

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.

Temporary Requirements to Prevent COVID-19 Spread

In order to secure the health and safety of school system students and employees during the COVID-19 pandemic, the school system will implement the strategies that enforce the requirements of the North Carolina Department of Health and Human Services (DHHS) advises be implemented by all schools to lower the risk of COVID-19 exposure and spread applicable to individuals entering school grounds and facilities and will adhere to any requirements placed on the school system by DHHS. The superintendent or designee, in conjunction with appropriate health officials, shall develop protocols where necessary to implement strategies recommended by DHHS requirements. These temporary requirements-rules shall remain in effect until repealed by the board or until the applicable guidance from DHHS is rescinded, whichever occurs first.

A. SUPERVISION OF STUDENTS

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

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

B. SUPERVISION OF VISITORS

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

C. SAFETY OF SCHOOL BUILDINGS AND GROUNDS

The 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 building principal shall comply with all duties set out for

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

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

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

D. ESTABLISHING PROCESSES TO ADDRESS POTENTIAL SAFETY CONCERNS AND EMERGENCIES

1. Responding to Student Altercations and Other Threats to Safety

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

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

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

from the area. Only the degree of force or physical control reasonably necessary shall be used to re-establish a safe environment.

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

2. School Rules

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

3. Training for Staff and Students

Staff training must include detailed instruction on how to respond to a variety of emergency situations. Staff should also be able to recognize and respond to behavior, information and related indicators that warn of impending problems. In addition, all 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. All students must also be informed of the anonymous safety tip line and its purpose and function.

4. Safety Equipment

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

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

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

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

6. Reporting Risks to the School Population

Students should notify any staff member of any acts of violence, harassment or bullying or any other unusual or suspicious behavior that may endanger safety. All students may also use the anonymous safety tip line to report any risks to the school population or buildings. Ongoing student education efforts will aim at minimizing any fear, peer pressure, embarrassment or other impediments to students reporting potential problems.

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

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

7. Potential Threats of Registered Sex Offenders

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

8. Student Behavior Standards

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

Legal References: 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, -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), School Improvement Plan (policy 3430), Staff-Student Relations (policy 4040/7310), Student Sex Offenders (policy 4260), Student Behavior Policies (4300 series), Bullying and Harassing Behavior Prohibited (policy 4329/7311), School Volunteers (policy 5015), Visitors to the Schools (policy 5020), Registered Sex Offenders (policy 5022), Weapons and Explosives Prohibited (policy 5027/7275), Public Records – Retention, Release and Disposition (policy 5070/7350), Relationship with Law Enforcement (policy 5120), Discrimination and Harassment in the Workplace (policy 7232), Occupational Exposure to Hazardous Chemicals in Science Laboratories (policy 7265), Staff Responsibilities (policy 7300), Security of Facilities (policy 9220)

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

Adopted: March 6, 2012

Revised: April 1, 2014; March 7, 2017; September 5, 2017; January 9, 2018; March 5, 2019; February 2, 2021; June 29, 2021.

TITLE IX NONDISCRIMINATION

ON THE BASIS OF SEX *Policy Code: 1720/4030/7235*

The school system does not discriminate on the basis of sex (including pregnancy, childbirth, sexual orientation and gender identity) 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

Name: Chief Human Resources Officer, Krystal Craven-Sanders

Office Address: 400 Turner Street Thomasville NC 27360

Email Address: sanderskc@tcs.k12.n.us

Phone Number: 336-474-4200

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

4000 Maryland Ave, SW

Washington, DC 20202-1475

Telephone: 202-453-6020 TDD: 800-877-8339

FAX: 202-453-6021 Email: OCR.DC@ed.gov

B. RESOLUTION OF GRIEVANCES

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

The board has adopted additional means for reporting sexual harassment specifically. Any

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

C. RETALIATION PROHIBITED

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

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

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

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

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

[Other Resources: *Enforcement of Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton County*, U.S. Department of Education, Office for Civil Rights \(2021\)](#)

Adopted: September 1, 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 wishes to modify the curriculum, its school improvement team, along with the principal, must recommend the changes in the school improvement plan and 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. The curriculum committee shall ensure that the curriculum continues to be aligned with the current statewide instructional standards. After being approved by the curriculum committee, the proposal must be submitted to the superintendent or designee for approval. 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 proposal, after being approved by the superintendent or designee, must be submitted to the board for review.

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: December 4, 2012

Revised: April 1, 2014; March 6, 2018;

Policy Code: 3200 Selection of Instructional Materials

In order to help fulfill the educational goals and objectives of the school system, the ~~Wake County~~ Thomasville City School Board of Education 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, respect the legitimacy of different cultures, and empower students to value diverse perspectives. Instructional materials should also be appropriate for the maturity levels and abilities of the students, and address a spectrum of learning styles.

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 three categories: core instructional resources, supplemental materials, and media collection materials.

The selection process includes input from teachers and feedback from parents and the community.

A. Core Instructional Resources

Core instructional resources deliver, support, enrich, and assist in implementing the school system's educational program. Core instructional resources are systematically organized materials comprehensive enough to cover the primary objectives outlined in the current statewide instructional standards for a grade or course. Core instructional resources may be print and/or digital media.

The responsibility for the selection of core instructional resources is delegated to the central office staff under the direction of the superintendent.

In the absence of central office established core instructional resources for a grade or course, a school shall select core instructional resources based on the principles and processes for the selection of supplemental materials.

B. Supplemental Materials

Supplemental 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, classroom collections, and teacher-selected resources for individual classes.

The responsibility for the selection of supplemental materials is delegated to school-based staff under the direction of the principal. Selection of supplemental materials for school-wide, grade-level, or team-wide use is delegated to school

based staff under the direction of the principal with final approval by ~~Academies content specialists and the area superintendent-designated~~ Central Office Staff. Teachers may use additional supplemental materials provided the materials are directly tied to the respective curriculum and meet the board's principles set forth above, with the understanding that the principal retains the authority to alter or amend a teacher's selection or selection process.

C. Principles Governing Selection of Core Instructional Resources and Supplemental Materials

The following principles will be used to govern selection of core instructional resources and supplemental materials:

- a) the material's overall purpose, educational significance and direct relationship to instructional objectives and the curriculum;
- b) the material's reliability, including the extent to which it is accurate, authentic, engaging, relevant, comprehensive and evidence-based;
- c) the materials on controversial subjects should represent various points of view so that students as young citizens may develop, under guidance, the skills of critical thinking and critical analysis;
- d) the material's technical quality, including the extent to which technical components are relevant to content and consistent with state-of-the-art capabilities;
- e) the material's provision of thoughtful supports and scaffolds to support all students in accessing the North Carolina standards;
- f) the contribution the material will make to the collection's breadth and variety of viewpoints;
- g) the supports provided for effective and sustainable implementation;
- 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. D. Media Collection Materials

Media collection materials are instructional and learning resources which are selected to complement, enrich or extend the curriculum. Such resources include,

for example, library materials, digital resources, and the school system's media collection.

The responsibility for the selection of media collection materials is delegated to professional media personnel under the direction of the principal.

The following principles will be used to govern selection of media collection materials:

- 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, comprehensive and well-balanced;
- c. the materials on controversial subjects should represent various points of view so that students as young citizens may develop, under guidance, the skills of critical thinking and critical analysis;
- d. the material's technical quality, including the extent to which technical components are relevant to content and consistent with state-of-the-art capabilities;
- e. the material's artistic, literary and physical quality and format, including its durability, manageability, clarity, appropriateness, skillfulness, organization and attractiveness;
- f. the possible uses of the material, including suitability for individual, small group, large group, introduction, in-depth study, remediation and/or enrichment;
- g. the contribution the material will make to the collection's breadth and variety of viewpoints;
- h. the recommendations of school personnel and students from all relevant departments and grade levels;
- i. the reputation and significance of the material's author, producer and publisher; and
- j. the price of the material weighed against its value and/or the need for

it. 1) Removal of Outdated Media Collection Materials

To ensure that the 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 media collection materials to meet the educational needs of the school system. Requests by parents to remove media collection materials due to an objection to the materials will be reviewed pursuant to Parental Inspection of and Objection to Instructional Materials.

E. Acceptance of Gift Materials

Instructional materials offered as a gift will be reviewed pursuant to the criteria outlined above and in any applicable Board policy.

F. Challenges to Instructional Materials

Challenges to materials will be addressed pursuant to the Board's policy on Parental Inspection of and Objection to Instructional Materials.

~~Legal References: U.S. Const. amend. I; N.C. Const. art. I, § 14; G.S. 115C-45, -47, -81, -98, -101; *Board of Education v. Pico*, 457 U.S. 853 (1982); *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)~~

~~Legal References: U.S. Const. amend. I; N.C. Const. art. I, §14; G.S. 115C art. 8pt. 1; 115C-45, -47, -98, -101; *Board of Education v. Pico*, 457 U.S. 853 (1982); *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: May 2, 2017

~~Wake County Board of Education~~ Thomasville City Schools

TESTING AND ASSESSMENT PROGRAM *Policy Code: 3410*

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 students following the Occupational Course of Study Pathway, English Learner (EL) students in their first year in a U.S. school and effective with the 2018–19 school year and beyond, all students enrolled in a course during the initial implementation year of the new assessment for that course where scores are not immediately available due to standard setting.

C. MINIMIZING TIME SPENT TESTING

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

1. Schools will devote no more than two days of instructional time per year to the taking of practice tests that do not have the primary purpose of assessing current student learning.
2. Students will not be subject to field tests or national tests during the two-week period preceding their school's administration of end-of-grade tests, end-of-course tests or regularly scheduled final exams.
3. **To the extent practicable 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 individualized education program 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; 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

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Policy Code: 3410

(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: December 4, 2012

Revised: April 1, 2014; June 3, 2014; January 9, 2018; April 2, 2019; February 2, 2021 ;

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The superintendent shall ensure that all notification and other requirements of the Protection of Pupil Rights Amendment are met, ~~along with any other including all~~ legal requirements regarding the surveying of students.

A. SURVEYS INVOLVING PROTECTED TOPICS

1. Definition of Protected Topic

~~For purposes of this policy, the following are considered a The school system must obtain prior written consent of a parent or eligible student before the student is required to participate in any Department of Education funded survey, analysis or evaluation that reveals information concerning the following~~ “protected topics”:

- ~~a. 1.~~ political affiliations or beliefs of the student or the student’s parent;
- ~~b. 2.~~ mental or psychological problems of the student or the student’s family;
- ~~c. 3.~~ sex behavior or attitudes;
- ~~d. 4.~~ illegal, anti-social, self-incriminating or demeaning behavior;
- ~~e. 5.~~ critical appraisals of other individuals with whom respondents have close family relationships;
- ~~f. 6.~~ legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
- ~~g. 7.~~ religious practices, affiliations or beliefs of the student or the student’s parent; or
- ~~h. 8.~~ income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

2. Rules Regarding Surveys Involving Protected Topics

~~Upon request, parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey.~~

a. Protection of Student Privacy

The school system will take measures to protect the identification and privacy of students participating in any survey concerning any of the

protected topics. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

b. Parental Notification

The school system will notify parents at the beginning of each school year of the specific or approximate dates of administration of surveys concerning the protected topics ~~that are not funded in whole or in part by the Department of Education~~. Parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey. ~~Parents also will have the opportunity to opt their children out of participating in the survey(s).~~

c. Parental Consent

Before a student is required to participate in any Department of Education-funded survey, analysis or evaluation that reveals information concerning a protected topic, the parent or eligible student must provide prior written consent.

If prior written consent is not mandated for a survey involving a protected topic (because the survey either is not required or is not funded in whole or part by the Department of Education), the parent or eligible student must be given an opportunity to opt out.

B. THIRD PARTY SURVEYS

Parents and eligible students have the right, upon request, to inspect any survey created by a third party before the survey is administered or distributed to a student.

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B.C. 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. However, if the school system may collect, disclose or uses such personal information from students if the information is used 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.

~~If the school system collects such information from students for the purpose of marketing or selling the information to develop, evaluate or provide educational products or services as described above, upon request, parents may inspect any instrument used to collect the information before it is administered or distributed to a student.~~

~~C.D.~~ PARENT INVOLVEMENT 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. The board and superintendent will work with parents to create policies and guidelines concerning: (1) the administration of surveys by third parties; (2) arrangements to protect student privacy in the administration of surveys containing a protected topic; (3) parental rights to review and inspect instructional materials or survey instruments; and (4) the collection, disclosure or use of personal information for marketing or selling purposes.~~

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, ~~h~~, 34 C.F.R. pt. 99; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h; G.S. 115C-36

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: November 13, 2012

Revised: