

Policy Code: 2330 Board Meeting Agenda

The chairperson and the superintendent will prepare a proposed agenda for each board meeting. A request to have an item of business placed on the agenda must be received at least **six two** working days before the meetings. (See also policy 2310, Public Participation at Board Meetings, regarding agenda requests by individuals or groups.) A board member may, by a timely request, have an item placed on the agenda.

Each board member will receive a copy of the proposed agenda ~~four~~ **two** 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. 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: July 9, 2013

Revised: June 26, 2019

Thomasville City Schools

Policy Code: 2335 Advance Delivery of Meeting Materials

At least ~~four~~ **two** work days prior to each regular or special board meeting, the superintendent shall provide the following materials to each board member:

1. the proposed agenda;
2. minutes of previous meetings that have not been approved; and
3. any supporting information or materials that 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: July 9, 2013

Thomasville City Schools

EXTRACURRICULAR ACTIVITIES AND STUDENT ORGANIZATIONS

Policy Code:

3620

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. For purposes of this policy, a high school student is not performing at grade level if the student's GPA was below 2.0 in the previous semester. If a student's GPA falls below 2.0 during the semester the student will be able to participate if he or she attends scheduled remediation before, during or after school. If the student fails to attain a 2.0 GPA, but shows improvement over the course of the semester, the student will remain eligible assuming he or she continues to attend remediation before, during or after school. School administrators choosing to exercise their 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 SPECIFIC ACTIVITIES

1. Interscholastic Athletics

In addition to meeting the general requirements listed above, to be eligible for participation in interscholastic athletics, students must have passed the required physical examination, been in daily attendance 85 percent of the previous semester, pass 75 percent of the class load the previous semester (in a block schedule that is 3 of 4 classes and the student must take a full load of classes) and meet any applicable requirements set by the North Carolina Department of Public Instruction, the North Carolina High School Athletic Association and any locally established requirements for interscholastic athletics participation. Students in the sixth grade are not eligible to participate in interscholastic athletics.

A student participating in high school interscholastic athletics may participate only on the team consistent with the gender on the student's birth certificate unless otherwise permitted under North Carolina High School Athletic Association rules and regulations.

Due to the COVID 19 pandemic, a waiver of the attendance standard for athletic participation will be in effect for the 2020-2021 school year. The waiver will allow for 70% attendance versus the 85% attendance noted in this policy. This waiver ends June 30, 2021 and reverts back to the established policy. Therefore, in order to be eligible for athletic participation in the 2021-2022 school year, students must have been in attendance for 85% of the previous semester.

C. SPECIAL CIRCUMSTANCES

1. Students with Disabilities

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

2. Military Children

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

- a. providing information about extracurricular activities to incoming military children; and
- b. waiving application deadlines.

3. Interscholastic Team Coaches

While the head coaches of interscholastic athletic teams should, in most cases, be members of the faculty, the board permits the employment of non-faculty members in coaching positions with the approval of the superintendent and principal.

4. 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 high school interscholastic athletics if they comply with all of the following.

- a. 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 record immunizations.

- b. The student must submit proof that the student has been enrolled in a registered home school for 365 days prior to participation in athletics.
- c. 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.
- d. The student must participate in a class schedule that is at least one half of the assigned school's instructional day. At least one class must be taken on campus each semester.
- e. The student must pass all classes in which the student is enrolled at the assigned school in order to maintain athletic eligibility.
- f. 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.
- g. 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.
- h. The student must comply with all other applicable North Carolina High School Athletic Association rules and regulations regarding eligibility for athletic participation.

A dually enrolled student who transitions to full enrollment within the school system will then be governed by North Carolina High School Athletic Association rules and regulations regarding fully enrolled students.

D. APPEALS PROCESS

The grievance procedure provided in policy 1740/4010, Student and Parent Grievance Procedure, may be utilized by parents or students who believe that a student has been aggrieved by a decision made pursuant to this policy.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12132, 28 C.F.R. pt. 35; Equal Access Act, 20 U.S.C. 4071-4074; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9, 115C-47(4), -390.2, -407.5; 16 N.C.A.C. 6E .0204; State Board of Education

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/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: December 4, 2012

Revised: June 29, 2017; December 5, 2017; February 4, 2020; February 2, 2021;

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 section may be subject to disciplinary action, up to and including dismissal.

2. Reporting by Students

Any student who believes that he or she or another student has been subject to misconduct that violates this policy should immediately report the situation to the principal, school counselor or the Title IX coordinator designated in policy 1720/4030/7235, 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 State Superintendent of Public Instruction

Any administrator, including the superintendent, a deputy/associate/assistant superintendent, a personnel administrator or a principal, who knows or has reason to believe that a licensed employee has engaged in conduct ~~which that would justify automatic revocation of the employee's license pursuant to G.S. 115C-270.35(b) or~~ involves physical or sexual abuse of a child shall report that information first to the LEA Superintendent, who shall then report after investigation to the State Superintendent of Public Instruction within five working days of any disciplinary action, dismissal or resignation based on the conduct. For purposes of this subsection, physical abuse is the infliction of physical injury other than by accidental means or in self-defense, and sexual abuse is the commission of any sexual act upon a ~~child-student~~ or causing a ~~child-student~~ to commit a sexual act, regardless of consent and the age of the ~~child-student~~. Failure to report such conduct may result in the suspension or revocation of an administrator's license by the State Board of Education.

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

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 7926; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; G.S. 14-27.32, -202.4; 115C-47(18), ~~-270.35(b)~~; 16 N.C.A.C. 6C ~~.0372, .0373-0312~~, .0601, .0602; State Board of Education Policy ~~ies~~ EVAL-014, ~~LICN-007, NCAC-039~~

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), Student and Parent Grievance Procedure (policy 1740/4010), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Bullying and Harassing Behavior Prohibited (policy 4329/7311), Criminal Behavior (policy 4335), School Volunteers (policy 5015), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335)

Adopted: April 3, 2012

Revised: March 1, 2016; January 17, 2017; September 5, 2017; March 6, 2018; February 4, 2020; September 1, 2020; February 2, 2021;

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 homeless liaison and other personnel designated by the superintendent shall determine the appropriate placement. 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. ~~Immediately, but not later than~~Within one school day ~~after 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, to the extent practicable, in a language that the complainant can understand. 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 ~~simple~~ 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 ~~and the option to request an extension from the State Coordinator, along with a step-by-step description of how to file the appeal;~~
 - 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 ~~immediate the right to enrollment~~ 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 appropriate school officials participating in the dispute resolution process and the State Coordinator of the dispute immediately after the parent, guardian or unaccompanied youth has initiated the dispute resolution process, and (2) provide a written decision, including the reasons for the decision, to the complainant and the superintendent.
 - ~~v. Within two school days after receiving the formal complaint, the homeless liaison shall 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 ~~hear~~ 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, physical address if available, his or her physical address, e-mail address and telephone number ~~of the complainant~~;
- ii. the relationship or connection of the person to the child in question;
- iii. the name of the school system and the ~~specific~~ 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 ~~supporting~~ 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 .01124, [.0115](#), [.0116](#); State Board of Education Policies ~~SBOP-020~~, SPLN-000

Cross References: Immunization and Health Requirements for School Admission (policy 4110), Domicile or Residence Requirements (policy 4120), Discretionary Admission (policy 4130), Student Records (policy 4700)

Adopted: October 2, 2012

Revised: December 3, 2013; February 7, 2017; May 7, 2019;

CHILD ABUSE AND RELATED THREATS TO CHILD SAFETY

Policy Code: **4240/7312**

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, Division of Child Development and Early Education. 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 the Department of Health and Human Services, Division of Child Development and Early Education.

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.

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 contact with 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. Copies of all reports will be given to school counselors. 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 the Department of Health and Human Services (DHHS), Division of Child Development and Early Education (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. COOPERATION WITH STATE AND LOCAL AGENCIES

1. The principal shall 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.

E. 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.

F. 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.

The superintendent shall develop any necessary procedures for making a report pursuant to this policy, for sharing information with designated agencies, and for cooperating with investigations.

In addition to the requirements of this policy, any administrator who knows or has reason to believe that a licensed employee has engaged in conduct that would justify automatic revocation of the employee's license pursuant to G.S. 115C-270.35(b) or which involves physical or sexual abuse of a child shall report that information first to the LEA Superintendent, who shall then report after investigation to the State Superintendent of Public Instruction in accordance with subsection C.4 of policy 4040/7310, Staff-Student Relations.

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-~~270.35(b)~~, -375.20, -400, -402; 126-5; 16 N.C.A.C. 6C ~~0342.0373~~; State Board of Education Policies ~~LICN-007 and NCAC-039~~ SHLT-003

Cross References: Professional and Staff Development (policy 1610/7800), Staff-Student Relations (policy 4040/7310), Student Records (policy 4700)

Adopted: April 3, 2012

Revised: March 6, 2018; June 26, 2019; January 7, 2020; February 4, 2020;

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 Program. 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 notify the parents of students who are alleged to be victims of any reported offenses.

Certain crimes must be reported to the ~~State Board of Education~~ Department of Public Instruction in accordance with ~~State Board of Education Policy SSCH-00016 N.C.A.C. 6E .0107~~.

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; 115C-47(56); -288(g); 16 N.C.A.C. 6E .0107~~State Board of Education Policy SSCH-000~~

Cross References: Alternative Learning Program (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: November 13, 2012

Revised: April 1, 2014; January 17, 2017; September 5, 2017; January 5, 2021;

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 ~~will prominently display the overall school~~ all information required by law, including assessment and performance score and the grade earned by each school in the school system for the current and previous four school years ~~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 \(policy 5210\).](#)

- ~~3. Public Records – Retention, Release and Disposition (policy 5070/7350);~~
- ~~4. School Volunteers (policy 5015);~~
- ~~5. Compliance with the Open Meetings Law (policy 2320);~~
- ~~6. Registered Sex Offenders (policy 5022);~~
- ~~7. Distribution and Display of Non-School Material (policy 5210);~~
- ~~8. Community Use of Facilities (policy 5030); and~~
- ~~9. Visitors to the Schools (policy 5020).~~

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: ~~No Child Left Behind Act of 2001~~[Elementary and Secondary Education Act](#), 20 U.S.C. ~~6301~~[6348](#); 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: December 4, 2012

Revised: April 1, 2014; March 7, 2017; February 13, 2018;

A. STUDENT HEALTH SERVICES GENERALLY

The board will provide health services to students as required by law. School employees may administer ~~drugs or~~ medication prescribed by a ~~doctor~~ health care practitioner only 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 life saving technique in which training has been provided to school employees. A registered nurse also 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 ~~school~~ 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. 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 ~~NCAC-015~~, 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: April 9, 2013

Revised: February 13, 2018; January 7, 2020;

The board recognizes that students may need to take medication (prescription and non-prescription) during school hours. School personnel may administer medication with a properly completed and signed Medication Form. 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 prescription or over-the-counter drugs by students at school is prohibited and constitutes a violation of policy 4325, Drugs and Alcohol, except as described in Section B and Section D.

The administration, including by parents, school employees, or self-administration, of any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) at school is prohibited unless (1) authorized by and administered by a caregiver in accordance with G.S. 90-94.1 and G.S. 90-113.101 for the treatment of intractable epilepsy, or (2) 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 submit a properly completed

and signed Medication Form 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.
- 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. ~~directions for how and when the medicine is to be given.~~ 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 on the Medication Form 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.

- a. The health and welfare of the student must be of paramount concern in all decisions regarding the administration of medication.
- b. Procedures for medication administration must be consistent with recommendations of the School Health Unit of the Children & Youth Branch of the N.C. Division of Public Health, as described in the *North Carolina School Health Program Manual*.
- c. 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.

- d. Except as permitted by this policy, no student may possess, use, sell, share, 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.
- e. 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.
- f. All school personnel who will be administering medications must receive appropriate training.
- g. Only medications clearly prescribed for the student may be administered by school personnel. School personnel shall request from the student's parent and health care practitioner all necessary information including the name of the medication, the purpose of the medication, the time the medication is to be administered, the dosage, the possible side effects and the date of the last administration.
- h. 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.
- i. Parents should inform school personnel immediately if it is inappropriate, for any reason, for school personnel to continue to administer the medication as prescribed by the health care practitioner.
- j. 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.
- k. A written record of all medication administrations to students will be maintained.

- l. 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.
- m. After the last administration of a medication to a student, any remaining amounts of the medication will be returned only to the student's parent or legal guardian.

B. STUDENT SELF-ADMINISTERING NON-PRESCRIPTION MEDICATION

High school students may be allowed to self-administer non-prescription medication with a properly completed and signed Medication Form which clearly indicates that the student is allowed to self-administer the non-prescription medication.

C. EMERGENCY MEDICATION

Students who are at risk for medical emergencies, such as those with diabetes, asthma or severe allergies, must have an Individualized Health Plan developed for them to address emergency administration of medication. Students must meet the requirements of subsection A.1, above, including providing a Medication Form with 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.

D. STUDENT SELF-ADMINISTERING MEDICATION FOR STUDENTS WITH CERTAIN HEALTH CONDITIONS

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 during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events.

Students are prohibited from self-administering medication at school unless (1) the medicine has been prescribed for the treatment of diabetes, asthma, anaphylactic reactions, or another medical condition, including insulin or a source of glucose, a prescribed asthma inhaler, or a prescribed epinephrine auto-injector; (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 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 section, the student's parent must provide to the principal or designee all of the documents listed below:

- a. Individualized Health Plan with written parental authorization for the student to possess and self-administer medication which includes an acknowledgment that the local school administrative unit and its employees and agents are not liable for an injury arising from a student's possession and self-administration of medication;
- b. Medication Form for the medication with written statement from the student's health care practitioner including (i) verification that the student has diabetes or asthma, or an allergy that could result on anaphylactic reaction, or another medical condition that requires self-administered emergency medication, (ii) confirmation that 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, (iii) confirmation that the student understands, has been instructed in self-administration of the medication, ~~and~~ has demonstrated the skill level necessary to use the medication and any device that is necessary to administer the medication, and has been determined to be competent for self-administration and (iv) a treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student's diabetes, asthma, anaphylactic episodes, or other emergency medical condition, and for medication use by the student.
- c. Student Contract for Self-Carried Medication Form indicating that the student has been instructed in self-administration of the medication, and has demonstrated to the school nurse, or the nurse's designee, (1) the skill level necessary to use the medication and any ~~accompanying~~ 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 that is necessary to administer the medication.
- d. Any other documents or requirements necessary to comply with state and federal laws.

The student's parent must provide to the school backup medication that school personnel are to keep at the student's school 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 student's school in an easily accessible

location in the event of a medical emergency. Any permission granted for a student to possess and self-administer medication will be effective only for the same school year. 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 emergency 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. 90-94.1, -113.101; 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 Auto-Injector Devices (policy 5024/6127/7266)

Other ~~References~~ Resources: *North Carolina School Health Program Manual* (N.C. Dept. of Health and Human Services, Div. of Public Health, School Health Unit, ~~2020~~^{6th}-ed. 2014), available at <https://publichealth.nc.gov/wch/cy/schoolnurses/manual.htm>~~https://www2.ncdhhs.gov/dph/wch/lhd/manuals.htm~~

Adopted: April 1, 2014

Revised: March 3, 2015; September 5, 2017; March 6, 2018; March 2, 2020;

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. ~~The first priority is to provide transportation to and from school to eligible students.~~

A. ~~OTHER 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 Other transportation services may be made available as funding permits and in accordance with legal requirements, and board policy and the following standards. In particular, the board establishes the following possible uses of other transportation services.~~

1. ~~State-operated~~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 Sschool buses may be used only for purposes expressly allowed by G.S. 115C-242.
3. Yellow Sschool 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 ~~as needed~~.
5. The board encourages the superintendent and principals to provide transportation services, as funding permits, 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 ~~SPECIAL NEEDS~~ STUDENTS WITH DISABILITIES

A student who is identified as having ~~a disability 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. When the school system's transportation services are unable to provide transportation for ~~a student with a disability special needs students~~, the board may contract with public or private carriers to provide this service, pursuant to policy 6340, Transportation Service/Vehicle Contracts.

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; ~~G.S. 66-58(c)(9a) and (9b)~~; 16 N.C.A.C. 6B .0111; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy ~~GCS-D-000~~EXCP-000; State Board of Education policies ~~TCS-H-000~~TRAN-000, -006; 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)

Adopted: April 9, 2013

Revised: December 4, 2018;