

**Spring 2020
Policy Update – Part 1**

Updated Policy	Policy Title	Description of Update	Legal Authority Involved	Notes
2127 (New)	Board Member Technology Use	<ul style="list-style-type: none"> • This is a new policy recommended to address key issues that arise when board members use school-issued or personal technological resources, such as laptops or email accounts, or use personal social media for personal or school system-related communications. (Recommended – see note) 		Topics addressed include: (1) privacy expectations for the use of school system technological resources, (2) compliance with public records requirements when using personal technology for school system business, and (3) guidelines for the use of social media, both when used in the board member’s personal capacity and the member’s capacity as a public official.
2302	Remote Participation in Board Meetings	<ul style="list-style-type: none"> • In subsection A.2.a, adds the need for individual board members to participate electronically due to quarantine, isolation, or stay-at-home order. • Adds a new subsection A.2.i to address remote participation where in-person attendance would violate a state or local emergency declaration. • Adds a new Section D regarding fully electronic meetings in the event of emergency, such as during the current COVID-19 stay-at-home order. 	G.S. ch. 143, art. 33C N.C. Atty Gen. Advisory Ltr to McCloud (March 26, 2020)	
4230	Communicable Diseases - Students	<p>This policy has been extensively revised to:</p> <ul style="list-style-type: none"> • broaden its focus beyond students having HIV infection/AIDS; • better distinguish between requirements related to reportable communicable diseases and those that are not reportable; • incorporate FERPA considerations into reporting requirements and information sharing between school officials; • incorporate legally required procedures for students having hepatitis B infection; • add a new Section F to address attendance of students with communicable diseases other than HIV/AIDS/hepatitis B; and • add a new Section G to address other control measures, including 	Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. ch. 130A; 10 N.C.A.C. 41A, subchapter A	

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		<p>decisions regarding school closures.</p> <p>All changes are recommended, except as follows:</p> <ul style="list-style-type: none"> • in subsection D.1, the statements about FERPA are strongly recommended; • in Section E and subsection E.1, the addition of hepatitis B infection is required; <p>Also:</p> <ul style="list-style-type: none"> • Updates the legal references. (Required) • Updates the cross references. (Required) 		
5050	Emergency Closings	<ul style="list-style-type: none"> • Adds members of the board to the list of persons to be notified in the event of an emergency closing. (Recommended) • Adds a new paragraph to require the superintendent to notify members of the board before announcing an emergency closing for a definite period exceeding one week and to consult with board members in making a decision to close schools for an indefinite period that is anticipated to exceed one week. (Recommended - see note) 		<p>These provisions are aimed at (1) ensuring that board members are aware of significant emergency school closures before the closures are announced to the public and (2) including board members in any emergency-related decision by the superintendent to close schools for an indefinite period.</p>
7503 (New)	Teleworking	<p>This is an optional new policy authorizing employees to work from home or at another alternative work location (“teleworking”) in certain circumstances and under certain conditions. The policy may be modified.</p> <ul style="list-style-type: none"> • Section A provides relevant definitions of terms used in the policy. • Section B details the authority of the board or superintendent to require or permit employees to telework in emergency situations. • Optional Section C addresses teleworking on a permissive basis. This section details who approves these teleworking 		<p>This policy was created in response to the COVID-19 epidemic to provide standards for employees working from home in emergency situations. However, the policy also allows employees to telework on a permissive, rather than emergency, basis. The policy footnotes provide guidance for how to alter the policy should the board instead wish to only allow teleworking in emergency situations.</p>

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		<p>arrangements and under what circumstances and provides for the termination of such arrangements.</p> <ul style="list-style-type: none"> • Section D explains when employees will and will not be permitted to telework and what is required of employees prior to and during teleworking. • Section E addresses how teleworking arrangements will be made with employees who require ADA accommodations. 		
7560	Permitted Salary Deductions for Absences and Discipline of Certain Exempt Employees	<ul style="list-style-type: none"> • Modifies the policy title to be more reflective of the policy content. (Recommended) • Clarifies the group of exempt employees to whom the policy applies, i.e., exempt employees who are subject to the salary basis requirements of the Fair Labor Standards Act. (Strongly recommended – see note) • Substantially revises Section A to clarify the deductions from the salary of exempt employees that are authorized and under what circumstances such deductions will or can be made. (Strongly recommended) • Updates the legal references. (Recommended) 	Fair Labor Standards Act, 29 U.S.C. 201 <i>et seq.</i> ; 29 C.F.R. Part 541	This policy applies to exempt employees who are subject to the salary basis requirements of the FLSA. The policy explains the limited circumstances under which the board may make deductions from the salary of such persons. Deductions made in violation of law may cause the exemption to be lost, which could subject the board to substantial monetary penalties. Some classes of exempt employees – notably, teachers – are not subject to the salary basis requirements, so the limitations in law and this policy do not apply to deductions from teachers’ salaries. Because of the complexity of the law pertaining to deductions from the salaries of exempt employees, the board should consult the board attorney before making any changes to this policy.
7620	Payroll Deductions	<ul style="list-style-type: none"> • Revises introductory paragraph for clarity. (Recommended) • Removes extraneous language in items 8, 12, and 13. (Optional) • Adds a new provision to authorize deductions to recoup advancement or overpayment of wages. (Recommended) 		

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