed of, it must be removed from the appropriate fixed asset inventory.

The superintendent or designee shall ensure that any confidential, proprietary, or other identifying information is removed from surplus property prior to disposition. In addition, the disposal of any equipment or other property through waste management services must be done in a manner consistent with environmental or other relevant rules and regulations.

PROPERTY WORTH LESS THAN $30,000

Pursuant to G.S. 160A-266(c), the board permits the superintendent or designee to dispose of personal property worth less than $10,000 for a single item or group of similar items; to set the property's fair market value; and to convey title to the property for the board of education. Prior to disposition, the superintendent or designee must make a finding that the property is no longer necessary or desirable for school use.

For property worth $ 10,001 to $30,000, the superintendent or designee shall determine and recommend to the board of education whether or not items or groups of similar items are unnecessary or undesirable for school purposes. The recommendation must include the description of the items or the groups of items and a recommended method of sale or disposition.

Property covered by this section may be disposed of through a public or private exchange or sale. The superintendent or designee shall choose or recommend any method of disposal that is designed to obtain a fair market value for the property in the most efficient and economical manner possible and is in the best interest of the school system, as determined by the superintendent or designee. For all public sales, the superintendent or designee must publish notice at least 10 days in advance. The notice must identify the property to be sold and set out the date, time, place, and terms of the sale. Notice must be published in a newspaper having general circulation and/or by electronic means.

The superintendent shall provide a semiannual report to the board detailing such transactions. The report must include: (1) a general description of the property sold or exchanged; (2) the name of the person(s) to whom the property was sold or with whom it was exchanged; and (3) the amount of money or other consideration received for each sale or exchange.

PROPERTY WORTH $30,000 OR MORE

Property worth at least $30,000 will be disposed of pursuant to the requirements of G.S. 160A, art. 12, G.S. 115C-518, and Article IX, Section 7 of the North Carolina Constitution.

Legal References: 2 C.F.R. 200.313-200.314; N.C. Const. art. IX, § 7; G.S. 115C-518; 147 art. 6E, art. 6G; 160A, art. 12 ; *Boney v. Board of Trustees*, 229 N.C. 136 (1948)

Cross References: Fixed Assets Inventory (policy 8350)

Adopted: April 5, 2007
Amended: January 10, 2019
Amended: July 21, 2022

A. GENERAL PRINCIPLES

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

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

B. RECRUITMENT

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

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

C. CRIMINAL HISTORY

1. Reporting Arrests, Charges, and Convictions

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

2. Criminal History and Sex Offender Registry Checks of Candidates for Employment

A criminal history check and a check of sex offender registries must be conducted on all final candidates for employment with the school system. Criminal history checks must be conducted in accordance with state law and any procedures established by the superintendent. The board will pay for costs associated with criminal history checks of candidates for employment. School officials shall not require candidates to disclose expunged arrests, charges, or convictions and shall not ask candidates to voluntarily disclose such information without first advising that disclosure is not required. The superintendent or designee shall report to the State Board of Education any licensed individual who is found to have a criminal history, as required by State Board policy.

Special requirements are described in Section D of this policy for criminal history checks of candidates for certain positions working with pre-school children or working in afterschool or developmental day programs.

3. Criminal History and Sex Offender Registry Checks for Contractors

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

Any individual contracted under G.S. 115C-253 to provide transportation services to students must also undergo a criminal history check before acting as a driver under the contract. The terms of the contract may require the individual to pay for the cost of the criminal history check. A new criminal history check will not be required if the board receives the results of a criminal history check performed on the individual by another North Carolina school system within the past three years in accordance with the requirements of G.S. 115C-332(k).

4. Exclusion from Hiring Based on Criminal Conduct

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

of Child Development and Early Education on the basis of a criminal history check conducted pursuant to G.S. 110-90.2, 42 U.S.C. 9858f, and 45 C.F.R. 98.43. (See Section D of this policy).

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

D. CRIMINAL HISTORY CHECKS OF CHILD CARE PROVIDERS

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

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

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

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

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

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

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

The superintendent or designee shall include the criminal history mandatory reporting

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

E. SELECTION

1. Qualifications

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

   a. application;

   b. education and training;

   c. licensure and certification (when applicable);

   d. relevant experience;

   e. personal interviews; and

   f. references and/or background checks.

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

2. Nepotism

   a. For purposes of this subsection, the following definitions apply.

      i. "Immediate family" means spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

      ii. "Central office staff administrator" includes directors, supervisors, specialists, staff officers, assistant superintendents, area superintendents, superintendents, and principals.

   b. Before any immediate family of any board of education member or central office staff administrator is employed by the board or engaged in any capacity as an employee, independent contractor, or otherwise, (1) the board member or central office staff administrator must disclose the familial relationship to the board and (2) the prospective employment or engagement

must be approved by the board in a duly called open session meeting.

i. An employee who knowingly fails to disclose a familial relationship to the board as required will be subject to disciplinary action up to and including dismissal.

ii. Notification by the employee to the assistant superintendent of human resources will be deemed disclosure to the board. The assistant superintendent of human resources is responsible for conveying the disclosure to the board before the board takes action on the prospective employment or engagement.

c. When making recommendations for the selection and assignment of personnel, the superintendent shall attempt to avoid situations in which one employee occupies a position in which he or she has influence over the employment status, including hiring, salary, and promotion, of another employee who is a member of the first employee's immediate family.

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

3. Employment Procedures

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

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

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

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 *et seq.*; Americans with Disabilities Act of 1990, 42 U.S.C. 12101 *et seq.*; Equal Educational Opportunities Act of 1974, 20 U.S.C. 1703; Equal Pay Act of 1963, 29 U.S.C. 206; Fair Credit Reporting Act, 15 U.S.C. 1681 *et seq.*; Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff *et seq.*; Military Selective Service Act, 50 U.S.C. Appx. 453; Rehabilitation Act of 1973, 29 U.S.C. 794; Title VII of the Civil Rights Acts of 1964, 42 U.S.C. 2000e *et seq.*; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*; Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. 4301 *et seq.*; 8 U.S.C. 1101 *et seq.*; 42 U.S.C. 9858f; 45 C.F.R. 98.43; *Bostock v. Clayton County*, 590 U.S. 644, 140 S. Ct. 1731 (2020); *Green v. Missouri Pacific Railroad*, 523 F.2d 1290 (8th Cir. 1975); *Enforcement Guidance on the*

Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964, U.S. Equal Employment Opportunity Commission (April 25, 2012), available at http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm; G.S. 14-208.18; 15A-153; 110-90.2; 115C-12.2, -36, -47, -253, -276(j), -332; 126-7.1(i), -16; 127A-202.1 *et seq.*; 127B-10, -12, -14; 143B-421.1, -1209.11; *Leandro v. State*, 346 N.C. 336 (1997); 10A N.C.A.C. 09 .0102, .2701, .2702, .2703; 16 N.C.A.C. 6C .0313; State Board of Education Policy BENF-009

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

Adopted: February 11, 1999
Amended: January 15, 2009
Amended: November 12, 2009
Amended: June 8, 2010
Amended: May 12, 2011
Amended: October 11, 2012
Amended: March 13, 2014
Amended: March 10, 2016
Amended: August 9, 2018
Amended: June 13, 2019
Amended: November 14, 2019
Amended: February 17, 2022
Amended: September 19, 2024
Technical Corrections: April 1, 2025
Amended: October 2, 2025

INFORMATION PROVIDED BY APPLICANT OR EMPLOYEE

Policy Code: **7110**

All information provided to the human resources office by an applicant for employment or by an employee must be true, accurate, and complete to the best of that applicant's or employee's knowledge. Presenting information to the human resources office that is intended to defraud, falsify, materially misrepresent, or conceal the truth will be considered just cause for terminating the application process or, as a violation of board policy, grounds for dismissing an employee.

Legal References: G.S. 115C-47(18), -325(e)(1)(o) (applicable to career status teachers), -325.4(a)(14) (applicable to non-career status teachers)

Cross References:

Adopted: February 11, 1999
Technical Correction: July 12, 2019
Amended: February 17, 2022

All new employees, as well as employees who have been separated from public school employment for more than a year or who have been absent for more than 40 successive school days because of a communicable disease, must provide a fully completed health certificate. . Such certificate must be prepared by:

1. A physician licensed to practice in North Carolina;
2. A nurse practitioner approved pursuant to state law; or
3. A physician's assistant licensed to practice in North Carolina.

A new employee who has not previously been employed in a public school in North Carolina may provide a certificate prepared by a physician, nurse practitioner, or physician's assistant who holds a current unrestricted license or registration in another state, so long as evidence of that license or registration is on the certificate. Such certificate must certify that the employee does not have tuberculosis in the communicable form; any other communicable disease; or any disease, physical or mental, that would impair the ability of the individual to perform effectively in his or her duties. The board or superintendent may require any individual covered by this policy to have a physical examination when deemed necessary.

Health certificates will be maintained in separate, confidential medical files in the human resources office.

Legal References: G.S. 115C-323

Cross References:

Adopted: February 11, 1999
Amended: June 10, 2013

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

A. LICENSURE AND OTHER QUALIFICATION REQUIREMENTS

1. Except as otherwise permitted by the State Board of Education or state law, a person employed in a professional educator position must hold at all times a valid North Carolina professional educator's license appropriate to his or her position.

2. To the extent possible, all professional teaching assignments will be in the area of the professional employee's license except as may be otherwise allowed by state and federal law and State Board policy.

3. The board may employ candidates entering the teaching profession from other fields who hold a residency license or an emergency license.

   In extenuating circumstances when no other appropriately licensed professionals or persons who are eligible for a residency license are available to fill a position, the board may employ an individual who holds a permit to teach issued by the State Board of Education.

B. EXCEPTIONS TO LICENSURE REQUIREMENTS

1. Adjunct CTE Instructors

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

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

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

   In addition, an individual with a related bachelor's or graduate degree may be employed as a temporary adjunct instructor to teach high-school level courses in core academic subjects, fine and performing arts, and foreign language in the

individual's area of specialized knowledge or work experience provided the individual first completes preservice training required under G.S. 115C-298.5(a1).

3. Interim Principals

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

4. Cherokee Language and Culture Instructors

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

5. Driver Education Instructors

An individual not licensed in driver education is authorized to work as a driver education instructor if the individual holds Certified Driver Training Instructor status according to minimum standards established by State Board of Education Policy DRIV-003.

1. Service Members and their Spouses Relocating to North Carolina

A service member or the spouse of a service member who is under military orders to relocate to North Carolina, is in possession of a current educator's license from another jurisdiction, and meets any other conditions established by 50 U.S.C. 4025a or State Board of Education Policy LICN-028 will be considered to hold a valid North Carolina educator's license until the military orders expire or June 30th of the year in which the military orders expire, whichever is later.

C. BEGINNING TEACHER SUPPORT PROGRAM

The superintendent or designee shall develop a plan and a comprehensive program for beginning teacher support. The plan must be approved by the board and the Department of Public Instruction and kept on file for review. The plan must be aligned to the State Board of Education's beginning teacher support program standards and, when monitored, must demonstrate proficiency. The school system will also participate in implementing a regionally-based annual peer review and support system.

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

D. LICENSE CONVERSION

Teachers must meet all requirements of the State Board of Education to do any of the following: convert a residency license to an initial professional license or a continuing

professional license; move from an initial professional license to a continuing professional license; or move from a continuing professional license to a lifetime license.

E. LICENSE RENEWAL

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

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

Decisions regarding the employment of teachers who fail to meet the required proficiency standard for renewal of a continuing professional license will be made in accordance with G.S. 115C-270.30(b)(4) and applicable State Board of Education requirements. The superintendent or designee shall determine the professional development required of a teacher whose continuing professional license has reverted to an initial professional license and/or has expired due to performance issues. The superintendent or designee may authorize or direct principals to prescribe professional development to such employees in accordance with the employee's demonstrated deficiencies.

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

F. REPORTING MISCONDUCT

Any superintendent, associate superintendent, assistant superintendent, personnel administrator, or principal, who knows, has reason to believe, or has actual notice of a complaint that a licensed employee has engaged in misconduct that (1) would justify automatic revocation of the employee's license pursuant to G.S. 115C-270.35(b), has resulted in a criminal charge or indictment for any of the crimes listed in G.S. 115C-270.35(b), involved the infliction of physical injury against a child or student other than by accident or in self-defense, or involved any sexual contact with a child or student, and (2) resulted in termination of employment, nonrenewal of an employment contract, suspension without pay, disciplinary action, or resignation shall report the misconduct in writing to the State Board of Education within five days of the termination, nonrenewal, suspension, disciplinary action, or resignation. If the employee resigns within 30 days of a complaint for misconduct or during an ongoing investigation of a complaint, the alleged misconduct is presumed to have resulted in the resignation.

In addition, if a licensed employee is dismissed, is demoted, does not have an

employment contract renewed, or resigns as the result of conduct that is not covered by the preceding paragraph but that may otherwise justify disciplinary sanctions against the employee's license under 16 N.C.A.C. 6C .0604, the superintendent or designee shall report the conduct in writing to the State Board of Education within 30 days of the dismissal, demotion, nonrenewal, or resignation.

G. PARENTAL NOTIFICATION

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

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

H. EQUITABLE DISTRIBUTION OF TEACHERS

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

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6301 *et seq.*; 50 U.S.C. 4025a; 34 C.F.R. 200.55-57, 200.61; G.S. 115C art. 17E; 115C-157.1, -270.15, -270.20, -270.21, -270.35, -284, -295, -298.5, -325(e)(1)(m) (applicable to career status teachers), -325.4(a)(12) (applicable to non-career status teachers), -326.20, -333, -333.1; 16 N.C.A.C. 6C .0301, .0302, .0304, .0305, .0306, .0307, .0308, .0313, .0336, .0337, .0338, .0340, .0341, .0342, .0344, .0346, .0349, .0350, .0360, 0361, 0362, .0363, .0602, .0604, .0605, .0608; State Board of Education Policies CTED-004, DRIV-003, DRIV-004, EVAL-004, EVAL-023, EVAL-034, EVAL-035, LICN-001, LICN-007, LICN-010, LICN-011, LICN-012, LICN-013, LICN-014, LICN-015, LICN-017, LICN-018, LICN-019, LICN-020, LICN-023, LICN-024, LICN-025, LICN-026, LICN-027, LICN-028, LICN-030, LICN-031, LICN-032, LICN-033, TCED-016; *Beginning Teacher Support Program Handbook* (NCDPI) available at https://sites.google.com/dpi.nc.gov/ncref/bt-support-program-resources

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

Adopted: February 11, 1999
Amended: April 19, 2012
Amended: October 10, 2013
Amended: December 11, 2014
Amended: May 11, 2017
Amended: November 9, 2017
Amended: February 14, 2019
Amended: July 18, 2019
Amended: November 14, 2019
Amended: September 30, 2020
Amended: January 13, 2022
Amended: June 9, 2022
Amended: January 19, 2023
Amended: August 15, 2024
Amended: September 4, 2025
Amended: July 16, 2026

The board encourages employees to contribute their ideas for the betterment of the school system. School employees will be asked to help with developing policies, administrative procedures, and goals and objectives and with planning curricula, services, budgets and facilities.

In devising rules and procedures for the operation of the schools, administrators shall seek the suggestions of those employees who will be affected by such provisions. When desirable, professional employees will be given an opportunity to contribute to curriculum development and to recommend policies and administrative procedures that pertain to students and instruction.

The superintendent shall develop channels for communicating ideas among employees, the administration and the board and shall inform the board of employee opinions when presenting recommendations for board actions.

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

Cross References:

Adopted: February 11, 1999
Technical Correction: July 12, 2019

DISCRIMINATION AND HARASSMENT IN THE WORKPLACE

Policy Code: **7232**

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*.; *Bostock v. Clayton County*, 590 U.S. __, 140 S. Ct. 1731 (2020); G.S. 9-32; 50B-5.5; 95-28.1, -28.2, -241; 110-136.8; 127A-201 *et seq.*; 130A-148; 143-422.2; 143B-1033

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Prohibition Against Retaliation (policy 1760/7280), Recruitment and Selection of Personnel (policy 7100)

Adopted: August 13, 2020
Amended: March 11, 2021

DRUG-FREE AND ALCOHOL-FREE WORKPLACE

Policy Code: **7240**

The board of education recognizes that reducing drug and alcohol abuse in the workplace improves the safety, health, and productivity of employees. It is the policy of the board that a drug-free and alcohol-free workplace must be maintained.

A. PROHIBITED ACTIVITIES

The board prohibits employees from possessing, using, selling, delivering, manufacturing, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, alcohol, stimulants, synthetic cannabinoids, counterfeit substance, or any other controlled substance as defined in (1) schedules I through VI of the North Carolina Controlled Substances Act or in (2) schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and further defined by regulation at 21 C.F.R. 1300.01 through 1300.04 and 21 C.F.R. 1308.11 through 1308.15 at any time this policy is applicable. Employees are prohibited from possessing, using, selling, delivering, manufacturing, or being under the influence of a substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) at any time this policy is applicable, regardless of whether it constitutes a controlled substance under state or federal law. Employees must not, at any time this policy is applicable, be impaired by the use of substances intended to induce exhilaration or euphoria or alter mood or behavior or be impaired by the excessive use of prescription or nonprescription drugs. This policy is not violated by an individual's possession of or proper use of a drug lawfully prescribed for that individual by a licensed health-care provider.

B. APPLICABILITY

This policy governs each employee before, during, and after school hours while the employee is on any property owned or leased by the board; at any time during which the employee is acting in the course and scope of his or her employment with the board; and at any time that the employee's violation of this policy has a direct and adverse effect upon his or her job performance. This policy does not apply to an employee's consumption of alcoholic beverages that are served at a reception or other similar function that occurs outside the regular workday and that the employee is authorized or required to attend as a part of his or her employment duties.

Independent contractors, volunteers, and visitors are subject to all requirements of this policy while on school property or at a school-sponsored event.

C. REASONABLE SUSPICION TO SEARCH

An employee may be subjected to a search of his or her person or belongings or of school property under the employee's control if there is reasonable suspicion that the employee has violated this policy. An employee also may be required to submit to a drug or alcohol test when there is reasonable suspicion of drug or alcohol use by the employee in violation of this policy. Reasonable suspicion shall be based on specific, contemporaneous observations concerning the physical, behavioral, speech, and/or

performance indicators of drug or alcohol use. The observations must be made by a supervisor or other school system official with training or experience in such indicators.

All drug and alcohol testing will be done with procedures that ensure the confidentiality and privacy interests of the employee and in accordance with law. Employees who refuse to submit to a search or a test to detect alcohol or drug use after reasonable suspicion is established may be suspended immediately pending consideration of a decision to terminate employment.

In addition, any employee, volunteer, or independent contractor who operates a commercial motor vehicle or performs other safety-sensitive functions in the course of duties for the board may be subject to drug and alcohol testing in accordance with policy 7241, Drug and Alcohol Testing of Commercial Motor Vehicle Operators.

The board will cover the cost of any required employee testing.

D. DUTY TO REPORT

An employee must notify his or her supervisor and the assistant superintendent of human resources in writing of any arrest, charge, or conviction under any criminal drug statute. (See also policy 7300, Staff Responsibilities.) Notification must be given no later than the next scheduled business day after such arrest, charge, or conviction unless the employee is hospitalized or incarcerated, in which case the employee must report the alleged violation within 24 hours after his or her release. The notification must be given before the employee reports to work. Within 10 days of receiving notice of a criminal drug statute conviction for a violation occurring in the workplace by an employee whose position is funded in any part by a federal grant, the assistant superintendent of human resources or designee shall notify the funding agency of the conviction. "Conviction" as used in this policy includes the entry in a court of law or military tribunal of: (1) a plea of guilty, *nolo contendere*, no contest, or the equivalent; (2) a verdict or finding of guilty; or (3) a prayer for judgment continued ("PJC") or a deferred prosecution.

E. CONSEQUENCES

Violation of this policy will subject an individual to disciplinary action by the board that could result in non-renewal or termination of employment with the school system or the requirement that the employee participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved by the board or federal, state, or local health, law enforcement, or other appropriate agency. Information concerning available counseling, rehabilitation, and re-entry programs will be provided to employees. Any illegal drug activity will be reported to law enforcement authorities.

All employees shall receive a copy of this policy.

Legal References: 21 U.S.C. 812; 41 U.S.C. 8101 *et seq.*; 21 C.F.R. 1300.01-.04 and 1308.11-

.15; G.S. 20-138.2B; 90-89 to -94; 115C-36; *O'Connor v. Ortega*, 480 U.S. 709 (1987)

Cross References: Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241), Staff Responsibilities (policy 7300)

Adopted: February 11, 1999
Amended: April 19, 2012
Amended: March 13, 2014
Amended: February 8, 2018
Amended: August 9, 2018
Amended: March 12, 2020
Amended: July 30, 2020

The purposes of this policy are to help ensure the safe operation of school vehicles and to comply with federal law and regulations by establishing a comprehensive program for the drug and alcohol testing of school bus drivers and all other commercial motor vehicle operators employed by the board of education.

A. APPLICABILITY

This policy applies to any driver, which for purposes of this policy is defined as any employee, volunteer, or independent contractor whose duties for the board of education require a commercial driver's license under federal law. This includes anyone who regularly or intermittently drives a school bus, an activity bus, a vehicle designed to transport 16 or more people (including the driver), or any other vehicle that meets the definition of commercial motor vehicle under 49 C.F.R. 382.107. Employees who operate vehicles for inspection, service, or maintenance purposes are included in this definition.

B. PROHIBITED ACTS

No driver may:

1. operate any school bus or school activity bus while consuming alcohol or while alcohol remains in the driver's body, in violation of G.S. 20-138.2B;

2. use alcohol while performing safety-sensitive functions;

3. perform safety-sensitive functions within four hours after using alcohol;

4. use alcohol within eight hours following an accident while operating a commercial motor vehicle or until undergoing a post-accident alcohol test, whichever occurs first;

5. report for or remain on duty requiring the performance of safety-sensitive functions when the driver uses any Schedule I drug or substance; or

6. report for or remain on duty requiring the performance of safety-sensitive functions when the driver uses any non-Schedule I drug or substance that is identified in the other federal schedules of controlled drugs, unless such use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that use of the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

Safety-sensitive functions include, but are not limited to, inspecting, servicing, or conditioning any commercial motor vehicle; operating any commercial motor vehicle; participating in or supervising the loading or unloading of a commercial motor vehicle;

and repairing, obtaining assistance for, or remaining in attendance upon a disabled vehicle.

In addition, drivers and anyone who supervises drivers must not commit any act prohibited by federal law, including the federal regulation entitled "Controlled Substances and Alcohol Use and Testing" (49 C.F.R. pt. 382, hereinafter referred to as Part 382), or by policy 7240, Drug-Free and Alcohol-Free Workplace.

C. TESTING

The human resources office will carry out pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing for drugs and alcohol as required by Part 382.

Federal regulations prohibit a driver who is tested under the provisions of this section and found to have an alcohol concentration of at least .02 from performing safety-sensitive functions for at least 24 hours following administration of the test. Drivers who are tested under the provisions of this section and found to have any alcohol in their system are subject to additional discipline under this policy, including dismissal.

D. EMPLOYEE AND APPLICANT INQUIRIES

All employees subject to this policy, all employees who would become subject to this policy by virtue of a change or expansion of duties, and All applicants who would be subject to this policy if employed by the board must give written or electronic consent to any query by school officials of the federal Commercial Driver's License Drug and Alcohol Clearinghouse ("Clearinghouse") and, where applicable, must consent in writing to the release of any information that the school system is required to obtain from any previous employers under Part 382.

1. Pre-Employment Inquiry

Before employing any applicant subject to this policy, school officials shall conduct a query of the Clearinghouse, pursuant to the applicant's electronic consent submitted through the Clearinghouse, to obtain any information regarding the applicant's violations of Part 382. If the applicant was subject to an alcohol and controlled substance testing program under the requirements of a U.S. Department of Transportation (DOT) agency other than the Federal Motor Carrier Safety Administration within the previous three years, school officials shall also obtain, pursuant to the applicant's written consent, all records maintained by those DOT-regulated employers that the school system is required to obtain under Part 382.

If school officials obtain information from the applicant's previous employer or from the Clearinghouse that the applicant committed a violation of Part 382 and has not subsequently completed the return-to-duty process required under federal law, the applicant may be disqualified from employment.

2. Annual Query

School officials shall conduct a limited query of the Clearinghouse at least once per year for each employee subject to this policy, pursuant to the employee's written or electronic consent, to determine whether information exists about the employee regarding violations of Part 382. If information exists about the employee, school officials shall obtain the information in the Clearinghouse within 24 hours of conducting the limited query, subject to the employee's electronic consent submitted through the Clearinghouse.

E. TRAINING AND EDUCATION

Each driver and supervisory employee, including principals and assistant principals, must be provided with educational materials that inform the employees of drug testing procedures, prohibited acts, consequences, and other aspects of Part 382, this policy, and any accompanying administrative procedures. The information also will identify a school system employee who is responsible for providing information on substance abuse. Each employee must sign a statement certifying his or her receipt of these materials.

Each supervisor who is responsible for overseeing the performance of drivers, including principals and assistant principals, must undergo at least one hour of training concerning alcohol misuse and one additional hour of training concerning drug abuse.

F. REFERRALS

Each driver who commits acts prohibited by Part 382 or G.S. 20-138.2B, other than provisions governing pre-employment testing, will be provided with information concerning resources available for evaluating and resolving drug or alcohol misuse. This information will include the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

G. CONSEQUENCES

Employees who have committed a prohibited act; refused any test required by this policy; or otherwise violated this policy, G.S. 20-138.2B, or Part 382 will be subject to disciplinary action, up to and including dismissal.

Any employee who has committed a violation of Part 382 will not be allowed to perform any safety-sensitive functions until the employee has completed the return-to-duty process, including an evaluation by a substance abuse professional, completion of any appropriate treatment designated by the substance abuse professional, and achievement of a negative return-to-duty test. Moreover, if the employee's violation of Part 382 has been reported to the Clearinghouse, the employee may not resume safety-sensitive functions until a query of the Clearinghouse demonstrates that the employee completed the return-to-duty process.

H. PROCEDURES

All procedures for collection and testing provided in the Federal Highway Administration's "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" (49 C.F.R. pt. 40) and all requirements in Part 382, including testing, reporting, record retention, training, and confidentiality, will be followed. Copies of these federal regulations will be readily available. The superintendent shall develop any other procedures necessary to carry out these regulations.

Legal References: 49 U.S.C. 31306; 49 C.F.R. pts. 40, 382; G.S. 20-138.2B

Cross References: Drug-Free and Alcohol-Free Workplace (policy 7240)

Adopted: February 11, 1999
Amended: November 3, 2011
Amended: May 11, 2017
Amended: December 12, 2019
Amended: July 30, 2020
Amended: February 16, 2023

OCCUPATIONAL
EXPOSURE TO BLOODBORNE PATHOGENS

Policy Code: **7260**

It is the policy of the board to comply with federal regulations and state statutes regarding bloodborne pathogens as set forth in the Federal Register, 29 CFR § 1910.1030, and the North Carolina Administrative Code, 15A NCAC 19.0200, by attempting to limit/prevent occupational exposure of employees to blood or other potentially infectious bodily fluids and materials that may transmit bloodborne pathogens and lead to disease or death.

A. REASONABLY ANTICIPATED OCCUPATIONAL EXPOSURE

Employees who could be "reasonably anticipated," as a result of performing required job duties, to face contact with blood, bodily fluids or other potentially infectious materials are covered by the OSHA Bloodborne Pathogens Standard, the North Carolina Administrative Code, and this policy. "Occupational Exposure" includes any reasonably anticipated skin, eye, mucous membrane or parenteral (brought into the body through some way other than the digestive tract) contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. "Good Samaritan" acts, such as assisting a co-worker or student with a nosebleed, would not be considered "reasonably anticipated occupational exposure."

B. UNIVERSAL PRECAUTIONS

Universal precautions will be in force at all times. All blood, body fluid and other potentially infectious material will be handled as if infected. The program standards for the control of potential exposure to HIV and HBV as outlined in the OSHA Rule "Occupational Exposure to Bloodborne Pathogens" Standard 1910.1030, the NC Administrative Codes, or the most current standards available will be followed.

C. SCHOOL DISTRICT REQUIREMENTS

The superintendent will ensure that:

1. all elements of the Exposure Control Plan, including but not limited to exposure determination, work practice standards, Hepatitis B (HBV) vaccination procedures (see attached Hepatitis B Vaccination Information), post exposure evaluation and follow-up, communication of hazards to employees, training requirements, and record keeping are met;
2. all employees have access to a copy of the Bloodborne Pathogens Policy and Exposure Control Plan;
3. Bloodborne Pathogen training is required for all new hires and updated annually.
4. this policy is reviewed and updated annually.

D. TESTING

An employee who suspects that he or she has a blood or body fluid exposure may request to be tested, at the school district's expense, provided that the suspected exposure poses a significant risk of transmission as defined in the rules of the Commission for Health Services. The HIV and HBV testing of a person who is the source of an exposure that poses a significant risk of transmission will be conducted in accordance with 15A NC Administrative Code 19A .0202 (4) (HIV) and 19A .0203(6)(3) (HBV). The school district will strictly adhere to existing confidentiality rules and laws regarding employees with communicable diseases, including HIV or HIV-associated conditions.

E. NONDISCRIMINATION POLICY

The school district will not discriminate against any applicant or employee who has or is suspected of having a communicable disease, including TB, HBV, HIV infection or AIDS. An employee may continue to work as long as the employee is able to satisfactorily perform the essential functions of the job and there is no medical evidence indicating that the employee's condition poses a significant, direct threat to co-workers, students or the public.

Legal References: 29 C.F.R. § 1910.1030; 15A NCAC 19.0200, 19A.0202(4), 19A.0203(6)(3)

Cross References:

Adopted: February 11, 1999
Amended: May 8, 2008
Amended: June 8, 2017

HEPATITIS B VACCINATION INFORMATION

The Hepatitis B Virus (HBV) is a disease causing microorganism that can cause a potentially life threatening disease. Hepatitis B is transmitted through exposure to blood or other bodily fluids. Employees who have reasonably anticipated contact with blood or other potential infectious materials during performance of their jobs are considered to be at risk of being infected. Hepatitis B vaccination is recognized as an effective defense against HBV infection along with good handwashing practices and use of personal protective equipment.

The Hepatitis B vaccination series will be offered at no cost to Cherokee County School employees through the Cherokee County Health Department. Employees should identify themselves as Cherokee County School employees when presenting at the Health Department. In order for the vaccination to be effective, employees must complete the series of three vaccinations.

Cherokee County Schools is dedicated to ensure the health and safety of employees and students. Please sign below that you have received information regarding the availability of the Hepatitis B vaccine series to you at no charge and indicate whether or not you would like to receive the vaccinations. If you have already received the vaccination series or decline the Hepatitis B vaccine series, then indicate below.

I have read Cherokee County Schools Board Policy "Occupational Exposure to Blood Borne Pathogens". I understand that I may receive the Hepatitis B Vaccination series at no cost to help prevent the risk of occupational exposure to the Hepatitis B Virus.

Employee Name: _____

Date: _____

Please check "Yes" or "No" regarding the Hepatitis B Vaccination series.

_____ Yes, I would like to receive the Hepatitis B Vaccine series.

_____ No, I understand the risk of exposure and decline vaccination at this time.

_____ No, I have already received the Hepatitis B Vaccination series.

It is the policy of the board to attempt to provide a safe and secure environment for all students and employees. In an effort to maintain a balance between the need to protect the rights of students and employees and the need to control the spread of serious communicable diseases and conditions, the superintendent shall make decisions regarding the employment status of employees with communicable diseases or conditions on a case-by-case basis, in accordance with this policy. An employee suffering from a communicable disease or condition is encouraged to inform his or her supervisor so that appropriate accommodations may be made and appropriate precautions may be taken. This policy applies to all legally reportable communicable diseases as set forth in 10A N.C.A.C. 41A .0101. This policy must be shared with school employees annually and with new employees as part of any initial orientation.

A. COMMUNICABLE DISEASE DEFINED

A "communicable disease" is defined as an illness due to an infectious agent (usually a virus or bacterium), or its toxic products, that is transmitted directly or indirectly to a person from an infected person or animal.

A "communicable condition" exists if a person is infected with a communicable agent but does not have symptoms.

A "reportable disease or condition" is defined as a communicable disease or condition declared to be dangerous to the public health and required by the N.C. Department of Health and Human Services to be reported after the disease or condition is reasonably suspected to exist.

B. Reporting and Confidentiality Requirements

1. Principal's Report to Health Department

In accordance with G.S. 130A-136, principals are required to report suspected cases of reportable communicable diseases or conditions to the county health director for investigation, along with any information forming the basis for the suspicion. Confidentiality of such reports is protected by law. Principals are immune from liability under state law for making such reports in good faith.

2. Confidentiality

Employees who become aware of another employee's reportable disease or condition may not share that information with anyone, including other school personnel, unless specifically permitted to do so by the health director, by written consent of the affected employee, or by other applicable state or federal laws or regulations. The release of confidential information or records relating to an employee's reportable disease or condition, except as permitted by law, is a misdemeanor and may subject the employee to discipline up to and including dismissal.

C. SAFETY CONTROL MEASURES

1. Handling Bodily Fluids

In order to prevent the spread of communicable disease and conditions, universal health and safety precautions, including precautions regarding the handling and cleanup of blood and other bodily fluids, must be distributed by the human resources office and followed by all school system employees. Employees are also required to follow the school system's bloodborne pathogens exposure control plan that contains universal precautions and specific work practice controls relating to the handling, disposal, and cleanup of blood and other potentially infectious materials. The bloodborne pathogens exposure control plan will be made available at each school or department. All employees are required to review and be familiar with the plan within a reasonable time, not exceeding 30 days, after assuming employment. Faculty should not allow students to be involved in the handling, disposal, or cleanup of potentially infectious materials unless the students have been specifically trained in the handling of such materials and are qualified to perform first aid services.

Failure to follow universal health and safety precautions or applicable provisions of the bloodborne pathogens exposure control plan may result in disciplinary action against the offending employee. All employees have a duty to report to the school principal or the assistant superintendent of human resources any failure by a staff member or a student to follow the universal precautions, including their own.

2. Following Health Control Measures for Communicable Diseases

Employees shall follow all measures to control the spread of communicable disease as directed by the state or local health department. Any employee suffering from a communicable disease or condition is required to follow all control measures given to him or her by the health director[1]. Any employee suffering from a communicable disease or condition is required to follow all control measures given to him or her by the health director.

Any school system employee who has reason to believe that a fellow employee is not following safe practices, including the universal precautions, must report this failure to his or her principal or supervisor. Supervisory personnel shall report unsafe conduct to the health department when they have a reasonable concern that such conduct may cause or may have caused the spread of a communicable disease.

4. Cooperating with Health Officials

[1] CCS Board approved inclusion. Recommended by Campbell Shatley (01-13-2022).

If the county health director notifies the superintendent or any other school system personnel that a school system employee with a communicable disease or condition may be posing a threat to the public health, these employees shall cooperate with the health director in eliminating the threat.

D. EMPLOYMENT STATUS OF EMPLOYEE

The board will follow all applicable state and federal laws and regulations and this policy in determining when an employee with a communicable disease or condition will be required to take leave from his or her position or otherwise be restricted from continuing his or her employment.

1. Requests to Alter Duties

Any employee may request that the superintendent or designee consider altering the employee's duties or other conditions of his or her employment if the employee:

a. believes that he or she is unable to continue to perform the regular duties of the position due to a communicable disease or condition; or

b. believes that he or she may risk transmitting the communicable disease to others by continuing to perform assigned duties.

The employee seeking alteration in the conditions of employment must apprise the superintendent or designee of his or her condition, submit medical documentation regarding such condition, suggest possible accommodations known to him or her, and cooperate in any ensuing discussion and evaluation regarding whether there are possible reasonable accommodations.

2. Interdisciplinary Committee

If the superintendent so requests, the employee must give the superintendent written permission either to consult with appropriate medical personnel or to convene an interdisciplinary committee to receive medical information regarding the employee to the extent necessary to assist the superintendent in determining whether alternative employment opportunities reasonably can be provided to the affected employee. The committee may include appropriate school system personnel, appropriate medical personnel, including the employee's personal physician when possible, the health director or designee, and the employee.

3. Reasonable Accommodation Review

When addressing the issue of whether reasonable accommodation is possible, the superintendent shall determine:

a. to what degree the employee's presence in his or her current job exposes students or other employees to possible transmission of the disease; and/or

b. whether the employee is able to continue in his or her current position with reasonable modifications.

The superintendent shall consult with the health director if there is any question as to the employee's risk of transmission on the job. If the superintendent determines that a significant risk of transmission exists in the employee's current position or that the employee is no longer able to continue in his or her current position for health reasons, the superintendent shall decide whether alternative employment opportunities are reasonably available within the school system and follow appropriate board policies for implementing or recommending a transfer.

If the employee requesting accommodation refuses to consent to the release of information to medical personnel or an interdisciplinary committee appointed by the superintendent, his or her request for an accommodation may be denied until the employee agrees to allow the superintendent to consult with the necessary parties.

4. Confidentiality of Information

Information shared with the superintendent, medical personnel, or interdisciplinary committee personnel must be kept confidential and separate from other personnel file information and may be shared with other school employees only with the written permission of the employee as necessary to explore, design, or implement possible accommodations or as otherwise allowed by law.

Nothing in this policy is intended to grant or confer any employment rights beyond those existing by law or contract.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 29 C.F.R. pt. 1630; G.S. 130A, art. 6; 10A N.C.A.C. 41A .0101 *et seq.*

Cross References: Communicable Diseases – Students (policy 4230), Occupational Exposure to Bloodborne Pathogens (policy 7260)

Adopted: September 12, 2019
Amended: January 13, 2022

OCCUPATIONAL EXPOSURE TO HAZARDOUS CHEMICALS IN SCIENCE LABORATORIES

Policy Code: **7265**

It is the policy of the board to comply with federal regulations and state statutes regarding hazardous chemicals as set forth in the Federal Register, 29 C.F.R. 1910.1450, and the North Carolina Administrative Code, 13 N.C.A.C. 7F .0101, by attempting to limit occupational exposure of employees to hazardous chemicals or other potentially hazardous materials that could cause injury or death.

A. UNIVERSAL PRECAUTIONS

Universal precautions must be used at all times. Because few laboratory chemicals are without hazards, the school system shall establish general precautions for handling all laboratory chemicals. Additional precautions consistent with state and federal standards shall be established for the handling of known hazardous chemicals and unknown substances. The program standards for the control of hazardous chemicals as outlined in the Occupational Safety and Health Act (OSHA) rule, "Occupational Exposure to Hazardous Chemicals in Laboratories" (Standard 1910.1450), and the North Carolina Administrative Code and/or the most current standards available must be followed.

B. SCHOOL SYSTEM REQUIREMENTS

The superintendent shall ensure that: a Chemical Hygiene Plan is developed in accordance with OSHA-issued regulations or the most current available federal and/or state standards issued and that all elements of the Chemical Hygiene Plan are met, including, but not limited to, standard operating procedures for handling hazardous chemicals, such as the use of personal protective equipment and hygiene practices; control measures to reduce employee exposure to hazardous chemicals; standards for laboratory protective equipment; identification of laboratory procedures and activities requiring prior approval; proper employee training; and the assignment of a Chemical Hygiene Officer;

- bulk elemental mercury, chemical mercury compounds, and bulk mercury compounds are not used as teaching aids in science classrooms;
- labels on incoming containers of hazardous chemicals are not removed or defaced, all safety data sheets received with incoming shipments are maintained and readily accessible to employees, and a current inventory of chemicals is in use and maintained;
- all employees are trained and apprised of the hazards of chemicals present in their work area and understand how to report unsafe conditions and how to perform proper cleanup;
- all employees have access to a copy of the Hazardous Chemicals Policy and Chemical Hygiene Plan;
- science laboratories comply with the OSHA Right-to-Know legislation, bloodborne pathogens regulations (see policy 7260, Occupational Exposure to Bloodborne Pathogens), laboratory standards as provided by the Chemical Hygiene Plan, and other safety rules and guidelines of the profession;
- records are established and maintained of any measurements taken to monitor employee exposures and any medical consultations or examinations required;
- the Chemical Hygiene Plan is reviewed annually by a committee appointed by the superintendent and updated as necessary;

- this policy is reviewed annually and, as needed, updated annually; and
- a copy of the Chemical Hygiene Plan is submitted to the State Board of Education by January 31 of each school year.

C. TESTING

Whenever an event, such as a spill, leak, explosion, or other occurrence resulting in the likelihood of a hazardous exposure, takes place in the work area, the employee exposed to the hazard may receive a medical examination at the school system's expense.
Legal References: 29 C.F.R. 1910.1450; G.S. 115C-47(49); 13 N.C.A.C. 7F .0101; State Board of Education Policy SCOS-017

Cross References: Occupational Exposure to Bloodborne Pathogens (policy 7260)

Other Resources: *Safe, Orderly and Caring Schools Assessment Inventory,* Safety Provisions – Science Education (North Carolina Department of Public Instruction, Division of School Improvement)

Adopted: January 11, 2007
Amended: April 9, 2015

For students to succeed, all school employees must approach their responsibilities conscientiously, always remembering that the ultimate responsibility of the school system is to provide students with the opportunity to receive a sound basic education.

All school employees shall:

1. be familiar with, support, comply with and, when appropriate, enforce board policies, administrative procedures, school rules, and applicable laws:
2. attend to the safety and welfare of students, including the need to provide appropriate supervision of students;
3. demonstrate integrity, respect, and commitment to the truth through attitudes, behavior, and communications with others;
4. address or appropriately direct any complaints concerning school employees, the school program, or school operations;
5. support and encourage good school-community relations in all interactions with students, parents and members of the community;
6. support parents in effectively participating in their child's education and never encourage or coerce a child to withhold information from a parent; and
7. refrain from creating any video or voice recording of a student without the parent's prior written consent, unless a) the recording is created by an employee acting in their official capacity within the reasonable and prudent scope of their authority or b) when the recording will be used by the educator or administrator solely for the safety demonstration, an academic or extracurricular activity, classroom instruction, photo identification cards, or security or surveillance or buildings, grounds, or school transportation.
8. Faithfully and promptly attend work;1
9. Diligently and promptly submit required reports;
10. Comply with the employee dress code; and
11. Maintain and protect school property.

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

In addition, all driver education instructors must immediately report to the board any conviction that results in three or more points, and any conviction that could cause suspension or revocation of the driver license in any state. The board will notify the Department of Public Instruction when an instructor loses his or her privilege to drive in North Carolina or any other state. The superintendent

1 Item number 8—11 were added by the BoE at a regular meeting held in May 2018.

or designee shall conduct annual checks of the driving records of all driver education instructors.

Failure by an employee to provide timely notice as described in this policy may lead to disciplinary action up to, and including, dismissal.

Legal References: G.S. 114A-20; 115C-47, -307, -308; State Board of Education Policies DRIV-003, DRIV-004
Cross References:
Adopted: February 11, 1999
Amended: May 29, 2018
Amended: February 14, 2019
Amended: October 19, 2023

The Cherokee County Board of Education deems it necessary for each employee of Cherokee County Schools to read, understand and agree to the governing principles contained in policies relevant to the employee's position within this school system. All employees must read policies that relate to codes of conduct, standards of conduct, harassment, bullying, and discrimination, and grievance procedures.

NEW EMPLOYEES

Newly employed staff will receive an Employee Handbook when they complete their entry paperwork at Central Office. The Employee Handbook contains essential policy driven information about expectations of Cherokee County School employees as well as other relevant information. There is, located at the end of the Employee Handbook, an endorsement document which must be completed and provided to the identified departments. This statement includes an employee's assertion to having read the Policy Manual, understanding of the policies, and agreement to comply with the same.

NEW POLICIES

When the Board approves a policy by a second reading, the new policy and log sheet will be distributed to each principal the next day. The principal will go over the policy with appropriate staff and those staff members will read and sign off within five (5) working days of adoption.

LOG SHEETS

Copies of all log sheets will be kept in the principals' Policy Manual. Adherence to this procedure will be a basis of evaluation of the principals in the area of Record Keeping and Legal Compliance.

Legal Reference:
Cross Reference:

Adopted: October 14, 1999 (Originally Adopted January 1997)
Amended: November 12, 2015

Policy Review Log Sheet

By my signature below, I assert that I have read, understand and will comply with the provisions contained in policy(ies):

Policy Title	Policy No.
Policy Title	Policy No.
Policy Title	Policy No.
Policy Title	Policy No.
Policy Title	Policy No.
Policy Title	Policy No.
Policy Title	Policy No.
Policy Title	Policy No.
Policy Title	Policy No.

(List Policy(ies) here)

(Printed Name)	Signature/Date

This Policy Log Sheet is to be retained by the Principal in the schools official Policy Manual.

Employees have an absolute duty to maintain the confidentiality of records as required by law. Employees, by the nature of their occupation, are exposed to confidential information which should not be repeated or discussed except with those recognized by law as having a right to the information. Any employee who is not sure whether particular information may be protected by state or federal confidentiality laws should seek clarification from his or her immediate supervisor or the assistant superintendent for human resources. Where violations occur, appropriate disciplinary action will be taken.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; G.S. 115C-47(18), 115C-402

Cross References: Communicable Diseases (policy 4230), Student Records (policy 4700), Public Records (policy 5070)

Adopted: May 13, 1999
Amended: November 9, 2006

VIDEO AND AUDIO RECORDINGS BY EMPLOYEES

Policy Code: **7325**

The board authorizes employees to make video and/or audio recordings of students or other employees at school only in accordance with this policy. For purposes of this policy, the term employee includes all school system employees as well as independent contractors and volunteers. This policy applies to all video and/or audio recordings made by employees in school buildings, on school buses, at school-sponsored activities, or while otherwise acting in their capacity as a school system employee.

A. SECURITY CAMERA RECORDINGS

Security cameras that capture video only, or cameras that capture both video and audio[1], may be installed on school system property to help maintain a safe learning and working environment. The principal or site supervisor shall identify specific locations for camera placement, subject to the approval of the superintendent or designee. Camera placement will be limited to common areas in buildings (e.g., lobbies, hallways, gymnasiums, and building entrances/exits), parking lots and other exterior areas, and school buses. The superintendent or designee may also direct the placement of a security camera in one or more classrooms when it is determined the security camera is necessary to maintain a safe learning and working environment. The superintendent or designee will document the operational need before installing any surveillance camera that records audio. Cameras may not be located in any areas where individuals have a reasonable expectation of privacy, such as restrooms, locker rooms, nurses' offices, or lactation rooms.

The superintendent or designee shall provide notification of the use of security cameras on school system property through student and employee handbooks, the school system website, or other means, including announcements in school newsletters, orientation sessions, or other meetings. The principal or site supervisor shall post a sign at the school entrance, and in any area where audio is recorded, in a manner and location that adequately notifies students, employees, and visitors that areas may be subject to video and, when relevant, audio surveillance. If security cameras on a school bus also record audio, the transportation director or designee shall post a sign within the bus that provides adequate notice of video and audio surveillance. Any sign providing notice of audio recording shall, at a minimum, contain the following: "This area is under video and audio surveillance for safety and security purposes."

The superintendent or designee shall establish any procedures necessary for regulating the operation of security cameras and the secure storage, viewing, and destruction of resulting recordings. Surveillance recordings may be used to investigate allegations of employee, student, or visitor misconduct.

B. PUBLIC EVENT RECORDINGS

Generally, employees may record events that are open to the public, such as athletic

[1] Campbell Shatley recommended change.

competitions, band and choral concerts, assemblies, presentations, and award ceremonies. If recording at an event is restricted for any reason, including due to copyright issues (e.g., a school play), the employees and all other members of the audience will be notified of the recording restrictions before the event begins.

The superintendent or designee shall establish procedures deemed necessary for the recording of official meetings of the board, board committees, or committees appointed by the board.

C. RECORDINGS OF MEETINGS OR HEARINGS

School officials may make an audio recording of student IEP meetings and student discipline hearings. The recordings must be made openly with all parties aware of the recording.

An employee may make an audio recording of a hearing before the board regarding a recommendation for the employee's dismissal, demotion, nonrenewal, disciplinary action, or regarding a grievance filed by the employee pursuant to Policy 1750/7220. The employee must provide prior notice of the intent to record the hearing, and the recording must be made openly with all parties aware of the recording. Any hearing recorded by the employee also will be recorded by the superintendent or designee.

Employee meetings with supervisory personnel, including meetings to discuss performance evaluations, employee grievances, misconduct, disciplinary action, or personnel investigations, shall not be recorded unless the school official conducting the meeting is aware and expressly consents to the recording. Any meeting recorded by an employee will also be recorded by the school official conducting the meeting.

For any other type of meeting or hearing, the school official conducting the meeting or hearing may make an audio recording if all other parties in attendance consent to the recording. If a party refuses to consent to the recording, the school official may record the meeting or hearing only with the permission of the principal or designee for school-based meetings or the superintendent or designee for system-level meetings. The recording must be made openly with all parties aware of the recording. The school official conducting the meeting or hearing may grant a request by another party in attendance to make an audio recording, in which case the school official shall also make an audio recording of that meeting or hearing.

D. CLASSROOM RECORDINGS BY EMPLOYEES

To make a recording of students or employees in a classroom or at a school-sponsored event (other than those open to the public), an employee must receive prior permission from the principal. When seeking permission to record, the employee shall provide the principal with the following information: purpose for recording; who will have access to

the recording and for what use; any external program requirements to obtain permission to conduct the recording; and how the recording will be retained. The principal may grant an employee permission to record only for a legitimate educational purpose. The principal shall ensure legal compliance with Section G, below. In addition, depending on the nature of the recording and its intended use, the principal may require the employee to obtain written permission from the parents of the students who will be recorded and, if the recording involves other employees or visitors, the adults who will be recorded.

E. CONSENSUAL RECORDINGS OF OTHER EMPLOYEES

In situations not otherwise covered in Sections A through D, above, an employee may make a recording of another employee for legitimate educational purposes (e.g., a training video, a video to be used in a classroom to instruct students) only with the consent of the employee being recorded.

Any recording of another employee for reasons other than legitimate educational purposes must be with the consent of the employee being recorded and must not interfere with employment responsibilities or school operations.

F. SECRET RECORDINGS

Employees are prohibited from making covert or surreptitious recordings of other individuals on school property or during school-sponsored activities and may be subject to disciplinary action, up to and including dismissal, for violation of this policy.

This policy is not intended to prohibit recordings for whistleblowing purposes or to document illegal discrimination or harassment, financial improprieties, ethical violations, and other illegal practices. Employees with knowledge of illegal practices or who make a recording pursuant to this exception shall immediately notify appropriate school system personnel in accordance with existing procedures and practices.

G. RECORDING STUDENTS

In accordance with G.S. 114A-10, in no instance will a school system employee make a video or voice recording of a student without prior parental consent unless the recording will be used solely for one of the following purposes: a safety demonstration, including one related to security and discipline on educational property; an academic or extracurricular activity; classroom instruction; photo identification cards; security or surveillance of buildings, grounds, or school transportation.

H. MAINTENANCE OF RECORDS

Any recordings made by school system employees will be maintained, released, and disposed of in accordance with all applicable state and federal laws and regulations. See

also policies 4700, Student Records; 5070/7350, Public Records – Retention, Release, and Disposition; 5071/7351, Electronically Stored Information Retention; and 7820, Personnel Files.

I. CONSEQUENCES

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.

Legal References: Sarbanes-Oxley Act, 18 U.S.C. 1513(e); G.S. 15A-287; 114A-10, 126-84 *et seq.*

Cross References: Student Records (policy 4700), Public Records – Retention, Release, and Disposition (policy 5070/7350), Electronically Stored Information Retention (policy 5071/7351), Staff Responsibilities (policy 7300), Personnel Files (policy 7820)

Adopted: July 16, 2026

Public record-keeping requirements and federal and state law require that the Cherokee County Schools properly manage its electronic stored information ("ESI"), included but not limited to email correspondence. Therefore, this school system requires its employees to retain and destroy ESI in accordance with this Policy.

All employees are hereby informed that business-related emails and other electronic communications produced and received during the normal course of business are the property of the Cherokee County Schools and will be retained for a minimum of three (3) years. Electronic communication from personal email accounts relating to school issues are subject to the same rules. In some cases, business-related emails must be retained longer in accordance with an approved Records and Retention Disposal Schedule or in the case of a litigation hold. **Employees have no expectation of privacy in their electronic communications.** The use of email to conduct official business in a professional manner is encouraged. All other use of electronic communication is discouraged and subjects the user to disciplinary action as provided in Board policy. As with all other communication devices provided at school system expense, employees should avoid personal and non-work related use of emails.

The Board of Education requires the Superintendent, or his or her designees, to implement and enforce procedures that adhere to this Policy.

Public record-keeping requirements and federal and state law require that the Cherokee County Schools properly manage its electronic stored information ("ESI"). Cherokee County Schools will retain and destroy ESI in accordance with this Policy and/or the approved Records Retention and Disposition Schedule ("Schedule") for local education agencies adopted by the North Carolina Department of Cultural Resources, as set forth below.

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

All employees are hereby informed that all e-mails produced and received are the property of Cherokee County Schools and will be retained for a minimum of three (3) years. In some cases, business-related e-mails must be retained longer, according to the Schedule, and individual employees are required to review the Schedule and save such e-mails, in hard copy or electronic format, for the applicable time period. For ESI other than e-mail, each employee shall retain such records, in hard copy or electronic format, for the time period required by the Schedule.

II. ESI Retention Team

The Cherokee County Schools will have an ESI Team. The ESI Team is a designated group of individuals who implement and monitor requests for holds, a directive not to destroy ESI which might be relevant to pending or imminent issues or proceedings. The ESI Team shall include a designated school administrator, the school board attorney, and a member from the Technology Department. In the case

of a hold, the ESI Team shall direct employees and the Technology Department, as necessary, to suspend the normal retention procedure for all related records.

III. Inspection of ESI

Any requests for ESI records should be made in writing and will be reviewed by the Superintendent or his designee, in consultation with the school board attorney if needed, and released in accordance with North Carolina public records laws.

IV. Delegated Authority

The Board of Education delegates to the Superintendent or his designees the right to implement and enforce additional procedures or directives relating to ESI retention consistent with this policy, as needed.

V. Definitions:

1. **Business-related Emails** - official school business emails that should only be deleted in accordance with these Procedures, but excluding limited value emails. Examples of business-related e-mails include: board policies and directives, personnel matters, student matters, reports, etc.
2. **Email** - means of exchanging messages and documents using telecommunications equipment and computers. For the purposes of these Procedures, telecommunications equipment and computers include: desktop and laptop computers, network servers, cell phones, fax machines, scanners, copy machines, digital voicemail systems and backup systems. This definition does not include instant messenger or other instant communication programs which use is prohibited. A complete email message not only includes the contents of the communication, but also the transactional information (dates and times that messages were sent, received, opened, deleted; also, all names, aliases and names of members of groups) and any attachments. Email is presumptively a public record when sent or received in the normal course of business.
3. **ESI Team** - a designated group of individuals who implement and monitor litigation holds. The ESI team should include a member of the school system's legal counsel, a designated school administrator and personnel from the information technology ("IT") department.
4. **Limited Value Emails** - Short, informational messages (similar to a telephone conversation). Such messages are public records but may be treated as having a reference or administrative value that ends when the user no longer needs the information. Examples of limited value emails include: "Call me when you return to your office," or "Can you meet me on Thursday" or "Please have your grades turned into the office by 3:00pm." These emails may be deleted when they no longer have reference value to the sender or receiver of the message.

5. **Requests for Holds -** a directive to employees from the ESI team not to destroy any documents, including ESI, that might be relevant to ~~a~~ pending ~~or~~ imminent issues or proceedings or that might lead to the discovery of relevant information in that proceeding.
6. **Records Retention and Disposal Schedules ("Schedules")** - identify and provide retention and disposition instructions for all public records. Any records subject to Schedules must be disposed of in accordance with the relevant Schedule. Schedules are published by the North Carolina Department of Cultural Resources and, in the case of school systems, in cooperation with the North Carolina Department of Pubic Instruction. Schedules can be reviewed at www.ah.dcr.state.nc.us/records/local/schoolschedulefinal.pdf and are incorporated herein.

Legal References: North Carolina Public Records Act (N.C.G.S. Chap. 132); Federal Rules of Civil Procedure (Rules 16, 26, 33, 37 and 45); Records Retention and Disposition Schedule issued by North Carolina Dept. of Cultural Resources, www.ah.dcr.state.nc.us/records/local/schoolschedulefinal.pdf; Electronic Records, E-Mail Guidelines, E-Mail as a Public Record in North Carolina, Guidelines for Its Retention and Disposition, www.ah.dcr.state.nc.us/records/.

Approved: July 10, 2008