

Official Policy Manual

of

THE PAMLICO COUNTY BOARD OF EDUCATION

507 Anderson Dr.

Bayboro, North Carolina 28515-9799

1000 SERIES - BOARD OF EDUCATION

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1000

THE SCHOOL BOARD

1000

The name of the School Board is the "Pamlico County Board of Education."

1000.1 The official seal of the Pamlico County Board of Education is:

Legal Reference: G.S. 115C-40
Adopted: June 5, 2000

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1010

SCHOOL BOARD AUTHORITY

1010

Board members have authority only when acting as a body duly called in session. They have no authority over school affairs as individuals, or as groups of individuals.

Legal Reference: G.S. 115C-36, -40
Adopted: June 5, 2000

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1020 BOARD MEMBER DUTIES AND RESPONSIBILITIES/CODE OF ETHICS 1020

A member of the Board shall endeavor to attend all meetings, discuss items presented on the agenda, and vote upon motions and resolutions presented.

Official decisions of the Board can be arrived at only at duly constituted Board meetings. An individual Board member or groups of Board members do not have independent authority to speak for the Board and should make no out-of-meeting commitments unless directed to do so by the Board.

It is important that a Board member be nonpartisan in dealing with school matters and that he not subordinate the education of children and youth to any partisan principle, group, interest, or personal ambition.

1020.1 Board Member Code of Ethics

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

1. the need to obey all applicable state and federal laws regarding official actions taken as a board member;
2. the need to uphold the integrity and independence of the board member's office;
3. the need to avoid impropriety in the exercise of the board's and board member's official duties;
4. the need to perform faithfully the duties of the office; and
5. the need to conduct the affairs of the board in an open and public manner, complying with all applicable laws governing open meetings and public records.

1020.2 Additional Responsibilities

In addition to the foregoing, a Board member should carry out the following responsibilities:

1. should be prepared and willing to devote sufficient time to the study of the problems of education in the system as a whole, as well as those of the state and nation at large, so as to be able to interpret them to the electorate of the school system;
2. must be willing and able to make sacrifices of his time, knowledge, and personal pleasure for the benefit of the school system;

3. should report routine complaints and concerns related to system operations directly to the Superintendent for appropriate investigation and response;
4. should have no business or pecuniary interest which will conflict with the activities of the Board;
5. must annually meet the training requirements established by N.C. Gen. Stat. § 115C-50 (12 hours annually), and should be familiar with the North Carolina public school laws, regulations of the State Board of Education, and the Pamlico County Public School System's policies and procedures;
6. must vote and act impartially in Board meetings, for the good of the school system;
7. should accept the will of the majority vote in all cases and give support to the resulting decision;
8. should represent the Board and the Pamlico County Public Schools to the public in such a way as to promote both interest and support; and
9. should advocate for the resources necessary for the highest quality school program.

Legal Reference: G.S. 115C-37, -40; -50, 14-234 through -237; 160A-83
Adopted: June 5, 2000
Revised: January 4, 2010

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The Pamlico County Board of Education encourages its members to improve leadership skills through a regular course of training in subjects directly related to public school governance.

- 1021.1 At a minimum, each Board member shall receive at least 12 hours of training annually. Such training may cover public school law, public school finance, the duties or responsibilities of Board members, or other pertinent subjects.
- 1021.2 Each Board member shall comply with G.S. 160A-84 by earning two hours of ethics education within 12 months of election or appointment to the Board.
- 1021.3 The Superintendent will seek out training opportunities, notify Board members of such opportunities, and schedule participation by interested Board members. The Superintendent also will maintain a yearly record of each Board member's training activities for the use of that Board member in keeping track of training activities.
- 1021.4 New Board members shall be required to attend the seminar offered for new Board members by the North Carolina School Boards Association at the earliest opportunity following their election or appointment.
- 1021.5 Board member expenses for training provided by the North Carolina School Boards Association, the Institute of Government, or other qualified sources shall be paid in compliance with Board policy 1620.

Legal Reference: G.S. 115C-50.

Adopted: June 5, 2000

Revised: January 4, 2010

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1022 RECOGNITION OF RETIRING BOARD MEMBERS 1022

A plaque shall be presented to each Board member on retirement at the end of their term in recognition of their service to students and citizens of the school district. Further, an appropriate resolution expressing appreciation to each Board member on their retirement shall be placed in the minutes of the Board.

Legal Reference: G.S. 115C-36
Adopted: November 1, 1982
Revised: June 5, 2000

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1030 BOARD-SUPERINTENDENT RELATIONS 1030

The Board believes that the legislation of policies is the most important function of a school board, and that the execution of the policies is the function of the Superintendent.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies, and frees the Board to devote its time to policy-making and appraisal functions.

The Board holds the Superintendent responsible for carrying out its policies within the established policy framework and for keeping the Board informed about school operations.

Legal Reference: G.S. 115C-36, -47, -276
Adopted: June 5, 2000

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1100 SCHOOL BOARD POWERS AND DUTIES 1100

The Board is responsible for development of policy. The application of policies is an administrative task to be performed by the Superintendent and staff who shall be held responsible for the effective administration and supervision of the entire school system.

The Board shall:

- 1100.1 Hire the Superintendent.
- 1100.2 Enact policy.
- 1100.3 Adopt courses of study for the system.
- 1100.4 Employ all staff members upon recommendations from the Superintendent and make rules concerning the conduct and duties of personnel.
- 1100.5 Approve the budget, financial reports, and audits.
- 1100.6 Determine the need for and seek to obtain funds for the operation, support, maintenance, improvement, and extension of the school system.
- 1100.7 Provide for the planning, expansion, improvement, financing, construction, maintenance, use, and disposition of the physical plant of the school system.
- 1100.8 Prescribe the standards needed for the efficient operation and improvement of the school system.
- 1100.9 Evaluate the educational program to determine the effectiveness with which the schools are achieving the educational purposes of the school system.
- 1100.10 Require the establishment and maintenance of records, accounts, archives, management methods and procedures considered essential to the efficient conduct of school business.
- 1100.11 Provide for the dissemination of information necessary to keep the public well informed about the schools, and to maintain public and private support for the schools.
- 1100.12 Develop a system-wide safe school plan designed to provide that every school is safe, secure, and orderly; that there is a climate of respect in every school; and that appropriate personal conduct is a priority for all students and all public school personnel.

1100 SCHOOL BOARD POWERS AND DUTIES (cont.) 1100

1100.13 Carry out all the duties and responsibilities of a local board of education as required or permitted by law.

Legal Reference: G.S. 115C-36, -40, -47, -105.47

Adopted: June 5, 2000

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1200 DESIGNATED OFFICERS 1200

The designated officers of the Board shall be Chairman and Vice Chairman. The officers shall be elected annually at the organizational meeting of the Board. In the event of the absence of both the Chairman and Vice Chairman, the Board may appoint one of its members temporary Chairman. The Superintendent shall be ex-officio Secretary to the Board.

Legal Reference: G.S. 115C-41, -276
Adopted: June 5, 2000

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1210 CHAIRMAN 1210

The Chairman of the Board shall preside at Board meetings, decide questions of order, appoint all committees and their chairmen, be an ex-officio member of all committees, call special meetings of the Board, sign official documents which require his signature, and perform all other duties prescribed by law or by action of the Board.

1210.1 The presiding officer shall vote on all motions before the Board in the same manner required of other Board members.

Legal Reference: G.S. 115C-36, -41
Adopted: June 5, 2000

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1211 VICE CHAIRMAN 1211

The Vice Chairman shall have the duties and powers of the Chairman in the absence or during the disability of the Chairman. The Vice Chairman shall have such other powers and duties as the Board may from time to time determine.

Legal Reference: G.S. 115C-36, -41
Adopted: June 5, 2000

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1212 SECRETARY

The Superintendent serves as ex-officio Secretary to the Board and is responsible for developing the agenda for meetings, sending out notices of meetings, and preparing minutes of the proceedings of the Board. He is the custodian of the Board's records and documents and shall sign official documents that require the signature of the Secretary.

Legal Reference: G.S. 115C-41, -276
Adopted: June 5, 2000

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1220 OATH OF OFFICE

Each Board member shall take an oath of office as required by law.

Legal Reference: G.S. 115C-37(d); N.C. Const. Art. VI, §7
Adopted: June 5, 2000

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1300 BOARD MEETINGS

The Board shall provide for such meetings as are authorized by law and necessary for the efficient and proper operation of the school system.

Legal Reference: G.S. 115C-41
Adopted: June 5, 2000

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1310 REGULAR MEETINGS

The regular meetings of the Board shall be held on the first Monday of each month. When the first Monday falls on a holiday recognized by the Board, the Chairman shall reschedule the meeting for the following Tuesday.

- 1310.1 The regular meetings of the Board usually shall be held in the Board Room of the Administrative Offices of the Pamlico County Board of Education on 507 Anderson Drive, Bayboro, North Carolina.
- 1310.2 The regular meetings of the Board shall begin at 6:30 p.m.
- 1310.3 The Chairman may reschedule or cancel regular Board meetings when it appears unlikely that a quorum will be present on the regularly scheduled date. The Board may change the place or time of regular meetings. If it becomes necessary to change the usual date, place, or time of a regular meeting of the Board, notice of such change shall be posted in the Administrative Offices and notice shall be given to members of the Board and to the media and others as may be provided by law.
- 1310.4 The Chairman may schedule workshop meetings and retreats as appropriate to ensure that the Board is sufficiently informed and properly trained to fulfill its responsibilities.

Legal Reference: G.S. 115C-41; Ch. 143, Art. 33C
Adopted: June 5, 2000
Revised: March 3, 2008

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1311 SPECIAL MEETINGS

The Chairman or any two members of the Board, upon giving at least 48 hours public notice, may call a Special Meeting of the Board and promptly shall notify the Secretary.

Legal Reference: G.S. 115C-41(b); 143-318.12
Adopted: June 5, 2000

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1312 EMERGENCY MEETINGS 1312

The Chairman, Vice Chairman or any two members of the Board may call an emergency meeting of the Board to consider any emergency situation created by generally unexpected circumstances that requires immediate consideration by the Board. Board members shall receive notice of an emergency meeting as far in advance as is reasonable under the circumstances of the emergency situation. Each newspaper, wire service, radio station and television station that has filed a written request for notice of special meetings shall be given notice of an emergency meeting, either by telephone or by the same method used to notify Board members, and such notice shall be given immediately after notice has been given to Board members. Only business which is related to the emergency may be considered at an emergency meeting.

Legal Reference: G.S. 115C-36; 143-318.12
Adopted: June 5, 2000

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1313 ORGANIZATIONAL MEETING 1313

The organizational meeting of the Board shall be on the first Monday in December, at which time the Board shall elect officers and take such other actions as are necessary.

Legal Reference: G.S. 115C-41
Adopted: June 5, 2000

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Closed sessions shall be held only when required to permit the Board to act in the public interest as provided by law.

1314.1 Permitted Purposes.

By majority vote of its members present, the Board may hold or retire to a Closed Session as permitted by law for the deliberation of the following:

- (1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes;
- (2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar awards;
- (3) To consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board, including discussions on the handling or settlement of a claim, judicial action, or administrative procedure;
- (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the Board;
- (5) To establish, or to instruct the Board's staff or negotiating agents concerning the position to be taken by or on behalf of the Board in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract;
- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual employed or considered for employment with Pamlico County Schools; or to hear or investigate a complaint, charge or grievance by or against any individual employee; and
- (7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

- (8) To formulate plans relating to emergency response to incidents of school violence.

1314.2 Actions of the Board which must be reported or taken in open session. While deliberations may occur in closed session, the following Board actions must be taken or reported in open session:

- (1) If the Board has approved or considered a settlement in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded. The report should be made in open session unless there is a basis for the report to be heard only in closed session as provided in Section 1314.1; and
- (2) Final action making an appointment or discharge or removal by the Board having final authority for the appointment or discharge or removal shall be taken in an open meeting.

Legal Reference: G.S. 143-318.11

Adopted: June 5, 2000

Revised: September 3, 2002.

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1315

PUBLIC HEARINGS

1315

The Board may from time to time, in accordance with law and its policy, conduct a public hearing to determine public sentiment on matters which merit Board consideration. In order to gain maximum benefit from a public hearing, the Board's role shall be as listeners rather than as active discussants.

Legal Reference: G.S. 115C-36
Adopted: June 5, 2000

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1316

HEARINGS

1316

In cases of appeals regarding student assignments, discipline cases, personnel grievances and other appeals to the Board, the Chairman may appoint hearing panels composed of not less than two Board members, as provided by law, to hear and act on such appeals on behalf of the Board.

Legal Reference: G.S. 115C-45(c), -305, -369
Adopted: June 5, 2000

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It is the public policy of North Carolina and the Pamlico County Board of Education that hearings, deliberations and actions of public school bodies be conducted openly.

- 1317.1 The Pamlico County Board of Education acknowledges that while governing bodies in North Carolina may meet in closed session, the right to meet in closed sessions as provided by law is permissive and not mandatory, except in certain specific situations.
- 1317.2 In furtherance of the public policy of North Carolina and the Pamlico County Board of Education, the Board will follow a practice that presumes that all meetings of the Board and its duly appointed committees will be open, unless the Board believes that a closed session is necessary or appropriate to effectively carry out its duties.
- 1317.3 The Pamlico County Board of Education will meet in closed session only upon a motion duly made and adopted in public pursuant to G.S. 143-318.11(c). Every motion shall cite one or more of the permissible purposes as provided in G.S. 143-318.11(a) and in Board Policy 1314.1. A motion based on the need to prevent the disclosure of information that is confidential or privileged shall also cite or name the law that renders the information confidential or privileged. A motion based on the need to consider with an attorney employed by the Board the handling or settlement of a lawsuit, shall identify the parties in the lawsuit.
- 1317.4 The minutes of the Board shall record by whom the motion to go into closed session was made, the vote by which the motion was adopted, and the purpose of the closed session as stated in the motion.

Legal Reference: G.S. Ch. 143, Art. 33C

Adopted: June 5, 2000

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The Secretary shall publicize in advance the date, time and place of all meetings of the Board and committees appointed by the Board. All citizens are welcome to attend Board meetings.

- 1318.1 In the event the Board's schedule of regular meetings is changed, a revised schedule shall be publicized at least seven days prior to the first meeting held under the new schedule.
- 1318.2 Notice of each regular meeting of the Board shall be delivered with the agenda to each Board member at least three days prior to each meeting. Notice of each special meeting shall be given to each member and posted at the Administrative Offices at least forty-eight hours prior to the time stated for the meeting to convene. The notice shall indicate the purposes of the special meeting.
- 1318.3 Any newspaper, wire service, radio station, or television station that desires to receive notice of any special or emergency meeting of the Board or its committees must file a written request for notice with the Superintendent. Such written request shall include the mailing address, street address, and telephone number of the media institution requesting notice.
- 1318.4 Written notice of any special meeting giving time, place and purpose shall be mailed or delivered, at least forty-eight hours before the time of the meeting, to each newspaper, wire service, radio station or television station and member of the public who has filed a written request for notice with the Superintendent.
- 1318.5 Board members shall receive notice of an emergency meeting as described in Board Policy 1312.
- 1318.6 Each newspaper, wire service, radio station or television station submitting a request for notice must renew its written request annually by July 1 of each year. Each person other than the media submitting to the Superintendent a request for notice of special meetings must renew his written request quarterly and shall be charged in advance an annual fee of \$10 for such notice.

Legal Reference: G.S. 115C-276; 143-318.12

Adopted: June 5, 2000

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Before actions by the Board are requested or recommended, the Superintendent shall provide the Board with adequate data and back-up information to assist the Board in reaching sound and objective decisions consistent with established goals. Board members shall be expected to read the information provided them, and to contact the Superintendent to request additional information that may be necessary to assist them in their decision-making responsibilities.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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The Superintendent in his role as Secretary to the Board shall prepare the agenda for each meeting with the approval of the Chairman. An agenda will be furnished to each Board member prior to the regular meeting. The agenda for meetings shall include a consent agenda that lists items to be passed with a single motion and vote without discussion. Items may be placed on the consent agenda by the Superintendent with the approval of the Chairman or by unanimous vote of a Board committee at a committee meeting. Any item on the consent agenda may be removed by request of any Board member or the Superintendent and shall then be placed on the action/discussion agenda for consideration by the Board, or referred to a committee. Items may be added to the agenda upon consent of the Board. Any citizen who wishes to have the Board consider an item on its agenda may request such consideration by contacting the Superintendent at least five business days prior to the date of the meeting. The Superintendent shall place such items on the agenda, with the approval of the Chairman, prior to mailing. If the request is submitted too late for inclusion on the printed agenda, it shall be considered at the beginning of the Board meeting and shall be added to the agenda upon majority vote of the Board. The Chairman shall recognize only the individual who submitted the request.

The order of business will be set by the Chairman and subject to adoption by the Board with a majority vote at the beginning of each meeting.

Legal Reference: G.S. 115C-36, -41, -276
Adopted: June 5, 2000

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The Pamlico County Board of Education shall follow the rules of order set forth below.

- 1322.1 Following the call to order and determination of a quorum, the Board shall formally adopt its meeting agenda. However, by general consent or majority vote of the Board, items may be considered out of order.
- 1322.2 The Chairman shall preside at Board meetings. To address the Board, a member must be recognized by the Chairman. The Chairman shall have the following responsibilities:
- a. To rule motions in or out of order, including the right to rule out of order any motions patently offered for obstructive or dilatory purposes;
 - b. To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground;
 - c. To entertain and answer questions of parliamentary law or procedure with aid of administrative and legal counsel;
 - d. To call a brief recess at any time;
 - e. To refer any item on the agenda or raised during the meeting to a committee, prior to Board consideration;
 - f. To adjourn in an emergency.
- Rulings of the Chairman may be appealed to the entire Board and may be reversed by simple majority vote of the Board.
- 1322.3 The Board shall proceed by motion. Any board member, except the presiding officer, may make a motion.
- 1322.4 A motion must be seconded.
- 1322.5 A member may make only one motion at a time.
- 1322.6 A substantive motion is out of order while another substantive motion is pending.
- 1322.7 A motion shall be adopted by a majority of the votes cast, a quorum being

present, unless otherwise required by these rules, the laws of North Carolina, or another policy of the Board.

- 1322.8 The Chairman shall state the motion and then open the floor to debate on it. The Chairman shall preside over the debate according to the following general principles:
- a. The Chairman shall state for the record the name of the person making the motion and the name of the person seconding the motion;
 - b. The introducer is entitled to speak first;
 - c. A member who has not spoken on the issue shall be recognized before someone who already has spoken;
 - d. To the extent possible, the debate shall alternate between opponents and proponents of the measure.
- 1322.9 A motion that is defeated may be renewed at any subsequent meeting, unless a motion to prevent reconsideration has been adopted.
- 1322.10 A motion may be withdrawn by the introducer at any time before a vote.
- 1322.11 Every member must vote unless excused by the majority vote of the remaining members. Failure to vote by a member who is physically present and not excused from voting on the motion shall be recorded as an affirmative vote.
- 1322.12 The Board may hold closed sessions as provided by law. The Board shall commence a closed session by a majority vote.
- 1322.13 A majority of the actual membership of the Board, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by a majority vote of the remaining members present shall be counted as present for purposes of determining whether a quorum is present.
- 1322.14 Public hearings required by law or deemed advisable by the Board shall be organized by a special order that may set forth the subject, date, place, and time of the hearings as well as any rules regarding the length of time of each speaker, etc. The special order shall be adopted by a majority vote. At the appointed time, the Chairman or his designee shall call the hearing to order and then preside over it.
- 1322.15 Minutes shall be kept of all Board meetings.

- 1322.16 To the extent not provided for in these rules and to the extent that the reference does not conflict with the spirit of these rules, the Board shall refer to Robert's Rules of Order, Revised, for unresolved procedural questions.
- 1322.17 Special committees of the Board shall follow the rules of order set forth in this policy except as follows:
- a. A motion in committee does not require a second.
 - b. Committees shall be required to keep minutes.

Legal Reference: G.S. 115C-36; 143-318.10
Adopted: June 5, 2000

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The Superintendent in his role as Secretary shall be responsible for keeping complete and accurate records of the actions of Board meetings in the form of minutes of the Board, including any closed sessions. The minutes of a closed session shall consist of a general account of the session, so that a person not in attendance would have a reasonable understanding of what transpired. All minutes of all official meetings, except closed sessions, shall be kept in an official minute book which shall be kept in the Administrative Offices and open at all reasonable times to public inspection.

Copies of the minutes of each meeting shall be sent with the agenda to the members of the Board before the meeting at which they are approved. Corrections in the minutes may be made at the meeting at which they are approved. Permanent minutes shall be signed by the Chairman and the Secretary upon approval and transcription.

Legal Reference: G.S. 115C-47, -276; 143-318.10(e)
Adopted: June 5, 2000

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News media representatives are welcome to attend all of the regular and special meetings of the Board other than closed sessions.

- 1324.1 Any radio or television station may broadcast an open meeting. Any person may photograph, film, or record an open meeting.
- 1324.2 The placement and use of any equipment necessary to broadcast, film, or record a meeting may be regulated by the Board in order to prevent undue interference with the meeting, but not in such a way as to frustrate the use of the equipment or the coverage of the meeting.
- 1324.3 If a meeting room is too small to accommodate all of the personnel and equipment necessary to broadcast, film, or record a meeting, the Board may require equipment to be pooled. If the news media request an alternate meeting place in order to facilitate news coverage and the Board grants the request, then the news media making the request are responsible to pay any additional costs which may be involved in securing an alternate site.
- 1324.4 If the Board holds a meeting by conference telephone call or other similar means, it shall provide some means for members of the public to listen to the meeting. Notice of an electronic meeting must specify how public access will be provided. The Board may charge each listener a fee of up to twenty-five dollars to defray costs.
- 1324.5 If secret ballots or written ballots are used, members must sign their ballots and the ballots must be made available for public inspection immediately following the meeting. Minutes of any meeting must indicate the vote of each member in any secret or written ballot. Ballots may not be destroyed until the minutes of the particular meeting have been approved.
- 1324.6 The Board may not deliberate, vote, or take any action by referring to a letter, number, or some other designation with the intention of making it impossible for the audience to understand what action is being conducted. However, action by reference to an agenda is permitted, provided copies of the agenda are available to the public during the meeting.

Legal Reference: G.S. 143-318.13, -318.14

Adopted: June 5, 2000

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Persons who willfully interrupt, disrupt, or cause disturbances at an official meeting of the Board may be directed to leave by the presiding officer. If any such person refuses to leave after being directed to do so, he is guilty of a misdemeanor.

Legal Reference: G.S. 143-318.17

Adopted: June 5, 2000

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The Board encourages communication with the public and cooperative school-community interactions, believing that an informed public and an informed Board will result in a better system of public education. Accordingly, the Board welcomes and encourages input from any interested citizen who desires to appear before the Board for the purpose of presenting information or raising matters relating to the public schools. In addition to other methods by which members of the public may bring concerns to the attention of the Board, the Board will provide an open forum as part of the Board's regular meeting schedule, during which approximately fifteen minutes will be set aside near the beginning of the agenda for the specific purpose of allowing members of the public to address the Board. In order to facilitate this communication and in order to plan and conduct orderly sessions that will ensure complete, high quality information is available regarding the subject of such appearances, it is necessary that certain guidelines contained in this policy be followed.

1. Citizens are advised that, in addition to the methods provided in this policy, they may request an item to be placed on the Board agenda in accordance with Board Policy 1321.
2. Discussions regarding particular individual employees, litigation, student records, or other matters which may be required to be kept confidential may not be discussed in the open forum setting. The Chairman will have the responsibility to determine matters of discussion that may be inappropriate and to rule the speaker out of order, if necessary.
3. Most matters of concern will not be able to be responded to completely and capably by the Board at the time they are addressed. They may be referred to a Board committee, the administration, or held over for further discussion at a subsequent meeting, as appropriate.

4. Any individual who desires to speak on a school-related problem must notify the Chairman and/or Superintendent in writing at least three (3) working days prior to the date of the meeting on which the appearance will be made, and shall describe what steps have been taken to resolve the matter with the teacher, principal, or Superintendent. If the matter is presently under review by the administration, then the Chairman may defer the individual's appearance to the next Board meeting.

Any person who desires to appear before the Board to address any other matter may sign up to do so at least fifteen minutes prior to the Board meeting, and supply the following information:

- a. The name and address of the person who desires to appear.
 - b. The subject to be presented for the Board's consideration.
 - c. If a group is to appear, the approximate number of persons who will appear and the name of the spokesman for the group.
 - d. The approximate amount of time which will be required to make the presentation.
5. If the matter to be considered is of an urgent nature or other circumstances are present which prevent compliance with the above requirements, the Board may, in its discretion, waive the requirement of notice; but, ordinarily, this will not be done unless a valid reason exists for failure to give proper notice.
 6. Presentations will be limited to five minutes per person or five minutes per organization. An organization or delegation representing the same concern shall select one individual to make a presentation on its behalf.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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1400

OFFICIAL BOARD RECORDS

1400

The retention, preservation, and storage of Board records shall be the responsibility of the Superintendent.

Legal Reference: G.S. 115C-47, -276; 132-7
Adopted: June 5, 2000

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1410

AVAILABILITY OF BOARD MINUTES

1410

Minutes of the Board, after transcription and adoption, are available as provided in policy 1411. Official records may be copied at the reviewer's expense and must not be removed from the assigned viewing or copying area designated by the Superintendent. Minutes of closed sessions are not available for public inspection so long as public inspection would frustrate the purpose of the closed session.

Legal Reference: G.S. 115C-276; 132-6; 143-318.11(d)
Adopted: June 5, 2000

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The minutes, accounts, and other non-confidential records of the Board of Education are public documents. They are in the custody of the Superintendent. The Superintendent or his designee will make such records available to the public, upon request, during regular business hours.

The Superintendent will charge persons who request public records a cost of 25¢ per page for requested copies.

Confidential records are not open to the public. These include staff and student personnel records, minutes of closed sessions (so long as public inspection would frustrate the purpose of the closed session), records pertaining to such matters as may be discussed in closed session, and such other records as may be required to be kept confidential by law or as may be exempt from the North Carolina Public Records Law (G.S. Ch. 132).

Legal Reference: G.S. 115C -3, -4, -47; Ch. 132
Adopted: June 5, 2000

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1500

REVIEW OF BOARD PROCEDURES/OPERATIONS

1500

The Board shall review its operations and procedures annually with the Superintendent prior to the opening of school.

Legal Reference: G.S. 115C-36, -47, -276
Adopted: June 5, 2000

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1510

POLICY DEVELOPMENT

1510

An important function of the Board is to adopt written policies or general principles to govern the discretionary actions of those to whom it delegates authority. The formal adoption of policies shall be recorded in the minutes of the Board. Only those written statements so adopted and so recorded shall be regarded as official Board policy.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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1511

POLICY DRAFT WRITER

1511

The Superintendent shall designate a person to be responsible for drafting policy recommendations for further deliberation and/or action by the Board. The person designated also shall maintain the policy manual system.

Legal Reference: G.S. 115C-36, -47, -276
Adopted: June 5, 2000

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1512

POLICY DRAFTING

1512

Adopting new policies and amending existing policies is a function of the Board. The Superintendent shall report to the Board from time to time on the policies in operation and shall propose such changes as he deems necessary. Proposals for new policies or for changes to existing policies may be initiated in writing by any Board member, student, employee, or patron of the Pamlico County Schools. All policy proposals shall be referred to the Superintendent for review prior to consideration by the Board.

Legal Reference: G.S. 115C-36, -40, -47
Adopted: June 5, 2000

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1513

ATTORNEY INVOLVEMENT IN POLICY DEVELOPMENT

1513

The Superintendent shall seek the counsel of the Board's attorney and/or other advisors (auditor, architect, physician) when there may be a question of legality or proper procedure in the development of a proposed policy.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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1514

POLICY ADOPTION OR AMENDMENT

1514

Proposals for new policies and policy amendments shall be submitted to the Board for two readings prior to final adoption. This requirement may be waived and a policy may be proposed and adopted at the same meeting upon a two-thirds vote of the members present, but in no event less than a majority of the entire Board.

Legal Reference: G.S. 115C-36
Adopted: June 5, 2000

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1515

POLICY DISSEMINATION

1515

The Superintendent shall establish and maintain an orderly plan for preserving and making accessible in each school the policies adopted by the Board and the administrative regulations to implement them.

Legal Reference: G.S. 115C-276
Adopted: June 5, 2000

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1516

POLICY REVIEW

1516

The Board periodically shall review its policies system. Newly adopted policies shall be distributed by the administration to all holders of policy manuals.

Legal Reference: G.S. 115C-36
Adopted: June 5, 2000

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1517

SUSPENSION OF POLICIES

1517

In extenuating circumstances any section or sections of Board policies may be suspended temporarily by a two-thirds vote of all Board members present; provided, however, that in no case may any policy be suspended by vote of less than a majority of the entire Board.

Legal Reference: G.S. 115C-36
Adopted: June 5, 2000

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When action must be taken on a matter for which Board policy provides no direction for administrative action, the Superintendent shall have the power to act. His actions in such matters, however, are subject to review by the Board, and he shall inform the Board of such action and the probable need for the development of policy.

Legal Reference: G.S. 115C-276

Adopted: June 5, 2000

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1600

BOARD MEMBER ORIENTATION

1600

Membership on the Board requires knowledge of and orientation to many areas of information. Under guidance of experienced members of the Board and the Superintendent, orientation will be provided to new Board members and shall be considered an ongoing process for all school Board members through such activities as:

- 1600.1 Discussions and visits with the Superintendent and other members of the staff.
- 1600.2 Workshops for new Board members conducted by the North Carolina School Boards Association.
- 1600.3 Attendance at school board conferences and conventions on an area, state, and national basis.
- 1600.4 Provision of printed and audio-visual materials on Board policies, administrative regulations, and procedures.
- 1600.5 Workshops for the general benefit of the Board.

Legal Reference: G.S. 115C-36
Adopted: June 5, 2000

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1610

CONVENTION ATTENDANCE BY BOARD MEMBERS

1610

The Board encourages attendance by its members at state, national, and regional meetings and conventions.

Legal Reference: G.S. 115C-36
Adopted: June 5, 2000

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Members of the Board of Education shall be paid one hundred fifty dollars (\$150) monthly. To be eligible for the one hundred fifty dollars, a Board member must attend at least one scheduled meeting during each calendar month. The chairperson of the Board shall receive one hundred seventy-five dollars (\$175) monthly with the same attendance requirement as other Board members.

The members of the Pamlico County Board of Education shall either be reimbursed at rates established by the Board or have actual expenses prepaid for all expenses incurred by them related to performance of their duties as members of the Pamlico County Board of Education.

1620.1 Advances--An advancement of funds not to exceed the estimated expenses for activities related to legitimate Board business may be made to an individual Board member.

1620.2 Reimbursement--Board members with prior approval by the Chairman of the Board of Education may request reimbursement for expenses incurred while hosting guests of the school system. This will include those expenses incurred inside and outside Pamlico County. Reimbursement shall be based upon receipts and reimbursement may not exceed Board per diem rates.

The travel expense reimbursement request shall be processed promptly and delivered to the Board member at least monthly.

Reimbursement to a Board member sharing a room with a member of his/her family shall be limited to the single occupancy rate and reimbursement for food charges shall be limited to those incurred by and for the Board member.

1620.3 Use of System-Owned Vehicles--Board members may use system-owned vehicles for official Board business upon prior notification to the Superintendent.

Legal Reference: G.S. 115C-36, -38

Adopted: November 1, 1982

Revised: November 2, 1992

Revised: July 3, 1995

Revised: June 5, 2000

Revised: November 3, 2008

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The official spokesmen of the district shall be the Chairman of the Board and the Superintendent and the Superintendent's authorized designees. Any person speaking in an official capacity shall conduct his assignment from the standpoint of the best interests of the Board, the school system and the community, not as a representative of his own personal ideas or feelings.

Legal Reference: G.S. 115C-36, -276
Adopted: June 5, 2000

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1800 APPOINTMENT OF PAMLICO COMMUNITY COLLEGE TRUSTEES 1800

The Board of Education will appoint four college trustees to the Board of Trustees of Pamlico Community College for regular four year terms, which begin on July 1. All appointments shall be made by June 30 of the year in which trustees' terms expire.

1800.1 Irregular Appointment

In the event of a vacancy caused by resignation, death, or any other reason, in the office of a trustee appointed by the Board, the Board will act within sixty (60) days to fill the vacancy for the remainder of the unexpired term.

Legal Reference: G.S. 115D-12, -13

Adopted: June 5, 2000

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In lieu of naming school facilities for individuals, the Board has established the "Award of Honor" in order to recognize those individuals who have made exceptional contributions to Pamlico County Schools. This award represents the highest honor that the Board can bestow. Award recipients will be recognized in an appropriate manner by the Board.

Criteria for selection for this award shall be based on exceptional contribution(s) to the quality of education in the areas of academics, student achievement and development, athletics or other extracurricular activities, administration, or community service to the schools. Individuals may be recognized for the contributions made to particular schools or Pamlico County Schools, as well as for accomplishments at the regional, state, or national level so long as there has been a significant benefit to the students in Pamlico County Schools.

Guidelines for the Selection Process:

1. A committee of seven (7) members shall be established by the Board Chairman to receive and screen recommendations for this award. The committee shall include the Chairman and Immediate Past-Chairman of the County Advisory Council. All members will serve for one year on the committee, but may be reappointed for successive terms.
2. Neither current Board of Education Members nor screening committee members shall be eligible for the award.
3. Nominations may be made from January 1 through February 15. Each individual nominated must have a minimum of three letters of recommendation by non-immediate family members.
4. The committee shall meet between February 15 and March 1 to screen nominations.
5. A nominee must receive an unanimous vote by the committee to be eligible for the Award of Honor.
6. Awards shall be made by the Board of Education, from names unanimously approved by the committee, and limited to a maximum of three per year.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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The Pamlico County Board of Education is committed to the purpose of the Community Schools Act (G.S. 115C, Art. 13) and will abide by the Act and the State Board of Education guidelines for implementation of the Act.

The Board believes that local citizens should have maximum involvement in the public schools and the greater use of public school facilities. Such usage of facilities shall not hinder nor inhibit the usage by and for the public school program.

Legal Reference: G.S. 115C-207, -208

Adopted: June 5, 2000

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The Board shall retain, as an independent contractor, an attorney for legal counsel and service to the Board. He will be required to attend such meetings as may be required by the Board or Superintendent. His services are available to the Superintendent and to other staff members with the approval of the Superintendent or the Board. He shall be retained for a two-year period commencing July 1. Any vacancy shall be filled for the remainder of the unexpired contract period.

Legal Reference: G.S. 115C-36
Adopted: June 5, 2000

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2000

FISCAL MANAGEMENT

2000

As trustee of funds allocated for use in public education pre-kindergarten - 12, the Board has the responsibility to protect the funds and use them wisely. The Board:

- A. Encourages advance planning and utilizes the budget process as an essential element of program and financial planning and identifying school system needs and priorities;
- B. Explores all practical and legal sources of income;
- C. Utilizes funds in a manner designed to achieve the greatest educational returns;
- D. Requires efficient and effective financial accounting and reporting procedures that assist the Board and Administration in fulfilling the duty to be accountable for public funds;
- E. Requires continuous efforts to be cost efficient and utilize resources in the most effective manner and directs the Superintendent to develop and enforce regulations and guidelines to enhance these efforts.

Legal Reference: G.S. 115C-47

Adopted: June 5, 2000

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2010

SCHOOL FINANCE OFFICER

2010

There shall be a school Finance Officer appointed or designated by the Superintendent and approved by the Board, in accordance with the provisions of state law. The school Finance Officer shall serve at the pleasure of the Superintendent. The duties of the Finance Officer shall be as prescribed by law and assigned by the Board or Superintendent.

Legal Reference: G.S. 115C-435, - 436

Adopted: June 5, 2000

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2100

ANNUAL BUDGET

2100

The Superintendent shall submit a calendar outlining the annual budget development process by December 31. The Superintendent shall prepare an annual budget and submit it with his budget message to the Board not later than May 1.

Legal Reference: G.S. 115C-427, - 428

Adopted: June 5, 2000

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2200

FINANCIAL REPORTS AND STATEMENTS

2200

The Board shall receive quarterly financial statements showing the financial condition of the school system. Such statements shall reflect obligations incurred as well as those already paid. Such other financial records as may be determined necessary by the Board or the administration shall be presented periodically.

Legal Reference: G.S. 115C-47, -440, - 441

Adopted: June 5, 2000

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2210

INDIVIDUAL SCHOOL ACCOUNTS

2210

The Board authorizes the maintenance of appropriate individual school accounts.

2210.1 The Board shall appoint a treasurer for each school upon the recommendation of the Superintendent.

2210.2 The principal shall be responsible for proper administration of financial activities of the school in accordance with provisions of law and appropriate accounting practices and procedures.

2210.3 Each payment made at the individual school level shall be made on a check signed by both the principal and school treasurer.

2210.4 Monies raised by student organizations shall be expended for the benefit of students or service projects approved by the principal.

2210.5 All funds collected by a school shall be deposited in an individual school account, properly carried through regular bookkeeping channels, and disbursed as required by law.

Legal Reference: G.S. 115C-47, -288, -440, -441, -442, -444, -445, -448

Adopted: June 5, 2000

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The Superintendent is authorized to approve purchases which are within the adopted budget resolution. The Superintendent shall charge the Finance Officer to cause a system of purchasing to be in effect which insures that approval for the authorization of purchases and the payments for goods, along with a record of transactions, are on file. All purchasing disbursements shall be made by check.

- 2300.1 Purchases shall be made through available state contracts whenever feasible, except as provided in Section 2300.2 below. Purchases of supplies, materials, or equipment in excess of \$10,000 shall in all cases be made in accordance with contracts made by or with the approval of the Department of Administration.
- 2300.2 Purchases of supplies, materials, or equipment not in excess of \$10,000 may be made from non-certified sources under the following conditions;
- A. The purchase price, including the cost of delivery, is less than the cost under the State term contract;
 - B. The items are the same or substantially similar in quality, service, and performance as items available under State term contracts;
 - C. Written documentation is maintained of the cost savings; and,
 - D. The Department of Administration is notified of any purchases of items that are substantially equivalent to and not the same as items under State term contracts.
- 2300.3 Insofar as possible, purchases shall be made under conditions which foster competition among potential vendors.
- 2300.4 When competitive bidding is not required or feasible, purchases made in the open market shall be consummated after careful pricing.
- 2300.5 Pursuant to Board policy 7050, it shall not be mandatory that the provisions of G.S. § 115C-522(a) and § 143-129 be complied with in the purchase of supplies and food for the child nutrition services program.

A. Legal Reference: G.S. 115C-522, -522.1; 143-53, -128 to -135
B. Adopted: June 5, 2000

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2310

PURCHASE ORDERS AND CONTRACTS

2310

All purchases of goods, services, and equipment for which the school system will be responsible for payment, except purchases made under approved petty cash funds, shall be made on official purchase orders, properly approved and executed.

Legal References: 115C-47, -440, -441

Adopted: June 5, 2000

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2320

MAINTENANCE OF BIDDERS LIST

2320

The Superintendent shall assure the development and maintenance of lists of potential bidders for the various types of materials, equipment, and supplies used by the school system. Such bidders' lists shall be used in the development of a mailing list for distribution of specifications and invitations to bid. Any supplier may be included in the list upon request, except that no bid will be considered from a supplier who is in arrears to the school system or who is in default, as surety or otherwise, upon any obligation to the school system; nor shall a bid be considered from any supplier or contractor whose performance on any previous contract with the school system has been found to be unsatisfactory by the Board.

Legal Reference: G.S. 115C-47, -436

Adopted: June 5, 2000

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In all procurement activities, agents of the Board shall:

- A. Consider first the interests of the school system and the improvement of its educational program.
- B. Endeavor to obtain the greatest value for every dollar spent.
- C. Give all responsible bidders equal consideration and assurance of unbiased judgment in determining whether their products meet specifications and the educational needs of the school system.
- D. Discourage the offer of, and decline gifts from vendors or potential vendors.
- E. Refrain from soliciting funds or material from vendors, however worthy the purpose.
- F. Accord a prompt and courteous reception, insofar as conditions permit, to all who call on the appropriate purchasing office or officer, with written permission of the school principal or Superintendent, on legitimate business interests.

Legal Reference: G.S. 143-128 through -135; 14-236 to -238; 143-53
Adopted: June 5, 2000

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2322

SOLICITATIONS

2322

Salesmen or representatives of commercial firms shall not be permitted to call or visit for solicitation of students, teachers, and other school personnel during school hours without specific written permission from the Superintendent.

2322.1 All persons should be aware that, in addition to violating Board policy, such actions are in violation of state criminal laws and may result in criminal prosecution, punishable by criminal fines and imprisonment.

2322.2 Except for school sponsored activities, no individual or group of individuals shall be permitted to solicit from employees or students during the school day. Under no circumstances shall an employee or a student be required to make a contribution or purchase.

2322.3 Only salesmen of materials or services which would normally be used within the school shall be admitted to the school with permission of the Superintendent and the principal. Under no conditions shall salesmen disturb teachers who are in the classroom.

Legal Reference: G.S. 14-236; 14-238
Adopted: June 5, 2000

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2350

SALES TAX REFUNDS

2350

The Superintendent or his designee shall submit timely requests for refunds of sales and use taxes paid by the Pamlico County Schools on purchases of tangible personal property, to the full extent allowed by law.

A. Legal Reference: N.C. Gen. Stat. § 105-164.14
Adopted: June 5, 2000

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2400

RECEIVING AND INSPECTING

2400

Personnel responsible for receiving items delivered shall inspect them and shall have ready access to specifications. Receiving personnel shall be responsible for determining that items received are in good quality condition and shall be responsible for entering in the receiving document an actual count of quantity delivered.

Legal Reference: G.S. 115C-47
Adopted: September 7, 1999

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2410

MAINTENANCE OF INVENTORY AND FIXED ASSETS

2410

Administrative personnel shall be responsible for taking a physical count of all equipment items and stock supplies at least once each year.

2410.1 This inventory shall be entered on the Fixed Asset Records accounts for appropriate accounting.

2410.2 Items whose purchase/donation price was two thousand dollars (\$2,000.00) or more (including shipping, taxes, etc.), when such items have a useful and non-expendable life of one year or more and are not primarily used to repair or maintain other fixed assets, shall be identified as fixed assets and shall be accounted for as required by the State, in accordance with administrative procedures approved by the Superintendent. Items whose purchase/donation price was less than two thousand dollars (\$2,000.00) shall be maintained on an inventory list, but do not need to be listed as a fixed asset for capitalization purposes.

Legal Reference: G.S. 115C-36, -47
Adopted: September 7, 1999
Revised: March 4, 2002

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Property of the school system may be disposed of upon the approval of the Superintendent or his designee, in accordance with state law, after it has been determined whether the material involved has saleable value, in which case the Superintendent or his designee shall arrange for the sale of the material. In the event that the material does not have saleable value, the Superintendent or his designee shall determine the proper disposal of the material.

2420.1 In all instances, records of disposal shall be maintained.

Legal Reference: G.S. 115C-518

Adopted: September 7, 1999

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Personal property owned by the Board of Education may be disposed of in accordance with state law following the procedures set forth below.

2421.1 Property valued under \$500 - The Superintendent or his designee is authorized to dispose of personal property owned by the Board of Education that is valued at less than \$500 for any one item or group of similar items, to set the property's fair market value and to convey title to the property for the Board of Education. Prior to disposition, the Superintendent/designee must make a finding that the property is no longer necessary or desirable for school use. The Superintendent/designee shall choose a method of disposal designed to obtain a fair market value for the property in the most efficient and economical manner possible. The disposal of the property may be achieved through public or private exchange or sale. No prior notice of the proposed sale or exchange is required.

On the first work day of February each year the Superintendent/designee shall report to the Board in writing on any property disposed of under this section from July 1 through December 31 of the previous year and shall make another such report on the first work day of August on property disposed of from January 1 through June 30 of that year. The report shall generally describe the property sold or exchanged, to whom it was sold or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

2421.2 Property valued at less than \$5,000 - Personal property valued at less than \$5,000 for any one item or group of similar items may be disposed of through private negotiation and sale or by any other method allowed by law. If the private negotiation and sale method of disposal is chosen, the Board of Education must first determine that the property is no longer necessary or desirable for school use. The Board must then at a regular Board meeting adopt a resolution or order authorizing a school official to dispose of the property by private sale at a negotiated price. The resolution or order must identify the property to be sold and may specify a minimum price. Notice of the resolution must be published at least ten days prior to completion of the private sale.

2421.3 Property valued at \$5,000 or more - Personal property valued at \$5,000 or more for any one item or group of similar items may not be sold by the methods described in Policies 2421.1 and 2421.2. Such property may be disposed of by the Board of Education through advertisement for sealed bids; negotiated offer, advertisement, and upset bids; public auction; or exchanged as outlined in Chapter 160A, Article 12 of the North

Carolina General Statutes. These same methods may be used for the disposition of property valued at less than \$5,000 in lieu of the methods outlined in Policies 2421.1 and 2421.2.

Legal Reference: G.S. 160A, Art.12
Adopted: September 7, 1999

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Any gift or bequest constituting revenues that is accepted by the school system shall be deposited in the appropriate fund.

Legal Reference: G.S. 115C-426
Adopted: September 7, 1999

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The Board is the sole agency authorized to execute formal contracts between the school system and any firm or person offering to provide materials, equipment, or services to the school system.

2500.1 All system-level contracts made on behalf of the Board of Education involving expenditures exceeding \$20,000 must receive prior approval from the Board. Unless otherwise prohibited by statute or state regulation, the Superintendent or his designee is authorized to enter into contracts or approve change orders for contracts involving amounts up to \$20,000. Items in excess of the project budget must be approved by the Board. The Superintendent must report such agreements to the Board at its next regularly scheduled meeting. Where feasible, the Superintendent/ designee shall seek informal bids for such contracts.

2500.2 School principals may enter into contracts for:

- a. School pictures;
- b. Yearbooks and school newspapers (all other contracts for printing of reports, forms, etc., should be handled through the Finance Officer);
- c. Fund-raising activities undertaken in compliance with Board Policies;
- d. Disc jockeys/bands and facilities for dances to be paid for with club or class funds;
- e. Athletic officials and other persons working at athletic events to be paid from athletic funds;
- f. Class rings;
- g. Caps and gowns; and
- h. Senior supplies (i.e., invitations, note cards, class keys, etc.).

School principals may enter into other contracts for goods or services in amounts up to \$2,000 without prior approval, provided there are sufficient funds in the local school account to cover the contract. Principals immediately shall report to the Finance Officer all school contracts exceeding \$2,000 which are authorized by this subsection.

2500.3 All system-level contracts must be reviewed in advance by the Finance Officer. In addition, all original system-level contracts or contract forms must be reviewed by the Board attorney. The attorney need not review renewal agreements previously reviewed unless amendments have been added or proposed. The attorney may be consulted to review school-level contracts where appropriate.

2500.4 This policy shall not apply to items that must be purchased under the requirements of State Purchase and Contract. In addition, all contracts involving construction or repair work or purchase of apparatus, supplies, materials or equipment must be undertaken in compliance with Chapter 143 of the North Carolina General Statutes and Board policies.

Legal Reference: G.S. 115C-518, -522; Ch. 143, Art. 3; 143-129 through -133
Adopted: June 5, 2000

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2600

DEPOSITORIES

2600

At least every three years the Board shall solicit bids from, and shall designate as official depositories of the school system one or more banks, savings and loan associations, or trust companies in North Carolina. No money shall be deposited in any place other than an official depository, except as permitted by G.S. 115C-443(b), which exception relates only to forms of time deposits approved by the Local Government Commission.

Legal Reference: 115C-443, -444
Adopted: June 5, 2000

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2610

DAILY DEPOSITS

2610

Except as otherwise provided by law, all monies collected or received by an officer, employee, or agent of the school system or an individual school shall be deposited in accordance with this policy. Each officer, employee, and agent of the school system or individual school whose duty it is to collect or receive any taxes or other monies shall deposit his collections and receipts daily. Regardless of the amount on hand, all funds shall be deposited at the end of each school week and on the last business day of each month. All deposits shall be made with the Finance Officer or in an official depository. No monies may be deposited into any account which has not been opened or maintained with the approval of the Finance Officer. Deposits in an official depository shall be reported immediately to the Finance Officer or individual school treasurer by means of a duplicate deposit ticket. The Finance Officer may at any time audit the accounts of any officer, employee, or agent collecting or receiving any taxes or other monies, and may prescribe the form and detail of these accounts. The accounts of such an officer, employee, or agent shall be audited at least annually.

Legal Reference: G.S. 115C-445
Adopted: June 5, 2000

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The school Finance Officer shall make only those salary deductions authorized by the Board and/or required by federal and state law. The Board authorizes the following salary deductions:

- a) Federal income taxes
- b) State income taxes
- c) Federal social security taxes
- d) N.C. State Retirement contributions
- e) Health insurance premiums authorized by N.C. Gen. Assembly
- f) Tax sheltered (deferred) annuities, 403(b)
- g) Supplemental Retirement Income Plan of N.C., 401(k)
- h) Court-ordered child support payments
- i) Federal, state, and local government garnishments
- j) N.C. State Employees Credit Union deductions
- k) United Way contributions
- l) Flexible benefits plan deductions, Section 125
- m) Group life insurance premiums
- n) Group dental insurance premiums
- o) U.S. Savings Bonds
- p) Dues for employees' associations that are domiciled in North Carolina and have at least 2,000 members, the majority of whom are employees of the State or public school employees. Such deductions shall become void if the employees' association engages in collective bargaining with the State, any political subdivision of the State, or any local school administrative unit.
- q) Other deductions as may be approved by the Board

All new applications, cancellations, or allowable changes in deduction amounts must be filed with the Finance Officer no later than the fifteenth (15th) day in the calendar month prior to the month in which the change is to become effective. Cancellations of policies will be accepted anytime.

Salary deductions for tax-sheltered annuities will be allowed only for annuities offered by companies that serve five (5) or more Board employees with such annuities. Employees served before the effective date of this policy by a company that has enrolled fewer than five (5) employees will nonetheless continue to have such salary deductions.

The Board of Education prohibits solicitation of contracts on school property except at the end of the employee's work day, on a strictly voluntary basis, with the prior permission of the Superintendent and school principal. The Board of Education will not endorse any company.

Legal Reference: G.S. 14-238; 115C-339 through -343.

Adopted: June 5, 2000

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2630

FIDELITY BONDS

2630

The Finance Officer shall give a true accounting and faithful performance bond with sufficient sureties in an amount to be fixed by the Board, not less than ten thousand dollars nor more than two hundred fifty thousand dollars. The treasurer of each individual school and all other officers, employees, and agents of the school system who have custody of public school money in the normal course of their employment or agency shall give a true accounting bond with sufficient sureties in an amount to be fixed by the Board.

Legal Reference: G.S. 115C-442

Adopted: June 5, 2000

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2640

AUTHORIZED SIGNATURES

2640

When a change occurs in the person or persons holding the position(s) of officer of the Board, Superintendent, school Finance Officer, or other officer connected with financial transactions in the name of the school system or of an individual school, the Board shall name the authorized replacement person(s) and provide for the necessary bonding, subject to a criminal records background check.

Legal Reference: G.S. 115C-47, -439, -442

Adopted: June 5, 2000

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The Board may provide by appropriate resolution for the use of facsimile signature machines, signature stamps, or similar devices in signing checks and drafts and in signing the preaudit certificate on contracts or purchase orders. The Board shall charge the Finance Officer or some other bonded officer or employee with the custody of the necessary machines, stamps, plates, or other devices, and that person and the sureties on his official bond are liable for any illegal, improper, or unauthorized use of them.

Legal Reference: G.S. 115C-439

Adopted: June 5, 2000

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2700

INSURANCE

2700

Custody of insurance policies and insurance programs and services shall be vested in the Finance Officer.

Legal Reference: G.S. 115C-36, -47, -278
Adopted: June 5, 2000

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2710

GENERAL LIABILITY

2710

The Board shall provide general liability insurance coverage for the Board and its members, collectively and individually, and may provide such coverage for school system employees.

Legal Reference: G.S. 115C-42
Adopted: June 5, 2000

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The school system shall have its accounts and the accounts of individual schools audited as soon as possible after the close of each fiscal year by a certified public accountant or by an accountant certified by the Local Government Commission as qualified to audit local government accounts. The auditor who audits the accounts of the school system shall also audit the accounts of its individual schools. The auditor shall be selected by and shall report directly to the Board. The audit contract may be for up to a three-year term, in writing, shall include all its terms and conditions, and shall be submitted to the Secretary of the Local Government Commission for his approval as to form, terms, and conditions. The terms and conditions of the audit contract shall include the scope of the audit, and the requirement that upon completion of the examination the auditor shall prepare a typewritten or printed report embodying financial statements and his opinion and comments relating thereto. The financial statements accompanying the auditor's report shall be prepared in conformity with generally accepted accounting principles. The auditor shall file a copy of the audit report with the Secretary of the Local Government Commission, the Controller of the State Board of Education, the Board, and the Board of County Commissioners, and shall submit all bills or claims for audit fees and costs to the Secretary of the Local Government Commission for his approval. It is unlawful for the school system to pay or permit the payment of such bills or claims without this approval. Each officer, employee, and agent of the school system having custody of public money or responsibility for keeping records of public financial or fiscal affairs shall produce all books and records requested by the auditor and shall divulge such information relating to fiscal affairs as he may request. If any member of the Board or any other public officer, employee, or agent shall conceal, falsify, or refuse to deliver or divulge any books, records, or information, with an intent thereby to mislead the auditor or impede or interfere with the audit, he is guilty of a misdemeanor.

Legal Reference: G.S. 115C-447

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A. Formal Bidding

1. In General. Formal bids shall be sought as provided in this section whenever the Board of Education seeks to undertake any construction or repair work requiring the estimated expenditure of \$150,000.00 or more, or to purchase any apparatus, supplies, materials or equipment requiring the estimated expenditure of \$75,000.00 or more. The requirements of this section do not apply: 1) to contracts for services; 2) to contracts for the purchase of gasoline, diesel fuel, alcohol fuel, motor oil or fuel oil; 3) to construction or repair work undertaken during the progress of a project initially bid under these provisions; or 4) in cases of emergency involving the health and safety of people or property. In the discretion of the Superintendent, the requirements of this section may not apply to the purchase of supplies and food for school food services.
 - (a) Preparation of specifications shall be in accordance with G.S. 143-128(a).
 - (b) Construction methods. The Board of Education shall award contracts for the erection, construction, alteration, or repair of buildings pursuant to any of the following methods:
 - (1) Separate-prime bidding;
 - (2) Single-prime bidding;
 - (3) Dual bidding pursuant to subsection (d1) of G.S. 143-128;
 - (4) Construction management at risk service contracts pursuant to G.S. 143-128.1; and
 - (5) Alternative contracting methods authorized pursuant to G.S. 143-135.26(9).

2. Bids

- (a) Separate-Prime Contract System. When the Board of Education uses the separate-prime contract system, it shall accept bids for each subdivision or branch of work for which specifications are required to be prepared under subsection (a) of G.S. 143-128, and shall award the respective work specified separately to responsible and reliable persons, firms or corporations regularly engaged in their respective lines of work. Bids may also be accepted from and awards made to separate contractors for other categories of work.

Each separate contractor shall be directly liable to the Board of Education and to the other separate contractors for the full performance of all duties and obligations due respectively under the terms of the separate contracts and in accordance with the plans and specifications, which shall specifically set forth the duties and obligations of each separate contractor.

For the purpose of this section, "separate contractor" means any person, firm or corporation who shall enter into a contract with the Board of Education, for the erection, construction, alteration or repair of any building or buildings, or parts thereof.

When the estimated cost of the work to be performed in any single area is less than Fifteen Thousand and no/100 Dollars (\$15,000.00), a separate bid for this work is not required. This work may be bid along with one of the other categories of work.

(b) Single-Prime Contract. When bids are accepted under the single-prime contract system all bidders must identify on their bid the contractors they have selected for the subdivisions or branches of work for:

- (1) Heating, ventilating, and air conditioning;
- (2) Plumbing;
- (3) Electrical; and
- (4) General.

No contractor whose bid is accepted shall substitute any person as subcontractor listed in the original bid, except (i) if the listed subcontractor's bid is later determined by the contractor to be nonresponsive or the listed subcontractor refuses to enter into a contract for the complete performance of the bid work, or (ii) with the approval of the awarding authority for good cause shown by the contractor. The terms, conditions, and requirements of each contract between the contractor and a subcontractor performing work under a subdivision or branch of work listed in this subsection shall incorporate by reference the terms, conditions, and requirements of the contract between the contractor and the Board of Education.

The requirements of this subsection (b) governing the identification of bidders, substitution of contractors, and the terms and conditions of subcontractors' contracts apply to all single-prime bidding and single-prime contracts, including those bids in the alternative pursuant to subsection (d1) of G.S. 143-128. When contracts are awarded pursuant to this section, the Board of Education shall make available to subcontractors the dispute

resolution process adopted by the State Building Commission pursuant to G.S. 143-135.26(12) or another dispute resolution process adopted by the Board of Education, including mediation, to resolve project disputes.

(c) Dual Bidding. Dual bidding shall be carried out in accordance with G.S. 143-128 subsection (d1).

3. Advertisement. An advertisement inviting proposals shall be placed in a newspaper of general circulation in the county, or shall be circulated by electronic means, or both, at least one week before the time for opening bids. If the advertisement is circulated solely by electronic means, approval must be given by the Board at a regular scheduled meeting. The advertisement shall state the time and place where the specifications or descriptions relating to the bid may be obtained and the time and place for the opening of bids. The advertisement shall also state that the Board of Education reserves the right to reject any and all proposals.
4. Bid Deposit. All bids submitted must be accompanied by a bid deposit or bid bond of at least five percent (5%) of the bid amount. The deposit may take the form of: 1) cash, 2) cashier's check, 3) a certified check from an FDIC insured bank or trust company, or 4) a bid bond executed by a corporate surety licensed to execute such bonds under North Carolina law. No bid for construction or repair work for \$300,000 or more or for the purchase of any apparatus, supplies, materials or equipment for \$90,000 or more, will be accepted without a bid deposit or bond.

Bid bonds shall be returned to bidders after the contract is awarded. However, the successful bidder's bid deposit shall be retained if the bidder fails to execute the contract within ten (10) days after the award or fails to obtain the necessary performance and payment bonds.

5. Opening and Awarding Bids. All bids shall be opened in public and recorded in the Board Minutes. The Board shall award the contract to the lowest responsible bidder or bidders, taking into consideration quality, performance and the time specified in the proposals for the performance of the contract. Action by the Board to award contracts or reject bid proposals shall be recorded in the Board Minutes.

If all of the bids received exceed the funds available for the contract, the Board may negotiate with the lowest responsible bidder and make reasonable changes in the plans and specifications to bring the contract price within budget. If the negotiation fails, the Board may readvertise the contract with revised specifications.

The Board may not award a contract if fewer than three competitive bids are received from reputable and qualified contractors in the initial solicitation. Under these circumstances, the Board shall readvertise the contract. If, after a second advertisement, three competitive bids still are not received, the Board

may award the contract to the lowest responsible bidder submitting a bid even if only one bid is received.

6. Performance and Payment Bonds. With any contract for construction or repair for more than \$25,000.00 in a project costing over \$150,000.00, the contractor must provide the Board with performance and payment bonds from a surety company legally authorized to do business in North Carolina or a bond substitute (cash, certified check, or government securities) for 100 percent of the contract amount. The Board may, in its discretion, require a performance and/or a payment bond for any construction or repair contract.
7. Withdrawal of Bids in Case of Bid Error. A bid may be withdrawn without forfeiture of the bid bond if all of the following conditions are met:
 - (a) the bid was submitted in good faith;
 - (b) the bid price was based upon a mistake which constitutes a substantial error;
 - (c) there is credible evidence that the error was clerical, not an error in judgment, and that it was due to an unintentional and substantial arithmetic error or an unintentional omission of a substantial quantity of work, labor, material or services made in compiling the bid;
 - (d) the error can be clearly shown by objective evidence appearing in the original work papers, documents or materials used in preparing the bid; and
 - (e) the request to withdraw is made in writing to the Board prior to the award of the contract but not later than 72 hours after the opening of bids.

If the Board receives a bid-withdrawal request it shall hold a prompt hearing on the matter, giving the bidder notice of the time and place of the hearing. The bidder shall be given an opportunity to appear and present testimony and evidence in support of his request. The Board shall render its decision on the request in writing within five days after the hearing.

8. Alternative Bidding Methods for Purchase of Apparatus, Supplies, Materials, or Equipment. The Board may use the following methods to obtain competitive bids:

- (a) Reverse Auction. A "reverse auction" is a real-time purchasing process wherein bidders compete to provide goods at the lowest price in an open and interactive environment. During a reverse auction, the bidders' prices may be revealed. Either the Board or a third party may conduct the reverse auction, which may also be conducted through the State electronic procurement system. Reverse auctions shall not be used for the procurement of construction aggregates such as gravel, crushed stone, or sod.

- (b) **Electronic Bidding.** Bids may be received electronically in addition to or instead of paper bids. Procedures shall be designed to ensure security, authenticity, and confidentiality of electronic bids to at least the same extent provided for sealed paper bids.

I.B. Informal Bids

Informal bids shall be sought for construction or repair work, or for the purchase of apparatus, supplies, materials or equipment if the estimated contract amount is greater than Thirty Thousand and no/100 Dollars (\$30,000.00) but less than the amounts requiring formal bids listed in Section A.1. above. Such contracts shall be awarded to the lowest responsible bidder, taking into consideration quality, performance and the time specified in the bids for performance of the contract. No minimum number of bids is required before awarding a contract resulting from informal bids. A record of all bids submitted shall be maintained and shall be subject to public inspection.

Informal bids may be sought for contracts for less than the amounts cited above in the Superintendent's discretion.

A.C. Other Requirements

1. Use of School Employees. Nothing herein shall be construed to prevent the use of school system employees to work on any project when the total cost of the project, including direct and indirect costs of labor, services, material, supplies and equipment is Seventy-Five Thousand and no/100 Dollars (\$75,000.00) or less. No bidding requirements shall apply to such work.
2. Unemployment Relief Labor. These bidding requirements may not apply to construction repair work using unemployment relief labor paid for in whole or in part by funds furnished by the state or federal government.
3. Registered Architect or Engineer. A registered architect or engineer shall be retained or employed to prepare plans and specifications for contracts involving the expenditure of public funds in excess of:
 - (a) Three Hundred Thousand Dollars (\$300,000.00) for the repair of public buildings where such repair does not include major structural change in framing or foundation support systems,
 - (b) One Hundred Thirty-Five Thousand Dollars (\$135,000.00) for the repair of public buildings where such repair includes major structural change in framing or foundation support systems,

- (c) One Hundred Thirty-Five Thousand Dollars (\$135,000.00) for the construction of, or additions to, public buildings or State-owned and operated utilities, or
- (d) One Hundred Thousand Dollars (\$100,000.00) for a project affecting a life safety system.

Projects involving an estimated professional fee of less than Thirty Thousand Dollars (\$30,000) for architectural, engineering and surveying services shall be exempt from the procurement procedures as set out in G.S. 143-64.32.

For all projects where an estimated professional fee will be \$30,000.00 or more, the Board of Education shall announce all requirements for architectural and engineering services and select a firm qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required. The Board shall negotiate a contract for architectural or engineering services at a fair and reasonable fee with the best qualified firm. If a contract cannot be negotiated with the best qualified firm, the Board shall initiate negotiations with the next best qualified firm. The Board may vote to exempt itself from the provisions of this paragraph for particular projects. The motion shall state the reasons for the exception and the circumstances attendant thereto.

Legal Reference: G.S. Chapter 143, Art. 8; 133-1.1; 44A-26; 115C-521, -522, -264; Chapter 1108, 1988 Session Laws; Chapter 480, 1989 Session Laws

Adopted: June 5, 2000
Revised: February 5, 2007

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**MINORITY BUSINESS ENTERPRISE
PARTICIPATION IN CONSTRUCTION PROJECTS**

A. Statement on Non-Discrimination

It is the policy of the Pamlico County Board of Education to provide minorities equal opportunity to participate in all aspects of school system contracting and purchasing programs, including but not limited to the following: participation in procurement contracts for materials, supplies, and equipment; contracts for professional, support and other services; and contracts for the construction, renovation or repair of school facilities and equipment.

It is further the policy of the Pamlico County Board of Education to prohibit discrimination against any person or business enterprise on the basis of race, color, ethnic origin, sex or religion and to conduct its contracting and purchasing programs so as to prevent such discrimination.

It is the policy of the Board of Education in concert with other local, state and federal agencies and with the assistance of minority groups and agencies, to actively seek and identify qualified minority business enterprises (MBEs) and to offer them the opportunity to participate, and to encourage them to participate, in the school system's contracting and purchasing programs.

It is not the policy of this Board to provide information or other opportunities to minority business enterprises that will not be available to all business enterprises. It is the intent of this policy to establish procedures designed to assure minority business enterprises access to information and opportunities available to other business enterprises. This policy applies to all construction projects, the cost of which exceeds One Hundred Thousand Dollars and no/100 (\$100,000.00), which are governed by N.C. Gen. Stat. 143-128.

It is not the intent of this policy to establish procedures that will increase the cost of the school system's construction and purchasing programs. It is the intent of this policy to widen opportunities for participation, to increase competition, and to reduce costs.

B. Definitions

1. Minority Business (MBE) - A business:

- (a) In which at least fifty-one percent (51%) is owned by one or more minority persons, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons, and,

**MINORITY BUSINESS ENTERPRISE
PARTICIPATION IN CONSTRUCTION PROJECTS (cont.)**

- (b) Of which the management and daily business operations are controlled by one or more of the minority persons who own it.
2. Minority Person - A person who is a citizen or lawful permanent resident of the United States and who is:
- (a) Black, that is, a person having origins in any of the black racial groups in Africa;
 - (b) Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;
 - (c) Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, the Pacific Islands;
 - (d) American Indian or Alaskan Native, that is, a person having origins in any of the original peoples of North America; or
 - (e) Female.

C. Goal Setting Pursuant to N.C. Gen. Stat. 143-128

The Pamlico County Board of Education shall have a verifiable goal of ten percent (10%) for participation by minority businesses in building construction contracts awarded pursuant to N.C. Gen. Stat. 143-128.

D. Owner Responsibilities

1. The Pamlico County Schools shall have a contact person responsible for advertising contracts awarded pursuant to N.C. Gen. Stat. 143-128.
- (a) The contact person shall compile a list of minority businesses within the bidding area, using information obtained from the North Carolina Department of Economic and Community Development, Minority Business Development Agency, or from other institutions or agencies providing such information.

**MINORITY BUSINESS ENTERPRISE
PARTICIPATION IN CONSTRUCTION PROJECTS (cont.)**

- (b) This list shall be updated on an annual basis and shall be open for inspection and shall be available so that minority businesses will have the opportunity to add their names to the list.
 - (c) Copies of this policy shall be transmitted to the businesses on the list as soon as practicable along with the name of the Pamlico County Public School System's contact person. The School System's contact person shall serve as the liaison for minority businesses for project-related questions.
- 2. For each such building contract put out for bids under the separate specification or single-prime contract systems, or both, notice of the contract shall be transmitted to minority businesses on the above list.
- 3. For each such building contract put out for bids under the separate specification or single-prime contract systems, or both, documents related to the contract shall be available for inspection at a convenient and accessible location of which minority businesses on the MBE list, kept pursuant to paragraph 1 of Section D, herein, shall receive notice.
- 4. For each such building contract put out for bids under the separate specification or single-prime contract systems, or both, the Pamlico County Schools shall hold a pre-bid conference to orient contractors and subcontractors to the policy expressed in this resolution as well as bid procedures and regulations. Minority businesses on the list obtained and maintained as provided herein shall be notified of and invited to these pre-bid conferences.
- 5. For each such building contract put out for bids under the separate specification or single-prime contract systems, or both, published notice of the contract shall include a statement that all contractors submitting bids will be required to provide an affidavit that they made a good faith effort to comply with the provisions of this policy.
- 6. For any such building contract put out for bids under the separate specification contract system, the contact person designated herein shall maintain records with respect to:
 - (a) those contractors notified of the project and the number of these contractors that are minority businesses as defined in N.C. Gen. Stat. 143-128 and

**MINORITY BUSINESS ENTERPRISE
PARTICIPATION IN CONSTRUCTION PROJECTS (cont.)**

- (b) appearing on the list of minority businesses maintained pursuant to paragraph 1 of Section D, herein;
- (b) those contractors that bid or otherwise respond to notice of the project and the number of these that are on the maintained list of minority businesses;
- (c) those contractors awarded contracts as part of the project and the number and identity of those that are on the list of minority businesses; and
- (d) the percentage of work on the project that is to be performed by minority businesses as reported (pursuant to Section E of this policy) by the contractor awarded the bid.

E. Contractor Responsibilities

The school system shall require bidders on school construction and renovation projects covered by N.C. Gen. Stat. 143-128 to provide an affidavit verifying that they have made a good faith effort to solicit MBEs as subcontractors. For any building contract put out for bids pursuant to N.C. Gen. Stat. 143-128, the apparent low bidder under each contract system shall submit, within seventy-two (72) hours of bid opening, records with respect to:

1. those subcontractors, notified of the project, that are minority businesses as defined in N.C. Gen. Stat. 143-128 and appearing on the list of minority businesses maintained pursuant to paragraph 1 of Section D, herein;
2. those elements of the project for which subcontracts will be let;
3. the number of subcontractors that are minority businesses as defined in N.C. Gen. Stat. 143-128 appearing on the list of minority businesses maintained pursuant to paragraph 1 of Section D, herein;
4. those subcontractors that bid or otherwise respond to notice of the project and the number of these that are on the maintained list of minority businesses;
5. those subcontractors selected for participation in the project and the number and identity of those that are on the list of minority businesses; and

- 2901 6. the percentage of work on the project that is anticipated to be performed by minority businesses appearing on the list maintained pursuant to this policy. 2901
- MINORITY BUSINESS ENTERPRISE**
PARTICIPATION IN CONSTRUCTION PROJECTS (cont.)

Failure to provide the affidavit or the above-described records shall be grounds for rejection of the bid.

F. Regulations and Procedures

The Superintendent of the Pamlico County Schools shall develop Regulations and Procedures for implementation of this policy.

Legal Reference: G.S. 143-128; 115C-47, -276

Adopted: June 5, 2000

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3000	RESPONSIBILITY FOR COMPLIANCE WITH BOARD POLICY	3000
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All school employees shall be held responsible for familiarizing themselves with the printed policies of the Board and shall be held accountable for compliance. Nothing contained in this policy manual may be construed by employees as granting or guaranteeing any property or contractual interests. All policies are subject to change by the Board.

Unless the context or content of a policy provides otherwise, the 3000 policy series applies to instructional personnel and the 4000 series applies to support personnel.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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CODE OF ETHICS AND STANDARDS OF CONDUCT

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Each employee is responsible for both the integrity and the consequences of his or her own actions. The highest standards of honesty, integrity, and fairness must be exhibited by each employee when engaging in any activity concerning the school system, particularly in relationships with vendors, suppliers, students, parents, the public, and other employees. Employee conduct should be such as to protect both the person's integrity and/or reputation and that of the school system. An unswerving commitment to honorable behavior by each and every employee is expected. Integrity can accommodate the inadvertent error and the honest difference of opinion; it cannot accommodate deceit or subordination of principle.

Each employee should conduct himself in such a manner as to promote a safe, secure, and orderly school environment. Further, each employee's conduct should foster a climate of respect at the school and, thus, by example demonstrate that appropriate personal conduct should be a priority for all students and all school employees.

Employees shall perform their jobs in a competent and ethical manner without violating either the public trust or applicable laws, policies and regulations. It is not practical or possible to enumerate all of the situations that might fall under the guidelines of this policy. In addition to other policies, regulations and approved practices that have been established covering specific areas of activity (such as purchasing), the absence of law, policy or regulation covering a particular situation does not relieve an employee from the responsibility to exercise the highest ethical standards at all times.

The Superintendent shall develop in Regulations and Procedures guidelines which address the specifics related to this policy.

Legal Reference: G.S. 14-234 to -236; 115C-47 and -105.47.
Adopted: June 5, 2000

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DRUG-FREE WORKPLACE

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The Pamlico County Board of Education believes that work environments must be free of employees who are under the influence of alcohol or illegal drugs, or who abuse prescription drugs. It is the purpose of this policy to ensure that all employees are free of these substances so that they may perform their tasks safely and efficiently. Emphasis will be placed on rehabilitation of employees who abuse drugs or alcohol so that they may live up to their responsibilities and the standards set by this policy. All employees should be aware of the harmful effects and dangers of alcohol and other drug abuse. Specifically, an employee working under the influence of alcohol or drugs:

- A. May create unsafe conditions for other employees and students;
- B. May perform unsatisfactorily and may adversely affect the performance of those who work with him;
- C. May discredit the Pamlico County Schools and cause disrespect for both the Board of Education and the Pamlico County Schools among students and parents.
- D. May violate the duty of all Pamlico County Schools employees to serve as role models for students.

I. Definitions

For the purposes of this policy, the following definitions shall apply:

- A. A "Category A employee" is one whose primary duty includes being a school bus driver, an activity bus driver, a driver's education teacher, a bus mechanic, or a security officer. Because of the sensitive nature of the duties of these employees and because misjudgment by such employees may have an immediate impact on the safety and physical well-being of students and other school personnel, the Board has established a special category for these employees.
- B. "Illegal drugs" are defined as controlled substances when used for non-medical purposes and substances which may affect or alter bodily functions, judgment, or perception when used for non-medical purposes, whether listed as a controlled substance or not. The North Carolina Controlled Substances Act (N.C. Gen. Stat. Ch. 90, Art. 5) and the United States Controlled Substances Act (21 U.S.C. § 801 et seq.) define "controlled substances" and make them illegal when used for non-medical purposes.

C. "Under the influence" is defined as being that state when an employee's behavior or performance is affected to an observable extent by alcohol, drugs or other substances. Without regard to an employee's behavior or performance, an employee shall be deemed to be under the influence when his alcohol content level as determined by a breathalyzer or blood test equals or exceeds the level that constitutes impaired driving in a commercial motor vehicle under the Motor Vehicle Laws of North Carolina (N.C. Gen. Stat. § 20-138.2).

D. "Abuse" of prescription drugs or other substances occurs when a person uses prescription drugs or other substances either without or in a manner contrary to the specific direction of a physician and where such use affects the employee's behavior or performance to an observable extent.

II. Prohibited Acts

The Board prohibits the following acts:

A. The manufacture, sale, distribution, possession or use of illegal drugs or the abuse of prescription drugs by its employees;

B. The sale, distribution, possession or use of alcohol by its employees while on duty;

C. In the case of Category A employees, driving at any time while under the influence of alcohol or other drugs.

III. Penalties for Noncompliance

Any employee who violates this policy shall be subject to disciplinary sanctions, which may include dismissal. When appropriate, emphasis shall be given to rehabilitation of employees.

A. Any employee who is convicted or pleads guilty or no contest to a felony involving selling, distributing, possessing and/or using illegal drugs in violation of state or federal law shall be dismissed. In addition, if a Category A employee is convicted or pleads guilty or no contest to a charge of driving at any time while under the influence of alcohol or drugs, he shall be dismissed.

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B. Any employee who sells or distributes illegal drugs shall be dismissed. Any employee who uses or is found to be under the influence of illegal drugs or to be abusing prescription drugs while on duty shall be subject to discipline, up to and including dismissal, except that a Category A employee shall be dismissed in all such cases.

C. Any employee who sells or distributes alcohol while on duty shall be dismissed. Any employee who uses or is found to be under the influence of alcohol while on duty shall be subject to discipline, up to and including dismissal, except that a Category A employee shall be dismissed in all such cases.

D. In those cases where discipline less than dismissal is appropriate under this policy and where there appears to be a reasonable possibility of rehabilitating an employee, he shall be referred to appropriate programs. After an assessment and evaluation, the employee may, as an alternative to other discipline, be allowed to participate in a rehabilitation program as approved by the Superintendent and at the employee's expense. (This alternative is not available to Category A employees.) If the employee fails to complete the program satisfactorily, then the employee shall be disciplined, up to and including dismissal. If the employee is found to have committed a subsequent drug or alcohol offense after entering the program, then the employee shall be dismissed.

IV. Authority to Test

A. Pre-employment testing

All job applicants for Category A positions shall be required to undergo a drug test prior to and as a condition of final employment by the Board of Education. A confirmed, positive test indicating illegal or prohibited use of drugs will disqualify the applicant for employment with the school system. All newly hired Category A employees, full and part-time, will be temporary employees pending a review of drug test results.

All job applicants will be required to read this policy as a condition of employment and sign a statement of intent to comply with this policy.

B. Post-employment - Category A employees

After they have been employed, Category A employees will be required to:

1. Submit to random alcohol and drug tests without cause;

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DRUG-FREE WORKPLACE (cont.)

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2. Submit to an immediate medical examination, including alcohol or drug testing, where a supervisor or other management employee has reasonable suspicion to believe that the employee is under the influence of alcohol or other drugs;

3. Immediately submit to alcohol or drug testing if involved in an accident while operating a school vehicle; and

4. Read this policy as a condition of continuing employment and sign a statement of intent to comply with this policy.

In the event the employee refuses to submit to a drug test as required herein, or there is a positive alcohol or drug test, and it is confirmed by the medical review officer that the Category A employee has been using illegal drugs or abusing prescription drugs, then the employee shall be dismissed.

Testing of all commercial motor vehicle operators employed by the Board, including school bus and activity bus drivers, shall include testing that complies with 49 C.F.R. Part 382 and Board policy 3008/4008/8308.

C. Post-employment - All employees

Each employee shall be given a copy of this policy.

Any employee of the Board may be required to submit to a drug or alcohol test when a supervisor or other management employee has reasonable suspicion to believe that the employee is using alcohol or illegal drugs or is abusing prescription drugs in the workplace. Refusal to consent to such testing shall be cause for disciplinary action up to and including dismissal.

Reasonable suspicion justifying such testing may be based on, among other things:

1. Observation of drug use or possession and/or the physical symptom(s) of being under the influence of a drug or alcohol;

2. A pattern of abnormal conduct or erratic behavior consistent with abuse of drugs or alcohol;

3. Arrest or conviction for a drug- or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation;

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DRUG-FREE WORKPLACE (cont.)

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4. Information provided either by reliable and credible sources or independently corroborated; or

5. Evidence that the employee has tampered with a previous drug or alcohol test.

V. Drug-Free Workplace Act of 1988

In furtherance of the goals of the Drug-Free Workplace Act of 1988 and as a condition of employment with the Pamlico County Schools, each employee must comply fully with this policy. Each employee is required to notify his or her immediate supervisor and the appropriate personnel department representative within five days after any criminal conviction or no contest plea involving alcohol or drugs. Employees who are aware of another employee's on-the-job alcohol or other drug violation must notify their immediate supervisor and the appropriate personnel department representative. Employees who fail to make such notification are subject to disciplinary action up to and including dismissal.

VI. Confidentiality

Information obtained through implementation of this policy is intended to be solely for the purposes specified in this policy and to protect the health and safety of students and/or employees. The confidentiality of all test results will be maintained as required by applicable laws, with only those persons having a need to know being informed of the results.

VII. State Law

All drug testing conducted by or on behalf of the Pamlico County Board of Education will comply with the requirements of N.C. Gen. Stat. 95-230 through -234.

VIII.

Employees shall be provided information concerning available counseling, rehabilitation, and re-entry programs.

Legal Reference: G.S. 115C-47; G.S. Ch. 95, Art. 20; 21 U.S.C. 812; 41 U.S.C. 701 et seq.; 49 U.S.C. App. 2717; 49 C.F.R. Parts 40 & 382

Adopted: June 5, 2000

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**DRUG AND ALCOHOL TESTING OF
COMMERCIAL MOTOR VEHICLE OPERATORS**

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The purpose of this policy is to help ensure safe operation of school vehicles and to comply with federal regulations by establishing a comprehensive program of drug and alcohol testing for school bus drivers and all other commercial motor vehicle operators employed by the Board.

Applicability

Persons subject to this policy include anyone who operates a commercial motor vehicle in the course of their duties for the Board of Education, including anyone who regularly or intermittently drives a school bus, activity bus, or other vehicle designed to transport sixteen or more people, including the driver.

Prohibited Acts

No person who is subject to this policy, or any supervisor of such persons, may commit any act prohibited by 49 C.F.R. Part 382, or by Board policy 3008/4008/8308. In addition, commercial motor vehicle operators employed by the Board shall not be impaired by alcohol or by any prescription or non-prescription drug while on duty or while operating any motor vehicle. Employees found in violation of this policy or Part 382 will be subject to dismissal.

Procedures

The administration shall ensure that the collection procedures outlined in 49 C.F.R. Part 40 are met, and that testing, reporting, record retention, training, confidentiality, and other requirements of 49 C.F.R. Part 382 are met.

Testing

The administration shall carry out pre-employment, post-accident, random, reasonable suspicion, return to duty, and follow-up testing for drugs and alcohol as required by 49 C.F.R. Part 382. School bus drivers and others employed by the Board for the primary purpose of operating a commercial motor vehicle shall undergo pre-employment testing. Employees whose duties include intermittent driving will not be subject to pre-employment testing but must undergo pre-duty testing before operating a commercial motor vehicle, and must undergo all other testing required by Part 382. Refusal of any test required pursuant to this policy or Part 382 shall be cause for dismissal.

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**DRUG AND ALCOHOL TESTING OF
COMMERCIAL MOTOR VEHICLE OPERATORS
(cont.)**

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Pre-employment Inquiry

All applicants who would be subject to this policy if employed shall consent in writing to the release of any information gathered pursuant to 49 C.F.R. Part 382 by any of the applicant's previous employers. Before employing any applicant covered by this policy or Part 382, the administration shall obtain, pursuant to written consent, all records maintained by the applicant's previous employer of prohibited acts taking place during the previous two years.

Training and Education

Each commercial motor vehicle operator and supervisory employee, including principals and assistant principals, shall be provided with educational materials that inform the employees of drug testing procedures, prohibited acts, consequences, and other aspects of 49 C.F.R. Part 382 and this policy. The information also shall identify a school system employee who will be responsible for providing information on substance abuse. Each employee shall sign a statement certifying receipt of these materials.

Each supervisor responsible for overseeing the performance of commercial motor vehicle operators shall undergo at least one hour of training concerning alcohol misuse and an additional hour of training concerning drug abuse.

Referrals

Each motor vehicle operator who violates acts prohibited by 49 C.F.R. Part 382, other than provisions governing pre-employment testing, shall be provided with information concerning resources available for evaluating and resolving drug or alcohol misuse. This information shall include names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. Before allowing anyone who has committed a prohibited act under 49 C.F.R. Part 382 to drive again, that employee shall be evaluated by a substance abuse professional and must undergo any appropriate treatment designated by the substance abuse professional.

Legal Reference: 49 U.S.C. App. 2717; 49 C.F.R. Parts 40 & 382
Adopted: June 5, 2000

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3010
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EQUAL EMPLOYMENT OPPORTUNITIES

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It is the policy of the Pamlico County Board of Education to provide all applicants for employment with equal employment opportunities and to provide current employees with training, compensation, promotion, and other attributes of employment without regard to race, color, religion, national origin, sex, age, or handicap, except where sex, age, or physical requirements are essential occupational qualifications. All candidates will be evaluated on their merits and qualifications for positions.

The Pamlico County Board of Education also recognizes the educational and professional advantages of racial, sexual, and cultural diversity in the make-up of the professional staff that is employed to serve the students enrolled in the Pamlico County Schools. Therefore, the Board is also committed to a recruitment and employment program that will result in a professional staff that reflects the racial, sexual, and cultural diversity of the Pamlico County community and the students who attend the Pamlico County Schools.

3010.1 The Superintendent shall report annually to the Board on the progress made
in
4010.1 adhering to this policy.

Legal Reference: Civil Rights Acts of 1866, 1870, 1871, and 1964; Age
Discrimination in Employment Act of 1967; Equal Pay Act of 1963;
Executive Order 11246; Title IX of the Education Amendments of
1972; Vocational Rehabilitation Act of 1973; 20 U.S.C. § 1703; G.S.
126-16

Adopted: June 5, 2000

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It shall be the policy of the Board that a continuous system of recruitment and selection of personnel be maintained in order to assure competent candidates for vacancies as needed.

3020.1 The Board of Education acknowledges that the most important aspect of attaining excellence in education is the quality of the teaching staff and the administrative staff. With that in mind, the Board hereby adopts as policy and states its determination to strive for such excellence and further declares its intent to employ, re-employ, and grant career status only to those teachers and administrators who possess, have exhibited, and who continue to strive for excellence in their preparation for, performance of, and contribution toward the educational process.

Hereafter, satisfactory performance shall be considered the minimum acceptable standard of performance for teachers and administrators in this school system; however, satisfactory performance shall not constitute any assurance to any teacher or administrator of rights to or consideration for employment, re-employment or career status.

Subjective and objective appraisals of preparation for, performance of, and contribution toward the educational process and the needs of the school system shall be considered by the Board in making decisions to employ, re-employ, and grant career status to teachers.

3020.2 It shall be Board policy that when current employees apply for vacancies which would constitute promotion that such requests be given full consideration in light of the applicant's qualifications.

Legal Reference: G.S. 115C-325

Adopted: June 5, 2000

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3021

PROCEDURE FOR CANDIDATE EVALUATION

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Candidates for employment will be selected on the basis of:

- A. Application
- B. Academic qualification
- C. State certification
- D. Record of student teaching experience
- E. Record of teaching experience
- F. Personal interview
- G. Background check, including criminal records check for recommended candidates

Legal Reference: G.S. 114-19.2; 115C-295, -299

Adopted: June 5, 2000

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3022

HIRING PROCEDURE

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The Board shall hire instructional personnel only upon the recommendation of the Superintendent. The Superintendent or his designee shall have the authority to hire instructional personnel on an interim basis subject to later approval by the Board.

Legal Reference: G.S. 115C-47, -276

Adopted: June 5, 2000

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**CRIMINAL HISTORY CHECK OF APPLICANTS
AND INDEPENDENT CONTRACTORS**

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The Pamlico County Board of Education believes that it should attempt to provide a safe and secure learning and working environment for all students and staff. The Board also believes that employees should be role models for students. Criminal convictions against, or pleas of guilty or nolo contendere by an applicant may have an impact upon these goals and will be considered in hiring and dismissal decisions. Accordingly a criminal history check will be conducted on all final candidates who will be recommended to the Board for school personnel positions, including independent contractors who are being considered for performing the duties of a school personnel position.

3023.1 School personnel positions are defined as all positions based in a school,
including
4023.1 the following positions: principal, assistant principal, school
administrative staff, certified staff, teaching assistant, coaching assistant and
trainer, substitute teacher, custodian, driver training teacher, and bus driver.
School personnel positions also include central office positions in which the
duties are substantially performed in the schools, and there is significant
access to students.

3023.2 A reasonable effort will be made to ascertain whether the final
candidate for a
4023.2 school personnel position has any criminal history in the county of
residence, employment, or schooling for at least the past five years. The
superintendent or designee is authorized to utilize local, state or national repositories
of records as necessary to conduct a reasonable review.

3023.3 The applicant will be required to be fingerprinted and to provide any
other
4023.3 information necessary to conduct the criminal history check. The
criminal history check will be conducted at the school system's expense.
Any applicant who refuses to consent, including independent contractors,
will not be considered for a school personnel position.

3023.4 Any offer of employment is conditional on a favorable review of the
criminal

4023.4 history. If a final candidate or contractor has a criminal history, the employment decision will include written documentation of how the criminal history information was used, including a determination of whether the final candidate/independent contractor (1) poses a threat to the physical safety of students or personnel or (2) has demonstrated that he or she does not have the integrity or honesty to fulfill the duties of the position. An applicant will not be denied a position based upon the criminal history check by the Justice Department without confirmation of the criminal history by certified copy of the conviction or other means permitted by State Board rules.

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**CRIMINAL HISTORY CHECK OF APPLICANTS
AND INDEPENDENT CONTRACTORS (cont.)**

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3023.5 Applicants shall be required to answer completely and accurately all questions on

4023.5 their applications with regard to previous criminal history. False information on an employment application or contract will subject the applicant or contractor to not being hired and an employee to being dismissed.

Legal Reference: G.S. 114-19.2(a); 115C-36, -332
Adopted: June 5, 2000

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HEALTH CERTIFICATE REQUIRED

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Every new employee and any employee returning to work after an absence of more than one school year, or who has been absent for more than forty (40) successive school days because of a communicable disease, shall be required to furnish a fully completed and approved health certificate on the prescribed forms before assuming his duties.

Legal Reference: G.S. 115C-323
Adopted: June 5, 2000
Revised: September 3, 2002.

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COMMUNICABLE DISEASES - EMPLOYEES

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It is the policy of the Pamlico County Board of Education to attempt to provide a safe and secure environment for all students and employees. Under certain circumstances employees with communicable diseases may pose a threat to the health and safety of students and staff. In an effort to maintain a balance between the need to protect students' and employees' rights and to control serious communicable diseases, decisions regarding the employment status of employees with communicable diseases shall be made on a case-by-case basis, in accordance with this policy.

- 3031.1 Employees with communicable diseases, including AIDS and HIV infection, shall
4031.1 be permitted to continue employment in accordance with Subsection 3031.2/4031.2. Any employee suffering from such a disease shall report this fact to his immediate supervisor. When the school system learns that an employee has a serious communicable disease, the Superintendent shall form an advisory committee to evaluate the employee's status.
- 3031.2 The advisory committee formed by the Superintendent shall include the Superin-
4031.2 tendent or his designee, the employee's principal or immediate supervisor where appropriate, a physician representing the county health director or his designee, legal counsel, as necessary, and, when available, the employee's personal physician. The committee shall review the case of each such employee to determine how the employee's disease is transmitted, how long the employee will be infectious, to what degree the employee's presence in his current job exposes students and other staff to harm, and the probability that the disease will be transmitted to others in the school community. If the committee determines that a significant risk of transmission exists in the employee's current position, the Superintendent, after consulting with the medical experts on the committee, shall determine whether alternative employment opportunities that would eliminate that risk and for which the employee is otherwise qualified are reasonably available within the school system. All deliberations of the advisory committee shall be kept strictly confidential.
- 3031.3 Employees with AIDS or HIV infection have or may develop immunodeficiencies
4031.3 which increase the risk of severe complications from exposure to other communicable diseases that appear in the school setting. Accordingly, employees should report to the principal and/or the Assistant Superintendent for Administrative Services in the event they suffer from any such immunodeficiency. Whenever possible, the principal and/or supervisor should notify an infected employee of the existence of chicken pox,

influenza, meningococcus, measles or tuberculosis occurring in the workplace that may represent a serious threat to the employee's health.

3031.4 The personnel informed of the condition of an employee with AIDS or HIV

4031.4 infection should be limited to those needed to protect the health and safety of the employee, students and other staff, and to identify situations where potential for transmission of the disease might exist. Those informed of the employee's condition shall respect and maintain his right to privacy and the confidentiality of his records. These persons shall be provided with appropriate information concerning necessary precautions, and they shall be made aware of confidentiality requirements.

3031.5 In accordance with N.C. Gen. Stat. 130A-136, school principals shall report

4031.5 suspected cases of communicable diseases, including AIDS, to the County Health Department. Confidentiality of such reports is protected by law, and school employees are presumed by the law to be immune from liability for making such reports in good faith. The principal also shall report suspected cases of communicable diseases, including AIDS or HIV infection, to the Superintendent.

3031.6 In order to prevent the spread of communicable diseases, guidelines for necessary

4031.6 health and safety precautions shall be distributed by the administration and shall be followed by all school employees.

3031.7 Nothing in this policy is intended to grant or confer any employment rights beyond

4031.7 those existing by law or contract.

Legal References: Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.; 29 C.F.R. 1630; 10A N.C.A.C. 41A.0101, et seq.; N.C. Gen. Stat. Chapter 130A, Article 6; §115C-36 and -47(18).

Adopted: June 5, 2000

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**3032
SMOKING AND TOBACCO PRODUCTS PROHIBITED**

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It is the policy of the Board of Education to promote the health and safety of all students and staff and to promote the cleanliness of all school facilities. To this end, the Board prohibits at all times the use of any tobacco product by any person in any school building or facility, or on school grounds, and in or on any school property owned or operated by the Pamlico County Schools. This policy also prohibits the use of any tobacco product by persons attending a school-sponsored event at a location not listed above when in the presence of students or school personnel or in an area where smoking is otherwise prohibited by law.

Tobacco products may be included in instructional or research activities in school buildings, provided the activity is conducted or supervised by a faculty member overseeing the instructional research, and the activity does not include smoking, chewing, or otherwise ingesting the tobacco product. Permission must be obtained from the principal prior to conducting any such instructional or research activities.

The Superintendent is responsible for providing adequate notice to students, parents, the public and school personnel of this policy, including posting signs regarding this policy in every school building. The Superintendent is also responsible for enforcing this policy at the central office of the Pamlico County Schools. The principal of each school in the school system is responsible for enforcing this policy at his or her respective school and shall require that school personnel enforce this policy.

Legal Reference: G.S. 115C-47(18), -407; 20 U.S.C. §6083
Adopted: June 5, 2000
Revised: July 6, 2004
Revised: December 3, 2007

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COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS

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The Board recognizes the importance of using precautionary measures and educating employees to prevent the transmission of communicable diseases.

In furtherance of this objective, Pamlico County Schools will comply with regulations on bloodborne pathogens in 13 North Carolina Administrative Code 7C.0101(a)(96), which is identical to OSHA regulations, 29 Code of Federal Regulations 1910.1030. The citations in this policy refer to the federal regulations. Additional training and education beyond the requirements of these regulations also will be provided as described below.

The following procedures will be followed in order to comply with the bloodborne pathogens regulations.

3033.1 Exposure Determination

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All job classifications must be categorized as to whether (1) all employees in the job classification have occupational exposure; (2) some employees in the job classification have tasks which create occupational exposure, with each of these tasks being listed; or (3) all employees in the job classification perform no tasks which are likely to create occupational exposure. 1910.1030(c)(2).

Occupational Exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. 1910.1030(b).

The exposure determination will be made by the Superintendent or his designee by consulting with the exposure control team to identify tasks where occupational exposure may occur.

The exposure determination must be included in the exposure control plan and reviewed at least annually to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. 1910.1030(c)(iv).

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**COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS
(cont.)**

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3033.2 Exposure Control Plan

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The exposure control plan will include the schedule and methods for implementing universal precautions, engineering and work practice controls, personal protective equipment, housekeeping, and labeling of hazardous areas. The plan also will include the schedule and method for providing training classes, Hepatitis B vaccination and post-exposure follow-up. The plan will show how records will be maintained for training classes, Hepatitis B vaccinations/refusals of vaccinations, and exposure incident reports. 1910.1030(c)(1).

The exposure control team will be responsible for drafting and producing the final copy of the exposure control plan and for making copies available as required by 1910.1030(1)(iii)(5). The exposure control team also will ensure that an annual review of the exposure control plan is conducted and that input is sought from employees.

3033.3 Hepatitis B Vaccination

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The Hepatitis B vaccination will be made available to all employees with occupational exposure, at no cost at a reasonable time and place by a licensed physician or other healthcare professional or someone supervised by a licensed professional. The tests will be performed at an accredited laboratory. The vaccination shall be made available within ten working days of initial assignment but after receiving the training required by 1910.1030(g)(2). An employee may refuse the vaccination and at any later date choose to receive the vaccination. 1910.1030(f)(1), (2).

The Assistant Superintendent For Administrative Services will coordinate healthcare services necessary to provide the vaccination.

The Assistant Superintendent For Administrative Services will maintain Hepatitis B vaccination records as part of the medical records required to be kept for duration of employment plus 30 years. 1910.1030(h)(1).

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COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS
(cont.)

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The Assistant Superintendent For Administrative Services will ensure that those refusing Hepatitis B vaccinations will sign a statement of refusal. The Assistant Superintendent for Administrative Services will maintain records of refusals in the medical records of employees. 1910.1030(f)(2).

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Post-Exposure Follow-Up

Following a report of an exposure incident, Pamlico County Schools will make available to the exposed employee a confidential medical evaluation and follow-up. 1910.1030(f)(3).

The Assistant Superintendent for Administrative Services will coordinate provision of contracted healthcare services or reimbursement for healthcare services as identified in 1910.1030 (f)(3), (4) and (5), and will ensure incident exposure forms are available to employees.

The Assistant Superintendent for Administrative Services will maintain records of exposure incidents which shall be kept as part of the employee's medical record for the duration of employment plus thirty years with information required by 1910.1030(f)(5), (6) and 1910.1030(h)(1).

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Training of Employees

All employees with occupational exposure (either all in an identified job classification or for particular employees who perform tasks reasonably anticipated to cause occupational exposure) must receive training at the time of initial assignment and annually from the date of previous training. Training must be provided within ten days of initial assignment and before the Hepatitis B vaccination is offered. 1910.0130(f)(2)(i), 1090.1030(g)(2).

Training of those classified as having occupational exposure must include material as described in 1910.1030(g)(2)(vii). For those who are occupationally exposed but received training prior to the effective date of 1910.1030(g)(2), training must only be provided initially to address any gaps in material required to be taught by 1910.1030(g)(2)(vii).

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**COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS
(cont.)**

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Pamlico County Schools also is providing basic training to other employees who are not occupationally exposed according to the statutory definition but who may benefit from exercising universal precautions. These employees include administrative personnel. The assistant superintendent for administrative services will be responsible for providing training for employees and making records of training.

Training records required by 1910.1030(h)(2) for classes taught to occupationally exposed employees will be maintained by the assistant superintendent for administrative services for three years. The information contained in records will include all information required by 1910.1030(h)(2)(i).

Training records not required by the statute will be maintained by the principals/department heads/supervisors.

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Workplace Safety Precautions

Pamlico County Schools will comply with all universal precautions, engineering and workplace controls, personal protection equipment, and housekeeping in 1910.1030(d). Labeling of hazardous materials also will be performed as required by 1910.1030(g)(1).

The exposure control team will be responsible for assuring that the exposure control plan has a complete schedule and method of implementation of workplace safety precautions to be included in the exposure control plan. The exposure control team will work with the Finance Officer in developing the schedule and methods of implementation for engineering and workplace controls as identified in 1910.1030(d)(2), personal protection equipment in 1910.1030(d)(3), housekeeping in 1910.1030(d)(4), and labeling in 1910.1030(g)(1).

The Superintendent or his designee will ensure precautions are in place and that the exposure control plan is updated at least annually to reflect changes in facilities or employee tasks. 1910.1030(c)(iv).

The Finance Officer will ensure the purchase of protective equipment and its availability to employees. The Finance Officer also will ensure purchase of protective labels and their use in all required work areas.

3033 **COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS** **3033**
4033 **(cont.)** **4033**
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3033.7 Confidentiality

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Pamlico County Schools and its employees shall strictly adhere to all confidentiality rules and laws regarding employees with communicable diseases, including HIV or HIV-associated conditions.

Legal Reference: 13 N.C. Admin. Code 7C.0101(a)(96); 29 C.F.R. 1910.1030
Adopted: June 5, 2000

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SEXUAL HARASSMENT

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The Pamlico County Board of Education believes that all employees and students are entitled to work and study in school-related environments that are free of sexual harassment. To this end, the Board prohibits employees from engaging in sexual harassment and advises employees that when evidence of sexual harassment is established, disciplinary action may be taken, up to and including dismissal.

3035.1 Unwelcome sexual advances, requests for sexual favors, and other verbal or
4035.1 physical conduct of a sexual nature constitute sexual harassment

when:

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- A. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic progress, or completion of a school-related activity; or
- B. Submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual, or, in the case of a student, submission to or rejection of such conduct, is used in evaluating the individual's performance within a course of study or other school-related activity; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or a student's educational performance, or creating an intimidating, hostile, or offensive environment.

3035.2 Examples of sexual harassment include, but are not limited to, continued or repeated
4035.2 offensive sexual flirtations, advances or propositions; continued or repeated verbal

8335.2 remarks about an individual's body; sexually degrading words used toward an individual or to describe an individual; and the display in the work place of sexually suggestive objects or pictures. Sexual harassment does not include personal compliments welcomed by the recipient, or social interactions or relations freely entered into by employees or prospective employees.

3035.3 It is possible for sexual harassment to occur at various levels:

between peers or 4035.3 co-workers, between supervisors and

subordinates, between employees and

8335.3 students, or imposed by non-employees on employees and/or students.

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SEXUAL HARASSMENT (cont.)

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- A. In the event that anyone believes that he/she has been sexually harassed, he/she should bring the matter to the attention of the designated Title IX Coordinator for the Pamlico County Schools, who is the Assistant Superintendent for Administrative Services. Upon listening to the facts and allegations, the Assistant Superintendent for Administrative Services will advise the person on how to attempt to resolve the matter directly and informally, or if that course fails or is unwise, to present the complaint in writing to him with supporting detail. The Assistant Superintendent for Administrative Services will then proceed to investigate the matter and will attempt to resolve it in an expeditious manner.

- B. If for any reason, the complainant is not satisfied with the administration's response, he/she may file an appeal with the Chairman of the Board of Education.

Legal Reference: Title VII of the Civil Rights Act of 1964; G.S. 126-16; Equal Employment Opportunity Commission's "Final Amendment Guidelines on Discrimination Because of Sex"; Title IX of the Education Amendments of 1972

Adopted: June 5, 2000

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PROHIBITED RELATIONSHIPS WITH STUDENTS

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All employees of the Pamlico County Board of Education, other than student employees, are prohibited from dating, courting or entering into a romantic or sexual relationship with any student who is enrolled in the Pamlico County Schools, regardless of the student's age or consent. Employees engaging in such inappropriate conduct will be subject to disciplinary action, up to and including dismissal.

Any employee who has reason to believe that another employee is inappropriately involved with a student, as described above, shall report this information to the Assistant Superintendent for Administrative Services. An employee who fails to make such a report when he has a reasonable belief that an inappropriate relationship exists, may be subject to disciplinary action.

Legal Reference: G.S. 115C-47, -308
Adopted: June 5, 2000

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PROHIBITION OF BULLYING, HARASSMENT AND DISCRIMINATION

Bullying, harassment, and discrimination are prohibited in the Pamlico County schools. The Pamlico County schools and staff shall not tolerate any bullying, harassment, or discrimination on school property and grounds or at any school activity on or off campus. The board believes that all employees and students should be free of discrimination, harassment, and bullying as a part of a safe, orderly, caring and inviting working and learning environment. The board commits itself to nondiscrimination in all its educational and employment activities.

The board also prohibits retaliation against an employee or student who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of this policy.

Any violation of this policy is considered a serious violation and appropriate action will be taken in response to a violation.

3037.1 APPLICATION OF POLICY **4037.1** **8337.1**

All persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school district must comply with all applicable federal and state laws and regulations regarding harassment, bullying, or discrimination. Visitors also are expected to comply with applicable laws, including the prohibition against discrimination, harassment and bullying of students or employees. This policy will apply in the following circumstances:

1. while in any school building or on any school premises before, during or after school hours;
2. while on any bus or other vehicle as part of any school activity;
3. while waiting at any bus stop;
4. during any school function, extracurricular activity or other activity or event;
5. when subject to the authority of school personnel; and
6. any time or place when the behavior has a direct and immediate effect on

maintaining order and discipline in the schools.

3037.2 DEFINITIONS
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For purposes of this policy, the following definitions will apply.

1. *Discrimination.* As used in this policy, discrimination means unlawful differential treatment of others based solely on their membership in a protected group or category, such as race, color, national origin, sex, pregnancy, religion, age, or disability. Discrimination may be intentional or unintentional.

2. *Harassment and Bullying.* As used in this policy, harassing or bullying behavior refers to any pattern of gestures or written, electronic or verbal communications, or any physical act or threatening communication, that:
 1. Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
 2. Creates or is certain to create a hostile learning or working environment. A "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that is bullying or harassing behavior.

Harassing or bullying behavior includes verbal or physical conduct that is intended to intimidate, injure, degrade, or disgrace another student or person, or that has such an effect. It may include a pattern of abuse over time and may involve a student being "picked on." It can include a variety of behaviors, such as but not limited to the following:

- Physical intimidation or assault
- Derogatory verbal comments (e.g., name-calling, hostile teasing, cruel rumors, taunts, put-downs, epithets, false accusations, harassment or discriminatory acts, slurs and mean-spirited jokes)
- Threatening gestures or actions; oral, cyber, or written threats
- Extortion or stealing money and possessions
- Shunning and exclusion from peer group
- Hazing

Harassing or bullying behavior includes, but is not limited to, behavior described above that is reasonably perceived as being motivated by an actual

or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

3037.3 REPORTING DISCRIMINATION, HARASSMENT OR BULLYING
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1. Any student who believes that he or she has been harassed, bullied or discriminated against in violation of this policy should report such behavior immediately to a teacher, counselor or administrator at his or her school. In the case of alleged harassment or bullying of a student by a school employee, a report also may be made to the Associate Superintendent for Administrative Services or designee.
2. Any employee who believes that he or she has been harassed, bullied or discriminated against in violation of this policy should report such behavior promptly to his/her immediate supervisor and/or the Associate Superintendent for Administrative Services or designee.
3. Any school employee who observes or becomes aware of alleged harassing, bullying or discriminatory behavior shall promptly report the incident as follows:
 - a. If the alleged perpetrator is a student, the report shall be made to the principal;
 - b. If the alleged perpetrator is a school employee, the report shall be made to the alleged perpetrator's immediate supervisor and/or the Associate Superintendent for Administrative Services;
 - c. If the alleged perpetrator is some other person, the report may be made to the principal and/or the Associate Superintendent for Administrative Services;
 - d. Failure to make such a report required by this section may subject the employee to disciplinary action.
4. Any person may report an act of harassment, bullying or discrimination anonymously. However, formal disciplinary action may not be taken solely on the basis of an anonymous report.
5. If the person to whom a report should be made under this section is the alleged perpetrator, or in circumstances not otherwise provided above, a report of harassing, bullying or discriminatory behavior may be made to the Associate

Superintendent for Administrative Services, the Superintendent, or the Board attorney.

3037.4 INVESTIGATION
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1. All reports of alleged harassment, bullying or discriminatory behavior shall be promptly and thoroughly investigated.
2. Investigation of alleged harassment, bullying or discriminatory behavior by a student shall be conducted by the principal or designee.
3. Investigation of alleged harassment, bullying or discriminatory behavior by an employee shall be conducted by the Associate Superintendent for Administrative Services or designee.
4. Investigation of alleged harassment, bullying or discriminatory behavior by a volunteer or visitor shall be conducted by the principal or designee if the behavior occurred on school grounds or at a school activity, and otherwise by the Associate Superintendent for Administrative Services or designee.
5. If the individual designated as investigator under this policy is the alleged perpetrator, the investigation shall be conducted by an appropriate person designated by the Superintendent. If the alleged perpetrator is the Superintendent or a member of the Board, the Board attorney shall be the investigator.
6. If at any time the investigator receives information alleging that the harassment, bullying or discriminatory behavior was based on sex or gender, the investigator shall notify the school system's Title IX Coordinator. In such case, the procedures outlined in Board Policy 3035/4035/8335 (Sexual Harassment) shall be followed.
7. The school system shall notify law enforcement and other appropriate external agency if required by law or board policy.

3037.5 INTERVENTION AND DISCIPLINARY ACTION
4037.5
8337.5

1. The actions taken in response to harassment, bullying or discriminatory behavior should be reasonably calculated to end any harassment, bullying, or discrimination, eliminate a hostile environment if one has been created, and prevent harassment, bullying or discrimination from occurring again. In addition

to taking disciplinary action as necessary, the principal or other school official shall take appropriate remedial action to address the conduct fully.

2. Violations of this policy shall be considered misconduct and will result in disciplinary action up to and including long-term suspension or expulsion in the case of students and disciplinary action up to and including dismissal in the case of employees.
3. This policy shall not be construed or applied so as to discipline students or other persons for expression protected by the First Amendment, or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.
4. Nothing in this policy precludes the school system from taking appropriate disciplinary action against a student or employee where the evidence does not establish harassment, bullying or discrimination but the conduct fails to satisfy the school system's high expectations for appropriate conduct.

3037.6 NON-RETALIATION
4037.6
8337.6

The board prohibits reprisal or retaliation against any person who reports an act of discrimination, harassment or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the principal or the appropriate supervisory personnel, after consideration of the nature and circumstances of the act, in accordance with applicable federal, state or local laws, policies and regulations.

3037.7 TRAINING AND PROGRAMS
4037.7
8337.7

The Superintendent shall designate an employee(s) to participate in training by the Department of Public Instruction pertaining to anti-discrimination, anti-harassment and anti-bullying. The designee shall provide leadership and training in the school district regarding this policy and state requirements.

The board will provide training for students and staff regarding the board's policy on discrimination, harassment and bullying and as appropriate will create programs to address these issues. To the extent funding is made available, the Superintendent shall provide additional training to school employees and volunteers who have significant contact with students. The Superintendent shall ensure that any training or programs provided will include identifying groups that may be the target of discrimination, harassment or bullying; identifying places at which such behavior may occur including within school

buildings, at school bus stops, via the internet, etc.; and providing clear examples of behavior that constitutes discrimination, harassment or bullying.

3037.8 NOTICE
4037.8
8337.8

The Superintendent is responsible for providing effective notice of this policy to students, parents and employees. This policy shall be posted on the school system website, and copies of the policy should be readily available in the principal's office, the media center at each school and the Superintendent's office. Notice of this policy shall appear in all student and employee handbooks and in any school system publication that sets forth the comprehensive rules, procedures and standards of conduct for students and employees.

3037.9 COORDINATORS
4037.9
8337.9

The Superintendent or designee shall publish the names, addresses and phone numbers of the "Title IX coordinator" (for sex discrimination), "Section 504 coordinator" (for discrimination on the basis of disability) and the "ADA coordinator" (also for discrimination on the basis of disability) in a manner intended to ensure that employees, applicants, students, parents and other individuals who participate in the school district's program are aware of the coordinators. The purpose of the coordinator positions is to provide additional protection of nondiscrimination rights. The coordinator either must (1) implement a resolution to a discrimination, harassment or bullying complaint, to the extent a resolution can be reached and the coordinator has the authority to implement corrective action or (2) notify the Superintendent that intervention by other school officials is required to resolve the situation.

3037.10 RECORDS AND REPORTING
4037.10
8337.10

The Superintendent or his or her designee shall maintain confidential records of complaints or reports of harassment, bullying, or discrimination. The records shall identify the names of any individuals accused of harassment, bullying, or discrimination and the resolution of such reports or complaints. The Superintendent also shall maintain records of training, corrective action or other steps taken by the district to help provide an environment free of harassment, bullying, or discrimination.

The Superintendent shall report to the State Board of Education all verified cases of discrimination, harassment or bullying. The report will be made

through the Discipline Data Collection Report or through other means required by the State Board of Education.

Legal References: North Carolina School Violence Prevention Act, G.S. §115C-407.5 et seq.; State Board Policy HRS-A-007.

Cross Reference: Policy 3035/4035/8335, Sexual Harassment; Rule 28, Policy 6401, Student Code of Conduct.

Adopted: September 8, 2009
Revised: December 7, 2009

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I.3040 PRINCIPAL'S DUTIES – SAFE SCHOOLS 3040

Each school principal is responsible for maintaining a safe, secure and orderly environment at his school. To maintain this environment, the principal shall:

- Exhibit appropriate leadership for school personnel and students;
- Provide for alternative placements for students who are seriously disruptive;
- Report all criminal acts required to be reported to law enforcement under N.C. Gen. Stat. § 115C-288(g);
- Provide appropriate disciplinary consequences for disruptive students; and
- Facilitate the development and maintenance of a Safe Schools plan.

Consequences for failure to carry out these duties include a reprimand in the personnel file and disciplinary proceedings (including dismissal) under § 115C-325.

Legal Reference: N.C. Gen. State. § 115C-105.47(b)(3), -288(g), -325.

A. Adopted: June 5, 2000

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I.
II.3100 CERTIFICATION 3100

The policy of the Board is to employ professional personnel who qualify for North Carolina certification.

3100.1 If situations arise which necessitate the employment of professional personnel who do not fully meet the requirements for an "A" or higher classification of certification, evidence of progress in removing the deficiencies or in satisfying the State's alternative entry license procedure must be presented before reemployment shall be considered.

3100.2 When situations which warrant special consideration occur they may be treated as exceptions.

Legal Reference: G.S. 115C-295, 296, -296.1
Adopted: June 5, 2000

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I.3110 CERTIFICATION VALIDATION
3110

Establishing certification with the North Carolina Department of Public Instruction is the responsibility of the individual.

Legal Reference: G.S. 115C-296
Adopted: June 5, 2000

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I.
II.3111 CERTIFICATION RENEWAL
3111

Certification renewal is the responsibility of the individual.

Legal Reference: G.S. 115C-296
Adopted: June 5, 2000

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3200

INITIAL ASSIGNMENT

3200

Instructional personnel shall be assigned by the Office of Personnel after considering the recommendations of the proposed principal or other immediate supervisor on the basis of training, competence, experience, and the actual needs of the school system.

Legal Reference: G.S. 115C-276, -301
Adopted: June 5, 2000

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3201

JOB DESCRIPTIONS

3201

Job descriptions shall be on file in the personnel office and shall be used for selection, salary, evaluation, and job classification standards. It shall be the duty of each principal, supervisor, or director to cooperate in the preparation of job descriptions. Employees and their supervisors will be required periodically to review their descriptions and make a statement of change or no change.

Legal Reference: G.S. 115C-47(18)
Adopted: June 5, 2000

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The principal or other appropriate administrator will make specific assignments in keeping with the qualifications of each employee and the needs of the program.

3210.1 No new assignment shall be made which places one member of a family in direct supervisory or evaluative relationship with another member of his immediate family. A member of the immediate family shall be defined as: wife, husband, sister, brother, son, daughter, mother, father, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

3210.2 In the event of a dismissal, demotion or other disciplinary or grievance proceeding involving an immediate family member of a Board member or other hearing panel member, the Board member or hearing panel member shall recuse himself from participating in any such proceeding.

Legal Reference: G.S. 115C-36, -47, -288
Adopted: June 5, 2000

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TITLE:	Teacher
QUALIFICATIONS:	Certification or eligibility for certification as a teacher in the state
REPORTS TO:	Principal
SUPERVISES:	May coordinate and direct the activities of teacher aides
PURPOSE:	To help students learn subject matter and skills that will contribute to their educational and social development. To teach the required curriculum as adopted by the Board.

PERFORMANCE RESPONSIBILITIES:

1. Planning the Program - The teacher cooperates, as requested, in the development of annual objectives for the school and plans an instructional program which incorporates these objectives.
2. Overseeing the Program - The teacher incorporates learner objectives compatible with the subject, grade level, established curriculum, and student needs. The teacher assesses his instructional program to determine its effectiveness.
3. Updating the Program - The teacher maintains an effective program by establishing and maintaining an adequate knowledge of subject areas and child growth and development.
4. Managing Daily Instruction - The teacher ensures that the instruction, materials and procedures are appropriate for the subject being taught and for the needs of the students. The teacher sees that application and practice are used by students to acquire or reinforce a concept or skill. The teacher encourages students, parents and others to become actively involved in daily instructional activities.
5. Differentiating Instruction - The teacher assesses individual student abilities to devise techniques that will accommodate student differences in rates of learning, styles of learning, and ability levels. These techniques may involve long term or short term grouping or the differentiating of materials and equipment.
6. Individualized Instruction - The teacher monitors individual student achievement on a continuous basis, employs a variety of teaching methods to meet student needs, and provides remediation as required.

7. Supervising - The teacher uses professional classroom management techniques to maintain a suitable instructional environment.

8. Human Resources - The teacher makes use of community resources, student talent, volunteers, and other school personnel to enhance the instructional program.
9. Human Relations - The teacher shows respect for the dignity and worth of all students, values cultural differences, and maintains communication with parents. The teacher shall support and maintain high expectations for each child.
10. Non-Instructional Duties - The teacher accepts responsibility for non-instructional duties as may be assigned by the principal, superintendent, school board, or other administrative personnel. The teacher complies with laws, rules, and regulations established to carry out the school program.
11. Promoting School Safety – Each teacher should conduct himself in such a manner as to promote a safe, secure, and orderly environment. Each teacher's conduct should foster a climate of respect at the school and, thus, by example, demonstrate that appropriate personal conduct should be a priority for all students and all employees.
12. Reporting Acts of Violence – The teacher must report acts of violence to the principal.
13. Reporting of Students Suspended or Expelled – The teacher must report to the principal students who are suspended or expelled from school as required to be reported in accordance with State Board policies.

TERMS OF EMPLOYMENT: Ten months, salary based on schedule established by the Board.

EVALUATION: Performance to be evaluated annually in accordance with Board policy.

Legal Reference: G.S. 115C-47, -105.47, -326
Adopted: June 5, 2000

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I.

II.3220

RESPONSIBILITIES AND DUTIES

3220

III.

The teacher is directly responsible to the principal.

3220.1 The teacher's primary functions are:

- A. To direct the growth and development of pupils
- B. To assume definite responsibilities toward the safe, efficient operation, and the improvement of the total program of the school
- C. To teach the required curriculum, as adopted by the Board.

3220.2 Additional responsibilities such as the following may be assigned:

- A. Bus duty
- B. Cafeteria supervision
- C. Playground duty
- D. Supervision of extra-curricular activities; except that no such assignments may be made to initially licensed teachers or to teachers with more than twenty-seven (27) years of experience unless they request such assignment in writing, or unless the Board makes a finding that there is a compelling reason to suspend this policy for an individual school.
- E. Service on committees
- F. All other duties as may be assigned by the Superintendent, principal, or other supervisor(s).

3220.3 Each principal shall attempt to balance assignments of teacher duties with the efficient and effective operation of the school as an ultimate goal.

3220.4 In order to implement the total school program, circumstances may arise when the services of teachers are needed in areas other than their classroom assignments. In these circumstances, the principal may assign non-teaching duties to teachers. These extra duties should be kept to a minimum for initially licensed teachers and those with more than twenty-seven (27) years of experience, and assigned to teachers on an equitable basis to the extent possible.

3220.5 When a teacher is absent he must provide detailed plans for all classes during the period of absence. If an absence can be anticipated, plans should be left the day before the absence occurs. Because absences cannot always be anticipated, emergency lesson plans should be kept on file in a location designated by the principal.

3220.6 Lesson plan and roll books are supplied at the beginning of each year. Each teacher is expected to maintain current lesson plans and class rolls.

I.3220
3220

RESPONSIBILITIES AND DUTIES (cont.)

3220.7 Teachers should indicate in their plan books all special duties, planning periods, lunch periods, and any other special assignments.

Legal Reference: G.S. 115C-47, -105.47, - 288, -296 - 307
Adopted: June 5, 2000

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3221

TEACHER WORKDAY

3221

The length of the school day for teachers shall be a minimum of seven hours and forty-five minutes (7 3/4 hrs.) and shall continue until the teacher has completed his professional responsibilities to the students and the school.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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3222

MEETINGS

3222

Attendance at meetings called by the principals, assistant superintendent, or the Superintendent is considered a professional duty and is not elective. Attendance at meetings called by the supervisors, or designated group or department chairmen which have been approved by the principal, assistant superintendent, or Superintendent also is considered a professional duty and is not elective.

Legal Reference: G.S. 115C-47(18), -288, -307(e)
Adopted: June 5, 2000

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a.

b.3223

EMERGENCY CLOSING DAYS 3223

In the event of emergency closing of schools, when personnel are not required to report for duty, the Superintendent may declare such day or days, leave days or holidays or combination thereof. Such day(s) may be rescheduled at the discretion of the Board in a manner not to exceed 200 working days nor extend the ten-month working period for teachers.

Legal Reference: G.S. 115C-302
Adopted: June 5, 2000

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3231
3231
4231

PERSONNEL FILES

4231

A personnel file shall be maintained in the Superintendent's office for each employee as provided by law. An employee's personnel file shall be open for his inspection and closed to all others without employee consent except as provided by law and this policy. The Superintendent shall have the overall responsibility for granting or denying access to personnel records consistent with this policy.

3231.1 Each employee personnel file shall include records and documents collected and

4231.1 retained by the school system concerning the employee, including but not limited to:

- a) Evaluation reports
- b) Commendations of and complaints against the employee; provided, however, that the Superintendent may elect not to place in the file a letter of complaint that contains invalid, irrelevant, outdated, or false information, or a letter of complaint when there is no documentation of an attempt to resolve the issue.
- c) Written suggestions for correction and improvement
- d) Certificates
- e) Health certificates
- f) Standard test scores
- g) Academic records
- h) Application forms
- i) Other pertinent records or reports

3231.2 Any pre-employment data or other information obtained about an employee before 4231.2 his employment by the Board may be kept either in the regular personnel file or in a separate file, and shall not be made available to the employee.

3231.3 No evaluation, commendation, complaint or suggestion may be placed in an
4231.3 employee's personnel file unless:

- a) It is signed by the person who makes it, and
- b) A written copy of the document is provided to the employee at least five days before it is placed in the employee's personnel file.

Every employee is entitled to offer a denial or explanation of the evaluation, commendation, complaint or suggestion, and any such denial or explanation

shall become part of the employee's personnel file, provided it is signed and dated.

3231.4 Every employee may have access to his own personnel file during working hours,
4231.4 provided three days notice is given to the Personnel Office.

3231
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PERSONNEL FILES (cont.)

3231
4231

3231.5 Access to a personnel file may be permitted to the following persons
without the
4231.5 consent of the employee:

- a) Those school officials involved in the employment and evaluation process of the individual, the school board attorney, and members of the Board of Education, if the examination of the file relates to the duties and responsibilities of the Board.
- b) The case manager if the teacher has requested a case manager review in a demotion or dismissal proceeding.

3231.6 The Superintendent may, in his discretion, or shall at the discretion of
the Board of

4231.6 Education, inform any person or corporation of any promotion, demotion, suspension, reinstatement, transfer, separation, dismissal or employment of any employee or former employee and the reasons therefore and may allow the person or corporation to inspect and examine any portion of an employee's personnel file if:

- (a) The Board has determined that the release of the information or the inspection and examination of the file or a portion of the file is essential to maintaining the integrity of the Board or to maintaining the level or quality of services provided by the Board; and
- (b) Prior to releasing the information or making the file or any portion of it available, the Superintendent has prepared a memorandum setting forth the circumstances which he and the Board deem to require disclosure and the information to be disclosed. (This memorandum shall be a public record.)

3231.7 No person other than those listed in 3231.4/4231.4,
3231.5/4231.5, and
4231.7 3231.6/4231.6 may have access to a personnel file except under

the following circumstances:

- a) When the employee gives written consent for the release of his records. The written consent must specify the records to be released and to whom they are to be released; blanket permission for release of information shall be accepted.

- b) When the records have been subpoenaed or sought by court order; specifically including subpoenas issued by case manager pursuant to G.S. 115C-325.

3231
4231

PERSONNEL FILES (cont.)

3231
4231

3231.8 The Pamlico County Board of Education classifies the following information as

4231.8 directory information and as such reserves the right to make this information public as part of an employee directory:

- a) Name
- b) Address
- c) Telephone listing
- d) Date and place of birth
- e) Photograph
- f) Job title and location
- g) Participation in officially recognized activities and sports
- h) Dates of employment
- i) Degrees and awards received
- j) Salary
- k) Date and amount of most recent increase or decrease in salary
- l) Dates of most recent promotion, demotion, transfer, suspension, separation, or other change in classification.

3231.9 All information provided to the personnel office by an applicant for employment or

4231.9 by an employee must be true, accurate and complete to the best of that applicant's or employee's knowledge. It shall be a violation of Board policy and, therefore, grounds for dismissal for an employee to present information to the personnel office which is intended to defraud or materially misrepresent or conceal the truth. Furthermore, the presentation of such information to the personnel office by an applicant for employment shall be considered just cause for termination of the application process.

3231.10 Any teacher may petition the Board to remove from his/her personnel file

4231.10 invalid irrelevant or outdated information. The Board may order the Superintendent to remove the information if it finds the information is invalid, irrelevant or outdated.

Legal Reference: G.S. 115C-36, -47(18), -319 to -321, -325

Adopted: June 5, 2000

Revised: June 4, 2001

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Tutoring of students by a school employee for a fee on school property or with school supplies is prohibited.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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a.3241 SOLICITATION OR SELLING 3241

There shall be no soliciting from or selling to students or staff within the school without approval of the Superintendent.

3241.1 No employee shall solicit money from students or parents for additional materials or equipment or create impressions with students that such equipment or materials are necessary; nor shall it be a practice to solicit materials or services in any manner that would cause a parent to feel undue or unnecessary pressure.

3241.2 Soliciting outside the school premises for funds for school activities, or sales of products outside the school premises for funds for school activities by the students or staff of any school, in the name of any school, or in behalf of any school, shall have the prior written approval of the Superintendent and the principal. All money collected and expended as the result of such activities shall be recorded in the accounts of the school treasurer and shall be subject to the annual school audit. Solicitation or borrowing of products for school activities shall have the principal's approval.

3241.3 No employee shall set as a precondition of membership or participation in any course or other school-related activity, endeavor, or function, any requirement calling for an expenditure of money by a parent, guardian, or student, except with the knowledge and consent of the Superintendent.

Legal Reference: G.S. 14-238; 115C-36, -47
1. Adopted: June 5, 2000

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A.3242

UNETHICAL INFLUENCE

3242

All school employees are expected to refrain from the use of their positions or assignments in ways that could be construed to unfairly or unduly influence students, or to receive any benefit that could be construed as conflict of interest, in matters such as:

- A. Receiving fees from educational institutions for the recruitment of students;
- B. Recruiting students to participate in private business-type activities operated by the employee apart and separate from the school system;
- C. Causing students to feel it necessary or advisable to participate in activities or events which require more than nominal costs for such activities as lunches, dinner, admissions, transportation, and entertainment;
- D. Receiving fees or other considerations in lieu thereof for the recruitment, enlistment, or chaperoning of students for private promotions;
- E. Encouraging student athletes to circumvent the Board-approved pupil assignment plan in order to participate in athletics in a school outside the student's appropriate school assignment.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000
Revised: December 4, 2006

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**3243
4220**

GIFTS TO EMPLOYEES

**3243
4220**

All school employees shall discourage and decline to accept gifts from vendors.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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Pamlico County Schools employees are encouraged to write and prepare professional material for publication in their areas of expertise. Employees who prepare material on their own time without use of school facilities or equipment are not required to submit such material for review prior to publication.

Publications, inventions or products developed or produced during the paid work time of a school employee or resulting from an employee's work assignment or through the use of school equipment, facilities or materials shall be the property of the school system. Publications so produced shall bear a notice of copyright in either of the following forms:

© Pamlico County Board of Education 20_____
All rights reserved.

or

Copyright Pamlico County Board of Education 20_____
All rights reserved.

Employees who desire to copyright or patent, and to market material prepared totally or partially on school time, shall submit a copy of such material to the Superintendent for review. The Superintendent shall review the material and the employee's recommendation regarding the request to the Board. The material submitted to the Superintendent and to the Board shall be accompanied by the following information:

- a. The names of persons who participated in preparation of the material;
- b. The percentage of school duty time spent by these persons during preparation;
- c. A statement as to whether royalties would be waived in any purchases of the material which might be made by the school system in cases in which the Board is not already the copyright owner.

The Superintendent may authorize the sale of copies of, or reproduction rights to instructional material prepared by the school system to other school systems, organizations or commercial firms.

Legal Reference: Title 17 U.S.C.; G.S. 14-236; 115C-47
Adopted: June 5, 2000

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4250

PERSONNEL - POLITICAL ACTIVITIES

3250
4250

The Board of Education recognizes the right of employees to participate in political affairs in a manner afforded other citizens, including the right to vote, the right to be active members of a political party of their choice, the right to campaign for candidates, and the right to seek, campaign for, and serve in public office, provided there is no local, state, or federal law prohibiting a teacher from seeking a certain political office.

A teacher, upon request to the Superintendent and Board, shall be granted a leave of absence without pay for the purpose of serving in the North Carolina General Assembly or the United States Congress.

Employees shall not involve students on school time, campaign on school premises or on school time, or use school equipment or supplies while participating in political affairs. The position of any personnel will not be in jeopardy due to his political activity as long as he adheres to the terms of this policy.

Nothing in this policy shall be interpreted to restrict the teaching of political issues or the dissemination of information about serious problems the school system or the community may be facing because of political actions. However, both sides of the political issue must be presented so that students will have an opportunity to be well informed, and they, in turn, will be in a position to make their own decisions regarding political issues.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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3251
4251

USE OF EMPLOYEE MAILBOXES AND BULLETIN BOARDS

3251
4251

Employee mailboxes and bulletin boards are to be used only by school employees and only to communicate matters of educational, professional, personal or philanthropic concern. Employees and employee associations may use employee mailboxes to distribute their own political endorsements, solicitations or personal invitations to political events provided that such endorsements, solicitation or invitations are signed by the employee(s) making them.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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The board recognizes that students may need to take medication during school hours. The health and welfare of the student must be of paramount concern in all decisions regarding the administration of medication. The school district will administer medications with proper documentation from a physician and parent/legal guardian. To minimize disruptions to the school day, medicines should be taken at home rather than at school whenever feasible. The school district is not required to administer any medication that could be taken at home. Provided, however, that employees may give emergency health care when circumstances indicate that any delay would seriously worsen the physical condition or endanger the life of the student.

The administration of prescribed medication to students by designated school employees shall be permitted only upon the proper written authorization of a physician and the student's parent/guardian. Prescribed medication must be in the original container with specific instructions for administration.

Over-the-counter medications provided by a parent/guardian, in the clearly labeled original container, specifying the type of medication, child's name, and the dosage of medicine, may be administered by designated school employees upon written authorization of the parent/ guardian and a physician.

The school system and its personnel will assume no responsibility for self-medication by students or for the transportation of medications to and from school. The school system and its personnel also will assume no liability for complications or side effects of medication administered in accordance with the instructions provided by the parent/guardian and healthcare provider.

Although efforts should be made not to disrupt instructional time, a parent may administer medicines to his or her child at any time while the child is on school property.

Students with special needs will be afforded all rights provided by federal and state laws as enumerated in the Procedures Governing Programs and Services for Children with Special Needs. Students with disabilities also will be accorded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

No student can possess, use or transmit any drug or counterfeit drug prohibited by Board Policy 6401.10.

Legal Reference: G.S. 115C-36, -47, -307(c); Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.; Americans with Disabilities Act, 42 U.S.C. 12101; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.

Adopted: June 5, 2000

Revised: December 2, 2002

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All licensed employees shall maintain high levels of performance. Employees not meeting these standards are expected to raise their performance to acceptable levels, with the active assistance of the Superintendent and his administrative staff. The Board recognizes that Action Plans are useful tools to identify deficiencies and improve employee performance. Action Plans shall be developed and implemented as provided in this policy.

I.3270.1 MANDATORY ACTION PLANS FOR LICENSED EMPLOYEES

Each licensed employee who receives a rating of below standard or unsatisfactory on any function in the employee's performance evaluation shall be placed on an Action Plan designed to improve performance, unless the Superintendent recommends dismissal, demotion or non-renewal of the employee.

I.3270.2 ACTION PLAN COMPONENTS

An Action Plan shall include the following components, at a minimum:

1. Problem Statement(s): Problem statements should clearly identify every deficiency which gave rise to the employee's below standard or unsatisfactory rating, and any other deficiencies which the developer of the Action Plan determines should be included.
2. Goal(s): For each problem identified, the Action Plan shall include one or more goals, which state the expected level of performance.
3. Strategies: For each goal, the Action Plan shall set forth one or more specific strategies designed to correct the identified deficiencies and achieve the identified goal.
4. Evidence of Completion: For each strategy, the Action Plan shall specifically identify the date of completion and the evidence that will be used to determine whether the employee has completed the strategy.

I.3270.3 DEVELOPMENT AND IMPLEMENTATION OF ACTION PLANS

1. Developer: For licensed employees not in low-performing schools, the employee's immediate supervisor or designee is responsible for

development of the Action Plan. For licensed employees assigned to a low-performing school, the Action Plan shall be developed by the person who evaluated the employee or by the employee's supervisor, unless the evaluation was conducted by an assistance team or an assessment team, in which case the team shall develop the Action Plan in collaboration with the employee's supervisor.

2. Involvement of Employee: The employee who is placed on an Action Plan shall have an opportunity to provide input or suggestions prior to the implementation of an Action Plan. Ultimate responsibility for developing the Action Plan must rest with the administration rather than the employee.
3. Review of Action Plan: Prior to implementation of an Action Plan, the employee's supervisor shall submit the Action Plan for review and approval by the Superintendent, or designee.
4. Duration of Action Plan: For a licensed employee in a low-performing school who received a below standard or unsatisfactory rating on an evaluation function related to instructional duties (functions 1-7 on the Teacher Performance Appraisal Instrument (TPAI)), the Action Plan shall be designed to be completed within 90 instructional days after implementation of the Action Plan, or before the beginning of the next school year following implementation of the Action Plan, whichever is determined to be appropriate by the developer of the Action Plan.

For other licensed employees, an Action Plan shall be designed to be completed within any time period reasonably calculated to correct the employee's performance.

5. Timelines for Implementation of Action Plan: Action Plans should be implemented within a reasonable time after the employee's evaluation.
6. Modification: An Action Plan may be modified at any time as deemed necessary or desirable by the developer of the Action Plan. The employee shall be given an opportunity for input or suggestions, and the modification shall be submitted for review and approval by the Superintendent, or designee.

I.3270.4 REEVALUATION

Upon completion of an Action Plan, the licensed employee shall be reevaluated by the Superintendent or designee, or by an assessment team if the employee is assigned to a low-performing school.

If the licensed employee receives an unsatisfactory or below standard rating on any function on the reevaluation, the Superintendent shall consider that employee's dismissal, demotion or nonrenewal. If the employee is retained without demotion he shall be placed on a new Action Plan, which may be a continuation or modification of the prior Action Plan.

If the licensed employee is in a low-performing school, and if the evaluation prior to the Action Plan contained a below standard or unsatisfactory rating on

an instructional duty, then, upon reevaluation, the Superintendent shall recommend dismissal or demotion if the employee receives one unsatisfactory or more than one below standard rating on any instructional duty.

3270.5 SUPERINTENDENT'S POWERS AND RESPONSIBILITIES

The Superintendent shall ensure that all administrators who evaluate licensed employees are trained in the proper administration of employee evaluations, and in the development and implementation of Action Plans.

Nothing in this policy shall limit the Superintendent's authority or discretion to recommend dismissal, demotion, nonrenewal, or other appropriate personnel action, including placing an employee on any plan of improvement when an Action Plan is not mandated under this policy.

The Superintendent may develop procedures necessary or desirable concerning Action Plans, not inconsistent with board policy or law.

3270.6 EVIDENCE OF INADEQUATE PERFORMANCE

Upon completion of an Action Plan, if a licensed employee receives a below standard or unsatisfactory rating on any function on the reevaluation, and if the Superintendent recommends dismissal or demotion of that employee, then the Board shall consider the results of the second evaluation to constitute substantial evidence of the employee's inadequate performance, regardless of whether the employee was in a low-performing school.

Legal Reference: G.S. 115C-276, -288, -333, -334

Adopted: June 5, 2000

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3300
4300

TRANSFERS

3300
4300

Since transfer of staff members within a school system can be advantageous to the students, the employees, and the community for which the school system exists, the Superintendent may reassign personnel when necessary or advisable.

Legal Reference: G.S. 115C-47, -276, -301
Adopted: June 5, 2000

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3320

EMPLOYEE-INITIATED TRANSFER

3320

A request by an employee for transfer to a different school shall be made in writing to the Assistant Superintendent for Administrative Services at the time the annual Statement of Intent is filed. The request shall set forth the reasons for the transfer, the school and/or position sought, and the applicant's qualifications where appropriate. The Board of Education and Superintendent have the responsibility to transfer teachers in accordance with course requirements, fluctuating enrollments, allotment, and general welfare of the school system.

Legal Reference: G.S. 115C-47, -276, -301
Adopted: June 5, 2000

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3400

RESIGNATION

3400

After entering into a written contract, an employee desiring to abrogate his contract must give not less than thirty (30) days written notice to the Superintendent's office.

3400.1 If an earlier release is desired by a person resigning, and if his release on an established earlier date would not result in undue inconvenience or hardship to the school system, the Superintendent may authorize such earlier release.

3400.2 Resignations may be accepted, on behalf of the Board of Education, by the Superintendent or his designee.

Legal Reference: G.S. 115C-47, -325(o)
Adopted: June 5, 2000

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3410

RETIREMENT

3410

There shall be no mandatory retirement age for school system employees. Retirement policies and procedures shall be in accordance with statutes establishing and empowering the function of the Teachers' and State Employees' Retirement System of North Carolina.

Any employee who anticipates retirement shall notify the Personnel Office at least ninety (90) days prior to his intended retirement date, except in cases where conditions of health or other extenuating circumstances make shorter notices necessary.

Legal Reference: G.S. 135-1; 29 U.S.C. 621-634
Adopted: June 5, 2000

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Dismissal, demotion, and nonrenewal of teachers shall be done in accordance with G.S. 115C-325 and other relevant statutes.

Legal Reference: G.S. 115C-325
Adopted: June 5, 2000

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The purpose of this policy is to establish an orderly procedure for the reduction of certified, professional employees of the school system.

(1) Grounds for Reduction in Force.

Reduction in force may be implemented when the Board determines that any of the following circumstances exist:

- (a) District Reorganization - defined as:
 - 1. declining enrollment, financial exigency, or other cause(s) warrant closing, consolidation or reorganization of schools, school buildings or facilities and the number of existing certified employees exceeds the number required to staff the school, school buildings or facility as reorganized; or
 - 2. any elimination, curtailment, or reorganization of a curriculum offering, program or school operation or a reorganization or consolidation of two or more individual schools or school districts that is unrelated to financial exigency.
 - (b) Decreased Enrollment - shall exist when the enrollment or projected enrollment for the next succeeding school year causes a decrease in the number of teaching or administrative positions allocated by the state or any other funding source; or when the enrollment or projected enrollment for the next succeeding school year of a curriculum offering or program is inadequate to justify continuation of the course or program.
 - (c) Decreased Funding - shall mean any significant decline in the Board of Education's financial resources that is brought about by the decline in enrollment or by other actions or events that compel a change in the school system's current operational budget; or any significant decrease or elimination in funding for a particular program; or any insufficiency in funding that would render the Board unable to continue existing programs at current levels.
- (2) Preliminary Determination.
- (a) The Superintendent shall determine whether or not a reduction in force is necessary, appropriate, or in the best interests of the school system.
 - (b) When the Superintendent believes that grounds exist for a reduction in

force, the Superintendent shall present a recommendation to the Board of Education. The recommendation shall include:

- (1) The grounds for reduction in force;
 - (2) The number or estimated number of certified employees to be reduced by area(s) of certification and/or program responsibility; and
 - (3) The background information, data, and rationale for the recommendation.
- (c) The Board of Education shall review the Superintendent's recommendation and shall determine whether to reduce the number of certified employees or to reduce their terms of employment.
- (d) If the Board, after exploring, considering, and discussing a variety of ways to avoid a reduction in force, determines that the number of certified employees is to be reduced, the Superintendent shall recommend to the Board which individuals are to be dismissed, demoted, or reduced to part-time employment, based on the criteria set forth below.
- (3) Criteria.

The primary consideration in any reduction in force shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the school system. The Board will consider the following factors in determining which employees shall be included in the reduction in force:

- (a) Performance ratings;
- (b) Joint certifications;
- (c) Program enrollment;
- (d) Service in extra duty positions and ability to fill such positions;
- (e) Length of service, with higher priority given to service in the Pamlico County Schools; and
- (f) Recommendations and advice from the Superintendent.

Among these factors primary consideration will be given to criteria (a) and (f) above.

(4) Exclusions.

The Superintendent may recommend to the Board the exclusions of specifically identified employees in an area of certification or administration from a reduction in force for specifically stated special or exceptional circumstances; provided, however, that a probationary employee may not be excluded from a reduction in force if his exclusion would result in the dismissal or demotion of a career teacher who is certified and otherwise as qualified as the probationary employee. Special or exceptional circumstances include:

- (a) A need or desire to retain those employees whose performances are deemed outstanding based upon regular evaluation reports and other indicators of excellence;
- (b) A need or desire to retain those employees who are specifically qualified to coach or sponsor an extracurricular activity; and
- (c) Any other special or exceptional circumstances as recommended by the Superintendent and approved by the Board of Education.

(5) Procedure for Termination.

All requirements of G.S. 115C-325 will be met, including time limits and procedures for notice and opportunity for a hearing, when any career teacher (as defined in G.S. 115C-325) is terminated, demoted, or reduced to part-time employment due to reduction in force or any probationary teacher (as defined in G.S. 115C-325) is terminated, demoted, or reduced to part-time employment during the contract term due to a reduction in force.

(6) Termination/Reemployment of a Career Employee.

When a career teacher is dismissed in accordance with this policy, his name shall be placed on a list of available employees to be maintained by the Board. Career teachers whose names are placed on such a list shall have a priority on all positions for which they are qualified which become available in the school district for the three consecutive years succeeding their dismissal. If the school district offers the dismissed teacher a position for which he is certified and he refuses it, his name shall be removed from the priority list.

(7) Nonrenewal of an Employee.

The Board, upon recommendation of the Superintendent, may refuse to renew the contract of a probationary teacher or to reemploy any teacher who is not under contract for any cause it deems sufficient. In such cases, the procedures set forth in this policy shall not be required to be followed before the Board's decision not to renew or reemploy such employee.

Legal Reference: G.S. 115C-325

Adopted: June 5, 2000

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3500

TEMPORARY ASSIGNMENTS

3500

The Board recognizes that from time to time temporary teachers are needed to continue the on-going educational program. Such temporary employees shall be assigned in accordance with established policies.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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The Superintendent shall have prepared an adequate list of approved substitute teachers designating their approved fields/subject areas and have it distributed to the respective building principals prior to the opening of the school year. The Board of Education will follow the regulations established by the State Board of Education for all personnel affected by substitute teacher regulations.

- 3510.1 As a requirement for being placed on the approved substitute list, a prospective substitute teacher shall furnish:
- A. A completed application
 - B. Evidence of competency
 - C. Any other information required by the Superintendent
- 3510.2 The substitute teacher must be selected from the list approved and distributed by the Superintendent.
- 3510.3 The remuneration schedule for substitute teachers shall be as set by the Board.
- 3510.4 The Superintendent shall furnish all principals with updated substitute lists during the year as needed.
- 3510.5 Substitute teachers shall be classified in accordance with criteria established by the State Board of Education.
- 3510.6 Approval of substitute teachers, not inconsistent with the foregoing, is the responsibility of the Pamlico County Board of Education. In between local Board meetings, the Superintendent is given power of approval subject to final approval by the Board at its next regular meeting.

Legal Reference: G.S. 115C-12, -36, -47
Adopted: June 5, 2000

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3511

STUDENT TEACHERS

3511

Under the direction of the Superintendent, student teachers from accredited colleges and universities may be assigned for student teaching experience in the school system.

- 3511.1 It shall be the policy of the Board to endorse formal collaborative agreements between the Pamlico County Schools and institutions of higher education that speak to the assignment of roles and responsibilities relative to the operation of the student teacher program. The Board authorizes the Superintendent and/or his designee to execute such agreements as required by the State Board of Education for the approval of teacher education programs.
- 3511.2 The specific assignment of student teachers shall be determined through cooperative involvement of the administrative staff, the respective principals, and appropriate teachers, and assigned by the Superintendent or his designee.
- 3511.3 Student teachers assigned in the Pamlico County Schools shall be subject to the policies, practices and procedures of the school system.
- 3511.4 A student teacher shall be removed by the Superintendent or his designee if it is determined that his presence is detrimental to the welfare of the students, welfare of the school system, or if it is found that he is academically unprepared for student teaching.

Legal Reference: G.S. 115C-309
Adopted: June 5, 2000

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3512

SUMMER TEACHING ASSIGNMENTS

3512

The Superintendent's Office shall receive and maintain a file of applications for summer school positions.

- 3512.1 Applications of current employees shall be considered prior to consideration of other applications.

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

Adopted: June 5, 2000

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3600

STAFF DEVELOPMENT

3600

The Board recognizes the value of and encourages the development of a continuing program of staff development.

Legal Reference: G.S. 115C-36, -47, -276
Adopted: June 5, 2000

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3601

APPROVED VISITATIONS

3601

A teacher who feels that a visitation to another teacher or program in operation would be of value to his work may request professional leave for this purpose.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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3603

PROFESSIONAL MEETINGS AND CONFERENCES

3603

Instructional personnel desiring to attend professional meetings and/or conferences shall apply through the established procedure.

Legal Reference: G.S. 115C-276
Adopted: June 5, 2000

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3604

CURRICULUM STUDIES

3604

In the interest of maintaining the viability of the educational program, both periodic and ongoing curriculum studies shall be conducted.

Legal Reference: G.S. 115C-276
Adopted: June 5, 2000

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3605

VISITATION AND CONFERENCE COSTS

3605

Reimbursement for approved travel expenses for instructional personnel shall be at the rates established by the Board including:

- A. Mileage, including tolls or common carrier cost
- B. Subsistence
- C. Conference registration fee

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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3700

SALARY

3700

The Board shall adopt annually uniform salary schedules for all employees.

Legal Reference: G.S. 115C-47

Adopted: June 5, 2000

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3720

ATTORNEY CONSULTATION WITH EMPLOYEES

3720

An employee charged in criminal or civil proceedings as a result of exercising reasonable force in the course of employment may request the Superintendent to authorize the employee to consult with the Board attorney.

3720.1 A request for Board-paid legal representation beyond the initial legal consultation with the Board attorney must be approved by the Board.

Legal Reference: G.S. 115C-390

Adopted: June 5, 2000

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3750
4630

DEFENSE OF BOARD EMPLOYEES

3750
4630

Except as otherwise provided in this policy, upon written request of any employee, the Board shall provide for the defense of any civil or criminal action or proceeding brought against him in his official or individual capacity, or both, on account of an act done or omission made in the scope and course of his employment by the Board of Education.

3750.1 The Board shall refuse to provide for the defense of a civil or criminal
action or
4630.1 proceeding brought against an employee if the Board determines
that:

- (a) The act or omission was not within the scope and course of his employment as a Board employee, or
- (b) The employee acted or failed to act because of fraud, corruption, or malice on his part.

3750.2 The Board may refuse to provide for the defense of a civil or criminal
action or
4630.2 proceeding brought against an employee if the Board determines that defense of the action or proceeding by
the Board would create a conflict of interest between the Board and the employee.

3750.3 The determinations required by subsections 3750.1/4630.1 and
3750.2/4630.2 of
4630.3 this policy shall be made by the Superintendent upon advice of the Board
attorney. Based on his investigation, the Superintendent shall make a
recommendation to the Board as to whether the Board shall provide legal
representation for the employee. Final approval of an employee's request
shall be made by the Board. Approval of the request by an employee for
provision of defense shall raise a presumption that the determination
required by this section has been made and no grounds for refusal were
discovered.

3750.4 The Superintendent shall develop and submit to the Board for its
approval
4630.4 regulations for the defense of employees of the Board pursuant to this policy through one or more of the

following methods as may be appropriate to the employee or class of employees in question:

- (a) By the Board attorney,
- (b) By employing other counsel for this purpose at an hourly rate no higher than that paid to the Board attorney,
- (c) By authorizing the purchase of insurance which requires that the insurer provide or underwrite the cost of the defense and any judgment, or
- (d) By any other means that are provided by law for the defense of public school employees and school bus drivers.

The regulations shall require specific Board approval on a case-by-case basis if the defense of employees is to be done by any method other than the purchase of adequate insurance as provided in 3750.4(c).

3750.5 If the Board denies the request of an employee to provide him legal representation
4630.5 in any civil or criminal action or proceeding and subsequently the employee is found in the court or other agency of the State to be not civilly liable or not guilty of a criminal offense, the Board, upon written request of the employee, may reimburse the employee a reasonable attorney's fee.

3750.6 Board approval of an employee's request to provide legal representation shall

4630.6 cover only those expenses approved that relate to the initial hearing, trial, or appeal of the action or proceeding. The employee must make an additional request in writing to the Board for legal representation at each subsequent stage of the appeal of the action or proceeding.

3750.7 The Board may through the purchase of liability insurance provide for the payment

4630.7 of any claim or civil judgment entered against an employee when such claim is made or such judgment is rendered as damages on account of an act done or omission made or any act allegedly done or omission allegedly made, in the scope and course of his duty as an employee of the Board. The limits of the Board's payment for any such claim or court judgment shall be governed by the coverage and terms of the liability insurance purchased by the Board for such purposes. In all cases in which an employee requests that the Board pay a part or all of a claim or civil judgment against him, the employee must give the Board written notice of the claim or litigation as soon as possible and in all cases prior to the time that the claim is settled or civil judgment is entered.

3750.8 Definitions. Unless the context otherwise requires, the definitions in this section

4630.8 govern the construction of this policy:

- (a) "Civil or criminal action or proceeding" includes any case, prosecution, special proceeding, or administrative proceeding in or before any court or agency of the State of North Carolina and its political subdivisions or any other state of the United States.
- (b) "Employee" includes any present or former officer, agent or employee whether full-time or part-time, including but not limited to all members and former members of the Board of Education, administrative personnel, instructional personnel, support personnel, and school bus drivers.

Legal Reference: G.S. 115C-43
Adopted: June 5, 2000

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3800

SICK LEAVE

3800

All full-time employees shall be subject to the sick leave policies of the State Board of Education. The Superintendent or his designee may require a statement from a medical doctor or other acceptable proof that the employee was unable to work due to illness. Employees who anticipate using sick leave for a period of time must inform the principal or immediate supervisor in advance, so that continuity of duties may be maintained.

For continuous leave of more than ten days, if the leave also is eligible for leave under the Family and Medical Leave Act (FMLA), defined in Board Policy 3802/4701, and the leave is designated as FMLA-eligible at the time leave is taken or as soon as feasible thereafter, the notice and verification requirements of the employee in Board Policy 3802.3/4701.3 will apply.

Legal Reference: G.S. 115C-12, -323, -336
Adopted: June 5, 2000

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3801

MINIMUM LEAVE TIME

3801

An employee who is absent less than one-half day shall be charged with the use of one-half day of leave; if an absence is more than one-half day but less than one full day, one day of leave shall be charged.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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It is the policy of the Board to provide all eligible employees with leave as provided in the federal Family and Medical Leave Act of 1993 (FMLA) and applicable State laws and State Board of Education policies. The Board strictly prohibits any interference with, restraint, or denial of the exercise by any employee of any right provided by the FMLA, or any type of discrimination against or discharge of an employee who has filed a complaint in regard to the FMLA. A copy of this policy shall be provided to any employee who has requested FMLA-eligible leave.

For purposes of this policy, instructional personnel are considered to be teachers, athletic coaches, driving instructors, and special education assistants, and any other employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting.

3802.1 Entitlement to Leave
4701.1

Pamlico County Schools will grant unpaid leave for up to twelve (12) weeks to employees who have been employed for at least twelve (12) months and have worked at least 1250 hours during the previous twelve month period for:

- (1) the birth of a child of the employee and in order to care for the child;
- (2) the placement of a child with the employee for adoption or foster care;
- (3) taking care of the spouse, child, or parent of the employee, if the spouse, child, or parent has a serious health condition; or
- (4) a serious health condition that makes the employee unable to perform the functions of the employee's position.

The twelve (12) month period in which the twelve (12) weeks of leave entitlement occurs shall be from July 1 to June 30.

3802.2 Structure of Leave
4701.2

When leave is taken for the adoption or birth of a child, an employee may take leave only for a continuous period of time unless the Board agrees to another arrangement. For a situation involving an employee's serious health condition or that of a family member, the employee may take leave continuously or on an intermittent or reduced leave schedule as is medically necessary.

Instructional personnel may be required to continue leave through the end of

the school semester if any of the following conditions exist:

- (1) The leave is beginning more than five (5) weeks before the end of the term; the leave will last at least three (3) weeks; and the employee will be returning to work in the last three (3) weeks of the academic term; or
- (2) The leave is for a purpose other than the employee's own serious health condition; the leave would begin in the last five (5) weeks of the term; and the employee would be returning to work during the last two (2) weeks of the academic term; or
- (3) The leave is for a purpose other than the employee's own serious health condition; the leave would begin in the last three (3) weeks of the term; and the leave would last at least five (5) days.

In order to better accommodate an employee's need for intermittent or reduced leave for a serious health condition, Pamlico County Schools may require an employee to take an alternative position during the period of leave. The alternative position must have equal pay and benefits, but it does not have to have equivalent duties. If an instructional employee requests intermittent or reduced scheduled leave for more than twenty percent (20%) of the working days of the duration of the leave for the employee's or family member's serious health condition, Pamlico County Schools alternatively may require the employee to take continuous leave for up to the entire duration of the scheduled leave.

3802.3
4701.3

Designation of Leave and Employee Notice and Verification Requirements

To ensure that employees receive proper notification of their rights and responsibilities and that leave is properly designated, all employees requesting any type of leave must make the request to the Finance Officer. It is the responsibility of the Finance Officer to ask any questions necessary of the employee in order to make a determination of whether the leave is FMLA-eligible. The designation must be made prior to the leave being taken, unless there is a justifiable delay, such as waiting for documentation. In no event can the leave be designated as FMLA-eligible, and therefore count towards the twelve (12) weeks entitlement, after the employee has returned to work from the leave. Leave may be designated as both FMLA-eligible leave and as leave under the paid leave policy if paid leave has been substituted. Such leave would be counted towards the twelve (12) week FMLA entitlement.

An employee must provide at least thirty (30) days notice if the employee can anticipate the need for FMLA leave. If this is not possible, the notice shall be given as soon as "practicable," taking into account all the facts and circumstances. If the employee does not provide thirty (30) days notice, and there is no reasonable justification for the delay, Pamlico County Schools can deny the taking of FMLA leave until at least thirty (30) days after the employee provides notice of the need for FMLA leave. If an instructional employee fails to give required notice for foreseeable leave for an intermittent or reduced leave schedule, the employee may be required to take leave continuously for the duration of the treatment or be temporarily transferred to an alternative position for which the employee is qualified and has the same benefits.

An employee requesting intermittent or reduced leave time for medical treatment of a serious health condition may be required to give the reasons for the intermittent or reduced leave schedule and the schedule for treatment. Normally, employees also would be expected to discuss scheduling with their immediate supervisor prior to scheduling any medical treatment in order to accommodate the work schedule.

Pamlico County Schools may require employees to provide medical certification to confirm the employee's or the employee's family member's serious health condition. The information requested shall be no more than that allowed by the FMLA. Under certain circumstances, the Finance Officer may request a second or third certification if there is reason to doubt the validity of the medical certification.

Before returning to work from FMLA leave for a serious health condition, the employee will be required to present a "fitness-for-duty" certificate which states that the employee is able to return to work.

Pamlico County Schools may require an employee to periodically report on his status and intent to return to work. Any employee who is taking leave through the end of an academic semester shall be required to report on his intent to return to work no later than four (4) weeks before the end of the academic semester. In addition, the employee may be required to report on a regular basis during the period in which he is on FMLA leave.

3802.4
4701.4

Substitution of Paid Leave

Accrued vacation or personal leave shall be substituted for any FMLA-eligible leave upon the request of the employee or the decision of Pamlico County Schools. Employees of Pamlico County Schools also may substitute paid sick or disability leave for FMLA-eligible leave in circumstances covered by Board Policy 3800/4700 for paid sick and disability leave. If paid leave is substituted under circumstances which qualify as FMLA leave, the leave can be counted towards the twelve (12) week entitlement of FMLA leave if designated as FMLA-eligible at the time leave is taken.

If paid leave is substituted for unpaid FMLA leave for continuous leave of more than ten (10) days, all employee responsibilities in the FMLA to provide notice for foreseeable and unforeseeable leave, medical certification, fitness for duty certification, and notice of intent to return to work, apply as specified in Board Policies 3800/4700, 3810/4710 and 3820/4720.

3802.5
4701.5

Restoration to Equivalent Position

Employees, except key employees, shall be restored to an equivalent or the same position upon return from FMLA leave. The equivalent position will have the same pay, benefits, and working conditions as the position held prior to the leave. The position also must involve substantially equivalent skill, effort, responsibility, and authority. All positions within the same job classification are considered to be "equivalent positions" for the purposes of this policy. For certified employees, all positions with the same salary and certification requirements also will be considered equivalent positions.

Key employees do not have the right to be restored to an equivalent or the same position upon return from FMLA leave. Key employees are salaried FMLA-eligible employees who are among the highest paid ten percent (10%) of all employees. If restoring a key employee would result in substantial and grievous economic injury to the Pamlico County Schools, then there is no obligation to restore the employee to the same or an equivalent position. Employees shall be informed at the time leave is taken if they are considered key employees and shall be informed once a determination is made that the employee will not be restored to the same or an equivalent position. A key employee who has been informed that he will not be restored still has rights to health benefits for the full period in which he is eligible for FMLA leave.

3802.6
4701.6 Continuation of Health Benefits

Health benefits shall be continued for the duration of FMLA leave. This includes key employees who have been notified that they will not be restored to an equivalent position. The health care benefits shall be the same as if the employee were continuing to work. Employees do not have the right to the accrual of earned benefits during the leave. If an employee takes intermittent or reduced leave, the employee has the right to maintain the same health care benefits, but earned benefits may be reduced in proportion to hours worked where such a reduction is normally based upon hours worked.

Health insurance premiums paid while an employee is on FMLA may be recovered if the employee does not return to work after leave so long as the reason for not returning does not relate to a serious health condition or to circumstances beyond the employee's control.

3802.7
4701.7 Posting Requirement

The Superintendent or his designee shall ensure that notices of FMLA provisions and information on procedures for filing complaints are posted in places where employees and applicants would find it readily accessible.

3802.8
4701.8 Record-Keeping Requirement

The Finance Officer will be responsible for maintaining records of the following information for at least three years: basic payroll and identifying employee data; dates (or hours) of FMLA leave taken by employee; copies of employee notices, including general and specific notices, as well as any other documents describing employee benefits or policies; premium payments of employee benefits; and records of disputes between Pamlico County Schools and any employee regarding designation of FMLA leave.

Medical information, such as that relating to medical certifications, is confidential and must be maintained in separate files or records.

Legal Reference: Family and Medical Leave Act of 1993, 29 U.S.C.S. § 2601; 29 C.F.R. Part 825.

Adopted: June 5, 2000

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3810

PERSONAL LEAVE

3810

Teachers have two (2) days of personal leave per year, cumulative to a maximum of five (5) days, which may be requested by application in accordance with the regulations of the State Board of Education.

For continuous leave of more than ten (10) days, if the leave also is eligible for leave under the Family and Medical Leave Act (FMLA), defined in Board Policy 3802/4701, and the leave is designated as FMLA-eligible at the time leave is taken or as soon as feasible thereafter, the notice and verification requirements of the employee in Board Policy 3802.3/4701.3 will apply.

Legal Reference: G.S. 115C-12

Adopted: June 5, 2000

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3811

MATERNITY/FAMILY LEAVE

3811

Maternity/family leave shall be granted in accordance with the regulations of the State Board of Education.

Legal Reference: G.S. 115C-12

Adopted: June 5, 2000

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3812

PROFESSIONAL LEAVE

3812

After rendering three consecutive years of service in the Pamlico County Schools, an employee shall be eligible to apply for professional leave without pay not to exceed one year for the purpose of professional improvement.

3812.1 Application for professional leave shall be submitted prior to May 1 of the school year preceding the proposed leave.

3812.2 Reemployment shall be assured following the leave.

3812.3 A person granted leave shall be responsible for obtaining information and making necessary individual arrangements relative to continuation of retirement, hospitalization, and benefits during the leave of absence.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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3813

RELIGIOUS OBSERVANCE

3813

An employee shall be eligible for all the considerations of religious observance in accordance with the procedures and regulations of the State Board of Education.

Legal Reference: G.S. 115C-12
Adopted: June 5, 2000

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3814

MILITARY LEAVE

3814

An employee shall be eligible for all the considerations of military leave in accordance with the procedures and regulations of the State Board of Education.

Legal Reference: G.S. 115C-12
Adopted: June 5, 2000

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3815

JURY DUTY

3815

An employee shall be eligible for all the considerations of jury duty in accordance with the procedures and regulations of the State Board of Education.

Legal Reference: G.S. 115C-12
Adopted: June 5, 2000

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On a day that teachers are required to report for a workday but students are not required to attend school due to inclement weather, a teacher may elect not to report due to hazardous travel conditions and to take one of the annual leave days, or to make up the day at a time agreed upon by the teacher and principal.

Days missed because of inclement weather must be made up within the annual employment period of teachers and on a day when the principal is normally at work. The principal will provide the teacher with alternative dates; the make up date must be determined at the time of the absence.

If the day is not made up or an annual leave or personal leave day is not substituted, the teacher will be considered absent without pay.

Legal Reference: G.S. 115C-302

Adopted: June 5, 2000

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A career teacher may be granted a leave of absence without pay for the following reasons and for a period of time up to one calendar year, renewable at the discretion of the Superintendent with approval by the Board of Education:

- (1) Military (as provided by State Board of Education regulations);
- (2) Personal illness in excess of sick leave;
- (3) Family leave (up to one calendar year);
- (4) Other reasons in the discretion of the Superintendent with the approval of the Board of Education.

In determining the length of absence approved without pay, with the exception of military and family leave, due and proper consideration will be given to the welfare of the students, as well as the teacher.

With the exception of emergencies, a teacher who desires a leave of absence without pay will provide at least sixty days notice and will submit a request in writing to the Board of Education stating the beginning and ending dates of the desired leave of absence. Consultation with the principal or immediate supervisor is expected. The Superintendent may request documentation in support of the request.

Once a leave of absence has been requested and approved by the Superintendent for presentation to and final approval by the Board of Education, the dates are binding upon the teacher unless both parties agree to change.

Legal Reference: G.S. 115C-12(8), -36, -336
Adopted: June 5, 2000

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Paid vacation shall be earned by 10- and 12-month instructional personnel at the rate granted to state school employees.

- 3820.1 Vacation may be accumulated by instructional personnel with a maximum of thirty (30) days being carried forward to July 1 of any calendar year.
- 3820.2 Unused vacation shall be transferred with an employee who transfers to the Board of Education from another public school unit in North Carolina as long as the employee remains in a permanent, full-time position.
- 3820.3 Vacation which is earned by 12-month teachers during the two months of "extended employment" shall be taken only upon authorization of the employee's immediate supervisor and under policies established by the Board.
- 3820.4 The Superintendent is responsible for maintaining vacation records for each employee and for implementing this policy within the state law and the state administrative code.
- 3820.5 Vacation which is earned by teachers during the 10-month school-year employment shall be taken as outlined in the school-year calendar. Earned vacation may not be taken by instructional personnel on days during which school is in session for students.
- 3820.6 The Superintendent or his designee shall have the authority to approve the vacation schedules of all personnel. To promote the efficient operation of the schools, the Superintendent may designate certain periods during the nonacademic year as preferred vacation periods for twelve-month employees.

For continuous leave of more than ten days, if the leave also is eligible for leave under the Family and Medical Leave Act (FMLA), defined in Board Policy 3802/4701, and the leave is designated as FMLA-eligible at the time leave is taken or as soon as feasible thereafter, the notice and verification requirements of the employee in Board Policy 3802.3/4701.3 will apply.

Legal Reference: G.S. 115C-12, -272, -285, -302, -316

Adopted: June 5, 2000

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3830
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VOLUNTARY SHARED LEAVE

3830
4730

Qualified employees may donate annual and sick leave to employees who, by reason of prolonged absence caused by serious medical conditions, are likely to suffer financial hardship.

Eligibility to Receive Donated Leave

3830.1 Only permanent full-time and permanent part-time employees are eligible to
receive
4730.1 donated leave.

3830.2 In order to be eligible to receive donated leave, an employee, at the time of
receipt,
4730.2 must have no more than ten (10) days of sick and annual leave combined. Instructional
personnel, who may not use donated annual leave on student attendance days, will be eligible with no more than five (5) days
of sick leave.

3830.3 An employee who is receiving benefits from the Disability Income Plan
is not
4730.3 eligible to receive donated leave.

3830.4 An employee who faces a prolonged absence from work because of
a serious
4730.4 medical condition affecting the employee or a member of his immediate
family may apply to the Superintendent or his designee for donated leave.
Application may also be made by a third person acting on the employee's
behalf. The term "immediate family" includes the employee's spouse,
children, parents, and any other dependents residing in the employee's
household. The Superintendent or his designee shall approve or disapprove
all requests for receipt of donated leave.

Eligibility to Donate Leave

3830.5 Any employee who has in excess of five (5) sick leave days
accumulated or in

4730.5 excess of five (5) annual leave days accumulated is eligible, subject to the restrictions outlined below, to donate
leave to an employee who qualifies and is approved by the Superintendent or his designee to receive leave. Pamlico County
Board of Education employees may donate leave only to other Pamlico County Board of Education employees.

3830.6 All leave donations must be to a designated employee approved
by the

4730.6 Superintendent or his designee for receipt of donated leave.
Donations may not be made to a pool or bank.

3830.7 All donations must be in writing and signed by the donating
employee. The
4730.7 employee to receive the donation of leave must be named and the amount and type of donated leave specified.

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VOLUNTARY SHARED LEAVE (cont.)

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3830.8 Any eligible employee may donate annual leave. A donating employee
may not donate annual leave in an amount in excess of the amount that he could earn in one year.
4730.8

Sick leave may be donated only to a Board employee who is a member of the donor's family. The term "family" includes the employee's spouse, children, parents, and any other dependents residing in the employee's home. A donor of sick leave must retain at least five (5) days of sick leave.

3830.9 The donating employee may not receive compensation in any form for the
donation of leave. Any employee giving or receiving such compensation may be subject to discipline up to and including
4730.9 dismissal.

Use of Donated Leave

3830.10 An employee may normally receive no more than 130 work days of
donated
4730.10 leave, either continuously or for the same condition on a recurring basis. After 130 work days have been used, the Superintendent or his designee may extend this limit on a month-to-month basis. No employee may receive more donated leave than the number of working days in the twelve months following the first day of donated leave use.

3830.11 All donated leave must be used in one-half or whole day units.
4730.11

3830.12 Holidays falling during the period of use of donated leave will be paid.
The
4730.12 employee using donated leave will continue to earn annual and sick leave.

3830.13 An employee receiving pay from Worker's Compensation may use
donated
4730.13 leave during the required waiting period and to add to the compensation as provided by State Board of Education regulations.

3830.14 At the expiration of the medical condition, as determined by the Superintendent or
4730.14 his designee, any annual leave in excess of ten (10) days will be returned on a pro rata basis to the donors.

3830.15 Donated leave will not be counted in the receiving employee's account
total on
4730.15 June 30.

Legal Reference: G.S. § 115C-47
Adopted: June 5, 2000

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A. General Requirements

1. The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems which arise from time to time and affect employees. Proceedings arising therefrom shall be held in confidence by the Board and its agents except as required by law and this policy.
2. All parties in interest in any grievance filed pursuant to this policy shall conduct themselves in a professional manner at all times during the investigation and hearing of the grievance.
3. No reprisals of any kind shall be taken by the Board or by an employee of the Pamlico County Schools against any party in interest or other employee on account of his participation in a grievance filed and decided pursuant to this policy.
4. Each decision shall be in writing, setting forth the decision and reasons therefor, and shall be transmitted promptly to all parties in interest.
5. All meetings and hearings conducted pursuant to this policy shall be private. The grievant may request that any hearing conducted by the Board be open to the public. The Board may conduct an open hearing only upon unanimous vote of the Board members present to hear the grievance.
6. The Board and administration will cooperate with the employee(s) and his representative in the investigation of any grievance and will furnish the employee or his representative with information pertinent to the grievance without cost to the grievant or the employee against whom the grievance is filed.
7. Should, in the judgment of the Superintendent and/or designee, the investigation or processing of any grievance require the absence of the grievant(s) and/or his representative from regular assignments, such absences will be excused without loss of pay or benefits.

B. Definitions

1. Grievance - A formal written claim by an employee, or employee against another employee that: a) there has been a violation, misapplication, or misinterpretation of state or federal law or regulation, school board policy, or administrative regulation; b) an employee has been subject to discrimination

on the basis of race, religion, sex, national origin, age or handicap; or c) there exists a physical condition which jeopardizes an employee's health or safety, or which interferes with an employee's

ability to discharge his responsibilities properly and effectively. The term "grievance" shall not apply to any matter for which the method of review is prescribed by law or the Board of Education is without authority to act.

2. Employee - Any person employed the Pamlico County Schools.
3. Grievant - The employee(s) making the claim.
4. Parties in Interest - The grievant and the person against whom the grievance is filed.
5. Days - The working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the aggrieved employee's employment calendar. In counting days, the first day shall be the first full working day following receipt of the grievance.

C. Time Limitations

1. Timeliness - A formal grievance shall be filed as soon as possible, but in no event longer than thirty (30) days after disclosure of the facts giving rise to the grievance. The grievance shall be filed at that step given below at which a decision on the matter can be made. Except by mutual written agreement, failure by the official at any step to communicate a decision within the specified time limit shall permit the grievant to appeal at any step a grievance to the next step; likewise, failure by the grievant at any step to appeal a grievance to the next step within the specified time limit shall be considered acceptance of the decision at that step.

2. Time Limits - All time limits herein shall consist of workdays except that when a grievance is submitted on or after May 1, time limits shall consist of all weekdays (Monday - Friday) so that the matter may be resolved before the close of the school term or soon thereafter as possible. The number of days indicated at each level should be considered a maximum and every effort should be made to expedite the process. Upon agreement of the parties in interest, and with the approval of the Superintendent, the beginning of the time limits herein may be postponed until the beginning of the next school year for a grievance arising after May 1.

D. Procedure

It is usually desirable for an employee and his immediate supervisor to resolve problems through free and informal communication. However, should such informal processes fail to satisfy the employee then a grievance may, at the option of the employee(s), be processed pursuant to the steps set forth below.

All grievances shall be in writing and the written statement of grievance shall remain the same throughout all steps of the grievance procedure.

Step 1: The employee(s) shall present the grievance in writing to his immediate supervisor or the supervisor's designee, who shall arrange for a grievance file number to be assigned by the Personnel Office. The written grievance shall name the employee(s) against whom the grievance is filed and shall set forth the facts constituting the grievance and the specific laws, regulations, policies, procedures or physical conditions involved. A meeting will take place at a mutually agreed-upon time within five (5) days after receipt of the grievance. Each party may have one (1) representative at this meeting. The immediate supervisor or his designee shall provide the aggrieved employee(s) with a written response to the grievance within four (4) days after the meeting.

In the event the immediate supervisor or his designee determines at the outset that a Step 1 review is inappropriate, the grievance procedure may originate at Step 2.

Step 2: If the grievance is not resolved at Step 1, with four (4) days of receipt of the Step 1 decision, the employee(s) may refer the grievance for review by the Superintendent or his designee pursuant to Step 2. The Superintendent or his designee shall arrange for a meeting with the employee(s) to take place within five (5) days of his receipt of the appeal. Each party may have one (1) representative at this meeting. The Superintendent or his designee shall provide the aggrieved employee(s) with a written decision within four (4) days after the meeting.

Step 3: If the grievance has not been resolved at Step 2, the grievant may submit a written request for an appeal to the Board of Education. This request must be submitted within ten (10) days of receipt of the Step 2 decision. The Chairman of the Board may designate a committee of three (3) or more members to hear the grievance. No new evidence, written or verbal, may be presented without the prior knowledge and consent of both parties or upon a majority vote of the Board or its committee. Each party may have one (1) representative at the hearing before the Board or its committee.

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GRIEVANCE PROCEDURE FOR EMPLOYEES (cont.)

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The Board or its designated committee shall render a decision, in writing, within thirty (30) days of receipt of the request for Board review. The decision of the Board or its committee may affirm, disaffirm, or modify the decision of the Superintendent. The decision of the Board or its committee shall be final.

Legal Reference: Title IX of the Education Amendments of 1972; G.S. 115C-47
Adopted: June 5, 2000

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RESPONSIBILITY FOR COMPLIANCE WITH BOARD POLICY

4000
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All school employees shall be held responsible for familiarizing themselves with the printed policies of the Board and shall be held accountable for compliance.

Unless the context or content of a policy provides otherwise, the 3000 policy series applies to instructional personnel and the 4000 policy series applies to support personnel.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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CODE OF ETHICS AND STANDARDS OF CONDUCT

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Each employee is responsible for both the integrity and the consequences of his or her own actions. The highest standards of honesty, integrity, and fairness must be exhibited by each employee when engaging in any activity concerning the school system, particularly in relationships with vendors, suppliers, students, parents, the public, and other employees. Employee conduct should be such as to protect both the person's integrity and/or reputation and that of the school system. An unswerving commitment to honorable behavior by each and every employee is expected. Integrity can accommodate the inadvertent error and the honest difference of opinion; it cannot accommodate deceit or subordination of principle.

Each employee should conduct himself in such a manner as to promote a safe, secure, and orderly school environment. Further, each employee's conduct should foster a climate of respect at the school and, thus, by example demonstrate that appropriate personal conduct should be a priority for all students and all school employees.

Employees shall perform their jobs in a competent and ethical manner without violating either the public trust or applicable laws, policies and regulations. It is not practical or possible to enumerate all of the situations that might fall under the guidelines of this policy. In addition to other policies, regulations and approved practices that have been established covering specific areas of activity (such as purchasing), the absence of law, policy or regulation covering a particular situation does not relieve an employee from the responsibility to exercise the highest ethical standards at all times.

The Superintendent shall develop in Regulations and Procedures guidelines which address the specifics related to this policy.

Legal Reference: G.S. 14-234 to -236; 115C-47 and -105.47.

Adopted: June 5, 2000

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DRUG-FREE WORKPLACE

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The Pamlico County Board of Education believes that work environments must be free of employees who are under the influence of alcohol or illegal drugs, or who abuse prescription drugs. It is the purpose of this policy to ensure that all employees are free of these substances so that they may perform their tasks safely and efficiently. Emphasis will be placed on rehabilitation of employees who abuse drugs or alcohol so that they may live up to their responsibilities and the standards set by this policy. All employees should be aware of the harmful effects and dangers of alcohol and other drug abuse. Specifically, an employee working under the influence of alcohol or drugs:

- A. May create unsafe conditions for other employees and students;
- B. May perform unsatisfactorily and may adversely affect the performance of those who work with him;
- C. May discredit the Pamlico County Schools and cause disrespect for both the Board of Education and the Pamlico County Schools among students and parents.
- D. May violate the duty of all Pamlico County Schools employees to serve as role models for students.

I. Definitions

For the purposes of this policy, the following definitions shall apply:

- A. A "Category A employee" is one whose primary duty includes being a school bus driver, an activity bus driver, a driver's education teacher, a bus mechanic, or a security officer. Because of the sensitive nature of the duties of these employees and because misjudgment by such employees may have an immediate impact on the safety and physical well-being of students and other school personnel, the Board has established a special category for these employees.
- B. "Illegal drugs" are defined as controlled substances when used for non-medical purposes and substances which may affect or alter bodily functions, judgment, or perception when used for non-medical purposes, whether listed as a controlled substance or not. The North Carolina Controlled Substances Act (N.C. Gen. Stat. Ch. 90, Art. 5) and the United States Controlled Substances Act (21 U.S.C. § 801 et seq.) define "controlled substances" and make them illegal when used for non-medical purposes.

C. "Under the influence" is defined as being that state when an employee's behavior or performance is affected to an observable extent by alcohol, drugs or other substances. Without regard to an employee's behavior or performance, an employee shall be deemed to be under the influence when his alcohol content level as determined by a breathalyzer or blood test equals or exceeds the level that constitutes impaired driving in a commercial motor vehicle under the Motor Vehicle Laws of North Carolina (N.C. Gen. Stat. § 20-138.2).

D. "Abuse" of prescription drugs or other substances occurs when a person uses prescription drugs or other substances either without or in a manner contrary to the specific direction of a physician and where such use affects the employee's behavior or performance to an observable extent.

II. Prohibited Acts

The Board prohibits the following acts:

A. The manufacture, sale, distribution, possession or use of illegal drugs or the abuse of prescription drugs by its employees;

B. The sale, distribution, possession or use of alcohol by its employees while on duty;

C. In the case of Category A employees, driving at any time while under the influence of alcohol or other drugs.

III. Penalties for Noncompliance

Any employee who violates this policy shall be subject to disciplinary sanctions, which may include dismissal. When appropriate, emphasis shall be given to rehabilitation of employees.

A. Any employee who is convicted or pleads guilty or no contest to a felony involving selling, distributing, possessing and/or using illegal drugs in violation of state or federal law shall be dismissed. In addition, if a Category A employee is convicted or pleads guilty or no contest to a charge of driving at any time while under the influence of alcohol or drugs, he shall be dismissed.

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DRUG-FREE WORKPLACE (cont.)

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B. Any employee who sells or distributes illegal drugs shall be dismissed. Any employee who uses or is found to be under the influence of illegal drugs or to be abusing prescription drugs while on duty shall be subject to discipline, up to and including dismissal, except that a Category A employee shall be dismissed in all such cases.

C. Any employee who sells or distributes alcohol while on duty shall be dismissed. Any employee who uses or is found to be under the influence of alcohol while on duty shall be subject to discipline, up to and including dismissal, except that a Category A employee shall be dismissed in all such cases.

D. In those cases where discipline less than dismissal is appropriate under this policy and where there appears to be a reasonable possibility of rehabilitating an employee, he shall be referred to appropriate programs. After an assessment and evaluation, the employee may, as an alternative to other discipline, be allowed to participate in a rehabilitation program as approved by the Superintendent and at the employee's expense. (This alternative is not available to Category A employees.) If the employee fails to complete the program satisfactorily, then the employee shall be disciplined, up to and including dismissal. If the employee is found to have committed a subsequent drug or alcohol offense after entering the program, then the employee shall be dismissed.

IV. Authority to Test

A. Pre-employment testing

All job applicants for Category A positions shall be required to undergo a drug test prior to and as a condition of final employment by the Board of Education. A confirmed, positive test indicating illegal or prohibited use of drugs will disqualify the applicant for employment with the school system. All newly hired Category A employees, full and part-time, will be temporary employees pending a review of drug test results.

All job applicants will be required to read this policy as a condition of employment and sign a statement of intent to comply with this policy.

B. Post-employment - Category A employees

After they have been employed, Category A employees will be required to:

1. Submit to random alcohol and drug tests without cause;

2. Submit to an immediate medical examination, including alcohol or drug testing, where a supervisor or other management employee has reasonable suspicion to believe that the employee is under the influence of alcohol or other drugs;

3. Immediately submit to alcohol or drug testing if involved in an accident while operating a school vehicle; and

4. Read this policy as a condition of continuing employment and sign a statement of intent to comply with this policy.

In the event the employee refuses to submit to a drug test as required herein, or there is a positive alcohol or drug test, and it is confirmed by the medical review officer that the Category A employee has been using illegal drugs or abusing prescription drugs, then the employee shall be dismissed.

Testing of all commercial motor vehicle operators employed by the Board, including school bus and activity bus drivers, shall include testing that complies with 49 C.F.R. Part 382 and Board policy 3008/4008/8308.

C. Post-employment - All employees

Each employee shall be given a copy of this policy.

Any employee of the Board may be required to submit to a drug or alcohol test when a supervisor or other management employee has reasonable suspicion to believe that the employee is using alcohol or illegal drugs or is abusing prescription drugs in the workplace. Refusal to consent to such testing shall be cause for disciplinary action up to and including dismissal.

Reasonable suspicion justifying such testing may be based on, among other things:

1. Observation of drug use or possession and/or the physical symptom(s) of being under the influence of a drug or alcohol;

2. A pattern of abnormal conduct or erratic behavior consistent with abuse of drugs or alcohol;

3. Arrest or conviction for a drug- or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation;

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DRUG-FREE WORKPLACE (cont.)

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4. Information provided either by reliable and credible sources or independently corroborated; or

5. Evidence that the employee has tampered with a previous drug or alcohol test.

V. Drug-Free Workplace Act of 1988

In furtherance of the goals of the Drug-Free Workplace Act of 1988 and as a condition of employment with the Pamlico County Schools, each employee must comply fully with this policy. Each employee is required to notify his or her immediate supervisor and the appropriate personnel department representative within five days after any criminal conviction or no contest plea involving alcohol or drugs. Employees who are aware of another employee's on-the-job alcohol or other drug violation must notify their immediate supervisor and the appropriate personnel department representative. Employees who fail to make such notification are subject to disciplinary action up to and including dismissal.

VI. Confidentiality

Information obtained through implementation of this policy is intended to be solely for the purposes specified in this policy and to protect the health and safety of students and/or employees. The confidentiality of all test results will be maintained as required by applicable laws, with only those persons having a need to know being informed of the results.

VII. State Law

All drug testing conducted by or on behalf of the Pamlico County Board of Education will comply with the requirements of N.C. Gen. Stat. 95-230 through -234.

VIII.

Employees shall be provided information concerning available counseling, rehabilitation, and re-entry programs.

Legal Reference: G.S. 115C-47; G.S. Ch. 95, Art. 20; 21 U.S.C. 812; 41 U.S.C. 701 et seq.; 49 U.S.C. App. 2717; 49 C.F.R. Parts 40 & 382

Adopted: June 5, 2000

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**DRUG AND ALCOHOL TESTING OF
COMMERCIAL MOTOR VEHICLE OPERATORS**

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The purpose of this policy is to help ensure safe operation of school vehicles and to comply with federal regulations by establishing a comprehensive program of drug and alcohol testing for school bus drivers and all other commercial motor vehicle operators employed by the Board.

Applicability

Persons subject to this policy include anyone who operates a commercial motor vehicle in the course of their duties for the Board of Education, including anyone who regularly or intermittently drives a school bus, activity bus, or other vehicle designed to transport sixteen or more people, including the driver.

Prohibited Acts

No person who is subject to this policy, or any supervisor of such persons, may commit any act prohibited by 49 C.F.R. Part 382, or by Board policy 3008/4008/8308. In addition, commercial motor vehicle operators employed by the Board shall not be impaired by alcohol or by any prescription or non-prescription drug while on duty or while operating any motor vehicle. Employees found in violation of this policy or Part 382 will be subject to dismissal.

Procedures

The administration shall ensure that the collection procedures outlined in 49 C.F.R. Part 40 are met, and that testing, reporting, record retention, training, confidentiality, and other requirements of 49 C.F.R. Part 382 are met.

Testing

The administration shall carry out pre-employment, post-accident, random, reasonable suspicion, return to duty, and follow-up testing for drugs and alcohol as required by 49 C.F.R. Part 382. School bus drivers and others employed by the Board for the primary purpose of operating a commercial motor vehicle shall undergo pre-employment testing. Employees whose duties include intermittent driving will not be subject to pre-employment testing but must undergo pre-duty testing before operating a commercial motor vehicle, and must undergo all other testing required by Part 382. Refusal of any test required pursuant to this policy or Part 382 shall be cause for dismissal.

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**DRUG AND ALCOHOL TESTING OF
COMMERCIAL MOTOR VEHICLE OPERATORS
(cont.)**

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Pre-employment Inquiry

All applicants who would be subject to this policy if employed shall consent in writing to the release of any information gathered pursuant to 49 C.F.R. Part 382 by any of the applicant's previous employers. Before employing any applicant covered by this policy or Part 382, the administration shall obtain, pursuant to written consent, all records maintained by the applicant's previous employer of prohibited acts taking place during the previous two years.

Training and Education

Each commercial motor vehicle operator and supervisory employee, including principals and assistant principals, shall be provided with educational materials that inform the employees of drug testing procedures, prohibited acts, consequences, and other aspects of 49 C.F.R. Part 382 and this policy. The information also shall identify a school system employee who will be responsible for providing information on substance abuse. Each employee shall sign a statement certifying receipt of these materials.

Each supervisor responsible for overseeing the performance of commercial motor vehicle operators shall undergo at least one hour of training concerning alcohol misuse and an additional hour of training concerning drug abuse.

Referrals

Each motor vehicle operator who violates acts prohibited by 49 C.F.R. Part 382, other than provisions governing pre-employment testing, shall be provided with information concerning resources available for evaluating and resolving drug or alcohol misuse. This information shall include names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. Before allowing anyone who has committed a prohibited act under 49 C.F.R. Part 382 to drive again, that employee shall be evaluated by a substance abuse professional and must undergo any appropriate treatment designated by the substance abuse professional.

Legal Reference: 49 U.S.C. App. 2717; 49 C.F.R. Parts 40 & 382
Adopted: June 5, 2000

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EQUAL EMPLOYMENT OPPORTUNITIES

4010
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It is the policy of the Pamlico County Board of Education to provide all applicants for employment with equal employment opportunities and to provide current employees with training, compensation, promotion, and other attributes of employment without regard to race, color, religion, national origin, sex, age, or handicap, except where sex, age, or physical requirements are essential occupational qualifications. All candidates will be evaluated on their merits and qualifications for positions.

The Pamlico County Board of Education also recognizes the educational and professional advantages of racial, sexual, and cultural diversity in the make-up of the professional staff that is employed to serve the students enrolled in the Pamlico County Schools. Therefore, the Board is also committed to a recruitment and employment program that will result in a professional staff that reflects the racial, sexual, and cultural diversity of the Pamlico County community and the students who attend the Pamlico County Schools.

3010.1 The Superintendent shall report annually to the Board on the progress made
in
4010.1 adhering to this policy.

Legal Reference: Civil Rights Acts of 1866, 1870, 1871, and 1964; Age Discrimination
in Employment Act of 1967; Equal Pay Act of 1963; Executive Order
11246; Title IX of the Education Amendments of 1972; Vocational
Rehabilitation Act of 1973; 20 U.S.C. § 1703; G.S. 126-16

Adopted: June 5, 2000

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4020

RECRUITMENT AND SELECTION

4020

It shall be the policy of the Board that a continuous system of recruitment and selection of personnel be maintained in order to assure competent candidates for vacancies as needed.

4020.1 No one shall be employed for a position until said position has been
incorporated in the current budget by the Finance Officer.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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PROCEDURE FOR CANDIDATE EVALUATION

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Candidates for employment will be selected on the basis of:

- A. Application
- B. Training background
- C. Experience record
- D. Personal interviews
- E. Background check, including criminal records check for recommended candidates.

Legal Reference: G.S. 114-19.2; 115C-36, -47
Adopted: June 5, 2000

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HIRING PROCEDURE

4022

The Board shall hire support personnel only upon the recommendation of the Superintendent.

- 4022.1 The Superintendent or his designee shall have the authority to hire and dismiss support personnel and take all other personnel action deemed necessary.
- 4022.2 Any action to discipline, demote or dismiss support personnel shall be appealable to the Board by the affected personnel.

Legal Reference: G.S. 115C-45(c), -276(j)
Adopted: June 5, 2000

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**CRIMINAL HISTORY CHECK OF APPLICANTS
AND INDEPENDENT CONTRACTORS**

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The Pamlico County Board of Education believes that it should attempt to provide a safe and secure learning and working environment for all students and staff. The Board also believes that employees should be role models for students. Criminal convictions against, or pleas of guilty or **nolo contendere** by an applicant may have an impact upon these goals and will be considered in hiring and dismissal decisions. Accordingly a criminal history check will be conducted on all final candidates who will be recommended to the Board for school personnel positions, including independent contractors who are being considered for performing the duties of a school personnel position.

4023.1 School personnel positions are defined as all positions based in a school,
including
3023.1 the following positions: principal, assistant principal, school administrative
staff, certified staff, teaching assistant, coaching assistant and trainer,
substitute teacher, custodian, driver training teacher and bus driver.
School personnel positions also include central office positions in which
the duties are substantially performed in the schools, and there is
significant access to students.

4023.2 A reasonable effort will be made to ascertain whether the final
candidate for a
3023.2 school personnel position has any criminal history in the county of residence,
employment, or schooling for at least the past five years. The
superintendent or designee is authorized to utilize local, state or national
repositories of records as necessary to conduct a reasonable review.

4023.3 The applicant will be required to be fingerprinted and to provide
any other
3023.3 information necessary to conduct the criminal history check. The criminal
history check will be conducted at the school system's expense. Any
applicant who refuses to consent, including independent contractors, will not
be considered for a school personnel position.

4023.4 Any offer of employment is conditional on a favorable review of the
criminal

3023.4

history. If a final candidate or contractor has a criminal history, the employment decision will include written documentation of how the criminal history information was used, including a determination of whether the final candidate/independent contractor (1) poses a threat to the physical safety of students or personnel or (2) has demonstrated that he or she does not have the integrity or honesty to fulfill the duties of the position. An applicant will not be denied a position based upon the criminal history check by the Justice Department without confirmation of the criminal history by certified copy of the conviction or other means permitted by State Board rules.

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**CRIMINAL HISTORY CHECK OF APPLICANTS
AND INDEPENDENT CONTRACTORS (cont.)**

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4023.5 Applicants shall be required to answer completely and accurately all
questions on
3023.5 their applications with regard to previous criminal history. False information
on an employment application or contract will subject the applicant or
contractor to not being hired and an employee to being dismissed.

Legal Reference: G.S. 114-19.2(a); 115C-36, -332
Adopted: June 5, 2000

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HEALTH CERTIFICATE REQUIRED

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Every new employee, and any employee returning to work after an absence of more than one school year, or who has been absent for more than forty (40) successive school days because of a communicable disease, shall be required to furnish a fully completed and approved health certificate on the prescribed forms before assuming his duties.

Legal Reference: G.S. 115C-323
Adopted: June 5, 2000
Revised: September 3, 2002.

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COMMUNICABLE DISEASES - EMPLOYEES

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It is the policy of the Pamlico County Board of Education to attempt to provide a safe and secure environment for all students and employees. Under certain circumstances employees with communicable diseases may pose a threat to the health and safety of students and staff. In an effort to maintain a balance between the need to protect students' and employees' rights and to control serious communicable diseases, decisions regarding the employment status of employees with communicable diseases shall be made on a case-by-case basis, in accordance with this policy.

- 4031.1 Employees with communicable diseases, including AIDS and HIV infection, shall
- 3031.1 be permitted to continue employment in accordance with Subsection 3031.2/4031.2. Any employee suffering from such a disease shall report this fact to his immediate supervisor. When the school system learns that an employee has a serious communicable disease, the Superintendent shall form an advisory committee to evaluate the employee's status.
- 4031.2 The advisory committee formed by the Superintendent shall include the Superin-
- 3031.2 tendent or his designee, the employee's principal or immediate supervisor where appropriate, a physician representing the county health director or his designee, legal counsel, as necessary, and, when available, the employee's personal physician. The committee shall review the case of each such employee to determine how the employee's disease is transmitted, how long the employee will be infectious, to what degree the employee's presence in his current job exposes students and other staff to harm, and the probability that the disease will be transmitted to others in the school community. If the committee determines that a significant risk of transmission exists in the employee's current position, the Superintendent, after consulting with the medical experts on the committee, shall determine whether alternative employment opportunities that would eliminate that risk and for which the employee is otherwise qualified are reasonably available within the school system. All deliberations of the advisory committee shall be kept strictly confidential.
- 4031.3 Employees with AIDS or HIV infection have or may develop immunodeficiencies
- 3031.3 which increase the risk of severe complications from exposure to other communicable diseases that appear in the school setting. Accordingly, employees should report to the principal and/or the Assistant Superintendent for Administrative Services in the event they suffer from any such immunodeficiency. Whenever possible, the principal and/or supervisor

should notify an infected employee of the existence of chicken pox, influenza, meningococcus, measles or tuberculosis occurring in the workplace that may represent a serious threat to the employee's health.

- 4031.4 The personnel informed of the condition of an employee with AIDS or HIV infect-
3031.4 tion should be limited to those needed to protect the health and safety of the employee, students and other staff, and to identify situations where potential for transmission of the disease might exist. Those informed of the employee's condition shall respect and maintain his right to privacy and the confidentiality of his records. These persons shall be provided with appropriate information concerning necessary precautions, and they shall be made aware of confidentiality requirements.
- 4031.5 In accordance with N.C. Gen. Stat. 130A-136, school principals shall report
3031.5 suspected cases of communicable diseases, including AIDS, to the County Health Department. Confidentiality of such reports is protected by law, and school employees are presumed by the law to be immune from liability for making such reports in good faith. The principal also shall report suspected cases of communicable diseases, including AIDS or HIV infection, to the Superintendent.
- 4031.6 In order to prevent the spread of communicable diseases, guidelines for necessary
3031.6 health and safety precautions shall be distributed by the administration and shall be followed by all school employees.
- 4031.7 Nothing in this policy is intended to grant or confer any employment rights beyond
3031.7 those existing by law or contract.

Legal References: Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.; 29 C.F.R. 1630; 10A N.C.A.C. 41A.0101, et seq.; N.C. Gen. Stat. Chapter 130A, Article 6; §115C-36 and -47(18).

Adopted: June 5, 2000

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SMOKING AND TOBACCO PRODUCTS PROHIBITED

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It is the policy of the Board of Education to promote the health and safety of all students and staff and to promote the cleanliness of all school facilities. To this end, the Board prohibits at all times the use of any tobacco product by any person in any school building or facility, or on school grounds, and in or on any school property owned or operated by the Pamlico County Schools. This policy also prohibits the use of any tobacco product by persons attending a school-sponsored event at a location not listed above when in the presence of students or school personnel or in an area where smoking is otherwise prohibited by law.

Tobacco products may be included in instructional or research activities in school buildings, provided the activity is conducted or supervised by a faculty member overseeing the instructional research, and the activity does not include smoking, chewing, or otherwise ingesting the tobacco product. Permission must be obtained from the principal prior to conducting any such instructional or research activities.

The Superintendent is responsible for providing adequate notice to students, parents, the public and school personnel of this policy, including posting signs regarding this policy in every school building. The Superintendent is also responsible for enforcing this policy at the central office of the Pamlico County Schools. The principal of each school in the school system is responsible for enforcing this policy at his or her respective school and shall require that school personnel enforce this policy.

Legal Reference: G.S. 115C-47(18), -407; 20 U.S.C. §6083

Adopted: June 5, 2000

Revised: July 6, 2004

Revised: December 3, 2007

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COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS

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The Board recognizes the importance of using precautionary measures and educating employees to prevent the transmission of communicable diseases.

In furtherance of this objective, Pamlico County Schools will comply with regulations on bloodborne pathogens in 13 North Carolina Administrative Code 7C.0101(a)(96), which is identical to OSHA regulations, 29 Code of Federal Regulations 1910.1030. The citations in this policy refer to the federal regulations. Additional training and education beyond the requirements of these regulations also will be provided as described below.

The following procedures will be followed in order to comply with the bloodborne pathogens regulations.

4033.1 Exposure Determination

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All job classifications must be categorized as to whether (1) all employees in the job classification have occupational exposure; (2) some employees in the job classification have tasks which create occupational exposure, with each of these tasks being listed; or (3) all employees in the job classification perform no tasks which are likely to create occupational exposure. 1910.1030(c)(2).

Occupational Exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. 1910.1030(b).

The exposure determination will be made by the Superintendent or his designee by consulting with the exposure control team to identify tasks where occupational exposure may occur.

The exposure determination must be included in the exposure control plan and reviewed at least annually to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. 1910.1030(c)(iv).

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**COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS
(cont.)**

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4033.2 Exposure Control Plan

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The exposure control plan will include the schedule and methods for implementing universal precautions, engineering and work practice controls, personal protective equipment, housekeeping, and labeling of hazardous areas. The plan also will include the schedule and method for providing training classes, Hepatitis B vaccination and post-exposure follow-up. The plan will show how records will be maintained for training classes, Hepatitis B vaccinations/refusals of vaccinations, and exposure incident reports. 1910.1030(c)(1).

The exposure control team will be responsible for drafting and producing the final copy of the exposure control plan and for making copies available as required by 1910.1030(1)(iii)(5). The exposure control team also will ensure that an annual review of the exposure control plan is conducted and that input is sought from employees.

4033.3 Hepatitis B Vaccination

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The Hepatitis B vaccination will be made available to all employees with occupational exposure, at no cost at a reasonable time and place by a licensed physician or other healthcare professional or someone supervised by a licensed professional. The tests will be performed at an accredited laboratory. The vaccination shall be made available within ten working days of initial assignment but after receiving the training required by 1910.1030(g)(2). An employee may refuse the vaccination and at any later date choose to receive the vaccination. 1910.1030(f)(1), (2).

The Assistant Superintendent for Administrative Services will coordinate healthcare services necessary to provide the vaccination.

The Assistant Superintendent for Administrative Services will maintain Hepatitis B vaccination records as part of the medical records required to be kept for duration of employment plus 30 years. 1910.1030(h)(1).

The Assistant Superintendent for Administrative Services will ensure that those refusing Hepatitis B vaccinations will sign a statement of refusal. The Assistant Superintendent for Administrative Services will maintain records of refusals in the medical records of employees. 1910.1030(f)(2).

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**COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS
(cont.)**

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4033.4 Post-Exposure Follow-Up

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Following a report of an exposure incident, Pamlico County Schools will make available to the exposed employee a confidential medical evaluation and follow-up. 1910.1030(f)(3).

The Assistant Superintendent for Administrative Services will coordinate provision of contracted healthcare services or reimbursement for healthcare services as identified in 1910.1030 (f)(3), (4) and (5), and will ensure incident exposure forms are available to employees.

The Assistant Superintendent for Administrative Services will maintain records of exposure incidents which shall be kept as part of the employee's medical record for the duration of employment plus thirty years with information required by 1910.1030(f)(5), (6) and 1910.1030(h)(1).

4033.5 Training of Employees

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All employees with occupational exposure (either all in an identified job classification or for particular employees who perform tasks reasonably anticipated to cause occupational exposure) must receive training at the time of initial assignment and annually from the date of previous training. Training must be provided within ten days of initial assignment and before the Hepatitis B vaccination is offered. 1910.0130(f)(2)(i), 1090.1030(g)(2).

Training of those classified as having occupational exposure must include material as described in 1910.1030(g)(2)(vii). For those who are occupationally exposed but received training prior to the effective date of 1910.1030(g)(2), training must only be provided initially to address any gaps in material required to be taught by 1910.1030(g)(2)(vii).

Pamlico County Schools also is providing basic training to other employees who are not occupationally exposed according to the statutory definition but who may benefit from exercising universal precautions. These employees include administrative personnel. The Assistant Superintendent for Administrative Services will be responsible for providing training for employees and making records of training.

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COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS
(cont.)

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Training records required by 1910.1030(h)(2) for classes taught to occupationally exposed employees will be maintained by the Assistant Superintendent for Administrative Services for three years. The information contained in records will include all information required by 1910.1030(h)(2)(i).

Training records not required by the statute will be maintained by the principals/department heads/supervisors.

4033.6 Workplace Safety Precautions

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Pamlico County Schools will comply with all universal precautions, engineering and workplace controls, personal protection equipment, and housekeeping in 1910.1030(d). Labeling of hazardous materials also will be performed as required by 1910.1030(g)(1).

The exposure control team will be responsible for assuring that the exposure control plan has a complete schedule and method of implementation of workplace safety precautions to be included in the exposure control plan. The exposure control team will work with the Finance Officer in developing the schedule and methods of implementation for engineering and workplace controls as identified in 1910.1030(d)(2), personal protection equipment in 1910.1030(d)(3), housekeeping in 1910.1030(d)(4), and labeling in 1910.1030(g)(1).

The Superintendent or his designee will ensure precautions are in place and that the exposure control plan is updated at least annually to reflect changes in facilities or employee tasks. 1910.1030(c)(iv).

The Finance Officer will ensure the purchase of protective equipment and its availability to employees. The Finance Officer also will ensure purchase of protective labels and their use in all required work areas.

4033.7 Confidentiality

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Pamlico County Schools and its employees shall strictly adhere to all confidentiality rules and laws regarding employees with communicable diseases, including HIV or HIV-associated conditions.

Legal Reference: 13 N.C. Admin. Code 7C.0101(a)(96); 29 C.F.R. 1910.1030
Adopted: June 5, 2000

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SEXUAL HARASSMENT

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The Pamlico County Board of Education believes that all employees and students are entitled to work and study in school-related environments that are free of sexual harassment. To this end, the Board prohibits employees from engaging in sexual harassment and advises employees that when evidence of sexual harassment is established, disciplinary action may be taken, up to and including dismissal.

4035.1 Unwelcome sexual advances, requests for sexual favors, and other verbal or
physical
3035.1 conduct of a sexual nature constitute sexual harassment when:
8335.1

- A. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic progress, or completion of a school-related activity; or
- B. Submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual, or, in the case of a student, submission to or rejection of such conduct, is used in evaluating the individual's performance within a course of study or other school-related activity; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or a student's educational performance, or creating an intimidating, hostile, or offensive environment.

4035.2 Examples of sexual harassment include, but are not limited to, continued or
repeated
3035.2 offensive sexual flirtations, advances or propositions; continued
or repeated verbal

8335.2 remarks about an individual's body; sexually degrading words used toward
an individual or to describe an individual; and the display in the work place
of sexually suggestive objects or pictures. Sexual harassment does not
include personal compliments welcomed by the recipient, or social

interactions or relations freely entered into by employees or prospective employees.

4035.3 It is possible for sexual harassment to occur at various levels: between
peers or co-
3035.3 workers, between supervisors and subordinates, between employees
and students,
8335.3 or imposed by non-employees on employees and/or students.

- A. In the event that anyone believes that he/she has been sexually harassed, he/she should bring the matter to the attention of the designated Title IX Coordinator, who is the Assistant Superintendent for Administrative Services. Upon listening to the facts and allegations, the Assistant Superintendent for Administrative Services will advise the person on how to attempt to resolve the matter directly and informally, or if that course fails or is unwise, to present the complaint in writing to him with supporting detail. The Assistant Superintendent for Administrative Services will then proceed to investigate the matter and will attempt to resolve it in an expeditious manner.
- B. If for any reason, the complainant is not satisfied with the administration's response, he/she may file an appeal with the Chairman of the Board of Education.

Legal Reference: Title VII of the Civil Rights Act of 1964; G.S. 126-16; Equal Employment Opportunity Commission's "Final Amendment Guidelines on Discrimination Because of Sex"; Title IX of the Education Amendments of 1972

Adopted: June 5, 2000

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PROHIBITED RELATIONSHIPS WITH STUDENTS

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All employees of the Pamlico County Board of Education, other than student employees, are prohibited from dating, courting or entering into a romantic or sexual relationship with any student who is enrolled in the Pamlico County Schools, regardless of the student's age or consent. Employees engaging in such inappropriate conduct will be subject to disciplinary action, up to and including dismissal.

Any employee who has reason to believe that another employee is inappropriately involved with a student, as described above, shall report this information to the Assistant Superintendent for Administrative Services. An employee who fails to make such a report when he has a reasonable belief that an inappropriate relationship exists, may be subject to disciplinary action.

Legal Reference: G.S. 115C-47, -308
Adopted: June 5, 2000

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3037/4037/8337
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PROHIBITION OF BULLYING, HARASSMENT AND DISCRIMINATION

Bullying, harassment, and discrimination are prohibited in the Pamlico County schools. The Pamlico County schools and staff shall not tolerate any bullying, harassment, or discrimination on school property and grounds or at any school activity on or off campus. The board believes that all employees and students should be free of discrimination, harassment, and bullying as a part of a safe, orderly, caring and inviting working and learning environment. The board commits itself to nondiscrimination in all its educational and employment activities.

The board also prohibits retaliation against an employee or student who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of this policy.

Any violation of this policy is considered a serious violation and appropriate action will be taken in response to a violation.

3037.1 APPLICATION OF POLICY **4037.1** **8337.1**

All persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school district must comply with all applicable federal and state laws and regulations regarding harassment, bullying, or discrimination. Visitors also are expected to comply with applicable laws, including the prohibition against discrimination, harassment and bullying of students or employees. This policy will apply in the following circumstances:

1. while in any school building or on any school premises before, during or after school hours;
2. while on any bus or other vehicle as part of any school activity;
3. while waiting at any bus stop;
4. during any school function, extracurricular activity or other activity or event;
5. when subject to the authority of school personnel; and
6. any time or place when the behavior has a direct and immediate effect on

maintaining order and discipline in the schools.

3037.11 DEFINITIONS
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For purposes of this policy, the following definitions will apply.

3. *Discrimination.* As used in this policy, discrimination means unlawful differential treatment of others based solely on their membership in a protected group or category, such as race, color, national origin, sex, pregnancy, religion, age, or disability. Discrimination may be intentional or unintentional.
4. *Harassment and Bullying.* As used in this policy, harassing or bullying behavior refers to any pattern of gestures or written, electronic or verbal communications, or any physical act or threatening communication, that:
 1. Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
 2. Creates or is certain to create a hostile learning or working environment. A "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that is bullying or harassing behavior.

Harassing or bullying behavior includes verbal or physical conduct that is intended to intimidate, injure, degrade, or disgrace another student or person, or that has such an effect. It may include a pattern of abuse over time and may involve a student being "picked on." It can include a variety of behaviors, such as but not limited to the following:

- Physical intimidation or assault
- Derogatory verbal comments (e.g., name-calling, hostile teasing, cruel rumors, taunts, put-downs, epithets, false accusations, harassment or discriminatory acts, slurs and mean-spirited jokes)
- Threatening gestures or actions; oral, cyber, or written threats
- Extortion or stealing money and possessions
- Shunning and exclusion from peer group
- Hazing

Harassing or bullying behavior includes, but is not limited to, behavior described above that is reasonably perceived as being motivated by an actual

or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

3037.12 REPORTING DISCRIMINATION, HARASSMENT OR BULLYING

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6. Any student who believes that he or she has been harassed, bullied or discriminated against in violation of this policy should report such behavior immediately to a teacher, counselor or administrator at his or her school. In the case of alleged harassment or bullying of a student by a school employee, a report also may be made to the Associate Superintendent for Administrative Services or designee.
7. Any employee who believes that he or she has been harassed, bullied or discriminated against in violation of this policy should report such behavior promptly to his/her immediate supervisor and/or the Associate Superintendent for Administrative Services or designee.
8. Any school employee who observes or becomes aware of alleged harassing, bullying or discriminatory behavior shall promptly report the incident as follows:
 - a. If the alleged perpetrator is a student, the report shall be made to the principal;
 - b. If the alleged perpetrator is a school employee, the report shall be made to the alleged perpetrator's immediate supervisor and/or the Associate Superintendent for Administrative Services;
 - c. If the alleged perpetrator is some other person, the report may be made to the principal and/or the Associate Superintendent for Administrative Services;
 - d. Failure to make such a report required by this section may subject the employee to disciplinary action.
9. Any person may report an act of harassment, bullying or discrimination anonymously. However, formal disciplinary action may not be taken solely on the basis of an anonymous report.
10. If the person to whom a report should be made under this section is the alleged perpetrator, or in circumstances not otherwise provided above, a report of harassing, bullying or discriminatory behavior may be made to the Associate

Superintendent for Administrative Services, the Superintendent, or the Board attorney.

3037.13 INVESTIGATION
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8337.4

8. All reports of alleged harassment, bullying or discriminatory behavior shall be promptly and thoroughly investigated.
9. Investigation of alleged harassment, bullying or discriminatory behavior by a student shall be conducted by the principal or designee.
10. Investigation of alleged harassment, bullying or discriminatory behavior by an employee shall be conducted by the Associate Superintendent for Administrative Services or designee.
11. Investigation of alleged harassment, bullying or discriminatory behavior by a volunteer or visitor shall be conducted by the principal or designee if the behavior occurred on school grounds or at a school activity, and otherwise by the Associate Superintendent for Administrative Services or designee.
12. If the individual designated as investigator under this policy is the alleged perpetrator, the investigation shall be conducted by an appropriate person designated by the Superintendent. If the alleged perpetrator is the Superintendent or a member of the Board, the Board attorney shall be the investigator.
13. If at any time the investigator receives information alleging that the harassment, bullying or discriminatory behavior was based on sex or gender, the investigator shall notify the school system's Title IX Coordinator. In such case, the procedures outlined in Board Policy 3035/4035/8335 (Sexual Harassment) shall be followed.
14. The school system shall notify law enforcement and other appropriate external agency if required by law or board policy.

3037.14 INTERVENTION AND DISCIPLINARY ACTION
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8337.5

5. The actions taken in response to harassment, bullying or discriminatory behavior should be reasonably calculated to end any harassment, bullying, or discrimination, eliminate a hostile environment if one has been created, and prevent harassment, bullying or discrimination from occurring again. In addition

to taking disciplinary action as necessary, the principal or other school official shall take appropriate remedial action to address the conduct fully.

6. Violations of this policy shall be considered misconduct and will result in disciplinary action up to and including long-term suspension or expulsion in the case of students and disciplinary action up to and including dismissal in the case of employees.
7. This policy shall not be construed or applied so as to discipline students or other persons for expression protected by the First Amendment, or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.
8. Nothing in this policy precludes the school system from taking appropriate disciplinary action against a student or employee where the evidence does not establish harassment, bullying or discrimination but the conduct fails to satisfy the school system's high expectations for appropriate conduct.

3037.15 NON-RETALIATION
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The board prohibits reprisal or retaliation against any person who reports an act of discrimination, harassment or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the principal or the appropriate supervisory personnel, after consideration of the nature and circumstances of the act, in accordance with applicable federal, state or local laws, policies and regulations.

3037.16 TRAINING AND PROGRAMS
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The Superintendent shall designate an employee(s) to participate in training by the Department of Public Instruction pertaining to anti-discrimination, anti-harassment and anti-bullying. The designee shall provide leadership and training in the school district regarding this policy and state requirements.

The board will provide training for students and staff regarding the board's policy on discrimination, harassment and bullying and as appropriate will create programs to address these issues. To the extent funding is made available, the Superintendent shall provide additional training to school employees and volunteers who have significant contact with students. The Superintendent shall ensure that any training or programs provided will include identifying groups that may be the target of discrimination, harassment or bullying; identifying places at which such behavior may occur including within school

buildings, at school bus stops, via the internet, etc.; and providing clear examples of behavior that constitutes discrimination, harassment or bullying.

3037.17 NOTICE
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The Superintendent is responsible for providing effective notice of this policy to students, parents and employees. This policy shall be posted on the school system website, and copies of the policy should be readily available in the principal's office, the media center at each school and the Superintendent's office. Notice of this policy shall appear in all student and employee handbooks and in any school system publication that sets forth the comprehensive rules, procedures and standards of conduct for students and employees.

3037.18 COORDINATORS
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The Superintendent or designee shall publish the names, addresses and phone numbers of the "Title IX coordinator" (for sex discrimination), "Section 504 coordinator" (for discrimination on the basis of disability) and the "ADA coordinator" (also for discrimination on the basis of disability) in a manner intended to ensure that employees, applicants, students, parents and other individuals who participate in the school district's program are aware of the coordinators. The purpose of the coordinator positions is to provide additional protection of nondiscrimination rights. The coordinator either must (1) implement a resolution to a discrimination, harassment or bullying complaint, to the extent a resolution can be reached and the coordinator has the authority to implement corrective action or (2) notify the Superintendent that intervention by other school officials is required to resolve the situation.

3037.19 RECORDS AND REPORTING
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The Superintendent or his or her designee shall maintain confidential records of complaints or reports of harassment, bullying, or discrimination. The records shall identify the names of any individuals accused of harassment, bullying, or discrimination and the resolution of such reports or complaints. The Superintendent also shall maintain records of training, corrective action or other steps taken by the district to help provide an environment free of harassment, bullying, or discrimination.

The Superintendent shall report to the State Board of Education all verified cases of discrimination, harassment or bullying. The report will be made

through the Discipline Data Collection Report or through other means required by the State Board of Education.

Legal References: North Carolina School Violence Prevention Act, G.S. §115C-407.5 et seq.; State Board Policy HRS-A-007.

Cross Reference: Policy 3035/4035/8335, Sexual Harassment; Rule 28, Policy 6401, Student Code of Conduct.

Adopted: September 8, 2009

Revised: December 7, 2009

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4100

INITIAL ASSIGNMENT

4100

Support personnel will be assigned by the Office of Personnel on the basis of training, competence, experience, and the actual needs of the school system.

Legal Reference: G.S. 115C-276

Adopted: June 5, 2000

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4101

SPECIFIC ASSIGNMENT

4101

The principal or other appropriate administrator will make specific assignments in keeping with the qualifications of each employee and the needs of the program.

4101.1 No new assignment shall be made which places one member of a family in direct supervisory or evaluative relationship with another member of his immediate family. A member of the immediate family shall be defined as: wife, husband, sister, brother, son, daughter, mother, father, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

4101.2 In the event of a dismissal, demotion or other disciplinary or grievance proceeding involving an immediate family member of a Board member or other hearing panel member, the Board member or hearing panel member shall recuse himself from participating in any such proceeding.

Legal Reference: G.S. 115C-36, -47, -288

Adopted: June 5, 2000

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4103

EMPLOYEE WORKDAY

4103

The normal workday shall be eight hours with only those exceptions as specific job assignments may require.

4103.1 Qualification as a full-time employee shall require a minimum of six-hour workday and a thirty-hour work week.

Legal Reference: G.S. 115C-36, -47, -84
Adopted: June 5, 2000

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4104

EMERGENCY CLOSING DAYS

4104

In the event of emergency closing of schools when personnel are not required to report for duty, the Superintendent may declare such day or days leave days or holidays or some combination thereof. Such days may be rescheduled at the discretion of the Board.

Legal Reference: G.S. 115C-84
Adopted: June 5, 2000

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4105

WORKWEEK FOR TEACHER ASSISTANTS

4105

The workweek for teacher assistants shall not exceed forty (40) hours per week.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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4110

EVALUATION OF EMPLOYEES

4110

Evaluation of employees is a management function and shall be the duty and responsibility of the administration.

- 4110.1 The supervisor shall prepare a brief written annual evaluation summary, in duplicate, of each support service employee for whom he is responsible.
- 4110.2 A conference shall be held between the supervisor who prepared the evaluation and the employee, for the purpose of discussing the evaluation report.
- 4110.3 The employee shall then sign both copies of the evaluation summary in the space indicated following the sentence: "I acknowledge that I have received a copy of this report. I further acknowledge that this form will be placed in my personnel file."
- 4110.4 Both copies of the report shall then be dated in the space near the signature. One copy shall be placed in the employee's confidential file in the Personnel Office. The other copy shall be given to the employee.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes the importance of providing adequate and safe transportation for the children in our schools. The Pamlico County Board of Education, when possible, will employ bus drivers from among those individuals who are employed by the school system in some additional capacity. School bus drivers shall, when possible, be selected from individuals who are employed in the classified positions of teacher assistant, child nutrition assistant and custodian.

Serving as a school bus driver shall be a condition of employment for all individuals who after the adoption of this policy are hired to fill permanent positions of teacher assistant, child nutrition assistant and custodian. This stipulation shall be stated in their contracts for employment. Ability to serve as school bus driver shall be considered an essential function for those positions. Individuals employed in permanent positions of teacher assistant, child nutrition assistant and custodian shall have one hundred twenty calendar days from the first day of employment (first day on the job) to complete the CDL class, and roadwork and secure a school bus driver's license and pocket card. Employment will terminate immediately if the individual fails to secure the school bus driver's license on or before the one hundred twentieth day of employment.

In instances when extenuating circumstances occur, the one hundred twenty day timeline may be extended. The bus license requirement will be implemented on a case-by-case basis for individuals employed in less than permanent full-time positions of teacher assistant, child nutrition assistant and custodian.

Efforts will continue to be made to recruit bus drivers from the currently employed classified staff whose contracts do not contain bus-driving stipulations. Efforts will be made to continually recruit and employ school bus drivers who do not work for the Pamlico County Board of Education in any other capacity.

Current employees, who have a valid bus driver's license and for whom driving is a condition of employment, shall be required to keep their license renewed and remain eligible to take on driving responsibilities when needed by the Pamlico County School system. Employees not able to fulfill this requirement shall be terminated immediately.

Legal Reference: G.S. §115C-47(18)

Adopted: June 4, 2007

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There shall be no soliciting from or selling to students or staff within the school without approval of the principal.

- 4200.1 No employee shall solicit money from students or parents for additional materials or equipment or create impressions with students that such equipment or materials are necessary, nor shall it be a practice to solicit materials or services in any manner that would cause a parent to feel undue or unnecessary pressure.
- 4200.2 Soliciting outside the school premises for funds for school activities, or sales of products outside the school premises for funds for school activities by the students or staff of any school, in the name of any school, or in behalf of any school, shall have the prior written approval of the Superintendent and the principal. All money collected and expended as the result of such activities shall be recorded in the accounts of the school treasurer and shall be subject to the annual school audit. Solicitation or borrowing of products for school activities shall have the principal's approval.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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The administration of medication to students by employees shall be permitted only in accordance with Board Policy 3260. Non-professional employees other than health care professionals shall not administer medication to students unless the employee authorized to administer medication has been approved by the principal or by the Superintendent or his designee. Employees may give emergency health care when circumstances indicate that any delay would seriously worsen the physical condition or endanger the life of the student.

The administration periodically will provide training programs approved by the State Board of Education for employees in first aid and life saving techniques. Employees who have successfully completed such training may perform first aid or life saving techniques for which they have been trained.

Legal Reference: G.S. 115C-36, -47, -307

Adopted: June 5, 2000

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4220
3243

GIFTS TO EMPLOYEES

4220
3243

All school employees shall discourage and decline to accept gifts from vendors.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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4231
4231
3231

PERSONNEL FILES

3231

A personnel file shall be maintained in the Superintendent's office for each employee as provided by law. An employee's personnel file shall be open for his inspection and closed to all others without employee consent except as provided by law and this policy. The Superintendent shall have the overall responsibility for granting or denying access to personnel records consistent with this policy.

4231.1 Each employee personnel file shall include records and documents collected and

3231.1 retained by the school system concerning the employee, including but not limited to:

- a) Evaluation reports
- b) Commendations of and complaints against the employee; provided, however, that the Superintendent may elect not to place in the file a letter of complaint that contains invalid, irrelevant, outdated, or false information, or a letter of complaint when there is no documentation of an attempt to resolve the issue.
- c) Written suggestions for correction and improvement
- d) Certificates
- e) Health certificates
- f) Standard test scores
- g) Academic records
- h) Application forms
- i) Other pertinent records or reports

4231.2 Any pre-employment data or other information obtained about an employee before 3231.2 his employment by the Board may be kept either in the regular personnel file or in a separate file, and shall not be made available to the employee.

4231.3 No evaluation, commendation, complaint or suggestion may be placed in an
3231.3 employee's personnel file unless:

- a) It is signed by the person who makes it, and
- b) A written copy of the document is provided to the employee at least five days before it is placed in the employee's personnel file.

Every employee is entitled to offer a denial or explanation of the evaluation, commendation, complaint or suggestion, and any such denial or explanation

shall become part of the employee's personnel file, provided it is signed and dated.

4231.4 Every employee may have access to his own personnel file during working hours,
3231.4 provided three days notice is given to the Personnel Office.

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PERSONNEL FILES (cont.)

4231

4231.5 Access to a personnel file may be permitted to the following persons
without the consent of the employee:
3231.5

- a) Those school officials involved in the employment and evaluation process of the individual, the school board attorney, and members of the Board of Education, if the examination of the file relates to the duties and responsibilities of the Board.
- b) The case manager if the teacher has requested a case manager review in a demotion or dismissal proceeding.

4231.6 The Superintendent may, in his discretion, or shall at the discretion of
the Board of Education, inform any person or corporation of any promotion, demotion,
3231.6 suspension, reinstatement, transfer, separation, dismissal or employment of
any employee or former employee and the reasons therefore and may allow
the person or corporation to inspect and examine any portion of an
employee's personnel file if:

- (a) The Board has determined that the release of the information or the inspection and examination of the file or a portion of the file is essential to maintaining the integrity of the Board or to maintaining the level or quality of services provided by the Board; and
- (b) Prior to releasing the information or making the file or any portion of it available, the Superintendent has prepared a memorandum setting forth the circumstances which he and the Board deem to require disclosure and the information to be disclosed. (This memorandum shall be a public record.)

4231.7 No person other than those listed in 3231.4/4231.4,
3231.5/4231.5, and 3231.6/4231.6 may have access to a personnel file except under
3231.7

the following circumstances:

- a) When the employee gives written consent for the release of his records. The written consent must specify the records to be released and to whom they are to be released; blanket permission for release of information shall be accepted.

- b) When the records have been subpoenaed or sought by court order; specifically including subpoenas issued by case manager pursuant to G.S. 115C-325.

3231.8.1 The Pamlico County Board of Education classifies the following information as

3231.8 directory: directory information and as such reserves the right to make this information public as part of an employee

4231 **PERSONNEL FILES (cont.)** **4231**
3231
3231

- a) Name
- b) Address
- c) Telephone listing
- d) Date and place of birth
- e) Photograph
- f) Job title and location
- g) Participation in officially recognized activities and sports
- h) Dates of employment
- i) Degrees and awards received
- j) Salary
- k) Date and amount of most recent increase or decrease in salary
- l) Dates of most recent promotion, demotion, transfer, suspension, separation, or other change in classification.

4231.9 All information provided to the personnel office by an applicant for employment or

3231.9 by an employee must be true, accurate and complete to the best of that applicant's or employee's knowledge. It shall be a violation of Board policy and, therefore, grounds for dismissal for an employee to present information to the personnel office which is intended to defraud or materially misrepresent or conceal the truth. Furthermore, the presentation of such information to the personnel office by an applicant for employment shall be considered just cause for termination of the application process.

4231.10 Any teacher may petition the Board to remove from his/her personnel file

3231.10 invalid irrelevant or outdated information. The Board may order the Superintendent to remove the information if it finds the information is invalid, irrelevant or outdated.

Legal Reference: G.S. 115C-36, -47(18), -319 to -321, -325

Adopted: June 5, 2000

Revised: June 4, 2001

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Pamlico County Schools employees are encouraged to write and prepare professional material for publication in their areas of expertise. Employees who prepare material on their own time without use of school facilities or equipment are not required to submit such material for review prior to publication.

Publications, inventions or products developed or produced during the paid work time of a school employee or resulting from an employee's work assignment or through the use of school equipment, facilities or materials shall be the property of the school system. Publications so produced shall bear a notice of copyright in either of the following forms:

Pamlico County Board of Education 20_____

All rights reserved.

or

Copyright Pamlico County Board of Education 20_____

All rights reserved.

Employees who desire to copyright or patent, and to market material prepared totally or partially on school time, shall submit a copy of such material to the Superintendent for review. The Superintendent shall review the material and the employee's recommendation regarding the request to the Board. The material submitted to the Superintendent and to the Board shall be accompanied by the following information:

- a. The names of persons who participated in preparation of the material;
- b. The percentage of school duty time spent by these persons during preparation;
- c. A statement as to whether royalties would be waived in any purchases of the material which might be made by the school system in cases in which the Board is not already the copyright owner.

The Superintendent may authorize the sale of copies of, or reproduction rights to instructional material prepared by the school system to other school systems, organizations or commercial firms.

Legal Reference: Title 17 U.S.C.; G.S. 14-236; 115C-47
Adopted: June 5, 2000

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4250
4250
3250

PERSONNEL - POLITICAL ACTIVITIES

3250

The Board of Education recognizes the right of employees to participate in political affairs in a manner afforded other citizens, including the right to vote, the right to be active members of a political party of their choice, the right to campaign for candidates, and the right to seek, campaign for, and serve in public office, provided there is no local, state, or federal law prohibiting a teacher from seeking a certain political office.

A teacher, upon request to the Superintendent and Board, shall be granted a leave of absence without pay for the purpose of serving in the North Carolina General Assembly or the United States Congress.

Employees shall not involve students on school time, campaign on school premises or on school time, or use school equipment or supplies while participating in political affairs. The position of any personnel will not be in jeopardy due to his political activity as long as he adheres to the terms of this policy.

Nothing in this policy shall be interpreted to restrict the teaching of political issues or the dissemination of information about serious problems the school system or the community may be facing because of political actions. However, both sides of the political issue must be presented so that students will have an opportunity to be well informed, and they, in turn, will be in a position to make their own decisions regarding political issues.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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4251
3251

USE OF EMPLOYEE MAILBOXES AND BULLETIN BOARDS

4251
3251

Employee mailboxes and bulletin boards are to be used only by school employees and only to communicate matters of educational, professional, personal or philanthropic concern. Employees and employee associations may use employee mailboxes to distribute their own political endorsements, solicitations or personal invitations to political events provided that such endorsements, solicitation or invitations are signed by the employee(s) making them.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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4300
3300

TRANSFERS

4300
3300

Since transfer of staff members within a school system can be advantageous to the students, the employees, and the community for which the school system exists, the Superintendent may reassign personnel when necessary or advisable.

Legal Reference: G.S. 115C-47, -276, -301
Adopted: June 5, 2000

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4310

REQUESTS FOR TRANSFER

4310

A request by an employee for transfer to a different building or position shall be made in writing to the Personnel Office. The request shall set forth the reasons for the transfer request, the school or position sought, and the applicant's qualifications.

4310.1 A person requesting transfer shall be notified in writing of action on his request.

4310.2 In the event that a transfer is not granted, the originator should renew such request to assure reconsideration.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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4400

RESIGNATION

4400

An employee desiring to terminate his services shall give the Personnel Office at least two weeks written notice.

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

Adopted: June 5, 2000

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4410

RETIREMENT

4410

There shall be no mandatory retirement age for school system employees. Retirement policies and procedures shall be in accordance with statutes establishing and empowering the function of the Teachers' and State Employees' Retirement System of North Carolina.

Legal Reference: G.S. 135-1

Adopted: June 5, 2000

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4411

RETIREMENT NOTICE OF INTENT

4411

Any employee who anticipates retirement shall notify the Personnel Office ninety (90) days prior to his intended retirement date, except in cases where conditions of health or other extenuating circumstances make shorter notice necessary.

Legal Reference: G.S. 135-1

Adopted: June 5, 2000

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4420

DISMISSAL

4420

All actions for dismissal shall be conducted in accordance with state law.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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4500

STAFF DEVELOPMENT

4500

The Board recognizes the value of and encourages the development of a continuing program of staff development.

Legal Reference: G.S. 115C-36, -47, -276
Adopted: June 5, 2000

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4501

VISITATION AND CONFERENCE COSTS

4501

Reimbursement for approved travel expenses for non-professional personnel shall be at the rates established by the Board including:

- A. Mileage, including tolls or common carrier cost
- B. Subsistence
- C. Conference registration fee

Legal Reference: 115C-36, -47
Adopted: June 5, 2000

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4600

SALARY

4600

The Board shall annually adopt uniform salary schedules for all employees.

Legal Reference: G.S. 115C-47

Adopted: June 5, 2000

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4630

DEFENSE OF BOARD EMPLOYEES

4630

3750

3750

Except as otherwise provided in this policy, upon written request of any employee, the Board shall provide for the defense of any civil or criminal action or proceeding brought against him in his official or individual capacity, or both, on account of an act done or omission made in the scope and course of his employment by the Board of Education.

4630.1 The Board shall refuse to provide for the defense of a civil or criminal
action or
3750.1 proceeding brought against an employee if the Board determines

that:

- (a) The act or omission was not within the scope and course of his employment as a Board employee, or
- (b) The employee acted or failed to act because of fraud, corruption, or malice on his part.

4630.2 The Board may refuse to provide for the defense of a civil or criminal
action or
3750.2 proceeding brought against an employee if the Board determines that
defense of the action or proceeding by the Board would create a conflict of
interest between the Board and the employee.

4630.3 The determinations required by subsections 3750.1/4630.1 and
3750.2/4630.2 of

3750.3

this policy shall be made by the Superintendent upon advice of the Board attorney. Based on his investigation, the Superintendent shall make a recommendation to the Board as to whether the Board shall provide legal representation for the employee. Final approval of an employee's request shall be made by the Board. Approval of the request by an employee for provision of defense shall raise a presumption that the determination required by this section has been made and no grounds for refusal were discovered.

4630
3750

DEFENSE OF BOARD EMPLOYEES (cont.)

4630
3750

4630.4
approval
3750.4

The Superintendent shall develop and submit to the Board for its regulations for the defense of employees of the Board pursuant to this policy through one or more of the following methods as may be appropriate to the employee or class of employees in question:

- (a) By the Board attorney,
- (b) By employing other counsel for this purpose at an hourly rate no higher than that paid to the Board attorney,
- (c) By authorizing the purchase of insurance which requires that the insurer provide or underwrite the cost of the defense and any judgment, or
- (d) By any other means that are provided by law for the defense of public school employees and school bus drivers.

The regulations shall require specific Board approval on a case-by-case basis if the defense of employees is to be done by any method other than the purchase of adequate insurance as provided in 3750.4(c).

4630.5
3750.5

If the Board denies the request of an employee to provide him legal representation in any civil or criminal action or proceeding and subsequently the employee is found in the court or other agency of the State to be not civilly liable or not guilty of a criminal offense, the Board, upon written request of the employee, may reimburse the employee a reasonable attorney's fee.

4630.6
shall cover
3750.6

Board approval of an employee's request to provide legal representation only those expenses approved that relate to the initial hearing, trial, or appeal of the action or proceeding. The employee must make an additional request in writing to the Board for legal representation at each subsequent stage of the appeal of the action or proceeding.

4630.7
payment
3750.7

The Board may through the purchase of liability insurance provide for the of any claim or civil judgment entered against an employee when such claim is made or such judgment is rendered as damages on account of an act done or omission made or any act allegedly done or omission allegedly made, in the scope and course of his duty as an employee of the Board.

The limits of the Board's payment for any such claim or court judgment shall be governed by the coverage and terms of the liability insurance purchased by the Board for such purposes. In all cases in which an employee requests that the Board pay a part or all of a claim or civil judgment against him, the employee must give the Board written notice of the claim or litigation as soon as possible and in all cases prior to the time that the claim is settled or civil judgment is entered.

4630
3750

DEFENSE OF BOARD EMPLOYEES (cont.)

4630
3750

4630.8 Definitions. Unless the context otherwise requires, the definitions in this section
3750.8 govern the construction of this policy:

- (a) "Civil or criminal action or proceeding" includes any case, prosecution, special proceeding, or administrative proceeding in or before any court or agency of the State of North Carolina and its political subdivisions or any other state of the United States.
- (b) "Employee" includes any present or former officer, agent or employee whether full-time or part-time, including but not limited to all members and former members of the Board of Education, administrative personnel, instructional personnel, support personnel, and school bus drivers.

Legal Reference: G.S. 115C-43
Adopted: June 5, 2000

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4700

SICK LEAVE

4700

All full-time employees shall be subject to the sick leave policies of the Pamlico County Board of Education and the State Board of Education.

For continuous leave of more than ten (10) days, if the leave also is eligible for leave under the Family and Medical Leave Act (FMLA), defined in Board Policy 3802/4701, and the leave is designated as FMLA-eligible at the time leave is taken or as soon as feasible thereafter, the notice and verification requirements of the employee in Board Policy 3802.3/4701.3 will apply.

Legal Reference: G.S. 115C-12, -36, -47
Adopted: June 5, 2000

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4701
3802

FAMILY AND MEDICAL LEAVE

4701
3802

It is the policy of the Board to provide all eligible employees with leave as provided in the federal Family and Medical Leave Act of 1993 (FMLA) and applicable State laws and State Board of Education policies. The Board strictly prohibits any interference with, restraint, or denial of the exercise by any employee of any right provided by the FMLA, or any type of discrimination against or discharge of an employee who has filed a complaint in regard to the FMLA. A copy of this policy shall be provided to any employee who has requested FMLA-eligible leave.

For purposes of this policy, instructional personnel are considered to be teachers, athletic coaches, driving instructors, and special education assistants, and any other employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting.

4701.1 Entitlement to Leave
3802.1

Pamlico County Schools will grant unpaid leave for up to twelve (12) weeks to employees who have been employed for at least twelve (12) months and have worked at least 1250 hours during the previous twelve-month period for:

- (1) the birth of a child of the employee and in order to care for the child;
- (2) the placement of a child with the employee for adoption or foster care;
- (3) taking care of the spouse, child, or parent of the employee, if the spouse, child, or parent has a serious health condition; or

- (4) a serious health condition that makes the employee unable to perform the functions of the employee's position.

The twelve (12) month period in which the twelve (12) weeks of leave entitlement occurs shall be from July 1 to June 30.

4701.2
3802.2

Structure of Leave

When leave is taken for the adoption or birth of a child, an employee may take leave only for a continuous period of time unless the Board agrees to another arrangement. For a situation involving an employee's serious health condition or that of a family member, the employee may take leave continuously or on an intermittent or reduced leave schedule as is medically necessary.

Instructional personnel may be required to continue leave through the end of the school semester if any of the following conditions exist:

- (1) The leave is beginning more than five (5) weeks before the end of the term; the leave will last at least three (3) weeks; and the employee will be returning to work in the last three (3) weeks of the academic term; or
- (2) The leave is for a purpose other than the employee's own serious health condition; the leave would begin in the last five (5) weeks of the term; and the employee would be returning to work during the last two (2) weeks of the academic term; or
- (3) The leave is for a purpose other than the employee's own serious health condition; the leave would begin in the last three (3) weeks of the term; and the leave would last at least five (5) days.

In order to better accommodate an employee's need for intermittent or reduced leave for a serious health condition, Pamlico County Schools may require an employee to take an alternative position during the period of leave. The alternative position must have equal pay and benefits, but it does not have to have equivalent duties. If an instructional employee requests intermittent or reduced scheduled leave for more than twenty percent (20%) of the working days of the duration of the leave for the employee's or family member's serious health condition, Pamlico County Schools alternatively may require the employee to take continuous leave for up to the entire duration of the scheduled leave.

4701.3 Designation of Leave and Employee Notice and Verification Requirements
3802.3

To ensure that employees receive proper notification of their rights and responsibilities and that leave is properly designated, all employees requesting any type of leave must make the request to the Finance Officer. It is the responsibility of the Finance Officer to ask any questions necessary of the employee in order to make a determination of whether the leave is FMLA-eligible. The designation must be made prior to the leave being taken, unless there is a justifiable delay, such as waiting for documentation. In no event can the leave be designated as FMLA-eligible, and therefore count towards the twelve (12) weeks entitlement, after the employee has returned to work from the leave. Leave may be designated as both FMLA-eligible leave and as leave under the paid leave policy if paid leave has been substituted. Such leave would be counted towards the twelve (12) week FMLA entitlement.

An employee must provide at least thirty (30) days notice if the employee can anticipate the need for FMLA leave. If this is not possible, the notice shall be given as soon as "practicable," taking into account all the facts and circumstances. If the employee does not provide thirty (30) days notice, and there is no reasonable justification for the delay, Pamlico County Schools can deny the taking of FMLA leave until at least thirty (30) days after the employee provides notice of the need for FMLA leave. If an instructional employee fails to give required notice for foreseeable leave for an intermittent or reduced leave schedule, the employee may be required to take leave continuously for the duration of the treatment or be temporarily transferred to an alternative position for which the employee is qualified and has the same benefits.

An employee requesting intermittent or reduced leave time for medical treatment of a serious health condition may be required to give the reasons for the intermittent or reduced leave schedule and the schedule for treatment. Normally, employees also would be expected to discuss scheduling with their immediate supervisor prior to scheduling any medical treatment in order to accommodate the work schedule.

Pamlico County Schools may require employees to provide medical certification to confirm the employee's or the employee's family member's serious health condition. The information requested shall be no more than that allowed by the FMLA. Under certain circumstances, the Finance Officer may request a second or third certification if there is reason to doubt the validity of the medical certification.

4701
3802

FAMILY AND MEDICAL LEAVE (cont.)

4701
3802

Before returning to work from FMLA leave for a serious health condition, the employee will be required to present a "fitness-for-duty" certificate which states that the employee is able to return to work.

Pamlico County Schools may require an employee to periodically report on his status and intent to return to work. Any employee who is taking leave through the end of an academic semester shall be required to report on his intent to return to work no later than four (4) weeks before the end of the academic semester. In addition, the employee may be required to report on a regular basis during the period in which he is on FMLA leave.

4701.4
3802.4

Substitution of Paid Leave

Accrued vacation or personal leave shall be substituted for any FMLA-eligible leave upon the request of the employee or the decision of Pamlico County Schools. Employees of Pamlico County Schools also may substitute paid sick or disability leave for FMLA-eligible leave in circumstances covered by Board Policy 3800/4700 for paid sick and disability leave. If paid leave is substituted under circumstances which qualify as FMLA leave, the leave can be counted towards the twelve (12) week entitlement of FMLA leave if designated as FMLA-eligible at the time leave is taken.

If paid leave is substituted for unpaid FMLA leave for continuous leave of more than ten (10) days, all employee responsibilities in the FMLA to provide notice for foreseeable and unforeseeable leave, medical certification, fitness for duty certification, and notice of intent to return to work, apply as specified in Board Policies 3800/4700, 3810/4710 and 3820/4720.

4701.5
3802.5

Restoration to Equivalent Position

Employees, except key employees, shall be restored to an equivalent or the same position upon return from FMLA leave. The equivalent position will have the same pay, benefits, and working conditions as the position held prior to the leave. The position also must involve substantially equivalent skill, effort, responsibility, and authority. All positions within the same job classification are considered to be "equivalent positions" for the purposes of this policy. For certified employees, all positions with the same salary and certification requirements also will be considered equivalent positions.

4701
3802

FAMILY AND MEDICAL LEAVE (cont.)

4701
3802

Key employees do not have the right to be restored to an equivalent or the same position upon return from FMLA leave. Key employees are salaried FMLA-eligible employees who are among the highest paid ten percent (10%) of all employees. If restoring a key employee would result in substantial and grievous economic injury to the Pamlico County Schools, then there is no obligation to restore the employee to the same or an equivalent position. Employees shall be informed at the time leave is taken if they are considered key employees and shall be informed once a determination is made that the employee will not be restored to the same or an equivalent position. A key employee who has been informed that he will not be restored still has rights to health benefits for the full period in which he is eligible for FMLA leave.

4701.6
3802.6

Continuation of Health Benefits

Health benefits shall be continued for the duration of FMLA leave. This includes key employees who have been notified that they will not be restored to an equivalent position. The health care benefits shall be the same as if the employee were continuing to work. Employees do not have the right to the accrual of earned benefits during the leave. If an employee takes intermittent or reduced leave, the employee has the right to maintain the same health care benefits, but earned benefits may be reduced in proportion to hours worked where such a reduction is normally based upon hours worked.

Health insurance premiums paid while an employee is on FMLA may be recovered if the employee does not return to work after leave so long as the reason for not returning does not relate to a serious health condition or to circumstances beyond the employee's control.

4701.7
3802.7

Posting Requirement

The Superintendent or his designee shall ensure that notices of FMLA provisions and information on procedures for filing complaints are posted in places where employees and applicants would find it readily accessible.

4701.8
3802.8

Record-Keeping Requirement

The Finance Officer will be responsible for maintaining records of the following information for at least three years: basic payroll and identifying employee data; dates (or hours) of FMLA leave taken by employee; copies of employee notices, including general and specific notices, as well as any other documents describing

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FAMILY AND MEDICAL LEAVE (cont.)

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employee benefits or policies; premium payments of employee benefits; and records of disputes between Pamlico County Schools and any employee regarding designation of FMLA leave.

Medical information, such as that relating to medical certifications, is confidential and must be maintained in separate files or records.

Legal Reference: Family and Medical Leave Act of 1993, 29 U.S.C.S. § 2601; 29 C.F.R. Part 825.

Adopted: June 5, 2000

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4710

MATERNITY/FAMILY LEAVE

4710

An employee desiring maternity/family leave shall file a written request with the Personnel Office.

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

Adopted: June 5, 2000

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4711

RELIGIOUS OBSERVANCE

4711

An employee desiring religious observance leave shall file a written request with the Personnel Office.

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

Adopted: June 5, 2000

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4712

MILITARY LEAVE

4712

An employee desiring military leave shall file a written request with the Personnel Office.

Legal Reference: G.S. 115C-12, -36, -47
Adopted: June 5, 2000

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4713

JURY DUTY

4713

An employee desiring jury duty leave shall file a written request with the Personnel Office.

Legal Reference: G.S. 115C-12, -36, -47
Adopted: June 5, 2000

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4714

ABSENCES DUE TO INCLEMENT WEATHER

4714

On a day that employees are required to report for a workday, but students are not required to attend school due to inclement weather, an employee may elect not to report due to hazardous travel conditions and to take one of his annual vacation days or to make up the day at a time agreed upon by the employee and the immediate supervisor or principal.

Days missed because of inclement weather must be made up within the work week established by the Board of Education.

If the day is not made up or an annual leave day is not substituted, the employee will be considered absent without pay.

Legal Reference: G.S. 115C-316
Adopted: June 5, 2000

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Paid vacation shall be earned by all full-time employees at the rate granted to state public school employees.

- 4720.1 Vacation may be accumulated with a maximum of thirty (30) days being carried forward to July 1 of any calendar year.
- 4720.2 Unused vacation shall be transferred with an employee who transfers to the Pamlico County Board of Education from another public school unit in North Carolina as long as the employee remains in a permanent, full-time position.
- 4720.3 The Superintendent may recall an employee from vacation or ask that he postpone vacation if there is an urgent need for his or her services. In such event, vacation will be re-scheduled at a time mutually agreed upon.
- 4720.4 The Superintendent is responsible for maintaining vacation records for each employee and for implementing this policy within the state law and the state administrative code.

For continuous leave of more than ten (10) days, if the leave also is eligible for leave under the Family and Medical Leave Act (FMLA), defined in Board Policy 3802/4701, and the leave is designated as FMLA-eligible at the time leave is taken or as soon as feasible thereafter, the notice and verification requirements of the employee in Board Policy 3802.3/4701.3 will apply.

Legal Reference: G.S. 115C-316
Adopted: June 5, 2000

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VOLUNTARY SHARED LEAVE

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Qualified employees may donate annual and sick leave to employees who, by reason of prolonged absence caused by serious medical conditions, are likely to suffer financial hardship.

Eligibility to Receive Donated Leave

4730.1 Only permanent full-time and permanent part-time employees are eligible to
receive
3830.1 donated leave.

4730.2 In order to be eligible to receive donated leave, an employee, at the time of
receipt,
3830.2 must have no more than ten (10) days of sick and annual leave combined. Instructional personnel, who may not use donated annual leave on student attendance days, will be eligible with no more than five (5) days of sick leave.

4730.3 An employee who is receiving benefits from the Disability Income Plan
is not
3830.3 eligible to receive donated leave.

4730.4 An employee who faces a prolonged absence from work because of
a serious
3830.4 medical condition affecting the employee or a member of his immediate family may apply to the Superintendent or his designee for donated leave. Application may also be made by a third person acting on the employee's behalf. The term "immediate family" includes the employee's spouse, children, parents, and any other dependents residing in the employee's household. The Superintendent or his designee shall approve or disapprove all requests for receipt of donated leave.

Eligibility to Donate Leave

- 4730.5 Any employee who has in excess of five (5) sick leave days
accumulated or in
3830.5 excess of five (5) annual leave days accumulated is eligible, subject to the
restrictions outlined below, to donate leave to an employee who qualifies
and is approved by the Superintendent or his designee to receive leave.
Pamlico County Board of Education employees may donate leave only to
other Pamlico County Board of Education employees.
- 4730.6 All leave donations must be to a designated employee approved by the
Superinten-
3830.6 dent or his designee for receipt of donated leave. Donations may not
be made to a pool or bank.
- 4730.7 All donations must be in writing and signed by the donating
employee. The
3830.7 employee to receive the donation of leave must be named and the amount
and type of donated leave specified.

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VOLUNTARY SHARED LEAVE (cont.)

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4730.8 Any eligible employee may donate annual leave. A donating employee
may not donate annual leave in an amount in excess of the amount that he
3830.8 could earn in one year.

Sick leave may be donated only to a Board employee who is a member of the donor's family. The term "family" includes the employee's spouse, children, parents, and any other dependents residing in the employee's home. A donor of sick leave must retain at least five (5) days of sick leave.

4730.9 The donating employee may not receive compensation in any form for the
donation of leave. Any employee giving or receiving such compensation may
3830.9 be subject to discipline up to and including dismissal.

Use of Donated Leave

4730.10 An employee may normally receive no more than 130 work days of
donated leave,
3830.10 either continuously or for the same condition on a recurring basis. After 130
work days have been used, the Superintendent or his designee may extend
this limit on a month-to-month basis. No employee may receive more
donated leave than the number of working days in the twelve months
following the first day of donated leave use.

4730.11 All donated leave must be used in one-half or whole day units.
3830.11

4730.11 Holidays falling during the period of use of donated leave will be paid.
The
3830.12 employee using donated leave will continue to earn annual and sick leave.

4730.12 An employee receiving pay from Worker's Compensation may use
donated leave
3830.13 during the required waiting period and to add to the compensation as
provided by State Board of Education regulations.

- 4730.13 At the expiration of the medical condition, as determined by the
Superintendent or
3830.14 his designee, any annual leave in excess of ten (10) days will be returned on
a pro rata basis to the donors.
- 4730.14 Donated leave will not be counted in the receiving employee's account
total on
3830.15 June 30.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

GRIEVANCE PROCEDURE FOR EMPLOYEES

A. General Requirements

1. The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems which arise from time to time and affect employees. Proceedings arising therefrom shall be held in confidence by the Board and its agents except as required by law and this policy.
2. All parties in interest in any grievance filed pursuant to this policy shall conduct themselves in a professional manner at all times during the investigation and hearing of the grievance.
3. No reprisals of any kind shall be taken by the Board or by an employee of the Pamlico County Schools against any party in interest or other employee on account of his participation in a grievance filed and decided pursuant to this policy.
4. Each decision shall be in writing, setting forth the decision and reason therefor, and shall be transmitted promptly to all parties in interest.
5. All meetings and hearings conducted pursuant to this policy shall be private. The grievant may request that any hearing conducted by the Board be open to the public. The Board may conduct an open hearing only upon unanimous vote of the Board members present to hear the grievance.
6. The Board and administration will cooperate with the employee(s) and his representative in the investigation of any grievance and will furnish the employee or his representative with information pertinent to the grievance without cost to the grievant or the employee against whom the grievance is filed.
7. Should, in the judgment of the Superintendent and/or designee, the investigation or processing of any grievance require the absence of the grievant(s) and/or his representative from regular assignments, such absences will be excused without loss of pay or benefits.

B. Definitions

1. Grievance - A formal written claim by an employee, or employee against another employee that: a) there has been a violation, misapplication, or misinterpretation of state or federal law or regulation, school board policy, or administrative regulation; b) an employee has been subject to discrimination

on the basis of race, religion, sex, national origin, age or handicap; or c) there exists a physical condition which jeopardizes an employee's health or safety, or which interferes with an employee's

ability to discharge his responsibilities properly and effectively. The term "grievance" shall not apply to any matter for which the method of review is prescribed by law or the Board of Education is without authority to act.

2. Employee - Any person employed by the Pamlico County Schools.
3. Grievant - The employee(s) making the claim.
4. Parties in Interest - The grievant and the person against whom the grievance is filed.
5. Days - The working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the aggrieved employee's employment calendar. In counting days, the first day shall be the first full working day following receipt of the grievance.

C. Time Limitations

1. Timeliness - A formal grievance shall be filed as soon as possible, but in no event longer than thirty (30) days after disclosure of the facts giving rise to the grievance. The grievance shall be filed at that step given below at which a decision on the matter can be made. Except by mutual written agreement, failure by the official at any step to communicate a decision within the specified time limit shall permit the grievant to appeal at any step a grievance to the next step; likewise, failure by the grievant at any step to appeal a grievance to the next step within the specified time limit shall be considered acceptance of the decision at that step.
2. Time Limits - All time limits herein shall consist of workdays except that when a grievance is submitted on or after May 1, time limits shall consist of all weekdays (Monday - Friday) so that the matter may be resolved before the close of the school term or soon thereafter as possible. The number of days indicated at each level should be considered a maximum and every effort should be made to expedite the process. Upon agreement of the parties in interest, and with the approval of the Superintendent, the beginning of the time limits herein may be postponed until the beginning of the next school year for a grievance arising after May 1.

D. Procedure

It is usually desirable for an employee and his immediate supervisor to resolve problems through free and informal communication. However, should such informal processes fail to satisfy the employee then a grievance may, at the option of the employee(s), be processed pursuant to the steps set forth below.

All grievances shall be in writing and the written statement of grievance shall remain the same throughout all steps of the grievance procedure.

Step 1: The employee(s) shall present the grievance in writing to his immediate supervisor or the supervisor's designee, who shall arrange for a grievance file number to be assigned by the Personnel Office. The written grievance shall name the employee(s) against whom the grievance is filed and shall set forth the facts constituting the grievance and the specific laws, regulations, policies, procedures or physical conditions involved. A meeting will take place at a mutually agreed-upon time within five (5) days after receipt of the grievance. Each party may have one (1) representative at this meeting. The immediate supervisor or his designee shall provide the aggrieved employee(s) with a written response to the grievance within four (4) days after the meeting.

In the event the immediate supervisor or his designee determines at the outset that a Step 1 review is inappropriate, the grievance procedure may originate at Step 2.

Step 2: If the grievance is not resolved at Step 1, within four (4) days of receipt of the Step 1 decision, the employee(s) may refer the grievance for review by the Superintendent or his designee pursuant to Step 2. The Superintendent or his designee shall arrange for a meeting with the employee(s) to take place within five (5) days of his receipt of the appeal. Each party may have one (1) representative at this meeting. The Superintendent or his designee shall provide the aggrieved employee(s) with a written decision within four (4) days after the meeting.

Step 3: If the grievance has not been resolved at Step 2, the grievant may submit a written request for an appeal to the Board of Education. This request must be submitted within ten (10) days of receipt of the Step 2 decision. The Chairman of the Board may designate a committee of three (3) or more members to hear the grievance. No new evidence, written or verbal, may be presented without the prior knowledge and consent of both parties or upon a majority vote of the Board or its committee. Each party may have one (1) representative at the hearing before the Board or its committee.

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GRIEVANCE PROCEDURE FOR EMPLOYEES (cont.)

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The Board or its designated committee shall render a decision, in writing, within thirty (30) days of receipt of the request for Board review. The decision of the Board or its committee may affirm, disaffirm, or modify the decision of the Superintendent. The decision of the Board or its committee shall be final.

Legal Reference: Title IX of the Education Amendments of 1972; G.S. 115C-47
Adopted: June 5, 2000

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FAIR LABOR STANDARDS ACT COMPLIANCE

4900

It is the policy of the Pamlico County Board of Education to comply with the wage and hour requirements of the Fair Labor Standards Act for all non-exempt employees.

Employees who are considered exempt under the Fair Labor Standards Act are not entitled to overtime pay or compensatory time.

Generally, an exempt employee must receive his or her full salary for any workweek in which the employee performs any work, other than deductions from pay authorized by the FLSA. If an exempt employee believes that an improper deduction has been made, the employee should immediately report this information to his/her direct supervisor. Reports of improper deductions will be promptly investigated and the employee will be promptly reimbursed for any improper deduction. If the employee is dissatisfied with the decision, the employee may file a grievance under Policy 3900/4800.

All employees shall be governed by the applicable record-keeping and overtime provisions of the Act. Overtime shall not be worked by non-exempt employees except in emergencies or extraordinary circumstances with prior approval from the employee's immediate supervisor. Supervisors shall make every attempt to modify an employee's schedule to avoid his working more than forty (40) hours in a given week. If overtime is approved, the supervisor shall notify the Superintendent and/or Finance Officer of this fact within one work day.

Non-exempt employees may accrue compensatory time in lieu of receiving overtime pay for all hours worked beyond forty (40) in a given work week. A maximum of two hundred forty (240) compensatory time hours may be earned by an employee. Employees will receive payment for any overtime earned in excess of this amount. Employees are encouraged and expected to take compensatory time within one pay period following the

time it is earned. Employees must obtain approval from their immediate supervisors before taking compensatory time.

The "work week" for non-exempt employees is defined as the continuous one hundred sixty-eight (168) hour period commencing at 12:01 a.m. each Sunday.

Legal Reference: The Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201, et seq.

Adopted: June 5, 2000

Revised: June 6, 2005

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INSTRUCTIONAL PROGRAM

5000

The Board subscribes to an instructional program and such courses of study that will enable each student to function effectively and responsibly in a changing world. The Board believes that the opportunity for student participation in a broad and varied program of interscholastic athletics and student activities, clubs and performance groups is a desirable and integral component of an effective instructional program. The instructional program of the Pamlico County Schools shall include, therefore, in addition to the standard course of study prescribed by the State Board of Education and such other academic and vocational courses as are approved by the Board, a program of interscholastic athletics and extra-curricular student activities that offers maximum opportunity for participation by all students. The details of the entire instructional program are to be consistent with the continuing goals and specific objectives developed by the Superintendent and approved by the Board.

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

Adopted: June 5, 2000

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ACCREDITATION

5010

The Board endorses the validation of educational planning and programming of the school system by encouraging its staff to work toward attaining and continuing accreditation of the school system by the North Carolina State Board of Education. The Board, as a further

act of assurance to its students and parents, desires to maintain all of the schools of the system as members of the Southern Association of Colleges and Schools.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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5020

ACADEMIC FREEDOM

5020

Teachers shall be protected from censorship or restraint which unreasonably interferes with their obligation to expose students to controversial issues and to help students express their own views on such issues.

5020.1 Controversial issues arising from classroom situations and subject matter may be discussed and explored in classrooms. Care shall be taken not to inhibit the dignity, the personality or the intellectuality of either the teacher or the students.

5020.2 Freedom to learn requires that students be given an opportunity to develop an understanding of ideas and people who may seem alien to them and that they develop a capacity to discern the differences between fact and opinion, and to weigh arguments, slogans and appeals.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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5021

CONTROVERSIAL SPEAKERS

5021

The Board recognizes that visiting speakers may be of specific persuasions and that their topics may be controversial. If they are prohibited from speaking because of their points of view, academic freedom is endangered. Students need to study issues upon which there is disagreement and to practice analyzing problems, gathering and organizing facts, discriminating between facts and opinions, discussing differing viewpoints and drawing tentative conclusions.

When correctly handled, the use of controversial speakers becomes an invaluable component in accomplishing the goals of citizenship education. However, this places a serious responsibility on the professional staff members to structure correctly the learning situation involving the speaker.

All speakers must be approved, in advance, by the school principal. In no instance shall a speaker who advocates unconstitutional or illegal acts or procedures be permitted to address students.

Legal Reference: U.S. Constitution, Amendment I

Adopted: June 5, 2000

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I.
II.5022 FLAG DISPLAY AND PLEDGE OF ALLEGIANCE 5022

The Pamlico County Board of Education believes that patriotism is an essential element of citizenship; therefore, display of the United States and North Carolina flags and recitation of the Pledge or Oath of Allegiance are encouraged in Pamlico County classrooms. Each school principal should try to achieve the goal of displaying the United States and North Carolina flags in all classrooms. In addition, each principal should encourage his teachers to provide students the opportunity to recite the Pledge or Oath of Allegiance on a regular basis. (This policy shall not compel any person to stand, salute the flag, or recite the Pledge of Allegiance.)

The Superintendent will ensure that age-appropriate instruction on the meaning and historical origins of the flag and the Pledge of Allegiance are available within the K-12 curriculum. To further this policy, the Board will assist in obtaining flags through donation or otherwise.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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5030 SCHOOL YEAR/SCHOOL CALENDAR 5030

All elementary and secondary schools of the system shall be kept open each year at least one hundred eighty (180) days for instruction of students.

5030.1 The Board shall adopt a school calendar by May 1 prior to the beginning of each school year.

5030.2 The system may operate special purpose schools or sessions or pilot programs beyond the regularly scheduled school year, provided the programs are legally organized and funded and have specific approval of the Board.

Legal Reference: G.S. 115C-36, -84.2
Adopted: June 5, 2000

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A.
B.5031 ESTABLISHMENT OF SCHOOL CALENDAR 5031

The Superintendent shall make a recommendation to the Board annually regarding establishment of the school calendar.

- 5031.1 Insofar as possible, the calendar shall be responsive to the instructional and recreational needs of teachers, students and parents.
- 5031.2 The calendar shall provide for a minimum of 180 days and 1,000 hours of instruction, covering at least nine calendar months. Allowances consistent with state law shall be included for making up days that might be needed because of inclement weather or other unforeseen occurrences that might make it necessary to temporarily close a school or schools.
- 5031.3 The calendar shall be designed on a nine-weeks grading period basis and consideration shall be given for appropriate timing of parent-teacher conferences and grade reporting.
- 5031.4 The calendar shall make provisions for the in-service education needs of the school system.
- 5031.5 The ten-month calendar will be adopted following approved procedures and periodic review by the board.

Legal Reference: G.S. 115C-47, -84.2
Adopted: June 5, 2000

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5032 SCHOOL DAY 5032

Upon the recommendation of the Superintendent, the Board shall approve the school day, which shall consist of no less than six (6) hours of actual instructional time.

Legal Reference: G.S. 115C-84.2
Adopted: June 5, 2000

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The Board is responsible for public education, grades K through 12, throughout the system. The grouping and housing of instructional levels in school facilities throughout the system shall be according to plans developed by the Superintendent and approved by the Board.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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SCHOOL HEALTH EDUCATION PROGRAM

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The Pamlico County Board of Education is committed to a sound, thorough school health education program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The Board recognizes the primary role of parents/guardians in providing for the health and well-being of their children and seeks to involve parents/guardians in the schools as provided in this policy. The school health education program provided by the school district will meet all requirements established by state and federal law, including the Basic Education Program, N.C. Gen. Stat. § 115C-81(e1). Further, the Board will follow the North Carolina Standard Course of Study for Healthful Living Education.

The Board's school health education program will encompass all major aspects of healthful living for students from kindergarten through ninth grade. As required by law, this program will include instruction on the benefits of sexual abstinence until marriage ("abstinence"), the avoidance of out-of-wedlock pregnancy, and the prevention of sexually transmitted diseases ("STD's") at appropriate grade levels.

A copy of all program objectives relating to abstinence until marriage, avoidance of out-of-wedlock pregnancy, or the prevention of sexually transmitted diseases will be available for review at any school where the program will be taught, prior to their use with students. Instructional materials relating to these topics will be available for review either at the school or at an identified central location. Before students may participate in a portion of a program that includes these topics, the school system will notify the parents/guardians of the opportunity to review the material and the right to withhold consent for the student to participate. Any parent/guardian wishing to withhold consent must do so in writing to the principal, on an annual basis. Otherwise, consent to the program is presumed.

A determination of what will be appropriate education for any student with identified exceptionalities will be made in accordance with the student's individualized education plan, following all procedures as provided in the North Carolina Procedures Governing Programs and Special Services for Children with Special Needs.

Contraceptives shall not be made available or distributed on school property. Further, the Pamlico County Board of Education and its employees shall not provide information to students about where to obtain contraceptives or abortion referral services, unless consent is given by the parent/guardian in person.

Legal References: N.C. Gen. Stat. § 115C-36, Art. 9, -81(e1); Procedures Governing Programs and Services for Children With Special Needs

Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes the importance of students maintaining physical health and proper nutrition in order to take advantage of educational opportunities. The board further recognizes that student wellness and proper nutrition are related to a student's physical well-being, growth, development and readiness to learn. The board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience.

The Pamlico County Board of Education is also concerned about the prevalence of childhood obesity and consequent health implications during the remainder of their lives. In the short-term, overweight children may exhibit compromised health, with effects on school attendance and academic performance.

The Superintendent shall maintain procedures to carry out the goals of this policy, including a plan to evaluate the effectiveness of efforts to promote high-quality nutrition and physical activity programs.

A. School Health Advisory Council

The board will appoint a School Health Advisory Council to help plan, implement, and monitor this policy as well as other health and nutrition issues within the school district. Of those appointed to the council, there will be at least one person from each of the following groups: school board member, school district administrator, district food service representative, student, parent/guardian, a member of the public, a local health department representative, and a representative from each of the following school health areas: physical/health education, staff wellness, and mental and social health.

The council will assist the superintendent, or his designee, in creating an annual report, which includes the minutes of physical activity and the minutes of physical education and/or healthful living education received by students in the Pamlico County Schools each school year, and any other information required by the State Board of Education.

B. Nutrition Education

Nutrition Education and Healthy Living Skills shall be taught as part of the regular instructional program in order to provide opportunity for all students to understand and practice concepts and skills related to health promotion and disease prevention.

- Nutrition education will be provided in accordance with the North Carolina Healthful Living Curriculum and can be integrated into other areas of the curriculum such as math, science, language arts and social studies.

- The school cafeteria is an integral part of the total school environment. It will serve as a “learning laboratory” to allow students to apply critical thinking skills taught in the classroom and to learn and practice healthy living skills.
- Nutrition education will be shared with families and the broader community to provide a positive impact on students and on the health of the community. (Examples include newsletters, brochures, participation in health fairs, etc.)
- Professional development opportunities will be made available to the staff responsible for nutrition education.

C. Physical Education

Physical education and physical activity shall be an essential element of each school’s instructional program. The program will provide the opportunity for all students to develop the skills, knowledge, and attitudes necessary to participate in a lifetime of healthful physical activity. Physical education programs will comply with state and local requirements.

- Time allotted for moderate to vigorous physical activity for students K-8 will meet the state requirement of 30 minutes each day as required by the North Carolina Healthy Active Children Policy, and grades 6-8 will work toward the goal of 225 minutes average per week. This can be achieved through regular physical education classes and/or through physical activities such as Classroom Energizers, Take 10, Awaken the Brain, or through use of walking areas and other activities.
- Physical education, Energizers and other forms of physical activity shall not be taken away from students as a form of punishment. In addition, severe and/or inappropriate exercise may not be used as a form of punishment for students.
- Physical education courses will be conducted in an environment where students learn, practice, and are assessed on developmentally appropriate motor skills, social skills, and knowledge. Class size will be in accordance with North Carolina State Board of Education standards.
- Physical education courses will be taught under the direction of a licensed physical education teacher.
- Schools will work toward having adequate equipment available for all students to participate in physical education and physical activity.
- Schools will work toward having safe physical activity facilities on campus.
- Schools are requested to encourage community members to make use of the school’s physical activity facilities outside of the normal school day.

D. Nutrition Guidelines

All foods available in the Pamlico County Schools during the school day will be offered to students with consideration for promoting student health, reducing childhood obesity, providing a variety of nutritional meals, and promoting life-long healthy eating habits. Foods and beverages available on each school campus shall meet all applicable federal and state nutritional guidelines. Students with special dietary needs will be reasonably accommodated.

The Student Health Advisory Council shall establish separate nutritional standards for those foods and beverages for which there are no mandatory state or federal guidelines.

E. Activities to Promote Wellness

In addition to the standards outlined above, the Pamlico County Board of Education adopts the following goals for school-based activities designed to promote wellness:

- Pamlico County Schools will provide an attractive, clean, and safe meal environment.
- Students will be provided adequate time to eat meals (at least 10 minutes for breakfast and 15 minutes for lunch for the time the student is seated.)
- Drinking water will be available at all meal periods and throughout the school day.
- Professional development will be provided for district nutrition staff.
- To the extent possible, the Pamlico County Schools will utilize funding and outside programs to enhance staff and student wellness.
- Food should not be used in the Pamlico County Schools as a reward unless they meet Winners' Circle guidelines.
- As appropriate, the goals of this student wellness policy will be considered in planning all school-based activities.
- Administrators, teachers, food service personnel, students, parents/guardians, and community members will be encouraged to serve as positive role models to promote student wellness.
- Students will be encouraged to start each day with a healthy breakfast. The school breakfast program will be available at all schools.
- The Child Nutrition Department will work with local media and the School Health Advisory Council to inform the community about health issues of school children and the programs that are in place at the schools to address such issues.

F. Guidelines For Reimbursable Meals

The child nutrition supervisor will ensure that school district guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

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STUDENT WELLNESS (cont.)

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G. Monitoring And Review Of Policy

The superintendent or his/her designee will be responsible for overseeing implementation of this policy and monitoring the Pamlico County Schools' programs and curriculum to ensure compliance with this policy, related policies, and established guidelines or administrative regulations.

In each school, the principal or designee will ensure compliance with this policy and will report on the school's compliance to the superintendent or designee.

Legal References: The Child Nutrition and WIC Reauthorization Act of 2004, P.L. 108-265, Sec. 204; National School Lunch Act, *as amended*, 42 U.S.C. § 1751, *et seq.*; G.S. § 115C-264.2, -264.3; G.S. § 115C-81(e); State Board of Education Policy # HSP-S-000 and EEO-S-000.

Cross References: School Health Education Program (Policy 5050, 6750), Free and Reduced Price Meals (Policy 6710, 7041), Health Services (Policy 6740); Child Nutrition (Policy 7000), Child Nutrition Programs (Policy 7040), Cooperation with Other Agencies (Policy 7042), Menu Preparation and School Food Service Purchasing (Policy 7050), Food Service Safety and Sanitary Practices (Policy 7060).

Adopted: June 29, 2006

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The Board is committed to the goal of providing a safe, orderly, caring and inviting learning environment at each school. The educational program, code of student conduct, and the safe school plans developed at each school, as well as numerous other strategies identified in Board policy, are intended to create such an environment and help each student be a contributing and successful member of the school.

It is the desire of the Board to provide alternative learning programs that are rigorous and include quality education. Alternative learning programs are defined as services for students at-risk of truancy, academic failure, behavior problems, and/or dropping out of school. These services should be designed to better meet the needs of students who have not been successful in the regular public school setting. Alternative learning programs may serve students at any level who are: suspended and/or expelled, at risk of participation in juvenile crime, have dropped out and desire to return to school, have a history of truancy, are returning from juvenile justice settings or psychiatric hospitals, or whose learning styles are better served in an alternative setting. Alternative learning programs can provide a meaningful educational experience for students at times under circumstances when the regular school program or setting is not appropriate. However, there should be a goal of returning the student to the regular education setting as soon as the student is capable of returning and it is appropriate for him to do so.

The superintendent shall develop guidelines, for approval by the Board, for assigning students to alternative learning programs. The guidelines shall include:

1. a description of the programs and services to be provided;
2. a process for ensuring that the assignment is appropriate for the students and that the student's parents are involved in the decision; and
3. strategies for providing alternative learning programs, when feasible and appropriate, for students who are subject to long-term suspension or expulsion.

Prior to referring a student to an alternative learning program, the referring school shall:

1. document the procedures used to identify the student as being at-risk of academic failure or as being disruptive or disorderly;
2. provide the reasons for referring the student; and
3. provide to the alternative learning program all relevant student records, including anecdotal information.

GUIDELINES FOR REFERRING STUDENTS TO ALTERNATIVE LEARNING PROGRAMS

When a teacher, school administrator, or other school personnel recognizes that a student is experiencing academic or developmental difficulty or social/behavior problems, school personnel should meet with the parent to develop a plan of action to address such issues. If the plan is implemented and interventions have not been successful, the school personnel may refer the student to the school's appropriate committee. [Julia-need to insert appropriate committee name(s).] Referrals also may be made by parents, juvenile justice officials, the courts, or other appropriate community agencies. Parents should be informed about the difficulty their child is experiencing and involved in the development of any modifications to be implemented in their child's education program.

When a student is placed in an alternative learning program, the appropriate staff members of the alternative school shall meet to review the records forwarded by the referring school and shall determine what services and intervention strategies are recommended for the student. A personal education plan (PEP) must be developed for each student assigned to an alternative learning program, by the alternative learning program's staff, in consultation with parents and the sending school. The PEP must address the presenting academic and/or behavioral problems, and must include the following:

1. academic and/or behavioral goals to be met in the alternative learning program;
2. projected timelines for meeting the goals;
3. criteria to be used in evaluating student progress; and
4. signatures of the students, parents, and representatives from the sending school and the alternative learning program.

The student and parent should sign a contract, specifying that they accept placement in the alternative learning program and will abide by its academic, behavioral and social expectations.

If the student has been suspended from school prior to placement in an alternative learning program, the PEP must be developed during the period of suspension and prior to the student's admission to the alternative learning program, if possible. If the placement does not involve a suspension from school, the PEP will be developed and implemented within the first week the student is assigned to the alternative learning program. The PEP must be reviewed at least annually and revised as necessary. Parents must be invited to participate in any review.

If a student subject to consideration for assignment to an alternative learning program is suspected of being a child with a disability, the Procedures Governing Programs and Services for Children with Disabilities will be followed. Educational placement of a child with a disability in an alternative learning program must be based on his or her IEP.

TRAINING AND ASSESSMENT

The superintendent shall provide a means to assess on a regular basis (at least annually) whether the alternative learning program is appropriately staffed, and will assure that employees assigned to the alternative learning program are properly trained. [Option: No employee who has received a rating of less than "above-standard" within the last three years on a formal evaluation may be assigned to the staff of an alternative learning program. No employee who has received a performance rating of "below standard" within the last three years shall be assigned to the staff of an alternative learning program.]

The superintendent shall provide the board, on a regular basis, with an assessment of whether the alternative learning program is staffed with professionals who are well trained and provided with appropriate staff development, which shall incorporate practices for improving student academic performance and reducing disruptive behavior. School improvement plans shall include effective instructional practices to improve the academic performance of students identified at-risk of academic failure or dropping out of school.

The superintendent shall assure that a needs assessment is conducted for each school, and used as a basis for developing goals and objectives of the safe schools plan. Students who are at risk of academic or disruptive/disorderly behavior shall be identified, and the superintendent shall document the procedures used to identify such students. The guidelines for assigning students to alternative learning programs shall be incorporated within the school system's safe school plans. Each school improvement plan shall include specific instructional practices and methods to improve the academic performance of students identified as at-risk of academic failure or dropping out of school. The school system's safe school plan shall include a clear statement of the services to be provided to students assigned to alternative learning programs.

Legal Reference: G.S. 115C- 47(32a), - 105.27, - 105.48, -276, -288, -366, -367, -391
Adopted: January 2, 2001

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5100

CURRICULUM DEVELOPMENT

5100

The basic responsibility for curriculum development rests with the Superintendent who may delegate portions of this responsibility to the administrative and supervisory staff of the system.

5100.1 The administration of the school system shall prepare a curriculum design which shall be reviewed and adopted periodically by the Board. All curricular requirements of the State of North Carolina and the North Carolina State Board of Education shall be included in the curriculum design.

5100.2 Principals and teachers are encouraged to coordinate planning within their own schools and with other schools to develop a unified curriculum which offers a continuum of instruction.

Legal Reference: G.S. 115C-47

Adopted: June 5, 2000

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5110

RESEARCH IN INSTRUCTION

5110

The Board recognizes the need and value of educational research. Any research project must receive prior approval from the Superintendent.

5110.1 The Superintendent may plan new programs on a short-term, pilot basis, if it appears that the program being developed can be of basic and intrinsic value to the students and shows promise of being transferable.

Legal Reference: G.S. 115C-36, -47, Article 16

Adopted: June 5, 2000

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5200

STUDENT ORGANIZATIONS

5200

Student groups may be organized into youth clubs which are subject-area oriented or related.

- 5200.1 Each student organization must be authorized by the school administration.
- 5200.2 Each student organization must have a faculty sponsor who is approved by the principal.
- 5200.3 The activities of each student organization shall be subject to the policies on student activities.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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5201

STUDENT PERFORMANCES

5201

Any student or group of students giving a public performance in the name of any school shall first secure the approval of the principal of the school being represented.

- 5201.1 Student performances shall be in keeping with the general goals and objectives of the system's educational program.
- 5201.2 Student performances may not be given as a promotion of a particular business enterprise.
- 5201.3 A student shall not accept remuneration for performing in the name of a school.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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Student participation in any contest shall require the prior approval of the principal.

5202.1 Approval may be granted for an appropriate specific contest which is closely allied to and in support of the instructional work of the school.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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5300

GROUPING FOR INSTRUCTION

5300

Assignment of students to classes is the responsibility of the principal. Each principal annually shall review the organization and instructional grouping patterns of his school with the Superintendent or his designee.

Legal Reference: G.S. 115C-47, -81, -276, -288
Adopted: June 5, 2000

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5301

CLASS SIZE

5301

Within budgetary limitations, class sizes shall be held to optimum levels, and statutes and regulations regarding class sizes shall be followed.

Legal Reference: G.S. 115C-47, -301
Adopted: June 5, 2000

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5310

SCHEDULING FOR INSTRUCTION

5310

It is the responsibility of each principal to see that an appropriate instructional program is scheduled for each student.

5310.1 Each principal shall organize the instructional staff of his school into a pattern which utilizes the strengths of the several staff members.

5310.2 Changes, extensions or additions to instructional or extra-curricular programs shall be approved by the Superintendent.

Legal Reference: G.S. 115C-47, -81, -276
Adopted: June 5, 2000

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5311

COURSE LOADS

5311

In the high schools, a student shall have a minimum course load of eight (8) units of credit per year, unless special permission is given to the student by the principal.

Legal Reference: G.S. 115C-47, -81, -276
Adopted: June 5, 2000

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5400

CURRICULUM BROADENING AND ENRICHMENT

5400

The Board encourages optimum use of a variety of resources which broaden and enrich the instructional services for students.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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The Superintendent shall coordinate the media selection process.

5410.1 Procurement of media shall be accomplished in accordance with law and with Board purchasing and accounting policy.

5410.2 The term media includes textbooks, library books, periodicals, and all other instructional materials needed for instructional purposes in the school system.

5410.3 Appropriate instructional materials are essential to a good instructional program,. Regardless of the source of funding, materials must be selected which support and supplement the Pamlico County curriculum.

5410.4 Responsibility Selecting Media and Technology

In accordance with PUBLIC SCHOOL LAWS OF NORTH CAROLINA, General Statute 115C-98 (b) "Local boards of education shall adopt written policies concerning the procedures to be followed in their local administrative units for the selection and procurement of supplementary textbooks, library books, periodicals, and other instructional materials needed for instructional purposes in the public schools of their units . . ." The Board of Education delegates the responsibility for coordinating the selection of instructional resources and recommendation for purchase to the professional media and technology professionals in the administrative unit.

Each school's Media and Technology Advisory Committee (MTAC) will assist media and technology professionals in the selection process and the school-level challenge of materials. The Media and Technology Advisory Committee is appointed by the principal and co-chaired by the school library media coordinator and the technology facilitator (*where appropriate*). This committee includes teachers representing all subject areas and/or grade levels, students (in middle and high school), and parent/community representatives. Under the leadership of professional media personnel, this group sets priorities for resources to be acquired based on school-wide objectives and on strengths and weaknesses in the existing collection. It is also the first level of response to any challenge of resources within the school system.

OBJECTIVES FOR SELECTING MEDIA AND TECHNOLOGY

The primary objective of each school's library media and technology program is to enrich and support the instructional program of the school. The media and technology program makes available, through the school's

collections, a wide range of print, nonprint, and technology on varying levels of difficulty with a diversity of appeal compatible with the different needs, interests, and viewpoints of students and teachers.

To this end, the Pamlico County Board of Education in keeping with the ideas expressed in the *Library Bill of Rights*, asserts that the responsibility of the media program is as follows:

1. to provide resources that will enrich and support the curriculum, taking into consideration the varied interests, abilities, socio-economic backgrounds, learning styles, and developmental levels of the students served
2. to provide resources that stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards
3. to provide a background of information enabling students to comprehend their role as citizens in society and to make intelligent judgments in their daily lives
4. to provide resources on opposing sides of controversial issues so that students may develop, under guidance, the practice of critical thinking and of critical analysis of all media
5. to provide resources representative of the many religious, ethnic, and cultural groups in our nation and the contributions of these groups to our American heritage
6. to place principle above personal opinion and reason above prejudice in selecting media of the highest quality in order to assure a comprehensive collection appropriate for all users

CRITERIA FOR SELECTING MEDIA AND TECHNOLOGY

Individual teaching and learning styles, the curriculum, and the existing collection are given consideration in determining the needs for resources in individual schools.

After a careful needs assessment, resources considered for purchase are judged on the basis of the following criteria:

Purpose: Overall purpose and its direct relationship to instructional objectives/curriculum

Reliability: Accurate, authentic, up-to-date, authoritative treatment: clear, skillful, well-organized, unbiased, comprehensive, well-balanced

Technical Quality: Relevant to content, sound and visuals consistent with state-of-the-art capabilities

Format: Well-organized, attractive, appropriate

Construction: Durable, manageable

Possible Uses: Individual, small group, large group, introduction, in-depth study, remediation, enrichment

PROCEDURES FOR SELECTING AND MAINTAINING THE MEDIA AND TECHNOLOGY COLLECTION

In coordinating the selection of resources, the media and technology professionals, assisted by the Media and Technology Advisory Committee, should:

1. consider requests from faculty, students and curriculum committees
2. use reputable, unbiased selection tools prepared by professional educators such as *Booklist*, *Bulletin of the Center for Children's Books*, *School Library Journal*, and *InfoTech*, and arrange when possible, for firsthand examination of resources to be purchased
3. judge gift items and classroom collection purchases by standard selection criteria
4. weed continuously and purchase replacements for worn, outdated, damaged, or missing resources basic to the collection

I. PROCEDURES FOR RECONSIDERATION OF INSTRUCTIONAL RESOURCES

Despite the care exercised in selecting resources, occasional objections to the selections may occur. Any resident or employee of the school district may formally challenge instructional materials used in the district's educational program. When an objection is made, the approved procedures for processing the objection will be followed.

1. Be courteous, but make no commitments. The person receiving the complaint should at no time agree with the complainant that the resource should be removed, but should express appreciation to the person for sharing their concern. Efforts should be made to resolve the matter informally. The person receiving the complaint shall inform the principal of the discussion.
2. If the informal discussion does not resolve the problem, inform the complainant of the selection procedures and request that the complainant file his/her objections in writing by completing the Request for the Reconsideration of Instructional Resources form to be submitted to the building-level Media and Technology Advisory Committee (MTAC) within five (5) working days.
3. Formally challenged resources shall not be restricted during the reconsideration process, but parents may request alternate materials for their child.
4. The person receiving a formal complaint shall notify in writing the principal of the school, the director of media services, the assistant superintendent of curriculum and instruction, and the superintendent of schools.

5. The building-level MTAC will be informed of the formal complaint, will have access to challenged resource, and will meet within thirty (30) working days to review the material and make a decision. The MTAC will:
 - examine the item and the objection(s)
 - survey reviews of the item in professional reviewing sources
 - determine the extent to which the item supports the curriculum
 - weigh the merits against the alleged weaknesses, considering the whole item instead of isolated passages
 - hear testimony from appropriate person(s), including the individual(s) expressing the concern and professional staff using the resource
 - discuss the item and prepare a written report of the findings and recommendations of the committee
 - send copies of the report to the principal, the director of media services, the assistant superintendent of curriculum and instruction and director of technology. The director of media services and the assistant superintendent of curriculum and instruction should discuss the report with the superintendent, who will present it to the board.
6. In accordance with GS 115C-98 (b), "The local board, at all times, has sole authority and discretion to determine whether a challenge has merit and whether challenged material should be retained or removed."
7. The complainant will be notified in writing of the decision.
8. If an item is reviewed and retained as part of a collection in a school, the item will not be reviewed again at that school for three (3) years, unless so directed by the Superintendent or Board of Education.

Legal Reference: G.S. 115C, Art.8, Part 3; 115C-47, -81, -98

Adopted: June 5, 2000

Amended: July 10, 2006

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5411

COMMUNITY INSTRUCTIONAL RESOURCES

5411

The staff of the school system shall take advantage of community educational resources to the extent to which they provide the best means of reaching educational objectives of the system.

5411.1 Live projects and practical work experiences, within or outside school, valuable to students and under the supervision of a teacher, are an appropriate part of vocational education instruction in skills-development courses. To the extent that such experiences provide effective skills training, they may be included as part of the instructional program in accordance with regulations and procedures established by the Superintendent.

5411.2 The use of resource persons from the community can be an invaluable educational instrument. The Board wishes the professional staff to be concerned with locating people in various areas of interest and expertise who might serve as resource persons in particular units of study. All requests to use such resource persons shall be cleared with the principal of the school.

Legal Reference: G.S. 115C-81; Articles 10, 13 and 16

Adopted: June 5, 2000

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5412

INSTRUCTIONAL MEDIA

5412

The primary objective of the media program is to enrich, support and assist in the implementation of the educational program of the school. In support of this objective, the Pamlico County Board of Education endorses the "Library Bill of Rights" of the American Library Association.

Legal Reference: G.S. 115C-47, -81, -98

Adopted: June 5, 2000

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5420

RESOURCE TEACHERS

5420

Resource teachers shall possess specialized educational skills or knowledge and shall be employed and assigned to strengthen one or more professional components of a classroom or school. As the approved curriculum design of the school system emphasizes specific areas of the instructional program, the administration shall be authorized to assign properly qualified personnel as resource teachers in the identified program areas, provided such use of personnel does not jeopardize the system's compliance with state provisions regarding maximum class size or federal comparability requirements.

5420.1 The Superintendent shall establish criteria and procedures for making agreements with resource persons.

Legal Reference: G.S. 115C-81, -276
Adopted: June 5, 2000

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5422

SCHOOL VOLUNTEERS

5422

It is the intent of Pamlico County Schools to promote and encourage the use of school volunteers in order to expand and enhance parental and community involvement in the schools while continuing to maintain a high level of safety and security. An individual who wishes to volunteer at a school shall be approved by the principal and the personnel department prior to serving at the school. The decision on whether to approve the volunteer candidate shall always be based upon the best interest of the school.

5422.1 All individuals wishing to serve in a volunteer capacity must complete a volunteer application, Board Form #5422F1.

5422.2 All individuals wishing to serve as a chaperone or accompany students on a field trip must complete a volunteer application.

5422.3 All volunteers and individuals wishing to serve as a chaperone or accompany students on a field trip are subject to a criminal background check and sex offender registry check.

5422.4 After the initial criminal background check, volunteers and individuals wishing to serve as a chaperone or to accompany students on a field trip must report any subsequent criminal charges and convictions to the

principal.

- 5422.5 Individuals whose background investigation reveals a charge, a series of charges, conviction of a crime more serious than a minor traffic violation, or a pattern of behavior which is determined by the personnel department to represent a safety issue shall be ineligible to serve as a volunteer.
- 5422.6 Any individual refusing a background investigation shall be ineligible to serve as a volunteer, chaperone or accompany students on a field trip.
- 5422.7 School volunteers will work under the direct supervision of school personnel.
- 5422.8 Volunteers in athletic programs must be recommended by the principal and the athletic director or activity person, must be knowledgeable of the rules and regulations of the North Carolina High School Athletic Association and/or State Board of Education, and knowledgeable of the sport or activity for which he/she volunteers.
- 5422.9 Volunteers in athletic programs must sign a volunteer coach agreement, Board Form # 5422F2.
- 5422.10 Individuals whose request for volunteer status has been denied will be notified, in writing, by the Personnel Department.

Legal Reference: G.S. 115C-47; Article 13
Adopted: June 5, 2000
Revised: January 4, 2010

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PARENT INVOLVEMENT POLICY

In accordance with the No Child Left Behind Act of 2001, Title I, section 1118 (a)(2), Pamlico County Schools shall actively involve parents in all Title I funded schools. Each school receiving Title I money shall:

- Involve parents in the development of the Local Educational Agency (LEA) Title I Plan by using the PTO officers and Advisory Board members for review and input at each Title I funded school.
- Provide coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance.
- Coordinate and integrate parental involvement in Pamlico County Schools.
- Conduct an annual evaluation of this policy and of the strategies for parental involvement listed in the Title I application.
- Insure that parents are always involved in the schools' activities including being a part of each school's School Improvement Team (SIT).

In order to build strong parental support, each school:

- Shall help parents in understanding such topics as the State's academic content standards and State student academic achievement standards, State and local academic assessments, the requirements of this policy, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- Shall provide materials and training to parents to help them improve their children's achievement;
- Shall educate all staff to insure all school personnel understand the value of parent involvement;
- Shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, More at Four Program, Pamlico Partnership for Children and other Pamlico County preschool programs;
- Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand;
- May involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training;
- May provide necessary literacy training from funds received under Title I, Part A if the local educational agency has exhausted all other reasonably available sources of funding for such training;
- May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;

- May train parents to enhance the involvement of other parents;
- May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;
- May adopt and implement model approaches to improving parental involvement;
- May establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in programs supported by Title I funds;
- May develop appropriate roles for community-based organizations and businesses in parent involvement activities; and
- Shall provide such other reasonable support for parental involvement activities as parents may request.

Legal Ref.: No Child Left Behind Act of 2001, Title I, section 1118 (a)(2)
Adopted: February 6, 2006

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School trips designed to stimulate student interest and inquiry and to provide opportunities for educational growth and development can be appropriate extensions of the classroom. To the extent that a trip provides the single most effective means for accomplishing the objectives of the curriculum and that disruption of other classes is kept to a minimum, it may be approved. Criteria for assessing the advisability of a proposed trip should include the extent to which other instructional programs are disrupted, the amount of school time lost, the appropriateness of the trip for the grade level and subject, what additional demands are placed upon student time in order to raise funds to finance the trip and the opportunity to expand educational experiences for students beyond regular school hours. School trips may be; day or overnight trips; in-state or out-of-state; or credit or non-credit bearing courses. Any trip made by school students which has not been approved in accordance with this policy shall not be considered a school trip as herein defined.

- 5430.1 The Superintendent shall be responsible for development of administrative regulations for the request and approval of school trips. Requests shall be submitted on Board Form #5430F1, "Off-Campus School Trip Requests".
- 5430.2 A school trip is defined as a student, or group of students, leaving a school campus under the sponsorship of the school and under supervision of school employee(s) to extend educational experiences consistent with the general goals and objectives of the total school program. A school trip must be related to the curriculum of the school or to a co-curricular activity (e.g., clubs, student council, athletics, etc).
- 5430.3 Students should not be charged a fee for any required class school trip for which credit is granted.
- 5430.4 All fees for voluntary class or co-curricular school trips shall be closely scrutinized at the time the trip is approved. The sponsor of that trip must certify to the school principal that provisions have been made for students unable to pay the fees.
- 5430.5 A ratio of one chaperone to ten students shall be maintained during in-state, day school trips.
- 5430.6 Approval of out-of-state or overnight school trips shall require the following additional criteria beyond those for in-state day school trips:
- 5430.61 Health insurance coverage shall be in force on each student who participates and parents/guardians shall provide proof to the District.
- 5430.62 A ratio of one chaperone for every five students shall be

maintained by gender which means that for every group of one-five male students, one male chaperone and for every group of one-five female students, one female chaperone shall be present during the trip. For example, three male students would require one male chaperone and six female students would require two female chaperones, etc.

5430.63. Out-of-state or overnight school trips will require Board approval according to a schedule developed by the Superintendent, or designee.

5430.6 When privately-owned vehicles are to be used for transporting students, the owner of the vehicle, and parents/guardians of students who will ride in the privately-owned vehicle, will sign Board Form #5430F2 which acknowledges that the District's liability insurance does not cover the use of privately-owned vehicles to transport students for school activities.

5430.7 School trips outside of the continental United States shall not be sponsored, or approved, by the District.

Legal Reference: G.S. 115C-47, -276

Adopted: June 5, 2000

Revised: December 1, 2008

December 7, 2009

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Internet access is now available to students and instructional staff in the Pamlico County Schools. The Board provides this service in the belief that the Internet offers vast, diverse and unique educational resources, and in the hopes of promoting educational excellence through resource sharing, innovation and communication.

The Internet is a vast collection of interconnected computer networks involving millions of computers and users around the world. It is a collaboration of private, public, educational, governmental, and industrial-sponsored networks whose operators cooperate to maintain the network infrastructure. Through the Internet, students and instructional staff will have access to:

1. Electronic mail communication with people all over the world;
2. Information and news from a variety of research institutions;
3. Public domain software and shareware of all types;
4. Discussion groups on a plethora of topics; and
5. Many university library catalogs, the Library of Congress, and ERIC.

With access to computers and people all over the world also comes the availability of material that may not be considered of educational value in the school setting. The Pamlico County Schools will take precautions to restrict access to questionable materials. However, on a global network, it is impossible to control all materials and an industrious user may discover such materials. Nevertheless, the Board firmly believes that the valuable information and interaction available on this worldwide network far outweigh the possibility that users may procure material inconsistent with the educational goals of the Pamlico County Schools.

The smooth operation of the network depends on the proper conduct of the end users. Accordingly, all users must adhere to strict guidelines. These guidelines are contained in Board policies 5451 Appropriate Internet Use, 5452 Student Internet Use, and 5453 Internet Use - Instructional Staff Responsibilities and in any regulations adopted by the Superintendent. Board of Education members will be notified in writing of any regulations adopted by the Superintendent under this policy. In general, these guidelines require efficient, ethical, and legal utilization of the network resources. If a Pamlico County Schools user violates any of these provisions, his or her access privileges may be revoked, and disciplinary action and/or appropriate legal action may be taken.

Pamlico County Schools users will take full responsibility for their use of the Internet. The students and instructional staff will sign forms acknowledging that they have read and understand the applicable Board policies, that they will comply with these policies, and that they understand the consequences for violation of these policies. Parents will be required to sign a permission form to allow their children to access the Internet.

Legal Reference: G.S. 115C-36, -47, -391
Adopted: June 5, 2000
Revised: September 3, 2002.

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All Pamlico County Schools users will observe the following guidelines regarding Internet use.

- 5451.1 Acceptable Use - Use of the Internet must be in support of education and research and consistent with the educational objectives of the Pamlico County Schools. Transmission of any material in violation of any law or regulation, including any Board policy, is prohibited. Use of the Internet for commercial activities is prohibited, as is use for political lobbying.
- 5451.2 Restricted Material - Users shall not intentionally access or download any text file, picture (including video), graphic or sound clip, or engage in any conference that includes material which is obscene, libelous, indecent, vulgar, profane or lewd, or which advertises any product or service not permitted to minors by law.
- 5451.2(a) Active Restriction and Measures. The Pamlico County Schools will utilize filtering software or other technologies to prevent students and adults from accessing visual depictions that are: (1) obscene or (2) child pornography, and to prevent students from accessing visual depictions that are (3) harmful to minors. The Pamlico County Schools will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or any other material which is inappropriate for minors.

Internet filtering software and other technology-based protection systems may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by adults or students age 17 and older.

The term "harmful to minors" is defined as meaning any picture, image, graphic image file, or other visual depiction that:

- a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- b. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- c. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

- 5451.3 Copyright Infringement - Users shall respect all copyright, trademark and licensing agreements and laws, including seeking permission when required.
- 5451.4 Network Etiquette - Users are expected to abide by the following rules of network etiquette:
- a. Use appropriate language: Use of language which is vulgar, profane or lewd is prohibited.
 - b. Do not send messages which include insulting or fighting words or expressions which are designed, intended or likely to injure or harass others.
 - c. Do not give out personal information such as a home address, home phone number or last name, social security numbers, or credit card numbers whether about yourself or about other students or colleagues.
 - d. Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system may be able to access all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
 - e. Do not use the network in such a way as to disrupt the use of the network by other users.
 - f. All communications and information accessible via the network should be assumed to be private property.
 - g. Do not use the school's computer network for the purpose of hacking or to gain unauthorized access to other computers or computer systems, files, or data.
 - h. Network users are provided with a User ID and password for accessing the network. Users should not use another person's User ID and password for accessing the network, nor should a user allow another person to use his or her User ID and password.
 - i. Users shall not attempt to alter the network, disable security features, or evade network filtering. Personal devices shall not be attached to the network without explicit permission of the network administrator.
 - j. Users should respect all copyright, trademark and licensing agreements and laws, including seeking permission when required.
 - k. The school network or computer equipment shall not be used for personal commercial transactions.
- 5451.5 Access Protocol - To ensure accessibility of the system to all who wish to use it:
- a. Remain on the system only long enough to get needed information, then exit the system.

- b. Do not use real-time conference features such as talk, chat, and Internet Relay chat.
- c. Perform a virus check on all downloaded files to avoid the spreading of viruses.

- 5451.6 Quality of Information - The Board makes no warranties of any kind, whether express or implied, for the service it is providing. The Pamlico County Schools will not be responsible for any damages suffered by any user. Such damages include, but are not limited to, loss of data resulting from delays, non-deliveries, misdeliveries or service interruptions, whether caused by the school system's or the user's negligence, errors or omissions. Use of any information obtained via the Internet is at the risk of the user. The Pamlico County Schools specifically disclaim any responsibility for the accuracy or quality of information obtained through its Internet services.
- 5451.7 Proper Citation - When using information obtained via the Internet, provide proper citations for all quotes, references and sources. It is unethical to plagiarize Internet resources, just as it is unethical to plagiarize print resources.
- 5451.8 Vandalism - Vandalism will result in immediate cancellation of user privileges and will require restitution. Vandalism is defined as any deliberate attempt to harm or destroy data of another user, including, but not limited to, the uploading or creation of computer viruses.
- 5451.9 Privileges - The use of the Internet is a privilege, not a right. This privilege may be revoked for violation of Board policy. Inappropriate or illegal use of the Internet may also result in disciplinary or legal action.

Legal Reference: G.S. 115C-36, -47, -391; Title 15 U.S. Code §§ 1051 et seq., 1091 et seq., 1111 et seq.; Title 17 U.S. Code

Adopted: June 5, 2000

Revised: September 3, 2002

Revised: December 1, 2008

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Students will have access to the Internet through their instructors' accounts, with the permission of those instructors, or, when authorized by the principal or designee, through individual student accounts and/or electronic mail addresses issued to them.

Student access to the Internet will be permitted during class time (as determined by instructors), during breaks, and at designated times after the school day. Internet use will be monitored by instructional staff.

Making Internet access available to students carries with it the potential that some students may encounter information that may not be appropriate for them. The Internet is not only an open system, but one in continual flux--with information appearing, disappearing, and changing quite rapidly. Thus, it is not possible to fully predict or control what students may locate. Though supervising instructors will guide students in their use of the Internet, and attempt to restrict their access to inappropriate materials, the Board cannot guarantee that students will not encounter such materials.

If, in using the Internet outside of class time, a student gains access to any service via the Internet which has a cost involved, he or she will be responsible for any costs incurred.

Legal Reference: G.S. 115C-47, -391

Adopted: June 5, 2000

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It is expected that instructional staff in the Pamlico County Schools will use their Internet accounts for instructional purposes. Instructional staff members should maintain the highest ethical behavior in the use of the Internet and should promote that behavior among students. It is the responsibility of instructional staff members to:

- 5453.1 Ensure that each student user has on file a signed Internet Use Agreement form before he or she is allowed to access the Internet.
- 5453.2 Supervise all students using the Internet, pointing them toward worthwhile sites while, as much as is practicable, restricting their access to questionable materials.
- 5453.3 Ensure that all student users are reminded annually of the guidelines in the Appropriate Internet Use policy.
- 5453.4 Adhere to the Appropriate Internet Use policy.
- 5453.5 Follow the same criteria for instructional use of Internet resources as are applicable to all instructional materials.
- 5453.6 Maintain confidentiality about students and staff in all settings. Websites of Pamlico County School employees, whether school affiliated or personal, should not include any personally identifiable information about students or staff, including data, or text, obtained in the course of employment with the Pamlico County Schools.
- 5453.7 Ensure that any websites posting student grades or other information for the benefit of parents are password-protected. Parents must be notified of the conditions of posting, and given the right to request that their student's information not be posted on any such password-protected site. The individual staff member administering such a site is responsible for the security of the site and the passwords issued.

Violations of this policy may result in discipline up to, and including, discharge.

(signature)

(date)

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

Revised: September 3, 2002
Revised: December 1, 2008

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Data loss or corruption resulting from security attacks can be catastrophic to individuals, schools, or the entire school system. Security attacks can also result in interruption of network services thereby negatively impacting students and staff.

With the increased use of technology and networked applications, the Pamlico County Board of Education believes it is vital that all users understand the role they play in protecting the integrity and performance of the network, as well as, the confidentiality of information.

The Technology Department will implement and utilize a variety of security measures to do the following: 1) protect the school system's network and computers from a security breach, abuse and inappropriate use; and 2) safeguard confidential data.

1.A. Definitions

The following definitions apply to this policy:

A.Firewall

A firewall is used to control who and what enters the network by using rules and filters. It also is used as an effective monitoring tool.

I.Proxy Server

The proxy server allows Network Address Translation to be used and removes the workstation's identity on the Internet thereby removing the vulnerability for attack. The proxy server is also useful for identifying intrusion attempts and Internet misuse.

I.Network Address Translation

This is a method of translating a single public IP address to internal private IP addresses which allows individual obscurity to the Internet.

I.Access Control

By way of network rights or permissions to server locations, individual users have access only to the information or data that is relevant to the work they are permitted to do.

A.Intrusion Detection System

An intrusion detection is software used to detect and alert abnormal port, protocol or network traffic activity.

I.B. Technology Department Responsibilities

The Technology Department, partnered with North Carolina's Office of Information Technology Services (ITS), will

- monitor the network to insure the appropriate privacy to users and sensitive information.
- notify the appropriate contacts when an identified security problem or a potential security problem is identified in order to resolve the associated problems. Temporary isolation of systems or devices from the network may be necessary to resolve these problems.
- install and maintain virus protection software on all computer equipment.
- stay updated on vulnerability notices, patches and updates.
- carry out automatic network-based vulnerability updates, patches, compromise assessments, and compliance scans.
- submit network summary reports to the technology director.
- prepare recommendations for additions or upgrades for network equipment or utilities to help the Technology Department remain effective in their efforts to keep the Pamlico County Schools network and electronic information secure.
- maintain user accounts and workstations.
- maintain user access control so information will not be accessible to unauthorized users.
- force all authorized users to log onto the network and authenticate in order to have access to the network and resources.
- require that employee network passwords be changed on a to-be-determined basis to maintain security.
- provide a guest account for mobile users that will allow Internet connectivity but not threaten the existing network.
- prohibit the connection to the system's network of any equipment or devices that are not the property of Pamlico County Schools without explicit permission of the network administrator or technology director.
- prohibit the unauthorized installation of software on any school system owned equipment.
- assume no responsibility for the maintenance or repair of an employee's personal equipment
- use a problem-reporting database to report all technical support requests or notifications. Problem reporting will be done by a member of Technology Services (building level support). Problems will be addressed based upon the impact of the problem. Most urgent problems will be addressed first or in order of being reported.
- evaluate all procedures and policies annually.
- revise policies and procedures as needed.

A layered approach will be used to provide security for the school system's network. Network security will be accomplished by use of: Firewalls, Proxy Server, Network Address Translation, Intrusion Detection Systems, 24 x 7 monitoring (ITS), and access control and monitoring.

Internet bandwidth management hardware and utilities will be used to prioritize as well as monitor Internet traffic and network access. Internal network traffic will be monitored using software applications.

Workstation security will be elevated with the use of a restore or “rollback” program which puts the computer back in the exact condition it was in when it was started thereby removing any changes made by viruses, spyware, or user mistakes.

Technology Services personnel will subscribe to security alert advisories to receive notices daily of software and hardware vulnerabilities. Advisories that have impact to Pamlico County Schools will be reviewed and appropriate action will be taken.

1.C. User Rights and Responsibilities

All employees and students who use the school system’s network and computer equipment are subject to all procedures and guidelines stated in Board Policies related to student and staff acceptable use. Failure to comply with these policies can result in suspension of rights to use the network and computer equipment, and other disciplinary actions. Guest users are subject to this policy and the guidelines as stated in acceptable use policies.

Users should understand that data stored, sent or received by them within the school system’s computers or networks may be monitored to either insure the security and optimal operating performance of the network, to enforce system policies, or to provide compliance with state or federal law.

It is the responsibility of all users to backup their data files to the server. Failure to do so may result in lost data.

A firewall exists between the school system’s private network and the Internet in order to protect the network. Employees, students, and guests must not circumvent the firewall. Some protocols may be blocked or redirected for security purposes.

Internet use is monitored and is provided for educational purposes. Users who violate this policy are subject to disciplinary or legal action.

1.D. Web Applications

Electronic systems and software applications may be remotely accessible from any source capable of Internet access. Users of such systems should take every precaution to prevent compromising confidential data. Such precautions include security of the actual device used for access. Devices used to access the systems should have the latest anti-virus software and definition files installed along with controls for adware and spyware in place. The user must meet userid and password requirements.

Employees should not transfer confidential data electronically over the Internet without using appropriate encryption technologies. Appropriate encryption technologies shall be specified by Technical Services.

1.

2.E. Reporting of Information Technology Security Incidents

Security incidents determined by school administrators or program directors to be serious enough to compromise the integrity of the network or data shall be reported immediately to Technical Services. Appropriate action will be taken to eliminate any determined weakness in the security system. High-level security breaches shall be reported to the Office of the Superintendent.

(a)F. Disaster Recovery of Data and Hardware

The business functions of the school system, which include administration, instruction, and operations, are heavily dependent upon computer resources. The following procedures are followed to minimize any possible disaster.

- As part of the ITS service contract, ITS will continuously monitor the server hardware remotely. In the event of failed hardware components, ITS will ship replacement hardware to the agency site within 24 hours of failure notification, except in cases of a large-scale disaster. For this purpose, large-scale disasters are defined as any event or action that causes more than two sites across North Carolina to fail at nearly the same time. During a large-scale disaster, the 24-hour hardware replacement commitment does not apply. Instead, ITS will make its best effort to recover each site in accordance with the agency disaster recovery plan. In addition to shipping replacement hardware, ITS will, if required, send network technicians to the site to repair and restore service in a timely manner. These repairs may include installation of any replacement hardware and restoration of agency files from backup tapes.
- Servers that are not ITS managed servers will be monitored and checked daily by Technology Department personnel. If hardware failures are beyond the expertise of the school system's Technology Department, ITS will be contacted and the best action plan will be determined.
- Backups of all data files will be performed daily and stored in a separate facility. These data files include, but are not limited to, financial and personnel data, student data (TIMS/ILS), and GroupWise data. These data files would provide the means of recovering critical student and personnel data.
- All school employees will be encouraged to save critical files to their local hard drives and to their home directories on the school system's server. User failure to backup critical files will not be the responsibility of the Technology Department and may result in loss of files.
- Students will be provided at least 10MB of hard drive space on the server for personal files. These files will be backed up daily.
- Faculty and staff will be provided at least 25 MB of hard drive server space. These files will be backed up daily.

- Backup logs will be maintained by individuals responsible for system backups.

Legal Reference: G.S. 115C-47, 391

Cross Reference: Internet Access (Policy 5450), Appropriate Internet Use (Policy 5451), Student Internet Use (Policy 5452), Internet Use – Instructional Staff Responsibility (Policy 5453).

Adopted: June 5, 2006

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The Board of Education believes that homework is an important part of the educational program for students in the Pamlico County Schools and should be assigned on a regular basis. Homework assignments should be purposeful continuations or extensions of the instructional program and appropriate to the students' developmental level. Homework should help students become responsible, self-directed learners, improve their academic achievement and provide reinforcement opportunities.

Legal Reference: G.S. 115C-36, -47, -276, -288, -307
Adopted: June 5, 2000

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The formal issuance of grades on a regular basis is authorized by the Board in order to promote a process of continuous evaluation of student performance; to inform the student, parents, and administration of the student's progress; and to provide a basis for bringing about improvement in student performance, where such change seems necessary.

5520.1 Meaningful evaluation shall include consideration of all activity that has occurred during the particular evaluation period. Such activities should include homework, projects, reports, class participation and tests, which shall include unit tests. The relative value attached to any activity shall be determined by the importance of the activity toward achieving the course objectives.

5520.2 Parental conferences are a valuable method of reporting to parents. Conferences regarding a student's progress in a particular class shall include the teacher of that class. Teachers are encouraged to contact parents and keep them informed of their student's progress.

5520.3 Report cards will be issued at the end of each nine-week period. Interim reports for all students will be issued at the midpoint of each nine weeks' grading period. Schools and/or teachers may elect to issue interim reports more frequently. Reports for any student who is failing or whose grade has fallen a letter grade or more should be signed by parents and returned to teachers.

Legal Reference: G.S. 115C-47, -81
Adopted: June 5, 2000
Revised: July 7, 2003
Revised: July 10, 2006

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5521

CLASS RANKING

5521

There shall be periodic compilations of class rankings in senior high schools for the purpose of making an individual student's class rank available to the student, his parents, and to colleges and other institutions, at the request of the student or his parents.

5521.1 The method of computing class rankings and of weighing marks is to be developed by the Superintendent for uniform application in the high schools.

Legal Reference: G.S. 115C-47, -81, -276
Adopted: June 5, 2000

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5522

HONOR ROLLS

5522

The Board authorizes the Superintendent to develop criteria for defining honor rolls. The Superintendent may implement uniform publication of honor rolls in the schools for any or all time periods for which formal grade reporting is done.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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A.

B.5530

PROMOTION AND RETENTION OF STUDENTS

5530

The educational program and standard course of study are designed to provide for the continuous annual progress of students from grade to grade. The promotion and retention standards set forth in this policy are designed to:

- provide early and ongoing assistance to students who need it;
- assure that all students have the reading, math, and writing skills critical to allow them to participate in and benefit from the curricula; and
- permit flexibility to allow for individual differences

Retention may be considered if it is determined by the principal to be in a student's best interest, after consultation with the student's parent(s) and teacher(s); or retention may be required under this policy. Promotion, retention, and placement decisions shall be made by the principal, in compliance with applicable federal and state laws and regulations, and consistent with this policy.

The Superintendent shall assure that the standards established in this policy are well publicized and widely disseminated. Parents shall be provided annual notice of the student promotion and retention standards and intervention strategies available to their child. Parents shall be promptly informed of their child's test scores and performance on all tests required for promotion. In order to inform parents and students of student progress, the North Carolina Standardized Transcript shall be issued to each student at the end of each year in high school. The Superintendent shall issue appropriate procedures requiring that end-of-course test results be used as part of each student's final grade.

The principal of each school shall develop procedures to identify students who are considered at risk of retention and to notify the parents of such children and maintain regular contact with them to review their child's progress as long as the student remains at risk of retention.

All students retained, or determined to be at risk of retention, shall be provided with a focused individual intervention plan that includes alternative, supplemental, and extended instructional opportunities available to the student which are specifically designed to improve the student's performance to meet expected standards. All students who are retained shall have such personalized education plans, which at a minimum contain the following components:

- diagnostic evaluation;
- intervention strategies; and
- monitoring strategies.

Each school is required to develop a continuum of intervention options and programs

designed to meet the identified remediation needs of its students.

STUDENT ACCOUNTABILITY STANDARDS – GATEWAYS

The Student Accountability Standards are expectations for student achievement in all North Carolina public schools. There are two elementary standards, one middle school standard and one high school standard. These standards are called **Gateways**.

5530.1 The standards and criteria set forth below shall be used to make promotion and retention decisions in the grades specified.

I.

GATEWAY 1 – GRADE 3**Students in Grade 3 must:**

1. Demonstrate proficiency by scoring at Level III or above on the end-of-grade test in reading
2. Demonstrate proficiency by scoring at Level III or above on the end-of-grade test in math
3. Meet local promotion requirements.

Attendance: Students must be in attendance at least 150 days during their third grade school year. Students absent for more than 30 days shall be referred to an attendance committee, which shall determine if the student should be retained.

Students who fail to meet the attendance requirement or who do not demonstrate proficiency at the levels indicated above shall not be promoted to Grade 4 unless determined otherwise by the school principal in consultation with a student's parent(s) and teacher(s).

GATEWAY 2 – GRADE 5**Students in Grade 5 must:**

1. Demonstrate proficiency by scoring at Level III or above on the end-of-grade test in reading
2. Demonstrate proficiency by scoring at Level III or above on the end-of-grade test in math
3. Demonstrate proficiency by making adequate progress in developing writing skills, as demonstrated by scoring at or above Proficiency Level 3.0 on the Grade 4 Writing assessment, or by demonstrating a similar level of performance on locally developed and scored writing samples during Grade 5. (If a student does not score at or above

Proficiency Level 3.0 on the Grade 4 writing assessment, the school shall provide intervention and assistance to develop writing skills.)

4. Meet local promotion requirements.

Attendance: Students must be in attendance at least 150 days during their fifth grade school year. Students absent for more than 30 days shall be referred to an attendance committee, which shall determine if the student should be retained.

Students who fail to meet the attendance requirement or who do not demonstrate proficiency at the levels indicated above shall not be promoted to Grade 6 unless determined otherwise by the school principal in consultation with a student's parent(s) and teacher(s).

GATEWAY 3 – GRADE 8

Students in Grade 8 must:

1. Demonstrate proficiency by scoring at Level III or above on the end-of-grade test in reading
2. Demonstrate proficiency by scoring at Level III or above on the end-of-grade test in math
3. Demonstrate proficiency by making adequate progress in developing writing skills, as demonstrated by scoring at or above Proficiency Level 3.0 on the Grade 7 writing assessment, or by demonstrating a similar level of performance on locally developed and scored writing samples during Grade 8. (If a student does not score at or above Proficiency Level 3.0 on the Grade 7 writing assessment, the school shall provide intervention and assistance to develop writing skills.)
4. Meet local promotion requirements by earning a passing grade (70 or above for the year) in math, language arts, science and social studies.

Attendance: Students must be in attendance at least 150 days during their eighth grade school year. Students absent for more than 30 days shall be referred to an attendance committee, which shall determine if the student should be retained.

Students who fail to meet the attendance requirement or who do not demonstrate proficiency at the levels indicated above shall not be promoted to Grade 9 unless determined otherwise by the school principal in consultation with a student's parent(s) and teacher(s).

GATEWAY 4 – HIGH SCHOOL

Students shall meet the following requirements to receive a North Carolina high school diploma:

1. Complete requirements in at least one course of study: College/University Prep, College Tech Prep, Career Prep, or Occupational Prep
2. Score at or above proficiency on the state computer skills test

3. Meet or exceed the North Carolina Competency Standards in both Reading and Math (Students who entered 9th grade prior to the 2006 – 2007 school year)

4. Score at or above Proficiency Level III on the following End-of-Course tests: English I, Algebra I, U.S. History, Biology, and Civics and Economics; (Effective for students entering the ninth grade for the first time in 2006-2007 school year who are following the Career Preparation, College Technical Preparation, or College/University Preparation courses of study.) (The State Board of Education requires that the EOC score will count at least 25% of the final grade for the course.)
5. Complete a Graduation Project that is developed, monitored, and scored within the LEA using state-adopted rubrics; (Effective for students entering the ninth grade for the first time in 2006-2007 school year who are following the Career Preparation, College Technical Preparation, or College/University Preparation courses of study.) Requirements of the graduation project will include:
 - a research paper written on an approved topic of the student's choice
 - a product related to the research paper
 - a portfolio that reflects the graduation project process
 - a presentation to a panel of faculty and community members
 - service/work-based learning experiences
6. Meet existing local and state graduation requirements (Students who satisfy all state and local graduation requirements, but who fail the competency and/or computer skills requirements shall receive a certificate of achievement and transcript and shall be allowed by the LEA to participate in graduation exercises.)
7. Successful completion of a minimum of twenty-eight (28) units of credit earned in Grades 9-12 which must include the following:

Career Preparation, which shall include:

- **English Language Arts** – Four (4) credits, which shall be English I, II, III, and IV
- **Mathematics** – Three (3) credits, one of which shall be Algebra I
- **Science** – Three (3) credits, which shall include Biology, a physical science, and Earth/Environmental Science
- **Social Studies** – Three (3) credits, which shall be Civics and Economics, U.S. History, and World History
- **Health and Physical Education** – One (1) credit
- **Career-Technical Education** – Four (4) credits, which shall be in a career pathway that leads to a specific career field and which shall include a second-level (advanced) course; **or** four credits in one of the four disciplines in arts education: Theatre Arts, Music, Visual Arts, or Dance; **or** four (4) credits in JROTC
- **Electives** – Ten (10) credits
- **Recommend** at least one (1) credit in an arts discipline and/or requirement by local decision (for students not taking an arts education pathway)

(1)

College Technical Preparation, which shall include:

- **English Language Arts** – Four (4) credits, which shall be English I, II, III, and IV
- **Mathematics** – Three (3) credits, which shall be either Algebra I, Geometry, and Algebra II; or Algebra I, Technical Mathematics I, and Technical Mathematics II; or Integrated Mathematics I, II, and III
- **Science** – Three (3) credits, which shall include Biology, a physical science, and Earth/Environmental Science
- **Social Studies** – Three (3) credits, which shall be Civics and Economics, U.S. History, and World History
- **Health and Physical Education** – One (1) credit
- **Career-Technical Education** – Four (4) credits, which shall be in a career concentration or pathway that leads to a specific career field and which shall include a second-level (advanced) course
- **Electives** – Ten (10) credits
- **Arts Education** – At least one (1) credit in one of the four disciplines is recommended: Theatre Arts, Music, Visual Arts, or Dance

College/University Preparation, which shall include:

- **English Language Arts** – Four (4) credits, which shall be English I, II, III, and IV
- **Mathematics** – Four (4) credits, which shall be Algebra I, Algebra II, Geometry, and a higher level course for which Algebra II is a prerequisite; **OR** Integrated Mathematics I, II, III, and one course beyond Integrated Mathematics III
- **Science** – Three (3) credits, which shall include Biology, a physical science, and Earth/Environmental Science
- **Social Studies** – Three (3) credits, which shall be Civics and Economics, U.S. History, and World History
- **Health and Physical Education** – One (1) credit
- **Second Language** – Two (2) credits in the same second language
- **Career-Technical Education** – Four (4) credits in a career pathway are recommended
- **Electives** – Eleven (11) credits
- **Arts Education** – At least one (1) credit in one of the four disciplines is recommended: Theatre Arts, Music, Visual Arts, or Dance

Occupational, which shall include:

- **English Language Arts** – Four (4) credits, which shall be Occupational English I, II, III, and IV
- **Mathematics** – Three (3) credits, which shall be Occupational Mathematics I, II, and III
- **Science** – Two (2) credits, which shall be Life Skills Science I and II
- **Social Studies** – Two (2) credits, which shall be Government/U.S. History and Self-Advocacy/Problem Solving
- **Health and Physical Education** – One (1) credit

- **Occupational Preparation Education** – Six (6) credits, which shall be Occupational Preparation I, II, III, IV, and 360 hours of paid employment
- **Career-Technical Education** – Four (4) elective credits
- **Computer proficiency** as specified in the student's IEP
- **A career portfolio**
- Completion of the student's **IEP objectives**

<u>Content Area</u>	<u>Occupational</u>	<u>a.Career Prep</u>	<u>College Tech Prep</u>	<u>College/University Prep</u>
English Language Arts	Four (4) credits, which shall be Occupational English I, II, III, IV	Four (4) credits, English I, II, III, IV	Four (4) credits, English I, II, III, IV	Four (4) credits, English I, II, III, IV
Mathematics	Three (3) credits, which shall be Occupational Mathematics I, II, and III	Three (3) credits, one of which shall be Algebra I	Three (3) credits, which shall be either Algebra I, Geometry, Algebra II; (a)Or Algebra I, Technical Mathematics I, Technical Mathematics II; (a)Or Integrated Mathematics I, II, and III;	Four (4) credits, which shall be either Algebra I, Algebra II, and Geometry and a higher level course for which Algebra II is a prerequisite; (a)Or Integrated Mathematics I, II, III, and one course beyond Integrated Mathematics III;
Science	Two (2) credits, which shall be Life Skills Science I and II;	Three (3) credits, Biology, a physical science, and Earth/Environmental Science	Three (3) credits, Biology, a physical science, and Earth/Environmental Science	Three (3) credits, Biology, a physical science, and Earth/Environmental Science
Social Studies	Two (2) credits, Government/U.S. History and Self-Advocacy/Problem Solving	Three (3) credits, Civics and Economics; U.S. History; and World History	Three (3) credits, Civics and Economics; U.S. History; and World History	Three (3) credits, Civics and Economics; U.S. History; and World History
Second Language	Not Required	Not Required	Not Required	Two (2) credits in the same second language
Computer Skills	Computer proficiency as specified in the student's IEP	No specific course required, students must demonstrate proficiency through state testing	No specific course required, students must demonstrate proficiency through state testing	No specific course required, students must demonstrate proficiency through state testing

Health and Physical Education	One (1) credit	One (1) credit	One (1) credit	One (1) credit
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Content Area	Occupational	Career Prep	College Tech Prep	College/University Prep
a)Career-Technical	Occupational Preparation Education Six (6) credits, Occupational Preparation I, II, III, IV, and 360 hours of paid employment;	Four (4) credits, in a career concentration or pathway to include a second-level (advanced) course; (a)Or Four (4) credits in an arts discipline; (a)Or Four (4) credits in JROTC	Four (4) credits, in a career concentration or pathway to include a second-level (advanced) course;	Four (4) credits, in a career pathway is recommended
Arts Education (Theatre Arts, Music, Visual Arts, or Dance)		Recommend at least one (1) credit in an arts discipline and/or requirement by local decision (for students not taking an arts education pathway)	Recommend at least one (1) credit in an arts discipline and/or requirement by local decision.	Recommend at least one (1) credit in an arts discipline and/or requirement by local decision.
Electives	Four (4) elective credits in Vocational Education;	Ten (10) credits	Ten (10) credits	Eleven (11) credits
Other Requirements	A career portfolio; and Completion of the student's IEP objectives			

(NOTE: The units of credit required are based on block scheduling used in Pamlico County High School. The required total of 28 credits may be adjusted by the principal, as appropriate, for students transferring into Pamlico County from high schools that are not on the block schedule approved or for students who have been approved for the 20 Credit High School Diploma Program. The units required in the specified non-elective courses listed above shall not be adjusted.)

In Grades 10–12, the following shall be required for promotion:

To Grade 10:

6 credits (must include
1 English course)

To Grade 11:

13 credits (must include
2 English courses)

To Grade 12:

20 credits (must include
3 English courses)

Attendance: Students in Grades 9-12 must meet the attendance requirements of Policy 6000.5 to receive course credits.

COURSE LEVELS

Standard Courses

Standard courses provide credit toward a high school diploma and meet the requirements for preparing students for the end-of-course tests.

Honors Courses

Honors courses offer a challenge to students who have demonstrated an advanced level of interest, learning, and achievement in a given subject area. Honors courses receive one (1) additional weighted quality point.

Advanced Placement Courses

Advanced placement courses require a more rigorous level of academic study. These courses prepare students to take the College Board sponsored Advanced Placement exam. Advanced Placement Courses receive two (2) additional weighted quality points. In order to receive the two additional quality points, a student is required to take the AP exam. Students who successfully pass the AP exam may receive college credit for the course. Students are required to pay the exam fee per course. Waivers for reduced exam costs are available for students on an as-needed basis.

QUALITY POINTS

Grades	Standard Courses	Honors Courses	Advanced Placement
93-100	4	5	6
85-92	3	4	5
77-84	2	3	4
70-76	1	2	3
69 and below	0	0	0

i) GRADES 3, 5, & 8

For students not meeting the Gateway standards at Grades 3, 5, or 8 because they have not scored at Level III or above on the reading or math tests, or are not making adequate progress in developing writing skills, the following review procedures shall be followed to determine if students are performing at grade level and able to succeed at the next grade:

1. Students scoring below Level III on an end-of-grade test are given a second test no later than three weeks from the receipt of test results. Parent(s) may request that their child be excused from the second administration of the test. In this case, the parent(s) and child accept participation in focused intervention (usually during summer school).
2. The principal will develop a plan for focused intervention/remediation for students who score below Level III on the second test administration. Parents and students will be contacted and informed of the intervention/remediation process and requirements.
3. Students will be given a third test at the completion of the focused intervention/remediation process.
4. Students who are not promoted after the second (or third) administration of the test shall be given focused intervention over a time period that is instructionally sound. Strategies may include, but are not limited to, alternative learning models, special homework, smaller classes, tutorial sessions, extended school day, Saturday school, modified instructional programs, parental involvement, summer school instruction, or retention.
5. Teachers or parents may request the promotion of students who score below Level III on an end-of-grade test after the second (or third) test administration. Teachers shall provide documentation of a student's performance during a review process. Documentation may include:
 - student work samples
 - other test data
 - information supplied by parents
 - for students with disabilities, information that is included in the individualized education program (IEP)
 - other information that verifies that a student is at grade level. (Students with disabilities shall be at grade level or be making adequate progress to meet requirements at upper elementary levels.)
6. A committee shall be appointed by the principal to review student waiver requests for any student who is not promoted under this policy, except for those not promoted based solely on attendance requirements. This committee, composed of teachers and principals from other schools and central office staff, shall make

recommendations to the student's principal about whether the student should be promoted to the next grade. This recommendation is based on documentation presented by teachers on behalf of the student, and other information relevant to the student's progress and performance. Special education personnel shall be on the committee if a student with a disability is being considered for a waiver. Parent(s) of any student being presented for review shall have the right to be a non-voting participant, and further shall have the right to speak on behalf of their child.

7. The principal shall make the final decision as to whether the student is promoted to the next grade after reviewing the recommendations from the waiver committee.

a.GRADES 9–12

For students who do not score at Achievement Level III or above on the five end-of-course assessments (i.e. standard administration with or without accommodations or the designated alternate assessment) required to meet the high school exit standards (i.e., Algebra I, English I, Biology, Civics and Economics, and U.S. History), the school district shall follow these procedures to determine if students have mastered the content and have met the exit standard for each course:

1. If a student passes the course and scores below Achievement Level III on an end-of-course test (i.e. standard administration with or without accommodations) the student shall be given a second test administration no later than three weeks from the receipt of test results. Parent(s) may request that their child be excused from the second test administration. In this case, the parent(s) and child shall be deemed to have accepted participation in focused intervention.
2. Any student who does not score Achievement Level III or above on the second test administration and any student who is excused from the second test administration (i.e. alternate assessment participant, parent(s) refuse test) must have documentation (e.g., portfolio) of the student's performance in the EOC course placed on file and the student must receive focused intervention/remediation.
3. Following intervention/remediation, the third test administration occurs.
4. If the student does not score Achievement Level III or above on the third test administration, documentation (e.g., a portfolio) of the student's performance in the EOC course is updated.
5. A committee shall be appointed by the Principal to review student waiver requests for any student who is not promoted under this policy, except for those not promoted based solely on attendance requirements.
6. The student's documentation (e.g., a portfolio) is reviewed by a review committee to determine if the exit standard for that course has been met. The review committee should consist of teachers and principals from other schools, and central office staff members. An exceptional children's (EC) teacher must be present if the student has exceptional needs. A limited English proficient (LEP) teacher must be present if the student is identified as LEP. The review committee has the option of recommending that the student (1) retake the course, (2) be provided additional remediation, or (3) based on the documentation, has met the requirements for the exit standard associated with the course.
7. The principal reviews the recommendation by the committee and makes the final decision regarding the student meeting the exit standards for the course.

5530.3

Students with Disabilities

1. To the extent possible, all students with disabilities shall participate in the statewide student accountability standards for elementary, middle, and high school levels.
2. Students with disabilities may be exempted from the statewide student accountability standards by the Individualized Education Program Team, including the principal or school district representative, if it is determined by the team that the students do not have the ability to participate in the State Standard Course of Study. However, they shall be enrolled in a functional curriculum and are expected to receive alternative assessments that indicate whether a student is making adequate progress on his or her individual course of study. These students may receive a certificate of achievement or graduation certificate.
3. All interventions/remediation and other opportunities, benefits and resources that are made available to students without disabilities shall be made available to students with
4. disabilities who participate in the student accountability standards. All services offered are in addition to the special education services provided to the student.
5. Promotion decisions for students with disabilities will be based on progress toward meeting standards and/or goals identified in their IEPs. The teams involved in writing IEPs are expected to keep in mind Pamlico County Schools' philosophy that all students are entitled to an educational program that will enable them to make gains and realize their potential.

5530.4

Students Of Limited English Proficiency

Students of limited English proficiency shall meet the same standards as all students. However, in accordance with federal law, English language proficiency cannot be the factor that determines that a student has not met performance standards at each gateway. Therefore, Pamlico County Schools shall use the following guidelines:

1. Gateways 1, 2, and 3.
 - A) If a student scores below advanced in reading or writing on the state English language proficiency assessment, the student may be eligible for a waiver from the test standard for promotion through no more than two consecutive gateways.
 - B) A local teacher or administrator or the student's parent or legal guardian must request the waiver. The person making the request for a waiver must submit evidence of student work to a local committee of teachers and administrators to determine if:
 - i) the student's English language proficiency is the cause of the student's inability to perform at grade level on the required tests; and
 - ii) documentation indicates that the student is making adequate progress in all academic areas to be promoted to the next level.

2. Gateway 4. High School Graduation Requirements. Limited English proficient students shall meet the same standards as all students for high school graduation.
3. Limited English proficient students shall be provided focused intervention until they have met statewide accountability standards and high school graduation requirements (up to age 21). This intervention shall involve extended, supplemental instructional opportunities, which include assistance in the development of English language proficiency. These students shall have personalized education plans with the following components:
 - diagnostic evaluation
 - intervention strategies
 - monitoring strategies

5530.5 Reporting and Record Keeping

The Superintendent shall report to the Board at least annually, and to the State Board of Education as required, as to the progress being made in increasing the number of students who meet the standards for grade level promotion, and the progress of those students who have moved across achievement levels. This information shall be reported in the format required by the State Department of Public Instruction. The report to the local board of education shall also include the report of progress being made to meet local promotion standards, detailed reporting of data from each school, and information regarding any students promoted despite their failure to meet the standards in this policy.

5530.6 Revision Of Student Accountability Standards

If, and to the extent that the State Board of Education (SBE) revises its statewide promotion, retention, or student accountability standards, any new or revised SBE standards, which are more stringent than those set forth in this policy, shall supersede those requirements of this policy which conflict with the new SBE standards. In such event, the Pamlico County Board of Education shall revise this policy, as necessary, to comply with current state requirements.

Legal Reference: G.S. 115C-47, -81, -288, -12(9b), -81(b)(4); NC Constitution,

Article IX, Sec. 5

Adopted: June 5, 2000

Amended: April 2, 2001

Amended: July 10, 2006

Amended: August 7, 2006

Amended: March 5, 2007

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I.

II.5531
5531

ACADEMICALLY/INTELLECTUALLY GIFTED EDUCATION

Pamlico County Schools shall prepare Differentiated Education Plans for academically gifted students. The plan describes a differentiated instructional program for students who share similar academic characteristics and program needs. Pamlico County Schools shall individualize the program to accommodate individual students' needs and any additional needs of a student not already addressed and a description of further necessary modifications.

Elementary School (Grades 3–5). Screening for gifted nominations occurs as the Test of Cognitive Skills is administered to all third graders. At other grade levels, teachers or parents may make nominations for consideration for gifted services.

Information gathered at the nomination stage may indicate a need for a referral for further evaluation and the development of an Individual Student Eligibility and Placement Record detailing the multiple indicators of giftedness. The gifted-identification committee determines the need for specific differentiated services. The committee uses a decision process that matches the needs of the student with specific criteria for service options, as indicated on the student's Differentiated Education Plan.

Challenging and appropriate services for gifted students are integrated into the total school program. Students may receive gifted service for mathematics and/or reading needs in a general education setting and/or in a gifted resource setting. Options for service delivery may include flexible pacing, curriculum compacting, appropriate grouping strategies, acceleration, computer-based instruction, independent study, or resource program. The degree of differentiation of content and instructional strategies depends on the intensity of need in specific areas.

Middle School (Grades 6–8). Various methods of content and instructional differentiation are clearly defined for academically gifted and other high performing students. Students identified in reading will be clustered for instruction with the emphasis in language arts on development of creative and critical thinking skills to improve reading comprehension, literary analysis, and composition. Students identified in math are enrolled in specific courses in a mathematics sequence, in order to complete Algebra I prior to high school. These advanced level courses are designed to develop conceptual understanding and abstract reasoning in mathematics.

Students remain eligible for gifted services as long as they maintain a gifted level of performance. The appropriateness of the options on the Differentiated Education Plan is reviewed each year as a part of the annual review.

I.5531 ACADEMICALLY/INTELLECTUALLY GIFTED EDUCATION (cont.)
5531

High School (Grades 9–12). Students identified as academically gifted in Grades 9-12 are served through self-selected rigorous courses. The differentiated levels of curricular challenge in these options are clearly defined. Students may take Honors and Advanced Placement (AP) courses, which provide the opportunity for advanced work, promote rigorous academic study, practical application, and transfer of knowledge and skills.

These higher-level courses are designed to offer a challenge for students who aspire to an advanced level of learning. Higher-level math course selection is determined by the successful completion of prerequisite courses.

Legal Reference: G.S. 115C-141, -113
Adopted: July 10, 2006

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5532

ACCELERATION

5532

The staff shall see that individual learners are encouraged to move ahead as rapidly as they wish and can. This can be done by individualizing the materials and goals of the student's program. While acceleration ahead of grade should be approached with caution, gifted or capable students may be accelerated ahead of grade, after thorough discussion by the professional staff and approval of the parents and the principal. Advancing or placing out of a particular course in a senior high school does not award a credit toward high school graduation. Credits for high school graduation are based on approved instructional experiences, group or individual, in grades 6 through 12 or through approved experiences at off-campus institutions.

Legal Reference: G.S. 115C-47, -81
Adopted: June 5, 2000
Revised: September 2, 2008

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5533

HONOR SOCIETIES

5533

Secondary schools are encouraged to have a chapter of either the National Honor Society or the National Beta Club. Membership in these organizations is obtained through an induction process based on specific criteria, which may include scholarship, leadership, character, service, attitude, and/or conduct. Pamlico County High School and Pamlico County Middle School define membership criteria and develop selection procedures consistent with national guidelines and local expectations. Both PCMS and PCHS have a National Beta Club. PCHS also has a National Technical Honor Society and a National Art Honor Society.

Adopted: July 10, 2006

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5540
5540

GRADUATION REQUIREMENTS

High school graduation requirements shall be the successful completion of a minimum of twenty-eight (28) units of credit earned in Grades 9–12, and meeting any minimum requirements prescribed by the State. High school credits may also be earned in grades 6-8 for specific courses as defined by State Board Policy. The minimum units of credit required is based on the block scheduling used in Pamlico County High School. The required total of 28 credit units may be adjusted by the principal, as appropriate, for students transferring into Pamlico County from high schools that are not on the block schedule or for students who have been approved for the 20 Credit High School Diploma Program.

5540.1 The Board shall establish requirements for graduation and the granting of diplomas. The courses required by the Board shall include specific requirements set by the State Board of Education. (See Policy 5530.)

A credit course for which credit toward high school graduation is awarded and which qualifies as part of the instructional day:

- must consist of 150 clock hours of instruction in a traditional schedule or
- must consist of a minimum of 135 clock hours of instruction in a block schedule; developed curriculum guides, or Advanced Placement syllabi in which high school students are enrolled; and
- must be directed by a teacher.

Public University, Community College, and Private College Courses

- Courses taken for high school graduation requirements at community colleges and private or public colleges/universities are exempt from the 135 or 150 instructional hours with the exception of the following courses required for high school graduation, which must be taken at the high school or middle school where indicated:
 - English I, II, III, IV;
 - Algebra I, Algebra II, Geometry, and any higher level mathematics course with Algebra II as the prerequisite that will be used to fulfill the fourth mathematics requirement or Integrated Mathematics I, II, III (These mathematics courses may be taken in middle school.)
 - Biology, Earth/Environmental Science, and a physical science course that is used to fulfill the third science requirement (This science course may be taken in middle school.);
 - Civics and Economics, US History, World Studies;
 - first year of a Second Language (This Second Language course may be taken in middle school.);
 - second year of the same Second Language (This Second Language course may be taken in the middle school.); and
 - one credit of Health/Physical Education.
- Beginning in the 2007-08 school year, students who pass mathematics or foreign

language courses during grade 6-8 that are described in the *North Carolina Standard Course of Study* for grades 9-12 must achieve level III or IV on an EOC, if available, to meet that high school graduation requirement. High school mathematics and foreign language courses taken in grades 6-8 which do not have an EOC shall use high school course codes and shall be aligned to the *North Carolina Standard Course of Study* for grades 9-12. The courses will count toward graduation requirements, but the students' GPA will be computed with courses taken during the high school years.

- Beginning in the 2008-09 school year, students who pass science courses during grades 6-8 that are described in the *North Carolina Standard Course of Study* for grades 9-12 must achieve the level III requirement. High School science courses taken in grades 6-8 which do not have an EOC shall use high school course codes and shall be aligned to the *North Carolina Standard Course of Study* for grades 9-12. The courses will count toward graduation requirements, but the students' GPA will be computed with courses taken in the high school years.
- Laboratory facilities must meet safety requirements and state and national guidelines for laboratory expendables and equipment to allow the same opportunities for laboratory work as the high school laboratory in the local education agency.
- The superintendent may grant a waiver to allow students to take the courses listed above at the Public University, Community College, and Private College and exempt them from the 135 or 150 instructional hour requirement, if these courses are not available to the student at his or her local high school. Courses taken at a Community College that have a corresponding end-of-course assessment at the high school require that the assessment be taken.
- The superintendent shall ensure that all required and elective courses have sufficient rigor, breadth, and depth to be awarded high school credit.

An online course qualifies for course credit if it meets the following requirements:

- Any K-7 e-learning course or 8-12 course taken for credit toward a diploma must first be approved for credit by the NC Virtual Public School (NCVPS).
- E-Learning courses offering instruction in courses included within the NC Standard Course of Study must meet the Standard Course of Study competency goals and objectives. E-Learning courses offered for Advanced Placement or International Baccalaureate credit must align with nationally validated standards for AP or IB, where available.
- E-Learning courses offering instruction in courses not included in the Standard Course of Study curriculum must have rigor, depth and breadth comparable to courses included in the Standard Course of Study.
- Where available, end-of-grade tests, end-of-course tests, and post assessments must be used as an indicator of student mastery. The student's base school schedules and administers EOC and EOG tests. These scores shall be included in the determination of the base school's ABCs and AYP status.
- Enrollment in an e-learning "for credit course" shall count toward satisfying local board requirements related to minimum instructional days, seat time policies, student attendance, athletic and/or extracurricular obligations.

Credit may not be awarded for school bus driving, office assistance, teacher assistance, or laboratory assistance.

- 5540.2 Graduation exercises may be held within one week of the 180th school day of each school year. The time, date, and location of graduation exercises shall be approved by the Superintendent. The graduation program shall be approved by the principal.
- 5540.3 Honor graduates may be designated by the principal on the basis of criteria established by the Superintendent. Recognition of honor graduates shall be included in graduation programs. (See Policy 5530.)
- 5540.4 Graduation prior to that of one's class may be permitted under criteria to be approved by the Board upon recommendation of the Superintendent.
- 5540.5 Special certificates of attendance and achievement may be awarded to students enrolled in programs for students with disabilities who have not met the requirements on the State Competency Examination when these students have successfully completed their high school programs. The certificates may be awarded at the regular graduation ceremony or at a special ceremony, which is scheduled by the principal. (See Policy 5530.)
- 5540.6 Other students who have met course requirements for graduation but have not passed the minimum competency test will be given a letter of certification and will be encouraged to continue work toward satisfying the requirements of graduation and earning the diploma.
- 5540.7 Diploma Recognition. Students who complete the State Board of Education requirements for a North Carolina high school diploma and the North Carolina Academic Scholars' Program will be named North Carolina Academic Scholars and will receive a seal of special recognition attached to their diploma. (The new plan for NC Academic Scholars' recognition is in effect for students who entered ninth grade for the first time in 2003–2004 and thereafter.)

To qualify as North Carolina Academic Scholars, students must:

- Begin planning for the program before entering Grade 9 to ensure they obtain the most flexibility in their courses.
- Complete all requirements of the North Carolina Academic Scholars Program.
- Complete all requirements for a North Carolina high school diploma.
- Have an overall four-year unweighted grade point average of 3.5 or better.

CREDITS	The following designated number of credits per subject area listed below must be taken in Grades 9–12.
4	English I, II, III, IV
4	Mathematics (Algebra I, Algebra II, Geometry, and a higher level math course with Algebra II as a prerequisite)
3	Science (a Physics or Chemistry course, Biology and an Earth/Environmental Science course)
3	Social Studies (World History, Civics/Economics and US History)
2	Second Languages (2 credits of the same language, other than English)
1	Healthful Living
1	Career-Technical Education
1	Arts Education (Dance, Music, Theatre Arts or Visual Arts)
5	Elective credits to include at least two second level or advanced courses
24 (plus local graduation requirements)	NOTE: Adopted by the State Board of Education on June, 2002. The above is the single plan applicable to students who enter the ninth grade for the first time in 2003–2004 and thereafter.

5540.8 President's Award For Educational Excellence

To be eligible to receive this award at the end of the twelfth grade, a senior must have a 3.5 GPA on a 4.0 scale and score at the 85th percentile or higher on the national level in Math or Verbal (Reading) on either the SAT or the ACT.

1.5540.9 20 Credit High School Diploma Program

The 20 Credit High School Diploma Program will target at-risk students, who are experiencing difficulty meeting the specified local requirements of 28 credits for graduation. Students must meet specific requirements to be approved for the program, which include at least two or more of the following criteria:

- Continual attendance or truancy issues
- Chronic behavior problems
- Academic/credit deficiencies
- Failed a grade level at least once, often twice (age appropriateness)
- Environmental, psychological, and/or physiological challenges, such as:
 - Chronic substance abuse
 - Depression
 - Teen pregnancy
 - Parental responsibilities
 - Socially delayed
 - Emotionally delayed
 - Anger management problems

- Judicial problems

The 20 Credit High School Diploma Program will require that:

- Students sign an individual educational action plan contract.
- Students participate in a Course Recovery Program to recover credits for courses failed due to absenteeism and academics.
- Students receive a Personal Education Plan (PEP) that will be customized to an educational program for better instructional delivery and academic success.
- Parent(s)/Guardian(s) meet with the 20 Credit High School Diploma Committee to sign an agreement and be involved with the process.
- Students receive services from the *Student Support Services Team* (Administrator, Guidance Counselor, School Social Worker, School Nurse, Success Coordinator) that will ensure educational counseling, mentoring and social support to reduce suspensions and expulsions.
- Students graduate with the minimum North Carolina Graduation Requirements.
- Students complete North Carolina minimum requirements in a Course of Study.

Legal Reference: G.S. 115C-47, -81, -276, -288
Adopted: June 5, 2000
Revised: July 10, 2006
Revised: March 5, 2007
Revised: September 2, 2008

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5541

FOREIGN LANGUAGE PROFICIENCY

5541

Pamlico County Schools has developed the following procedures for students wishing to demonstrate proficiency in a language other than English. Students' parents/guardians shall be responsible for any expenses incurred during the process of demonstrating second language graduation requirements.

The following options for demonstrating proficiency in a second language, including American Sign Language (ASL), to meet the graduation requirements will be offered.

- A. Complete two credits in the same second language. This does not apply to English as a Second Language.
- B. Submit an official transcript (certified English translation) from a school the student attended in which the instruction was in a language or languages other than English. The principal shall determine if the transcript meets the second language graduation requirements.
- C. Submit scores on a nationally recognized, standardized instrument for languages other than English, such as the SAT Subject Test, the Brigham Young University Foreign Language Achievement Testing Service, or the Signed Communication Proficiency Interview (for ASL). Scores should reflect a minimum proficiency level comparable to two units of high school study in the language. The principal shall determine if the submitted scores meet this policy's requirement.
- D. Students who wish to demonstrate proficiency in a language not assessed by the aforementioned instruments may request a language assessment from a UNC system representative. Scores should reflect a minimum proficiency level comparable to two units of high school study in the language. The principal shall determine if the submitted scores meet this policy's requirement.

Legal References: G.S. 115C-81.3

Adopted: October 6, 2008

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5550

TRANSCRIPTS

5550

Upon completion of course work or graduation, each student shall be given written notice that he is entitled to one free copy of his high school transcript.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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5600

TESTING PROGRAM

5600

The Superintendent shall select or develop achievement and diagnostic tests which will be used to improve the design and/or delivery system of the instructional program.

Legal Reference: G.S. 115C-47, -276, Article 10A
Adopted: June 5, 2000

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5700

EVALUATION OF INSTRUCTIONAL PROGRAM

5700

The Superintendent may employ experts from inside and/or outside the system to develop a means for evaluating the instructional program of the system.

5700.1 The Superintendent may conduct formal and informal evaluations of the instructional program and give reports of evaluation to the Board.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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Dropouts or students claiming special need who desire release from supervision of the public schools for enrollment in the community college shall submit a written request to the local school principal. The request shall include supporting statements, reasons or documents. The request shall become part of the student's permanent records.

5800.1 Requests will be considered by a faculty committee including the guidance counselor and the principal or his designated representative, after consultation with the student and his parents or legal guardian. The committee will advise the principal of its findings.

5800.2 The principal will make his written recommendation to the Superintendent on approved forms.

5800.3 The Superintendent will notify the college concerning those students released from the public schools.

5800.4 The student shall not be eligible to receive his high school equivalency diploma until his peer group graduates.

5800.5 Definitions

- (1) Dropouts shall be considered to be those persons who have officially withdrawn.
- (2) Special needs shall be construed as those individual student needs which cannot be met by the instructional program available in the public schools.
- (3) Peer group is the age group with whom the student began his education.

5800.6 Nothing in this policy shall prohibit the local school from permitting regularly enrolled students the opportunity to participate in non-credit enrichment courses or programs which do not conflict with the normal school.

Legal Reference: G.S. 115C-36, -47, -81; 115D-71

Adopted: June 5, 2000

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5810

**CONCURRENT ENROLLMENT WITH INSTITUTES OF
HIGHER EDUCATION**

5810

The faculty and staff of Pamlico County High School shall ensure that individual learners are encouraged to pursue programs that meet their individual needs and that motivate them to stay in school. This can be done by individualizing the goals of each student and by facilitating access to courses available with the community college system or within other accredited institutions of higher education. Concurrent enrollment should be pursued with careful thought and planning, and should be approved by parent(s)/guardian(s) and the principal. For courses taken under this policy, graduation credits will be awarded and grades will be used to calculate GPA. High School credit will not be granted for any course available to the student at the student's high school, but taken at a community college, college, or university.

5810.1 The Superintendent shall develop procedures for implementation of this policy.

Legal Reference: G.S. 115C-36, -47, -81; 115D-71
Adopted: October 4, 1999
Amended: July 10, 2006

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a.FOR DUAL ENROLLMENT

1.Course Eligibility

Courses must be exclusively curriculum courses within the community college system or the university system.

College credits must be awarded upon a student's successful completion of the course.

The course must not be available to the student within the curriculum courses taught at the student's school.

The course must be part of the student's comprehensive course of study.

1.Student Eligibility

The student must be at least sixteen (16) years of age.

The principal must certify that the student is taking at least two (2) high school courses if the school is on block scheduling or at least three (3) high school courses if the school is on traditional scheduling, ***is making progress toward graduation, and has taken all other appropriate, available courses at the school.***

The student must complete a Pamlico County Schools Dual Enrollment Form.

The dually-enrolled student must commit to dual enrollment for at least one complete semester during the regular school year.

The Dual Enrollment Form must be signed by the principal, the parent, and the student. The principal's signature indicates approval for the student to take the course and to receive credit and a grade.

1.General Policies

The enrollment of high school students cannot displace adult college students.

The dual enrollment of students during the summer is permitted.

High school students taking community college curriculum courses through dual enrollment shall be exempt from tuition but will be responsible for fees other than tuition and for the costs of books and other materials required for the course.

High school students taking university system curriculum courses through dual enrollment shall be responsible for any and all required tuition, fees, books, or materials.

a. FOR DUAL ENROLLMENT (cont.)

High school students dually enrolled will be responsible for their own transportation to and from the college/university.

To be dually enrolled, the student must take the college/university course for graded credit.

High school graduation credits and grades will be awarded upon a student's presenting evidence of successful completion of the course. At the end of each semester, the student will be responsible for requesting that the college/university mail directly to the high school of the dually-enrolled student an official transcript as evidence of course completion.

A dually-enrolled student taking at least forty-eight (48) contact hours (a 3-hour semester credit course) at the college/university and successfully completing the course requirements will receive one-half unit credit at the high school.

A dually-enrolled student taking at least ninety-six (96) contact hours (two 3-hour semester credit courses) at the college/university and successfully completing the course requirements will receive one unit of credit at the high school.

Students enrolled at the college/university shall be subject to all of the established rules, regulations, and calendar of that institution.

The high school will immediately notify the college/university if a dually-enrolled student withdraws from high school.

The college/university will notify the high school if a dually-enrolled student withdraws from or drops the course.

The high school will record the credit and grade on the student's official high school transcript.

Pamlico County High School offers online distance learning courses through **North Carolina Virtual Public High School (NCVPS)**, **PLATO**, and the **University of North Carolina at Greensboro i-School (UNCG i-School)**. Success in distance “virtual” learning requires students to work more independently and be more self-directed than in a traditional classroom.

NCVPS, established by the North Carolina State Board of Education, offers online courses to middle and high school students who are currently enrolled in a state-funded educational institution in North Carolina. NCVPS allows students to earn high school credits, take College Preparatory classes, Advanced Placement classes, Credit Recovery classes, and other higher-level classes. NCVPS is not degree granting, but instead provides courses a student otherwise would not be able to enroll in at the student’s local school. There are no costs for fees or tuition to the participating school or student. The local school district must assume the following responsibilities:

- Provide students with required textbooks and materials for NCVPS courses,
- Administer End of Course assessments as needed,
- Assign a Distance Learning Advisor, both at the district and school level to serve as the main contact for students,
- Provide students access to computers with Internet capability, when students are taking NCVPS courses on the school campus,
- Accept course grades as determined by NCVPS and enter credits accordingly for completion of NCVPS courses.

Pamlico County Schools will allow any student who is not enrolled as a student in Pamlico County Schools to register for a NCVPS course as a visiting student providing that the following requirements are agreed upon and fulfilled.

1. The visiting student will be responsible for the purchase and costs of textbooks and any other required materials.
2. The visiting student will pay \$100 administrative fees to Pamlico County Schools per semester.
3. The visiting student will provide proof of residency in Pamlico County.
4. The visiting student will be allowed to enroll in Non-EOC and Non-VoCATS Courses only.
5. The visiting student will be allowed to enroll in no more than two courses per semester.

Students may also take online high school courses through PLATO Learning. PLATO courses provide credit recovery options for at-risk students as well as first time credit for accelerated learners.

Pamlico County High School also offers distance-learning courses through the Learn and Earn Online Program. High school students have the opportunity to complete college level courses while earning both high school and college credits. Tuition and textbooks are provided at no cost to the student. Courses are available through the University of North Carolina at Greensboro i-School (UNCG i-School). Pamlico County Schools will not be responsible for tuition and textbook costs for online college level courses offered through any other programs.

Adopted: July 10, 2006

Revised: February 4, 2008

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Teachers and other staff members shall incorporate the highest standards of honesty, integrity and morality in all of their teaching, counseling and other contacts with students. Because there are students of many religious faiths, convictions and beliefs enrolled in the Pamlico County Schools, it is especially important that all school staff members be sensitive to the freedom of religion and other constitutional rights of all students.

In considering the role or the absence of the role of religion in the Pamlico County Schools, it is important to remember that the First Amendment of the United States Constitution does not forbid all mention of religion in public schools. It is the advancement or inhibition of religion that is prohibited. Nor are the public schools required to delete from curriculum all materials that may offend any religious sensitivity. For instance, studying music without sacred music, architecture minus cathedrals, or painting without scriptural themes would be incomplete from any point of view. There is nothing unconstitutional about the use of religious subjects or materials in public schools as long as they are presented as part of a religiously neutral program of education. Teaching against religion is as intolerable as teaching specific religious beliefs.

In order to ensure that Pamlico County Schools uphold constitutional standards within the religiously neutral role assigned the public schools, the following questions established by the United States Supreme Court should be asked of each school sponsored observance, program, instructional or other activity involving religious content, ceremony, or celebration:

1. What is the purpose of the activity? Is the purpose secular in nature?
2. What is the primary effect of the activity? Is it the celebration of religion? Does the activity either advance or inhibit religion?
3. Does the activity involve an excessive entanglement with a religion, religious group, or between the schools and a religious organization? Are funds of a religious origin being used for a school activity? Does either the school or religious activity require the consent or approval of the other?

If the purpose of the activity is not secular, if the effect of the activity is to advance or inhibit religion, or if the activity involves an excessive entanglement, then the activity is unconstitutional and will not be permitted in the Pamlico County Schools.

The following guidelines on religion and religious practices in the schools are provided in order to avoid infringement of individual rights and to set forth the Board's position concerning certain religious issues:

1. Teachers may include religion's role in appropriate subjects in the

curriculum, such as literature, history, the humanities and the arts. When teaching about religion, teachers shall not promote a particular religion, but shall use fairness and objectivity.

2. School personnel will take into account the possible effects of religious holidays on school attendance when planning school calendars. When possible, examinations and other major events will not be scheduled on such holidays.
3. Students who miss school because of religious reasons that are approved systemwide or have the approval of the principal will be given an opportunity to make up school work.
4. School personnel will give careful consideration to written requests from parents that students be excused from activities that the parents deem objectionable on religious grounds. If such a request is approved by the principal, an alternative activity will be provided for the student.
5. The use of religious symbols and music as part of a religious holiday, such as Christmas or Hanukkah, is permitted as a teaching aid or resource. Symbols that are displayed as an example of the cultural and religious heritage of the holiday are to be used on a temporary basis.
6. Music, art, literature, and drama related to religious holidays may be studied and performed in programs if they are presented in an objective and neutral manner as a tradition of the cultural heritage of the particular holiday. Such programs should be a part of a curricular unit and should be simply staged and costumed.
7. Student groups sponsored by the school system shall not perform as part of a religious worship service.
8. The secular teaching about religions and about the history and practice of religions is permitted. The teaching of patriotic, historic, and literary documents having religious references embedded in them is permitted. Students shall be permitted to express religious themes through their natural artistic talents. Religion classes that are historical survey courses and offer an elective credit in social studies are permitted as part of the high school curriculum.
9. Religious books, including Bibles, or religious symbols may not be given to students as an award for achievement and may not be generally distributed by religious groups to students at school.
10. Students may read religious materials, including the Bible, during the school day, except when they are involved with their classroom work or other school activities, as long as it does not infringe on the rights of others or

interfere in any way with the school program.

11. School personnel may read religious materials, including the Bible, and pray on their free time and may carry or wear religious symbols when on duty at school as long as it does not interfere with their work. Principals and other administrative personnel should be sensitive to and show respect for religious beliefs held by other employees and students. In dealing with religious issues, they should do so in a manner that will not show or imply favor or disfavor with an employee's or student's religious beliefs.
12. Counseling of students or informal discussions with students by school personnel shall neither infringe on the students' religious beliefs nor seek to indoctrinate students in the particular religious beliefs of the individual.
13. In scheduling speakers for classes and school assembly programs, schools may schedule motivational speakers; however, speakers should not advocate a particular religious creed.
14. At school functions, such as graduation exercises, PTO meetings and other school programs, individuals should be sensitive to the religious beliefs of others. At no time shall any religious belief, or any system denying or objecting to religious beliefs, be advanced or disparaged, nor shall any form of religious indoctrination or exercise, including prayer, be conducted by the school system or its employees. A moment of silence may be observed at school-controlled functions, activities or events. The baccalaureate service is traditionally religious in nature and should be a voluntary service and not a required part of graduation exercises.

Legal Reference: U.S. Constitution, Amendment I; G.S. 115C-36, -47; N.C.A.G. Reports, Vol. 41, No. 4, p. 802

Adopted: June 5, 2000

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It is the policy of the Pamlico County Board of Education to enroll students in Pamlico County Schools in accordance with North Carolina General Statute 115C-378 (Compulsory Attendance) and the North Carolina Administrative Code governing school attendance and student accounting. Furthermore, it is the intent of this policy to ensure that the rules and regulations of the State Board of Education governing compulsory school attendance are enforced.

Attendance in school is central to educational achievement and school success. Attendance and participation in class is an integral part of the teaching-learning process, and thereby a part of the grade earned. Additionally, regular attendance develops patterns of behavior essential to success in later life, both personal and business. While there are times when students must be absent from school due to physical inability to attend, it must be understood that parents or legal guardians have the responsibility for ensuring that students attend and remain at school daily.

6000.1 Teachers shall maintain accurate attendance records, both daily and by class where appropriate.

6000.2 Principals shall adhere to all conditions of the North Carolina Compulsory Attendance Law, and shall notify parents or guardians of their responsibility under the same law.

Grades K-12

The principal or designee shall provide written notification to the parent, guardian, or custodian when a student has accumulated three (3), six (6), and ten (10) unexcused absences.

First Notification – three (3) unexcused daily absences in a school year. This notification may be sent by regular mail.

Second Notification – six (6) unexcused daily absences in a school year. This letter will request a conference and give notice that the parent, guardian, or custodian may be in violation of the Compulsory Attendance Law and may be prosecuted if the absences cannot be justified. This notification may also be sent by regular mail but should be followed up by a phone call.

The principal, child and family support team (CFST), success coordinator, teacher(s), parent(s), guardian(s), custodian(s) and the student will work together to analyze the causes of the absences and determine possible steps to eliminate the problem. Failure to respond to the request for a conference will result in a referral to the Judicial Attendance Council of Pamlico County.

Third Notification – After ten (10) days of accumulated unexcused absences in a school year, a certified letter will be mailed. In most instances, the principal or his designee shall utilize the Judicial Attendance Council of Pamlico County in conferring with the student, parent(s), guardian(s), or custodian(s) to determine if a good faith effort was made to comply with the law.

If it is determined that a good faith effort was not made, the district attorney and the director of social services in the county where the child resides shall be notified.

If it is determined that the parent(s), the guardian(s), or the custodian(s) made a good faith effort to comply with the law, a complaint should be filed with the Juvenile Court Counselor pursuant to Chapter 7B of the General Statutes that the child is habitually absent from school without a valid excuse.

6000.3 All classroom activities are important and difficult, if not impossible, to replace if missed. School-related activities as outlined below, however, shall not be counted as absences from either class or school. It is the intention of the Board of Education that classes missed for such reasons be kept to an absolute minimum through close scrutiny and a monitoring system on the part of the principal. Assignments missed for these reasons shall be completed by students and are due on the day the student returns to class, unless granted additional time by the classroom teacher:

- a. Field trips sponsored by the school
- b. School-initiated and scheduled activities
- c. Athletic events requiring early dismissal from school
- d. Governor or legislative pages
- e. In-school suspension

6000.4 Teachers shall notify the principal or his designee when a student accumulates excessive absences (excused/unexcused) from either homeroom or an individual class.

- At the discretion of the principal, after five (5) excused absences the parent(s) may be asked to meet with the principal and the Child and Family Support Team.
- At the discretion of the principal, after ten (10) excused absences the parent(s) and student may be referred to the Judicial Attendance Council. It is mandatory for the parent(s) and student to be present during the hearing.

The school and teacher shall also notify parent(s)/guardian(s) or custodian(s) of the absences by means as considered appropriate. The notice to parents or guardian(s) or custodian(s) shall include a warning of the possible consequences of additional absences and/or a copy of this policy. Students at any age who accumulate excessive absences may experience consequences ranging from extra make-up work to grade retention.

6000.5 Required Attendance for Course Credit

Students in Grades K-8

Students in grades K-8 who are absent more than twenty (20) days during a year shall be referred to an Interdisciplinary Attendance Committee which shall determine if the student should be retained. The committee may substitute summer school or other approved experiences for retention if it determines them to be of greater educational benefit to the child than retention. The committee will also review any additional educational experiences that the child might have received during the absences as it makes its determinations.

Students in Grades 9-12

A student who is absent a total of eight (8) or more periods per course (excused/unexcused) shall fail that course and receive no credit unless a waiver is granted by the principal, or the time is made up. A student who has been absent between eight (8) and no more than twelve (12) periods per course (excused/unexcused) will be provided an opportunity to make up time missed.

A student who has missed a total of eight (8) or more periods, who may have extenuating circumstances which would prohibit making up the missed time, may appeal to the principal for a waiver of his/her excused absences, as specified in 6110.1 (illness/injury/disability, quarantine/isolation, death in immediate family, emergency medical, subpoena/witness, religious observance, educational opportunity), or his/her short-term out-of-school suspension. If waivers are granted, absences will be recalculated to determine credit. Waiver decisions will be maintained/filed with the principal. Pamlico County High School shall provide sufficient make-up opportunities that are in the best interest of the student and the school.

6000.6 The principal shall appoint an Interdisciplinary Attendance Committee (administrator, CFST, counselor, teacher) to advise the principal whether the circumstances for each student who has exceeded the requisite number of days warrant waiver of the no-credit or retention provisions of this policy. Such hearings for each student shall be mandatory. The principal shall notify the student and his parent(s) or guardian(s) or custodian(s) concerning the time and place of such hearings and indicate that their presence is required. The principal shall have authority to waive the no-credit or retention provisions of the policy before or after a hearing by the committee. If the student has a passing grade but fails due to attendance, his/her grade will be recorded as a "69".

6000.7 The State Board of Education's Ten-Day Rule states that when a student accumulates more than ten consecutive days of unlawful absences, he/she is to be withdrawn from funded membership as of the first day following his/her

last day in attendance. NC WISE school system software automatically handles the administration of the ten-day rule. The software functions are as follows:

1. On the eleventh consecutive day of unlawful absence, the student in violation of the rule will no longer be counted in the calculation of ADM as of the first day of absence. However, he/she will continue in membership and will be counted as absent from school.
2. If and when the student returns to school, he/she is simply to be counted present for the days of attendance. Beginning on the first day of attendance, the student will once again be counted in the calculation of the school's ADM.
3. If and when it is determined that the student has withdrawn from school, the withdrawal is to be posted on the first day after the student's last day in attendance.
4. Students under age 16 who are unlawfully absent for more than ten (10) consecutive absences are not to be withdrawn until their whereabouts are known or it is determined that they have left the attendance area.
5. If the student is in violation of the ten-day rule on the last day of the school year, the NC WISE software requires that before submission of the Month 09 PMR, action must be taken to withdraw the student from membership on the first day after his/her last day in attendance.

Absences caused by out-of-school suspension are not a factor in the administration of the ten-day rule or the compulsory attendance law.

6000.8 Exemption from Exams (PCHS only)

A student may be exempt from the final exam in any course where an end-of-course test is not required if:

1. The student has an "A" (93-100) average in the course and has no more than three (3) absences.
2. The student has a "B" (85-92) average in the course and has no more than two (2) absences.
3. The student has a "C" (77-84) average in the course and has no more than one (1) absence.

Any student has the option to take a final exam in any course from which the student is exempt.

Legal Reference: G.S. 115C-47, -84, -378 through -383

Adopted: June 5, 2000

Revised: January 2, 2007

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6001

DROPOUT REFERRALS

6001

The Superintendent shall cause all students who drop out of school to be referred to appropriate services as they may be available in the school system, the community college system, or from other sources or agencies.

6001.1 The principal or principal's designee shall have an exit conference with each student. The reasons for the student dropping out of school shall be documented.

Legal Reference: G.S. 115C-47(32)

Adopted: June 5, 2000

A.Revised: January 2, 2007

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6010

COMPULSORY ATTENDANCE AGE

6010

Every parent, guardian, or custodian residing within the school system and/or having charge or control of a child between the ages of seven and sixteen years shall cause such child to attend school continuously for a period equal to the time that the public schools are in session. It is their responsibility to notify the school of the reason for each known absence of the child.

Legal Reference: G.S. 115C-378

Adopted: June 5, 2000

A.Revised: January 2, 2007

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I.6011
6011

ENTRANCE AGE: INITIAL

A child, to be entitled to initial entry in the Pamlico County Schools, must have passed the fifth anniversary of his birth on or before October 16 of the year in which the child is presented for enrollment.

6011.1 The initial point of entry into the public school system shall be at the kindergarten level.

6011.2 After initial entry, the principal may place a child in first grade, by reason of maturity, without regard to chronological age.

6011.3.1 A child already attending school in another state according to laws and regulations of that state shall be eligible for enrollment regardless of whether such child has passed the fifth anniversary of his birth before October 16.

MMMMMMXII.

6011.4 A child who has turned 4 years old by April 16 may enter kindergarten if presented for enrollment no later than the end of the first month of the next school year, provided the principal finds: that the child is gifted, based on information provided by the parent or guardian; and that the child has the maturity to justify admission to the school. The principal shall use State Board of Education guidelines in making these findings.

Legal Reference: G.S. 115C-288, -364
Adopted: June 5, 2000

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6012

ENTRANCE AGE: TRANSFER FROM ANOTHER STATE

6012

When a child has begun attendance in a public school in another state or foreign country in accordance with the laws or regulations of that state, the child will be eligible for enrollment regardless of his age. Grade placement will be determined by the Pamlico County school principal.

Legal Reference: G.S. 115C-364
Adopted: June 5, 2000

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6013

ENTRANCE AGE: VERIFICATION

6013

The parent or guardian of a child who is making initial entrance into school shall be required to furnish a copy of the child's birth certificate or other legally acceptable proof of age, before admission is approved.

Legal Reference: G.S. 115C-364
Adopted: June 5, 2000

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6014

**TRANSFER FROM IN-STATE NONPUBLIC KINDERGARTEN
OR FIRST GRADE**

6014

If a child who does not meet North Carolina's age requirement for initial entry in the public schools enrolls in kindergarten in an in-state nonpublic school, the child may not transfer in the same school year to kindergarten in a public school. If such a child is presented for enrollment in the public school system at any time during the following school year, the child will be placed in kindergarten as provided by Policy 6011.

Legal Reference: G.S. 115C-81(f)(2), -288(a), -364
Adopted: June 5, 2000

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a.6020 SCHOOL ADMISSIONS 6020

Qualification for admission to the Pamlico County Schools shall be considered complete upon satisfaction of the criteria listed under the respective types of entrants.

6020.1 DOMICILIARY STUDENTS. Students who are domiciled in Pamlico County (or who meet the requirements of N.C. GEN. STAT. § 115C-366(a2), (a3), (a6) or (a8)) shall satisfy the following requirements for admission:

- A. Student under the age of 21 who has not completed the prescribed course for graduation from high school.
- B. Student has satisfied North Carolina immunization requirements.
- C. Receipt of transcript and other student records for a student whose parent or guardian is a new resident of Pamlico County. If the student's parent, custodian, or guardian provides the student records, the receiving school's principal shall verify the records as required by Board policy 6322.2. The principal shall in all cases obtain such records, or the aforementioned verification, within thirty (30) days of the child's enrollment, as required by policy 6322.2.

6020.2 DETERMINATION OF DOMICILE. The Superintendent shall develop and be responsible for administering a system to determine the domiciliary status of each pupil desiring to attend the Pamlico County Schools, for the purpose of determining qualifications for admission.

6020.3 HOMELESS STUDENTS. Homeless children, the children of homeless parents, and "unaccompanied youth," as defined by Policy 6023, who actually live in Pamlico County shall be considered domiciliary students for the purpose of this policy.

6020.4 TRANSFER STUDENTS. The Board requires that a student's parent, guardian, or custodian provide a sworn statement (affidavit) indicating whether the student currently is under suspension or expulsion from attendance at any public or private school or has been convicted of a felony, in any state. This requirement will not apply to a student who has never been enrolled in or attended a private or public school in this or any other state.

I. For students who have been suspended from school, the Superintendent may deny admission until the suspension period expires, or place reasonable conditions on admission if the student has been suspended for conduct which could have resulted in

suspension from Pamlico County Schools.

The Superintendent may deny admission or place reasonable conditions on admission to a student convicted of a felony or expelled. If admission is denied to a student who has been expelled or convicted of a felony, the student may request the Board of Education to reconsider that decision pursuant to N.C. Gen. Stat. § 115C-391(d).

The Superintendent's decision to deny admission to a transfer student under this policy may be appealed to the Board of Education.

Cross Reference: Homeless Students (Policy 6023)

1.Legal Reference: G.S. 115C-40, -45(c), -366, -366.1, -403; 20 U.S.C. §11431 et seq., as amended.

Adopted: June 5, 2000

Revised: January 2, 2007

Revised: January 7, 2008

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No child shall be permitted to attend school unless a certificate of immunization indicating the child has received the immunizations required by G.S. 130A-152 is presented to the school. If on the first day of attendance the child does not present such a certificate, the child's parent, guardian or caretaker shall be notified. This person shall be given thirty (30) calendar days from the first day of attendance to obtain the required immunizations for the child. If, following approved medical practice, the administration of a vaccine requires more than thirty (30) calendar days to complete, upon certification of this fact by a physician, additional days may be allowed in order to obtain the required immunization. At the end of the thirty (30) calendar days or extended period, if the required immunizations have not been obtained, the school shall not admit the child. No child will be required to have any such immunization if his parent objects thereto, in writing, on the grounds that it conflicts with their religious beliefs, or if the child's physician certifies that the required immunization is or may be detrimental to the child's health for as long as a medical contraindication exists.

The school shall maintain on file immunization records for all students which contain the information required for a certificate of immunization as specified in G.S. 130A-154, and these records may be inspected by officials of the county or state health departments. When a child transfers to another school, the school from which he is transferring shall send a copy of the child's immunization record to his new school at no charge.

Each school principal shall file an immunization report with the Department of Environment, Health and Natural Resources within sixty (60) calendar days after the commencement of a new school year.

1. Legal Reference: G.S. 130A-152 through -157
Adopted: June 5, 2000

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No child shall be permitted to enter kindergarten unless a health assessment transmittal form is presented to the principal on or before the child's first day of attendance. If the form is not presented, the principal must present a notice of deficiency to the parent, guardian or responsible person. If the health assessment transmittal form is not received within 30 calendar days after the principal has given the notice of deficiency, the child must be prohibited from attending school until the health assessment transmittal form has been presented.

Within 60 calendar days after the commencement of a new school year, the principal shall file a health assessment status report with the Department of Environment, Health and Natural Resources. The report shall document the number of children in compliance and not in compliance with the requirement to provide the health assessment transmittal form.

Legal Reference: G.S. 130A-440 through -441
Adopted: June 5, 2000

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In accordance with the McKinney-Vento Homeless Assistance Act and the North Carolina State Plan for Educating Homeless Children, the Board of Education will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment, and eliminate barriers to their receiving an education which may exist in district policies or practices. Based on individual need, homeless students will be provided services available to all students, such as preschool, free or reduced school meals, services for English language learners, special education, career and technical education, academically and intellectually gifted services, and after-school programs.

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. Homeless students include unaccompanied youth which shall mean a youth who is not in the physical custody of a parent or guardian. Homeless children and youth include those students who are:

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. awaiting foster care placement;
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. HOMELESS LIAISON

The superintendent or the superintendent's designee will appoint a school employee to serve as the homeless liaison. The homeless liaison's duties include, but are not limited to, the following:

1. ensuring that school personnel identify homeless children and youth;
2. ensuring school/pre-school enrollment and opportunities for academic success for homeless children and youth;
3. informing parents of available transportation services and helping to coordinate such services;

4. ensuring that public notice of the educational rights of homeless students is disseminated in locations where these students and families receive other support services;
5. informing parents of educational and related opportunities available to their children and ensuring that parents have a meaningful opportunity to participate in their child's education;
6. helping to mediate enrollment disputes;
7. 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
8. working with the superintendent or his/her 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.

C. ACCESS TO STUDENT'S RECORDS

Homeless students transferring into the school district may provide cumulative and other records directly to the school district. The school district will not require that such records be forwarded from another school district before the student may enroll. However, school personnel will immediately request the official records from the previous school.

School personnel will immediately enroll homeless students, even if they do not have proof of residency, school and immunization records, birth certificates, or other documents, and even if they are not accompanied by an adult. The homeless liaison will assist the students/parent in securing appropriate records or otherwise meeting enrollment requirements.

D. ENROLLMENT

A homeless student (or his/her parent or guardian) may request to attend his/her school of origin or 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. To the extent feasible, the student will remain enrolled in the school of origin for the entire time the student is homeless or until the end of any academic year in which the student moves into permanent housing.

The superintendent, or the superintendent's designee, in consultation with the homeless liaison, will make the decision regarding which school a homeless student will attend. The decision will be based upon the student's best interests. In making the enrollment decision, the superintendent or designee may consider the following factors:

- the age of the student;
- the distance of the commute and its impact on the student's education;

- personal safety issues;
- the student's need for special instruction (such as special education and related services);
- the length of any anticipated stay in a temporary shelter or other temporary location; and
- the time remaining in the school year.

If the superintendent or designee assigns a student to a school other than the school of origin or one requested by the parent/guardian, he/she must provide a written explanation of the decision to the parent/guardian, along with a statement regarding the right to appeal the placement decision.

E. ENROLLMENT DISPUTE RESOLUTION

The school district will implement an enrollment dispute resolution process that is consistent with the process required by the State Board of Education in the North Carolina Administrative Code section 06H.0012.

1. **Initiation of the Dispute and Stay Put**
 If a dispute arises over school selection or enrollment in a school for a homeless student, the following will occur:
 - a. The homeless student shall be immediately admitted to the school in which enrollment is sought, shall receive all services for which he/she is eligible and shall be allowed to participate fully in school activities, pending resolution of the dispute.
 - b. The parent/guardian of the student shall be provided a written explanation of the school's decision regarding the enrollment, including the right to appeal the decision. Such information must be provided in a language that the parent/guardian or unaccompanied youth can understand.
 - c. The student or parent/guardian shall be referred to the district's homeless liaison who will carry out the appeal process as expeditiously as possible after receiving notice of the dispute.
2. **Homeless Liaison Review**
 - a. Any parent/guardian or student initiating an enrollment dispute (hereinafter "complainant") is encouraged to attempt to resolve the dispute informally through discussion with the homeless liaison. If the dispute cannot be resolved informally, the complainant may present a formal complaint orally or in writing to the homeless liaison.
 - b. The complaint should include the date of the filing, a description of the disputed action, the name of the person(s) involved and a description of the relief requested. The complainant may provide supporting written or oral documentation and may be accompanied by an advocate or attorney.

- c. Within five school days after receiving the complaint, the homeless liaison will provide a written decision, including the reasons for the decision, to the complainant and the superintendent.
 3. Appeal to the Superintendent of the Liaison's Decision
 - a. Within five school days of receiving the liaison's decision, the complainant may appeal the decision to the superintendent in writing. The homeless liaison shall ensure that the superintendent receives copies of the written complaint and the response.
 - b. The superintendent or his/her designee shall schedule a conference with the complainant to discuss the complaint.
 - c. Within five 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.
 4. Appeal to the Board of the Superintendent's Decision

If the complainant is dissatisfied with the superintendent's decision, he/she may file a written appeal with the board of education. The board will provide a written decision within 30 days of receiving the appeal. The board's decision will constitute the final decision of school district. The written statement of the board's opinion will include the name and contact of the state coordinator for homeless education and will describe the appeal rights to the state coordinator.
 5. Appeal to the State Coordinator of the Board's Decision

If the complainant is dissatisfied with the action taken by the board of education, he/she may file an appeal with the state coordinator for homeless education, who will issue a final decision on the complaint.

F. TRANSPORTATION

The board of education will provide homeless students with transportation services comparable to those of other students. In addition, at the parent/guardian's request (or 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 will coordinate homeless students' transportation needs, based on the child's best interest and feasibility. In situations where a student attends school in this district but his/her temporary housing is in another district (or vice versa), the superintendent or designee will work with the other district to share the cost and/or responsibility for transportation. If an agreement cannot be reached between the districts, the cost of such transportation will be divided evenly.

If a homeless student becomes permanently housed and chooses to remain in his/her school of origin, the board will provide transportation to the student for the remainder of the school year, except in extraordinary circumstances as recommended by the superintendent.

G. TITLE I

Homeless students are automatically eligible for Title I services. The homeless

liaison and the Title I director will collaborate to identify the needs of homeless students.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.; U.S. Department of Education Non-Regulatory Guidance on Education for Homeless Children and Youth Program (2004); G.S. 115C-366(a2); 16 N.C.A.C. 6H.0112; State Board of Education Policy EEO-I-000

Cross References: Immunization (policy 6021), School Admissions (policy 6020),

School Assignment (policy 6201)

Adopted: December 3, 2007

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The Pamlico County Board of Education recognizes that student health issues can impact a student's ability to succeed in school. Some health conditions are common enough in any given student population to make mass screenings beneficial for identifying barriers to success in that population.

The Board further recognizes that identifying a potentially handicapping health condition is only the first step in a health-screening program. Appropriate referrals for further evaluation and remediation must be made. In addition, adequate follow up with parents is necessary to assure that the condition is corrected or, if the condition cannot be corrected, that appropriate accommodations are made.

The superintendent or designee shall develop procedures for mass screenings and follow up to be conducted within the district. A determination of what health screenings shall be conducted, as well as the frequency and scope of those screenings, will be made annually in accordance with the available resources of the district.

Reference: G.S. §115C-36; North Carolina School Health Program Manual of 2005.
Adopted: December 3, 2007

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It shall be the responsibility of the principal to determine that any person appearing at a school and requesting permission to take a student from the school shall be properly identified before allowing him to proceed.

6030.1 In no case shall a person other than an authorized parent, or guardian, or custodian be permitted to take a student from school until or unless the principal is satisfied that such person has the approval of the authorized parent or guardian.

Legal Reference: G.S. 115C-40, -47, -288

Adopted: June 5, 2000

Revised: January 2, 2007

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A.6031**PERMISSION TO LEAVE SCHOOL****6031****BEFORE CLOSING HOUR**

All requests to leave the building while school is in session must be approved by the principal or his/her designee. Leaving school without permission constitutes truancy. Students shall not be permitted to leave school before the regular closing hour except for appropriate and bona fide reasons.

- 6031.1 Senior high school students are initially required to obtain the principal's permission to leave the school grounds for participation in dual enrollment and established cooperative work programs.
- 6031.2 A student may be dismissed from school for a medical or dental appointment for the time required by the specific appointment. Such an absence shall be considered excused.
- 6031.3 Students shall not be excused for outside activities such as music lessons, dancing lessons, etc.
- 6031.4 Each school has the responsibility for developing its own procedures for permission to leave school before the closing hours. These shall be included in the student/parent handbook.

A.Legal Reference: G.S. 115C-40, -47, -288

Adopted: January 2, 2007

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It shall be the responsibility of the principal to be familiar with current rules and regulations relative to attendance and absences and to monitor regularly:

- A. Teacher compliance,
- B. Decisions relative to classifications of absences as excused or unexcused, and
- C. Absence cases needing further review or action.

Legal Reference: G.S. 115C-47, -288, -378 through -381

Adopted: June 5, 2000

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I.6102 ABSENCES: TEACHER'S RESPONSIBILITY 6102

It shall be the teacher's responsibility to be familiar with current rules and regulations relative to attendance and absence and to carry out his/her duties as set forth.

- 6102.1 Teachers shall notify parent(s), guardian(s), or custodian(s) when a student accumulates excessive tardies or absences and inform them of the consequences. Parent(s), guardian(s), or custodian(s) should be invited for a parent-teacher conference to resolve any missing assignments or coursework.

Legal Reference: G.S. 115C-47, -307, -378 through -381

Adopted: June 5, 2000

Revised: January 2, 2007

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I.6103 ABSENCES 6103

In the event of absence or tardiness, it shall be the responsibility of the student to bring to the principal or his designee a note signed by the parent or guardian citing the reason for such absence or tardiness. **A principal may require any additional documentation deemed necessary to verify an absence or tardiness.**

Such notes should be presented within three (3) days of the student's return to school. Failure to comply will result in the absence or tardiness being recorded as unexcused, as provided in Policy 6111.

Legal Reference: G.S. 115C-47, -288, -378 through -381

Adopted: June 5, 2000

Revised: January 2, 2007

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- 6110.1 Valid conditions for excused absences are:
- A. Illness, injury or disability which makes the student physically unable to attend school.
 - B. Quarantine/isolation ordered by the local health officer or State Board of Health.
 - C. Death in the immediate family. This would include but not necessarily be limited to parents, grandparents, brothers, and sisters.
 - D. Emergency medical or dental appointment or such an appointment which has been approved in advance by the principal.
 - E. Participation as a party, or under subpoena as a witness, in a court proceeding or before an administrative tribunal.
 - F. Observance of an event required or suggested by the religion of the student or the student's parent(s), guardian(s), or custodian(s), with prior approval by the principal.
 - G. **Participation in a valid educational opportunity with prior approval by the principal.** Valid activities may include travel or student's attendance at official deployment activities or ceremonies when the student's parent, guardian, or custodian is a deploying member of the U.S. Armed Forces. Within five days after returning to the school setting, the student shall present to the principal for his approval a log of activities and a written report explaining what insight or perspective the student gained by this trip.
- 6110.2 Absences caused by out-of-school suspensions are not considered excused absences for purposes of academic credit, nor are they considered a factor in the administration of the compulsory attendance law or the ten-day rule.
- 6110.3 In the event of an excused absence, a student shall be entitled to make up work without receiving penalties to their marks or grades for such work.
- 6110.4 The responsibility for securing and arranging for make-up work rests with the student at the secondary level. Elementary students will have make-up work arranged at the direction of the teacher.

6110.5 Make-up work shall be assigned at the convenience of the teacher, and may be specific material missed by the student, or may be of a reinforcement or enrichment nature.

6110.6 When a student is absent for any of the seven reasons listed above, he or she shall provide appropriate written documentation of that absence as lawful, as required by policy of the local school and as made known to parents through the school handbook. Such documentation shall be kept on file. **If there is any question regarding lawful absences, a person designated by the principal shall make contact with the parent, guardian, or custodian of the child.**

6110.7 If a student is to be absent for medical or dental appointments, court or administrative proceedings, religious observances, or educational opportunities, the parent, guardian, or custodian should, except in emergencies, file the excuse and the dates for absences with the principal prior to the date that the student is to be absent.

Legal Reference: G.S. 115C-47, -307, -378 to -381

Adopted: June 5, 2000

Revised: January 2, 2007

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Any absence not meeting the requirements of an excused absence shall be an unexcused absence. This includes, but is not limited to:

- A. Any absence not classified as excused in Policy 6110.1.
- B. Any absence listed in Policy 6110.1 for which proper notification is not furnished to the principal within three (3) days of returning to school or prior to the absence. However, upon receipt of adequate documentation that the absence met the requirements of an excused absence, the principal may reclassify the absence as excused.

6111.1 Any absence of a student that results from a suspension of that student for misconduct pursuant to G.S. 115C-391 shall not be considered an unexcused absence for purposes of the Compulsory Attendance Law. A student who has been suspended pursuant to G.S. 115C-391 shall be provided an opportunity to make up semester or grading-period examinations missed during the suspension and be encouraged to complete coursework and assignments during the period of suspension.

6111.2 Unlawful absences must be recorded for proper calculation of ADM.

6111.3 It is encouraged, when appropriate (i.e., parent support, student motivation/cooperation), that the administration provide means through the guidance counselors, child-family support teams, success coordinator and/or appropriate faculty members to allow work and tests to be made up so as to not compound the academic consequences of absences.

Legal Reference: G.S. 115C-47, -378 through -381, -391

Adopted: June 5, 2000

Revised: January 2, 2007

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**HOSPITAL/HOMEBOUND SERVICES
FOR NON-EXCEPTIONAL STUDENTS****Purpose:**

The primary purpose of this policy is to help hospital/homebound students maintain access to the general curriculum through the provision of instructional and tutorial services, in order to support the students' growth, development, and academic performance.

Eligibility:

Any student who is not participating in the Exceptional Children's Program and is expected to be confined to hospital or home for four weeks or longer, as determined through consultation and documentation, is eligible for hospital/homebound services during the period of treatment or recuperation. Hospital/Homebound services for Exceptional Children will be determined by the IEP committee.

Priority Population:

- Accident Victim
- Surgery
- Extended Illness
- Pregnancy and Pregnancy Recuperation
- Other as Determined by Consultation and Documentation from doctor

Operational Procedures:

Once a request for hospital/homebound services has been received or a need has been identified by a parent/guardian, individual of legal age or emancipated youth, the principal or designee will immediately implement the process to make a determination. The following steps should be used to register students for the services:

- Request for Hospital/Homebound Services form is completed by parent/guardian. Parental Consent Form (HB-1).
- Parent/Guardian obtains medical documentation. Physician's Statement (HB-2). When Hospital/Homebound Services are needed due to an emotional or psychological concern, a complete psychological or psychiatric evaluation by a licensed psychologist or psychiatrist must accompany the physician's statement.
- Parent submits forms HB-1 and HB-2 to school the student attends.
- Principal completes School Request Form (HB-3).
- Request for Hospital/Homebound Services packet (HB-1, HB-2, HB-3) is sent to the Central Office designee.
- Central Office designee approves/denies request. (HB-3)
- The Hospital/Homebound teacher, in conjunction with the student's teachers, will develop a Hospital/Homebound Service Plan to include:

- o Length of service
 - o Goals and objectives
 - o Daily/weekly hospital/homebound service schedules
 - o Other
-
- The Hospital/Homebound teacher will have access to textbooks, instructional materials, assignments, specific curriculum goals and objectives, and performance indicators to be used during the period of confinement.
 - The student's school should accept completed assignments and grades on goals, objectives, competencies and performance indicators that have been identified by the student's teacher(s).
 - Hospital/Homebound students will receive adequate opportunity to engage in learning with consideration given to the status of the student's medical condition.
 - As a general rule, two to five hours per week, provided on an individual basis, should be considered equivalent to one full week of school attendance.
 - A student who is confined at home or in a hospital and is receiving homebound instruction is considered Hospital/Homebound and as such, should be counted PRESENT for the span of time during which regularly scheduled hospital/homebound instructional services are delivered. When hospital/homebound services are required for an extended period, medical documentation must be presented every four weeks. Services will be terminated if documentation is not provided.
 - Students are to be released from hospital/homebound services based on the physician's release form that has been obtained by the school.
 - This policy shall not be construed as creating rights in addition to that provided by applicable law.

Legal Reference: G.S. §115C-36; Individuals with Disabilities Education Act.

Adopted: June 5, 2000

Revised: June 4, 2007

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6120

CREDIT FOR ATTENDANCE

6120

To be counted present, a student shall be in attendance at least one-half of the student school day.

6120.1 A student shall be considered present for that portion of the day that he is present to attend an official school activity at a place other than the school with the approval of the principal.

Legal Reference: G.S. 115C-379
Adopted: June 5, 2000

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6121

TARDINESS

6121

A student shall be seated or at his assigned station for work at the time appointed for the school day or class to begin, or be recorded as tardy for the day or class. Skipping (truancy) school or any assigned classes is addressed in the *Student Code of Conduct, Policy 6401 Rule 3*.

Legal Reference: G.S. 115C-379
Adopted: June 5, 2000
Revised: January 2, 2007

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6201

STUDENT ASSIGNMENT

6201

Each student shall be assigned to the appropriate grade.

6201.1 An exceptional child shall be assigned to a school based upon the extent that facilities and the presence of an appropriate program offering permit.

Legal Reference: G.S. 115C-113, -366
Adopted: June 5, 2000

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6202

NOTIFICATION OF SCHOOL ASSIGNMENT

6202

Notification of assignment of students for the coming school year shall be made and distributed prior to July 1.

Legal Reference: G.S. 115C-366(b), -368

Adopted: June 5, 2000

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6220

PROVISIONS FOR EXCEPTIONAL STUDENTS

6220

All children with special needs are capable of benefiting from appropriate programs of special education and training, and they shall be provided with an education that meets their needs.

6220.1 The term "special education" includes specifically designed instruction, including classroom instruction, instruction in physical education, and home instruction. It includes such related services as required to assist a special needs child to benefit from special education.

6220.2 Each child with special needs shall be educated in the least restrictive environment.

6220.3 The student records of children with special needs will be flagged, obtained or verified when appropriate under Board Policy 6322.

Legal Reference: 20 U.S.C. § 1412; G.S. 115C-107, -108

Adopted: June 5, 2000

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6221

**ASSURANCE OF APPROPRIATE SERVICES -
EXCEPTIONAL STUDENTS**

6221

No child between the ages of three (3) and twenty (20) with special needs shall be denied a free appropriate public education.

- 6221.1 Every child suspected of having special learning needs is entitled to multi-disciplinary diagnosis and evaluation.
- 6221.2 All testing and evaluation materials and procedures shall be non-discriminatory and administered in the child's native language.
- 6221.3 Parents shall be provided in writing with the results, findings and proposals based upon the evaluation.
- 6221.4 An individualized education program shall be developed for each child found to be a child with special learning needs.
- 6221.5 Special education and related services shall be provided to each child with special learning needs based upon the individual education program.

Legal Reference: G.S. 115C-108 through -111, -113, -146; 20 U.S.C. § 1412; 29 U.S.C. § 702 et seq.

Adopted: June 5, 2000

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6222

PLACEMENT OF EXCEPTIONAL STUDENTS

6222

Written notice shall be given to parents of exceptional children a reasonable time before the school system proposes to initiate or change the identification, evaluation or educational placement of a child with special needs. The written notice shall give a full explanation of all of the procedural safeguards available to parents in their native language.

Legal Reference: 20 U.S.C. § 1412; G.S. 115C-113, -116

Adopted: June 5, 2000

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No child will be excluded from any educational program or be subject to discrimination because he is an "individual with a handicap," as that term is defined in The Rehabilitation Act of 1973. Protected individuals include any person who has a physical or mental impairment that substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such an impairment.

6223.1 The Superintendent will appoint a Board employee to ensure that the school system complies with Section 504 of The Rehabilitation Act of 1973.

6223.2 Any student, or his parent/guardian, may file a grievance before the school system's Section 504 coordinator if they believe their rights under this policy or Section 504 of The Rehabilitation Act of 1973 have been violated. The procedures for such student grievances will be kept on file in the office of the Section 504 coordinator.

Legal Reference: 29 U.S.C. § 702 et seq.

Adopted: June 5, 2000

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An accurate cumulative record shall be maintained for every student enrolled in the school system. Parents will be notified annually of their rights regarding student records under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

Each student's official record must contain notice of any suspension for a period of more than ten (10) days or expulsion, and the conduct for which the student was suspended or expelled. However, the notice of suspension or expulsion must be expunged (deleted) from the record if the following criteria are met:

1. a request for expungement is made by the parent, legal guardian, or custodian or by the student (if the student is at least 16 years old or emancipated);
2. the student either graduates from high school or is not expelled or suspended again during the two-year period commencing on the date of the student's return to school after the suspension;
3. the superintendent or his designee determines that maintenance of the record is no longer needed to maintain safe and orderly schools; and
4. the superintendent or his designee determines that maintenance of the record is no longer needed to adequately serve the child.

If no request for expungement has been made under subsection 1 above, the superintendent or his designee may expunge any notice of suspension or expulsion if the remaining criteria in subsections 2, 3, and 4 are met.

Legal Reference: 20 U.S.C. § 1232g; G.S. 115C-47, -402

Adopted: June 5, 2000

Revised: July 1, 2002.

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6301

PERMANENT RECORDS

6301

Permanent student records shall contain only information of recognized importance which may be used for the benefit or welfare of the student.

Legal Reference: G.S. 115C-47, -402
Adopted: June 5, 2000

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6302

TEMPORARY RECORDS

6302

Temporary student records also may be kept but shall be reviewed annually and destroyed when their usefulness is no longer apparent or when the student leaves.

A. Legal Reference: G.S. 115C-47, -402
Adopted: June 5, 2000

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- 6303.1 Purpose of Notification Requirements. Juvenile Court Counselors are required to provide school principals information about delinquent juveniles. The purpose of the notification requirements is to protect the safety and to improve the educational opportunities for the student or others.
- 6303.2 Use of juvenile court information. Written notifications received by the principal are:
- Confidential records,
 - Not public records, and
 - Must not be made part of the student's official record.
- The principal must maintain these documents in a safe, locked storage area. These records must be kept separate from the student's other schools records.
- 6303.3 Sharing notices with others. Upon receipt of the notice from the juvenile court counselor, the principal must share the document with those individuals who have:
- Direct guidance, teaching, or supervisory responsibility of the student, and
 - A specific need to know in order to protect the safety of the student or others.
- 6303.4 Procedures for sharing notices. If the principal determines that an individual must be made aware of the notice, once the information is shared, that individual must:
- Indicate in writing that they have read the document; and
 - That they agree to maintain its confidentiality.
- Failure to maintain confidentiality is grounds for dismissal.
- 6303.5 Disposal of notices. The principal must maintain the notices received from the juvenile court counselor until notified that:
- The judge dismissed the petition,
 - The judge transferred jurisdiction over the student to superior court, or
 - The judge granted the student's petition for expunction of records.
- Once the principal receives notice of one of these events, the principal must then shred, burn, or destroy the documents. The principal is prohibited from making a copy of these documents.
- 6303.6 Return of notices. The principal is required to return the notice to the juvenile court counselor when:

- The student graduates,
- Withdraws from school,
- Is suspended for the remainder of the school year,
- Is expelled, or
- Transfers to another school. If the student has transferred to another school, the principal must give the juvenile court counselor the name and address of the school to which the student is transferring.

Legal Reference: N.C. Gen. Stat. §§ 7A-675.2; 115C-404.
Adopted: June 5, 2000

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All student records shall be kept up-to-date and tended with appropriate measures of security and confidentiality.

6310.1 Maintenance of Student Records: Active records (the records of students currently enrolled) and inactive records (those for all other students -- transfers, dropouts, deceased) shall be maintained by the individual school. At the end of the five-year period from the student's exit, both the active and inactive student records shall be sent to the Pamlico County Schools' central office for storing and responding to information requests.

6310.2 Disposition of Records: The Pamlico County Schools will follow all instructions on Publication Number 335: "Directions for Using the North Carolina Cumulative Records," dated March 1965, or as revised. In addition, the following procedure will be used for transfer of students:

In County: Complete Transfer Record Card (yellow) and keep in files of original school. Send complete record to new school.

In State: Complete Transfer Record Card, attach brown envelope on card in section designated "Other Pertinent Data," and keep in files of original school. Mail remaining records to new school.

Out of State & Private Schools: Complete paper transcript and mail. Records remain as part of "Inactive File."

6310.3 Upon written request, a parent or student who has attained age eighteen (18) will be provided a list of the types and locations of education records maintained by the Pamlico County Schools.

Legal Reference: 20 U.S.C. 1232g; G.S. 115C-402
Adopted: June 5, 2000

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Access to student records and challenges thereto shall be allowed in compliance with the Family Educational Rights and Privacy Act of 1974 as amended.

6311.1 Access to Records: Official North Carolina cumulative student folders containing records, files and data directly related to the student are accessible to all school officials who have a legitimate educational interest in seeing the records. A parent shall be allowed access to all records of his child upon proper request. For purposes of this policy, "parent" is defined as natural parent, guardian or an individual acting as a parent in the absence of a parent or guardian. A student who has attained his eighteenth birthday shall have access to his records upon proper request. This access will be provided at a time mutually agreeable to the parent or student and school official(s) and in no case longer than forty-five (45) days after the written request. For the purposes of interpreting and protecting the information in the records, the school principal or his designee must be present during the examination. If an education record contains information about more than one student, the parent or student may inspect and review or be informed of only the specific information about that student. The parent or student may receive a copy of the student's record upon written request and payment of a copy fee. Parents or students will not be charged a fee to search for or to retrieve student records.

6311.2 Challenge of Records: A parent or student who has attained age eighteen (18) shall have the right to challenge an item contained in the student record that is believed to be inaccurate, misleading or violative of the student's privacy rights. The principal shall examine a formal challenge of a student record item and shall decide within a reasonable time whether to amend the record. If the principal decides not to amend the record, he will notify the parent in writing of his decision and of the parent's right to a hearing. Subsequently, if necessary, the parent or student who has attained age eighteen (18) may receive a hearing before the Student Records Committee appointed by the Superintendent, consisting of the principal, director of student services and one director of instruction, within 5 days of submitting a written request. The Student Records Committee shall make its decision in writing within a reasonable time after the hearing.

- a. If the Student Records Committee decides in favor of the parent or student it will amend the record and inform the parent or student of the amendment in writing.
- b. If the Student Records Committee decides against the parent or student, it will inform the parent or student of that decision

and of the right to place in the record a statement commenting on the information or stating his or her disagreement with the committee's decision.

- c. Any explanation added to the record by the parent or student will be maintained as part of the record as long as the record is maintained and will be disclosed as part of the record whenever the record is disclosed.

Legal Reference: 20 U.S.C. § 1232g
Adopted: June 5, 2000

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Responsibility for release of student records shall rest with the principal. Automatic release of student records shall be made promptly in the following cases:

- 6320.1 Transfer Within the School System: Records are available upon request from proper school officials.
- 6320.2 Transfer Outside the School System: Records are available upon written request of other schools or school systems in which a student seeks or intends enrollment, provided the student's parents are notified of the transfer and are provided a copy of the record and an opportunity to challenge its contents, if desired.
- 6320.3 Admissions and Honors Applications: Transcripts and confidential data will be released for admissions applications to institutions of higher learning and for consideration of honors and employment, provided the parent/guardian or student over age eighteen (18) has given written permission and been provided a copy of the record and an opportunity to challenge its contents, if desired.
- 6320.4 Judicial Order: Upon judicial order or subpoena, student records will be released to proper officials after notification to the parent/guardian and student involved.
- 6320.5 Upon receipt of written permission by a parent, guardian, or student who has attained age eighteen (18), for release of a student's records for any other reason.
- 6320.6 Student records will be flagged, obtained or verified when appropriate under Board Policy 6322.
- 6320.7 A record will be maintained of each request for access to and each release of personally identifiable information from the education record of each student (except access by the parent, eligible student, proper school officials and persons with consent of the parent or eligible student). This record will consist of the name of the party requesting or receiving the information; the date access was given; and, the legitimate interest the party had in requesting or obtaining the information.

Legal Reference: 20 U.S.C. 1232g; G.S. 115C-403
Adopted: June 5, 2000

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**RELEASE OF DIRECTORY INFORMATION
CONCERNING STUDENTS**

Parents and students who have attained age eighteen (18) will be notified at the beginning of each school year that the school system may publish information relating to a student, including the following: the student's name, address, telephone listing, date and place of birth, major field of study, photograph, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous education agency or institution attended by the student. A parent may notify the school system that any or all of this directory information should not be released without the parent's prior consent.

Legal Reference: 20 U.S.C. § 1232g

Adopted: June 5, 2000

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I.6322 RECORDS OF MISSING CHILDREN 6322

Upon notification by a law enforcement agency or the North Carolina Center for Missing Persons of a child's disappearance, the Superintendent or his designee shall have that child's student record distinctively marked in such a manner that, if a copy or information regarding the record is requested, school personnel will be alerted to the fact that the record is that of a missing child.

6322.1 Upon receipt of such a request, and before providing a copy or other information concerning such a child, the Superintendent or his designee shall notify the agency that requested the record be marked of every inquiry made concerning the marked record, and shall provide to the agency a copy of any written request for information concerning the record.

6322.2 Upon transfer of a child into the Pamlico County Schools from any other school system, the principal shall, within thirty (30) days of the child's enrollment, obtain the child's record from the school in which the child previously was enrolled. If a copy of the child's record from the previous school is provided by the parent, custodian or guardian, the principal shall within thirty (30) days of the child's enrollment request written verification of the school record from the previous school. Any information received indicating that the transferring child is a missing child shall be reported promptly to the Superintendent and the North Carolina Center for Missing Persons.

Legal Reference: G.S. 115C-403

Adopted: June 5, 2000

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INTRODUCTION

The Pamlico County Board of Education is committed to discipline practices that encourage the development of self-control, personal responsibility and respect for the dignity of all individuals. The Board is committed to maintaining effective discipline in order to establish positive learning environments within which students have the opportunity to receive an appropriate public education.

In order for effective discipline to be maintained in each school, the Board acknowledges that cooperative relationships must be established among students, parents and school personnel. Each individual is expected to work positively toward this goal and to respect the individuality and the rights of all people. Parents/Guardians, students and school personnel are also expected to deal effectively with behavioral concerns. To carry out this commitment, the Board established the following responsibilities and student behavior guidelines for all students system-wide in grades 6-12. This policy is to also serve as a guide for discipline in grades K-5. Additionally, a copy of the code of conduct and procedures shall be published and made available at the beginning of each school year to each student and his/her parent/guardian.

Efforts will be made to ensure early identification of students at risk for potential disciplinary problems. When it is recognized that a student is behaving in a manner which indicates potential disciplinary problems, school personnel shall make reasonable efforts to initiate preventive measures. Preventive interventions should attempt to identify and address the sources and cause of the potential discipline problems. **Possible preventive intervention procedures may include, but are not limited to:**

- change of educational setting
- change of instructional methods
- change of schedule or teacher
- conferences with parents/guardians, school personnel
- conferences with student
- referral to and/or consultation with community agencies
- referral to appropriate support personnel (counselor, nurse, attendance counselor, school resource officer, school social worker, juvenile justice, etc.)
- referral to Behavioral Management Teams (social worker, nurse, guidance counselor, parent, student, referring teacher, etc.)
- referral to Pamlico Alternatives to Suspension (PATS)
- referral to school assistance team
- referral to the Pamlico County Alternative Learning Center
- use of daily or weekly progress reports to parents
- use of peer mediation
- visit by parents in the classroom

School personnel shall actively seek effective, positive methods and strategies to help each student learn to behave in a manner that is conducive to effective learning and that respects the rights of others. Each school principal shall systematically identify potential problem areas with his/her school that may contribute to discipline problems within the school. The Board encourages the administration to continue to work with appropriate community agencies in dealing with discipline problems.

CHILDREN WITH SPECIAL NEEDS

A student with an identified disability as defined in the North Carolina Procedures Governing Programs and Services for Children with Special Needs may be disciplined or suspended in accordance with those procedures, which are summarized below. However, the suspension procedure does not apply in the event that:

- (1) the student's individualized education program contains procedures or other disciplinary techniques which are to the contrary, or
- (2) the length of the proposed in-school or out-of-school suspension or any combination thereof related to the child's disability exceeds ten (10) school days; and, therefore, may constitute a change in the student's educational placement.

Before suspending a child for more than ten days, the Individual Educational Program Team shall be convened to evaluate the child in order to determine whether the disability caused the behavior. If it determines that the behavior was caused by the child's disability, then the child may not be suspended. In addition, there is a need to complete a manifestation determination. This determination will direct the team on the discipline options and possible recommendations. Then the IEP committee needs to complete a Functional Behavioral Assessment to plan and possibly prevent future problems. The Individual Education Plan (IEP) Committee shall be reconvened to recommend an appropriate placement.

In all actions involving in-school or out-of-school suspensions in excess of ten days, the parties shall have available all the due process rights of G.S. 115C and 20 USC 1415. Prior written notice of any change of placement shall comply with the requirements of the Procedures (Section .1517). Nothing in this policy shall be regarded as affording any rights additional to those provided under the most recent revision of Section .1517 of the North Carolina Procedures or Section 504 of the Vocational Rehabilitation Act and/or federal laws and regulations. (Recent amendments to Individuals with Disabilities Education Act (IDEA) give school authorities additional flexibility in protecting the safety of other students when any student with a disability brings a firearm to school.)

If the parent or legal guardian of a handicapped child appeals a suspension or expulsion decision under the Procedures (Section .1517) "stay put", the right of a child to remain in his current educational setting pending the outcome of any appeals shall apply unless the guardians or, as a last resort, the courts give permission for the child's removal.

SYSTEMWIDE UNIFORM CONSEQUENCES FOR MISCONDUCT

The principal or his designee shall investigate and deal with incidents of alleged misconduct of students whenever:

- a student discipline problem is referred, or
- the alleged misconduct violates the Student Code of Conduct, or
- the principal determines that a situation exists which could pose a danger to persons or property or which seriously disrupts the learning environment.

The use of the following disciplinary consequences is based on the assumption that teachers and/or other student support personnel have utilized broad reasonable available discipline alternatives and preventive measures prior to referring the student to the principal or that the student's behavior presents harm or a significant risk of harm to others or property or a threat to the orderly operation of the school. The principal or his/her designee shall have the authority to suspend for ten days or less any student who violates the Student Code of Conduct by applying the Systemwide Uniform Consequences for Misconduct. The principal or his/her designee may suspend a student for more than ten days with prior approval of the superintendent following an infraction of the Student Code of Conduct.

School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:

- to quell a disturbance threatening injury to others;
- to obtain possession of weapons or other dangerous objects on the person or within the control of a student;
- for self-defense;
- for the protection of persons or property;
- to restrain or correct students and maintain order; and
- to maintain order on school property, in the classroom, or at a school-related activity on or off school property.

Infractions of the Student Code of Conduct are grouped in classes of offense. Class of offense relates to the degree to which the behavior disrupts the orderly educational process in the school in terms of their effect on the behavior of others and the degree to which the behavior presents a potential for harm to others. For each rule a range of consequences is provided as appropriate responses depending upon the judgment as to:

- the degree to which the behavior disrupts the orderly educational process in the school;
- the degree to which the behavior presents a potential for harm to others or property;
- the degree to which the behavior harms others or property;
- the student's unresponsiveness to reasonable available discipline alternatives and preventive measures prior to the referral to the principal or his/her designee.

GENERAL PROVISIONS AND DEFINITIONS

- A. **Appeal To Long-Term Suspension** (See Pamlico County Board Policy 6516.2)
The policy of the Pamlico County Public Schools Board of Education provides that a child suspended for more than ten (10) days or expelled from school shall have the opportunity for a hearing. If such a hearing is desired, the parent or student

must so indicate in writing to the superintendent's office within three (3) calendar days after being informed in writing of the suspension. The parent or student may bring witnesses, documentary evidence and engage an attorney if so desired.

- B. **Assignment to the Alternative Learning Center (ALC) Program** - A long-term suspension could be waived at the discretion of the superintendent and a student could be assigned to the Alternative Learning Center Program. Students in grades 6-10 who have repeated or subsequent offenses may be assigned to the ALC.
- C. **Expulsion** - Expulsion from the Pamlico County Public Schools is a **permanent** action in which the student is denied attendance at any school within the county. Expulsion may be exercised only when the student is at least fourteen (14) years or older and whose behavior shows that the student's continued presence at school threatens the safety of other students or employees. Expulsion may be recommended by the principal and Superintendent and approved by the school board. (Pamlico County Policy 6517)
- D. **Immediate Removal from School** - If the principal witnesses or is made aware of serious student misconduct and believes that immediate removal of the student is necessary to restore order or to protect persons or school property on the school grounds, she/he may suspend the student immediately. In all cases, minimal due process (notice of the charge and an opportunity for the student to explain his version of what happened) must be given to the student as soon as is reasonably possible.
- E. **In-School Suspension** - In-school suspension is used as a disciplinary procedure which allows students to remain in the school environment where their conduct and academic progress can be closely supervised by school personnel. In-school suspension also prevents the student from accumulating excessive days of absence. **Any student assigned to in-school suspension will not be allowed to participate in school sponsored activities during the time of his/her in-school suspension and may be required to perform "community service" activities (i.e. pick up trash, police the grounds, and other cleaning duties).** Parents should be notified of the suspension in a timely manner by letter or phone.
- F. **Long-Term Suspension** - A long-term suspension is removal from school for more than ten (10) days. Following an investigation, if the principal determines that long-term suspension is appropriate, she/he shall invoke a short-term suspension of ten (10) school days and inform the student and parent that the superintendent is being requested to approve long-term suspension. The student and parent shall be provided a copy of the Due Process Procedures. (Pamlico County Policy 6516)
- G. **Loss of Driving Privileges** - amount of time to be determined by the principal. May be used for repeated class cuts, leaving school without permission, repeated tardies, reckless driving, truancy, or other offenses that are appropriate.
- H. **Pamlico Alternatives to Suspension (PATS)** – PATS is designed to target at-risk youth who have been suspended for three to ten days. Schools within the district and local agencies will combine community service with completing assigned schoolwork successfully in a structured environment. The decision to assign a student to PATS rests with the principal and is based on what is in the best interest

of the student, assigned agency/school, student maturity, severity of infraction, cooperation of parent and student and discipline record.

- I. **Parent** - Parent is the parent(s), guardian(s), or individual(s) standing "in loco parentis," as appointed by a court of law, of a student.
- J. **Parent Visitation** - A student who breaks the Student Code of Conduct may be given the opportunity by the principal to have one of his/her parents attend school with him/her for a day and attend class with him/her. This disciplinary action is decided solely by the principal and will not be used when serious conduct infractions have occurred.
- K. **Principal** - Principal shall include assistant principals.
- L. **Saturday In-School Suspension** - May be used in some schools in lieu of in-school or out-of-school suspension. Students will attend school at a time set by the school on Saturday and will be required to perform "community service" activities (e.g., pick up trash, police the grounds, and other cleaning duties). (Pamlico County Policy 6511) Parents should be notified of the suspension in a timely manner by letter and or phone.
- M. **Search of Student Lockers** - Student lockers are school property and remain at all times under control of the schools; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student or parent consent, and without a search warrant.
- N. **Short-Term Suspension** - A short-term suspension is removal from school for a period of ten (10) school days or less. The principal may invoke a short-term suspension only after investigating the misconduct, confronting the student with the charges, and allowing for the student's response.
Note: A suspended student shall be provided an opportunity to take any quarterly, semester, or grading period examinations missed during the suspension. Once a principal has decided to invoke a short-term suspension, she/he shall make every effort to talk by telephone with the parent and shall mail or hand deliver a timely notice to the parents and superintendent stating the charges against the student and the length of the suspension.
- O. **Restitution** - The replacement of, or payment for, property taken, damaged, or destroyed shall be sought, including discovery cost. (Reward money)
- P. **Restrictions During "Any" Suspension**
 - 1. Student is not to be on any school campus in Pamlico County without special permission from the school principal.
 - 2. Student cannot participate in or attend any school-sponsored activity without written permission from the school principal.

Legal Reference: G.S. 115C-390, -391; 20 U.S.C. § 141.5

Adopted: June 5, 2000

Revised: August 7, 2006

Revised: September 4, 2007

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The following list of rules for Pamlico County Schools is provided as guidance for students, parents, teachers and administrators. This cannot be an all-inclusive list; however, administrators shall use their discretion in dealing with all specific behavior that violates the principles set forth in this policy. Consideration is to be given to the student's cognitive and developmental ability to appreciate the significance of his/her behavior and to assume responsibility for behavior.

Circumstances and degrees of involvement could mitigate an otherwise serious offense or make an otherwise minor offense more serious. The disciplinary measures specified in this Code shall be considered guidelines applicable to most cases. Particular facts and circumstances may justify a sanction that is more or less severe than the specified disciplinary measure, except as otherwise required by law. **A student who violates more than one section of this Code may be subject to more severe disciplinary action than is specified for any single violation.**

Each school staff will establish the need for acceptable social conduct. Each school staff will cooperatively develop a good school climate and positively directed rules and regulations, including a continuum of disciplinary consequences.

- Schools will operate under existing federal, state, local and Board regulations.
- Discipline is the responsibility of all personnel.
- Principals will assign all authority roles.
- Teachers and principals will develop procedures for communications concerning disciplinary action taken.

When a school official learns or reasonably believes that any student has violated any Board or school policy, rule or regulation that may also be a criminal violation of the laws of the United States or the State of North Carolina, he shall determine whether it is necessary or appropriate to report such violation to the proper law enforcement agency. In such cases, school officials shall cooperate fully with the law enforcement agency; however, internal disciplinary proceedings shall proceed independently from the criminal investigation and prosecution.

General Statute 115C-288 requires certain acts to be reported by the principal to law enforcement. Those acts are: assault resulting serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law. In addition to those that are specifically spelled out in North Carolina General Statutes all larcenies, extortion as well as extortion attempts, robbery (armed or common law), hate crimes, stalking, possession of any explosive or incendiary device or arson/attempted arson should be immediately reported to law enforcement officials. The superintendent's office shall be notified.

This policy pertains to all students in the Pamlico County Schools while they are on the campus of any school in the Pamlico County School System, while they are participating in any activity sponsored by the Pamlico County Schools, while they are being transported in a vehicle owned or operated by the Pamlico County Schools, while they are awaiting pick-up at a bus stop, while going to or from a bus stop, in route to and from

school or a school-sponsored activity, while they are representing Pamlico County Schools in any way or while students are off campus if the incident was initiated or aggravated at school or if the incident could disrupt the school environment. In circumstances where student behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of employees or other students, a student may be suspended or expelled regardless of where the acts and conduct occur. **(It is expected that any subsequent infraction will build upon disciplinary actions of previous infractions.)**

Students have the responsibility to comply with the rules of their individual school and the school system to pursue the prescribed courses of study and to submit to the lawful authority of teachers or school officials and the law. **Students will also be subject to random searches for weapons or contraband in accordance with state and federal law.**

In any case where out-of-school suspension is utilized, a parental conference with the principal and/or teacher(s) is required before re-entry into school. (If the parent/guardian cannot or will not come to school for a conference, the student may come back to school at the discretion of the principal.) Parents are to be notified concerning any rule violation and should be informed of all out-of-school suspensions by phone if at all possible. If parents are not available by phone, a letter should be mailed in a timely manner. All rule infractions will be retained in the Pamlico County NCWISE Database.

CLASS I

RULE 1 CLASSROOM AND EXTRACURRICULAR DISRUPTION OR DISTRACTION—LASER POINTERS OR SIMILAR DEVICES PROHIBITED

The act of disruption or distraction which affects the normal education process or interferes with any school extracurricular activity, including, but not limited to, interrupting the class, provoking other students or talking excessively. Laser pointers are prohibited. If a student uses a laser pointer, or similar devices, in a way that reasonable could or does cause physical harm, the laser pointer may be considered a dangerous instrument and the student may be charged with violation of assault. See Rule 25, 26, and 29.

Grades 6-12

FIRST OFFICE REFERRAL: Verbal warning up to two (2) days in-school suspension.

SECOND OFFICE REFERRAL: Up to five (5) days in-school suspension. Special circumstances may warrant up to 2 days out-of-school suspension.

THIRD & SUBSEQUENT OFFICE REFERRAL(S): Up to three (3) days out-of-school suspension. Special circumstances may warrant suspension for remainder of the year.

RULE 2 BEING IN UNAUTHORIZED AREAS

Students shall not be in unauthorized areas during the school day.

- 1.
2. Grades 6-12

FIRST OFFENSE: Up to one (1) day in-school suspension.

SECOND OFFENSE: Up to three (3) days in-school suspension or up to two (2) days out-of-school suspension.

THIRD OFFENSE: Up to five (5) days in-school suspension or up to five (5) days out-of-school suspension.

RULE 3 SKIPPING (TRUANCY) SCHOOL ALL DAY OR ASSIGNED CLASSES DURING SCHOOL DAY

Students shall be on campus and in their assigned classes unless they have been authorized to be elsewhere by authorized personnel.

Grades 6-12

FIRST OFFENSE: Up to three (3) days in-school suspension. (Punishment may include but is not limited to before or after school detention, lunch detention, or Saturday detention.)

SECOND AND SUBSEQUENT OFFENSE(S): Up to five (5) days in-school suspension, loss of driving privileges.

UNEXCUSED TARDIES TO SCHOOL OR ASSIGNED CLASSES

It is imperative that students realize and recognize the importance of arriving at school on time and being punctual to class on a daily basis. Habits formed in school often determine habits after school. Punctuality is a habit that should be cultivated, practiced and endorsed.

TARDY TO SCHOOL OR CLASS: (Grades K-8)

The administration and teachers must be active in calling parents any time a child is absent. It should be stressed that good attendance will usually mean good grades. When appropriate, schools may also utilize lunch detention, before or after school detention, Saturday detention, , possible revocation of a student transfer if applicable, suspension of extracurricular opportunities, or in-school suspension as a means to emphasize the importance of attendance. **Schools shall not use out-of-school suspensions as punishment for being tardy to school.** Other methods of dealing with students who are tardy to school should also be explored by each school.

TARDY TO SCHOOL OR CLASS: (Grades 9-12)

- Students tardy to school will check in at the office and be issued a pass.
- Teachers will refer students who are tardy to class to an administrator.

FIRST OFFENSE (1 –5 Tardies): Up to one (1) day in-school suspension (ISS) (day/period)

SECOND OFFENSE (5 – 10 Tardies): Up to two (2) days ISS and possible loss of driving privileges

THIRD OFFENSE (10+ Tardies): Up to three (3) days ISS, loss of driving privileges, mandatory parent conference

RULE 4 NON-COMPLIANCE WITH DIRECTIONS OF TEACHERS AND OTHER SCHOOL PERSONNEL OR PROVIDING FALSE INFORMATION

Students shall comply with all lawful directions of teachers, substitute teachers, teacher assistants, student teachers and any other authorized school personnel during any period in which they are subject to school authority. **At no time shall a student provide false information to a teacher or staff member.**

Grades 6-12

FIRST OFFENSE: Up to two (2) days out-of-school suspension.

(a)

SECOND OFFENSE: Up to five (5) days out-of-school suspension based on the severity of the offense. Additional community service duties, such as picking up trash from the grounds, etc., may be assigned.

THIRD AND SUBSEQUENT OFFENSE(S): Up to ten (10) days out-of-school suspension.

RULE 5 INAPPROPRIATE APPEARANCE OR CLOTHING

Appearance or clothing which is disruptive, provocative, indecent, vulgar, obscene, or which advertises illegal drugs or displays obnoxious or indecent signs, symbols or drawings, or which endangers the health or safety of the student or others is prohibited. Articles of clothing, which are patently offensive to race, creed, color, or sex will not be permitted. (Pamlico County Policy 6402)

I. Dress Which is Considered Inappropriate (This is not an all inclusive list.)

- any adornment such as chains, spike collars or spike wrist bands, etc. that could reasonably be perceived as or used as a weapon
- any symbols, styles or attire (such as bandanas) frequently associated with intimidation, violence, gangs, or violent groups

- articles of clothing that are patently offensive to race, creed, color, or sex
- attire with messages or illustrations that are lewd, indecent, or vulgar
- attire, jewelry, or buttons that display or promote drugs, smoking, alcohol, sex or violent behavior
- bell-bottom pants more than twelve (12) inches in width
- belts with excessive metal rings/materials and belt buckles in excess of two (2) inches
- excessively short or tight garments
 - form fitting spandex material, nylon, denim are prohibited
- excessively loose fitting clothing
- exposed undergarments
- holes/tears in any attire (usually not from wear)
- head covering of any kind (hats, do-rags, bandannas, etc.)
- hoodies for students in Grades 6-12. (Note: Students in Grades K-5 may wear hoodies except in the months of August, September, April, May & June.)
- jewelry affixed to the nose, tongue, cheek, lip, eyebrow, or any part of the facial area less the ears – only piercing of the ears will be permitted
- necklaces of any substance (metal, rope, etc.) in excess of twenty-four inches in total length
- pajamas and/or lingerie
- sagging pants - pants should not drag the ground when standing
- skirts, shorts, skorts, jumpers, dresses shorter than three (3) inches above the knee when standing
- sunglasses inside of school building to include on top of head
- sweaters and sweatshirts lower than two (2) – three (3) inches from the waistline
- tank tops, net shirts, see through tops, halter tops, spaghetti-strap tops, open midriff tops, etc.

The code for students also bans various modes of dress that would fall under the “disruptive behavior” category. Prohibited are dark glasses worn within a building, lack of appropriate foot covering, chains or jewelry that hang from wallets, studded collars and bracelets which may be used as a weapon, cause injury, or hinder movement.

ALL CLOTHING, TO INCLUDE SHOES, MUST BE THE APPROPRIATE SIZE FOR THE STUDENT. For example, the waist of the bottom wear should not be bunched or overlapped when a belt is worn. The length of the crotch should be in close proximity of one’s crotch. Shirts, to include undershirts, should not be excessive in length and the shoulder seams should be within one (1) inch of the shoulder.

The school dress code also applies any time a student is participating in a school event, in the school library, and when being transported on a school bus.

Any other disruptive clothing or attire as reasonably determined by the principal.

1st Offense

(1)One (1) day in-school suspension

Documentation will be placed in discipline file;

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.).

These may be returned at the end of the school year or earlier at the principal's discretion.

Parent notification

2nd Offense

One (1) day out-of-school suspension

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.).

These may be returned at the end of the school year or earlier at the principal's discretion.

Parent notification

3rd Offense

Maximum of 3 to 5 days out-of-school suspension

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.).

These may be returned at the end of the school year or earlier at the principal's discretion.

Parent notification

4th Offense

i)Maximum 5-10 days out-of-school suspension

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.).

These may be returned at the end of the school year or earlier at the principal's discretion.

Parent notification

Removal from athletic team and/or band/chorus for remainder of season

Possible assignment to the Alternative Learning Center

Loss of Prom privilege

RULE 6 CHEATING/INTEGRITY

Students shall not cheat on tests/examinations, not copy the work of another student nor assist a student who is attempting to copy his/her work, nor plagiarize work, nor complete in a dishonest or deceptive manner any type of academic assignment.

Grades 6-12

FIRST OFFENSE: Teacher conference with administration, student and parent(s) and a grade of zero (0) for assignment.

SECOND OFFENSE: Up to three (3) days in-school suspension and a grade of zero (0) for assignment.

THIRD OFFENSE: Up to three (3) days out-of-school suspension and a grade of zero (0) for assignment will be given.

RULE 7 INAPPROPRIATE INTERPERSONAL BEHAVIOR

Inappropriate public displays of affection or indecent exposure, as determined by school personnel, are not allowed. Examples are, but are not limited to, kissing, inappropriate touching, mooning, etc.

Grades 6-12

FIRST OFFENSE: Conference with students and parent(s). Up to two (2) days in-school suspension. Extremely inappropriate acts may result in out-of-school suspension for the remainder of the school year.

SECOND OFFENSE: Up to four (4) days in-school suspension or up to two (2) days out-of-school suspension. Extremely inappropriate acts may result in out-of-school suspension for the remainder of the school year.

THIRD OFFENSE: Up to five (5) days out-of-school suspension. Extremely inappropriate acts may result in out-of-school suspension for the remainder of the school year.

RULE 8 BUS MISBEHAVIOR

Students shall not engage in any type of behavior that interferes with the safe and efficient operation of the school bus and/or the safety of persons riding in the bus. Students at all times while riding a school bus or other school vehicle shall observe the directions of the school bus driver. **TO BE ALLOWED TO RIDE THE BUS IS A PRIVILEGE AND SHOULD BE TREATED AS SUCH.** All students are required to remain on their assigned bus during the entire bus trip with the exception of changing buses to continue their route or in an emergency situation.

Grades K-12

FIRST OFFENSE: Conference with student and parent contact. Up to three (3) days suspension from riding the bus.

SECOND OFFENSE: Up to five (5) days suspension from riding the bus.

THIRD OFFENSE: Suspension from riding bus for up to 10 days.

SUBSEQUENT OFFENSE: Students may be suspended from riding the bus for the remainder of school year.

RULE 9 USE OF TOBACCO PRODUCTS

Students **shall not use or possess** any type of tobacco products on school property during the time school is open for the school day or for any supervised school activities, or when being transported to and from school in a school financed vehicle. (This includes school-sponsored events such as dances, field trips, athletic functions, etc. or while participating or being under the direct supervision of a school staff member.) This policy is in effect for any Pamlico County student on any campus of the Pamlico County Schools.

Grades 6-12

FIRST OFFENSE: Up to three (3) days in-school suspension and enrollment and successful completion in a tobacco awareness program. Confiscate products.

SECOND OFFENSE: Up to three (3) days out-of-school suspension. Confiscate products. **Loss of driving privileges for one semester.**

THIRD OFFENSE: Up to five (5) days out-of-school suspension. Confiscate products. **Loss of driving privileges for one year.**

FOURTH OFFENSE: Fourth violation of this rule may result in out-of-school suspension for remainder of year. **Loss of driving privileges for one year.** Confiscate products.

A)RULE 9A USE OF WIRELESS COMMUNICATION DEVICES

Wireless Communication Devices may include: Personal Entertainment Devices, Cell Phones, Pagers, Two-Way Radios, CD/MP3 Players, Electronic Game Players or Games, Media Players, and Similar Devices, etc.

No student shall use, display, transmit or have in the "on" position on school property any wireless communication device or personal entertainment device, including but not limited to, cell phones, pagers, two-way radios, cd/mp3 players, and electronic game players or games, media players or similar devices until after the conclusion of the instructional day. At all times **during the instructional day, students shall turn off all wireless communication devices or personal entertainment devices and shall store them either in their locker, automobile, purse, or book bag.**

Any wireless communication devices or personal entertainment devices used, displayed, or possessed in the "on" position will be confiscated. Confiscated devices will be labeled by student names and the date confiscated. At the end of the confiscation period, the device(s) will be returned to the parent/guardian.

1ST OFFENSE: Confiscation for ten (10) school days.

2ND OFFENSE: Confiscation for one calendar month.

SUBSEQUENT OFFENSES: Confiscation for three calendar months and up to 10 days in school suspension.

NOTE: If the student has inappropriately used the picture cell phone or PDA, the incident may be forwarded to law enforcement to determine if a crime has been committed.

Principals may authorize individual students to possess and/or use for personal purposes wireless communication devices if, in the opinion of the principal, there is a reasonable need for such communication.

CLASS II

RULE 10 INSULTING, DISRESPECTFUL, ABUSIVE, PROFANE, OBSCENE WORDS, SIGNS, GESTURES, AND OTHER ACTS

Students shall not direct insulting, abusive, profane, obscene words, signs, gestures, and other acts toward other students, visitors, school employees, and other persons.

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension.

SECOND OFFENSE: Up to ten (10) days out-of-school suspension.

THIRD OFFENSE: Up to suspension for the remainder of school year.

RULE 11 SEXUAL HARASSMENT

Students shall not direct unwelcome sexual advances, requests for sexual favors, or other inappropriate oral, written, or physical conduct of a sexual nature to another student. Harassing conduct that is not sexual in nature but is directed against another student based on his or her gender is also prohibited. All students must be allowed to learn and work in an environment free from such harassment. **Law enforcement officials may be notified.**

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension.

SECOND OFFENSE: Up to ten (10) days out-of-school suspension.

THIRD OFFENSE: Up to suspension for the remainder of school year.

RULE 12 GAMBLING

Students shall not participate in any form of gambling or games of chance/skill for money and/or other items of value.

Grades 6-12

FIRST OFFENSE: Up to five (5) days in-school suspension.

SECOND OFFENSE: Up to three (3) days out-of-school suspension.

THIRD OFFENSE: Up to ten (10) days out-of-school suspension.

RULE 13 INAPPROPRIATE USE OF COMPUTERS/INTERNET/EMAIL/NETWORK/ETC.

Students shall not violate the Pamlico County Public Schools Appropriate Internet Use Policy (5451)

Grades K-12

FIRST OFFENSE: Up to five (5) days in-school suspension and loss of technology privileges.

SECOND OFFENSE: Up to three (3) days out-of-school suspension and possible loss of technology privileges.

THIRD OFFENSE: Up to ten (10) days out-of-school suspension and possible loss of technology privileges.

CLASS III

Class III rules refer to student behaviors which are disruptive to the educational process and may have the potential for physical injury to others. In cases in which these behaviors are violations of North Carolina General Statutes, **involvement of law enforcement officers will be required.**

a. Required Suspension of Driver's Permit Or License

General Statute 20-11 requires a student's driver's permit or license to be suspended one year by the Department of Motor Vehicles if a student is given an expulsion/suspension for more than 10 consecutive days or an assignment to an alternative educational setting for more than 10 consecutive days for one of the following reasons:

1. The possession or sale of an alcoholic beverage or an illegal controlled substance on school property.
2. The possession or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. 115C-391(d1) or that could have resulted in that disciplinary action if the conduct had occurred in a public school.

3. The physical assault on a teacher or other school personnel on school property.

Violations of Class III offenses shall be considered on their own set of facts and circumstances. Appropriate punishment shall be determined by the principal, superintendent, and the school board where appropriate. **The punishment set out under each Rule for first or second offenses is a guideline only. Any punishment, including expulsion of a student over 14 years of age, may be warranted in the circumstances, even for first offenses. Expulsion will be appropriate provided that the school board determines that the student's continued presence at school threatens the safety of other students or employees. The expulsion process in Policy 6517 shall apply.**

RULE 14 TRESPASSING

Students shall not willfully enter or remain in any school structure, conveyance or property without having been **authorized or invited**, nor refuse to depart after being directed to leave by **authorized** personnel. **Law enforcement may be notified based on the severity of the act.**

- No student shall be on the campus of another school in the Pamlico County Schools during the school day without the knowledge and consent of the officials of the school he is visiting.
- Students who loiter at any school after the close of the school day without specific need or supervision will be considered trespassers and may be prosecuted if they do not leave when instructed to do so.
- Any student who has been suspended from school may be considered trespassing if he appears on school property during the suspension period without the express permission of the principal.

A. Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension depending on severity of the act. Special circumstances may warrant out-of-school suspension for the remainder of school year.

SECOND OFFENSE: Up to out-of-school suspension for the remainder of school year.

RULE 15 MAKING AND/OR POSSESSING FIRECRACKERS OR SIMILAR DEVICES

Students shall not make or possess firecrackers or similar pyrotechnic, explosive, incendiary, or smoke-creating devices. **Law enforcement and parents shall be notified. For powerful explosives, see Rule 30.**

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for remainder of school year. Confiscate device.

SECOND OFFENSE: Confiscate device. Out-of-school suspension for remainder of school year.

RULE 16 EXPLODING FIRECRACKERS OR IGNITING SIMILAR DEVICES

Students shall not explode firecrackers or ignite pyrotechnic, explosive, incendiary, or other smoke-creating devices. **Law enforcement and parents shall be notified. For powerful explosives, see Rule 30.**

Grades 6-12

FIRST OFFENSE: Confiscate device. Up to ten (10) days out-of-school suspension. Special circumstances may warrant suspension for the remainder of the school year.

SECOND OFFENSE: Confiscate device. Out-of-school suspension for remainder of school year.

RULE 17 POSSESSION OR USE OF MARIJUANA, NARCOTICS, STIMULANTS, DEPRESSANTS, ALCOHOLIC BEVERAGES, ANY OTHER UNAUTHORIZED OR ILLEGAL SUBSTANCE OR DRUG PARAPHERNALIA, AND COUNTERFEIT FORM OF SAID SUBSTANCES

Students shall not possess or use marijuana, narcotics, stimulants, depressants, counterfeit form of an illegal substance, alcoholic beverages or any other unauthorized or illegal substance or drug paraphernalia. **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Confiscate substance. Up to ten (10) days out-of-school suspension with a minimum of five (5) days required if student is allowed to return during current school year. Special circumstances may warrant suspension for remainder of the year. Active involvement in a substance abuse/chemical dependency program if student is allowed to return to school.

SECOND OFFENSE: Confiscate substance. Out-of-school suspension for remainder of school year.

RULE 18 SALE, DELIVERY, OR DISTRIBUTION OF MARIJUANA, NARCOTICS, STIMULANTS, DEPRESSANTS, ALCOHOLIC BEVERAGES, AND ANY OTHER UNAUTHORIZED OR ILLEGAL SUBSTANCE, DRUG PARAPHERNALIA OR COUNTERFEIT FORM OF SAID SUBSTANCES

Students shall not sell, deliver, or distribute marijuana, narcotics, stimulants, depressants, counterfeit form of an illegal substance, alcoholic beverages, or

any other unauthorized or illegal substance or drug paraphernalia. **Law enforcement and parents shall be notified.**

Grades 6-12

Confiscate substance. A student who sells, delivers, or distributes marijuana, narcotics, stimulants or any other unlawful or unauthorized substance, drug paraphernalia or counterfeit form of such substance will be suspended out of school for the remainder of the school year.

RULE 19 MAJOR DISRUPTION OF THE SCHOOL ENVIRONMENT (INCITING OR PARTICIPATING IN A STUDENT DISORDER; i.e. riots, walk outs, sit-ins, assaults, etc.)

Students shall not lead, participate in, or encourage others to participate in major group disruptions, which adversely affect the educational process. **Law enforcement and parents shall be notified.**

FIRST OFFENSE: Minimum five (5) days out-of-school suspension, up to out-of-school for remainder of school year.

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

RULE 20 PARTICIPATION IN A GANG OR GANG ACTIVITY THAT DISRUPTS THE NORMAL SCHOOL ENVIRONMENT

Students shall not lead, participate in, or encourage others to participate in a gang or gang activity. (A "gang" is defined as group who organizes for unlawful activities or to harass or intimidate others.) **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Minimum five (5) days out-of-school suspension, up to out-of-school for remainder of school year.

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

RULE 21 UNJUSTIFIED ACTIVATION OF A FIRE ALARM OR MAKING A FALSE REPORT OF AN EMERGENCY

Students shall not activate any fire alarm unless authorized to do so by school employees, or unless there are reasonable grounds for the student to believe an actual emergency condition exists. At no time shall a student call in or in any other manner communicate a false report concerning a bomb, other explosive device, or any emergency situation. **Law enforcement and**

parents shall be notified.

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for the remainder of the school year.

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

BOMB HOAXES:

THE BOARD OF EDUCATION SHALL SUSPEND FOR 365 CALENDAR DAYS ANY STUDENT WHO, BY ANY MEANS OF COMMUNICATION TO ANY PERSON OR GROUP OF PERSONS, MAKES A REPORT, KNOWING OR HAVING REASON TO KNOW THE REPORT IS FALSE, THAT THERE IS LOCATED ON EDUCATIONAL PROPERTY OR AT A SCHOOL SPONSORED ACTIVITY OFF EDUCATIONAL PROPERTY ANY DEVICE DESIGNED TO DESTROY OR DAMAGE PROPERTY BY EXPLOSION, BLASTING, OR BURNING, OR WHO, WITH INTENT TO PERPETRATE A HOAX, CONCEALS, PLACES, OR DISPLAYS ANY DEVICE, MACHINE, INSTRUMENT, OR ARTIFACT ON EDUCATIONAL PROPERTY OR AT A SCHOOL-RELATED ACTIVITY ON OR OFF EDUCATIONAL PROPERTY, SO AS TO CAUSE ANY PERSON REASONABLY TO BELIEVE THE SAME TO BE A BOMB OR OTHER DEVICE CAPABLE OF CAUSING INJURY TO PERSONS OR PROPERTY. [G.S. 115C-391] UPON CONVICTION, THE COURTS MUST REVOKE THE PERMIT OR LICENSE OF A PERSON UNDER THE AGE OF 18 PER G.S. 20-13.2. STUDENTS AND PARENTS MAY BE HELD RESPONSIBLE FOR ACTUAL COMPENSATORY AND CONSEQUENTIAL DAMAGES RESULTING FROM THE DISRUPTION OR DISMISSAL OF SCHOOL OR THE SCHOOL-SPONSORED ACTIVITY.

RULE 22 FIGHTING AMONG STUDENTS

Students shall not fight other students. If a student is a victim of a sudden, unprovoked attack or fight, he/she may defend himself/herself long enough to disengage from fighting to report it to an appropriate school official.

Students who instigate fights will be subject to the same consequences as those who are actually involved in fighting. Parents shall be notified.

If the fight results in injury, see Rule 26.

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension.

SECOND OFFENSE: Up to ten (10) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for the remainder of the school year.

THIRD OFFENSE: Out-of-school suspension for remainder of school year.

RULE 23 EXTORTION

Students shall not obtain through verbal or physical threats, coercion, or intimidation anything of value (personal property, money or information) from any other student or school employee. **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for the remainder of the school year.

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

NOTE: FULL RESTITUTION WILL BE SOUGHT.

RULE 24 THEFT, ROBBERY, BURGLARY OR DAMAGE TO SCHOOL OR PERSONAL PRIVATE PROPERTY OR POSSESSION OF STOLEN PROPERTY

Students shall respect school property and the personal property of other students, school employees, and other persons. Students shall not steal, rob, attempt to burn or convert school property and property of any other person or entity, nor cause damage to such property. **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year.)

SECOND OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year.)

THIRD OFFENSE: Out-of-school suspension for remainder of the school year.

NOTE: FULL RESTITUTION WILL BE SOUGHT.

RULE 25 VERBAL OR PHYSICAL ASSAULT (INCLUDING THREATS) OR

PHYSICAL INJURY TO SCHOOL PERSONNEL (THIS INCLUDES INJURY TO REAL OR PERSONAL PROPERTY)

Students shall not cause, attempt to cause or threaten to cause injury or harm to school employees, volunteers or visitors, or their property. Use of a laser pointer or similar device in a way that reasonably could or does cause harm or injury will be considered a violation of this rule. **Law enforcement shall be notified if there is a serious injury or at the discretion of the principal. Parents should be notified.**

Grades K-12

FIRST OFFENSE: Up to out-of-school suspension for remainder of school year, or up to 365 days per G.S. 115C-391, which states: Any student who is at least 13 years old who physically assaults and seriously injures a teacher or other school personnel shall either be removed to an alternative educational setting or be suspended for no less than 300 days but no more than 365 days.

RULE 26 VERBAL OR PHYSICAL ASSAULT OR PHYSICAL INJURY TO STUDENTS

Students shall not cause, attempt to cause or threaten to cause damage to property, physical or bodily injury to another student or her/his property. Use of a laser pointer or similar device in a way that reasonably could or does cause harm or injury will be considered a violation of this rule. Law enforcement shall be notified if there is a serious injury or at the discretion of the principal. **Parents should be notified.**

Grades K-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year.)

SECOND OFFENSE: Up to out-of-school suspension for remainder of school year. The out-of-school suspension may continue for up to 365 days if a student at least 13 years old physically assaults another student and the assault seriously injures the other student or he is witnessed by school personnel. See G.S. 115C-391.

RULE 27 HAZING

Students shall not commit any act of hazing. Hazing is defined as follows: "To subject another student to physical injury as part of an initiation, or a

prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or similar group." Any student who aids or abets hazing shall be disciplined as a principle actor. **Law enforcement and parents shall be notified. Law enforcement notification is mandatory.** Hazing could result in criminal conviction.

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant expulsion.)

SECOND OFFENSE: Out-of-school suspension for remainder of school year. (Special circumstances may warrant expulsion.)

RULE 28 BULLYING, HARASSMENT AND DISCRIMINATION

Bullying, harassment, and discrimination are prohibited in the Pamlico County schools. The Pamlico County schools and staff shall not tolerate any bullying, harassment, or discrimination on school property and grounds or at any school activity on or off campus. A student shall not bully, harass or discriminate against another student, a staff member, a volunteer or any other person.

Bullying, harassment and discrimination are defined in policy 3037/4037/8337, Prohibition of Bullying, Harassment and Discrimination. Students who have been subjected to bullying, harassment or discrimination shall report the behavior to the school principal or other person designated by that policy.

Retaliation against any person for reporting bullying, harassment, or discrimination is prohibited and is considered a violation of this Rule 28.

Any violation of this policy is considered a serious violation and appropriate action will be taken in response to a violation.

Consequences for Grades K-12

- FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant expulsion.)
- SECOND OFFENSE: Out-of-school suspension for remainder of school year. (Special circumstances may warrant expulsion.)

RULE 29 WEAPONS AND/OR OTHER DANGEROUS INSTRUMENTS

Students shall not possess, handle, transmit or conceal any weapon (as defined by NC General Statute 14-269.2) or any other instrument that could cause bodily harm or be used to threaten bodily harm. Use of a laser pointer or similar device in a way that reasonably could or does cause harm or injury will be considered a violation of this rule. **Law enforcement and parents shall be notified.**

POSSESSION OF FIREARMS OR POWERFUL EXPLOSIVES SHALL BE GOVERNED BY RULE 30.

A "weapon" includes any loaded or unloaded firearm, including a gun, pistol, or rifle; fireworks or explosives, including a bomb, grenade, or mine; ammunition; knife, including a pocket knife, bowie knife, switchblade, dirk, or dagger; or other weapon, including a slingshot, slungshot, leaded cane, blackjack, metal knuckles, BB gun, air rifle, air pistol, stun gun or other electric shock weapon, ice pick, razor or razor blade (except solely for personal shaving), or any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance; or a facsimile of a gun, incendiary device, or other object that can reasonably be considered a weapon or dangerous instrument.

No student shall knowingly or willfully cause, encourage, or aid any other student to possess, handle, or transmit any of the weapons or facsimiles of weapons listed above.

Grades 6-12

FIRST OFFENSE: Confiscate weapon or device. Up to ten (10) days out-of-school suspension. (Special circumstances involving an assault may warrant out-of-school suspension for the remainder of the school year.)

SECOND OFFENSE: Confiscate weapon or device. Out-of-school suspension for remainder of school year.

RULE 30 POSSESSION OF FIREARMS OR POWERFUL EXPLOSIVES

Students shall not bring to school or possess, handle, transmit or conceal any firearm or powerful explosive. **Law enforcement and parents shall be notified.**

For purposes of this rule, a "firearm or powerful explosive" has the same meaning as a "weapon" in G.S. 115C-391(d1) and includes:

- Any gun, rifle, pistol, or other firearm of any kind, except for a BB gun, stun gun, air rifle or air pistol; and

- Any dynamite cartridge, bomb, grenade, mine, or powerful explosive, except for fireworks.

This section shall not apply to pupils who are members of the Reserve Officer Training Corps and who are required to carry arms or weapons in the discharge of their official class duties; nor does this section apply to weapons used in school-approved instruction or ceremonies.

Grades 6-12

If a student brings a weapon to school or possesses a weapon at school; confiscate firearm or weapon. Out-of-school suspension for 365 days (a calendar year) pursuant to GS 115C-391(d1).

RULE 31 SEXUAL ASSAULT, SEXUAL OFFENSES, ETC.

Students shall not commit any sexual offense, sexual assault or take indecent liberties with any students or any person. **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year or expulsion.)

SECOND OFFENSE: Out-of-school suspension for remainder of year. (Special circumstances may warrant expulsion.)

RULE 32 OTHER NORTH CAROLINA CRIMINAL STATUTES AND LOCAL ORDINANCES NOT PREVIOUSLY COVERED

Students shall not violate any North Carolina Criminal Statute or local ordinances not previously covered. A student convicted of a felony or serious misdemeanor may be recommended for expulsion from Pamlico County Schools. (Any plea of nolo contendere or the entry of a "prayer for judgment" shall be deemed as a conviction for the purposes of this policy.) Law enforcement officials shall be notified.

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year and or exclusion from all extracurricular activities.)

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

Legal Reference:G.S. 14-269.2; 20-11, -13.2; 115C-288, -390, -391

Adopted: June 5, 2000
Revised: July 1, 2002
Revised: August 4, 2003
Revised: July 6, 2004
Revised: August 7, 2006
Revised: October 2, 2006
Revised: September 4, 2007
Revised: December 3, 2007
Revised: January 7, 2008
Revised: November 3, 2008
Revised: January 5, 2009
Revised: September 8, 2009
Revised: December 7, 2009

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A safe and disciplined learning environment is essential to maximize student achievement and to ensure that students reach their full potential. The Pamlico County Board of Education believes that a school dress code is a positive and cost effective way to create a more unified, positive, and safe school climate focused more strongly on the learning process. Research has demonstrated that an appropriate school dress code increases school safety by minimizing disruptive behavior, decreasing violence, helping prevent gang activity, instilling and improving discipline, and helping maintain the focus on learning. It is expected that a school dress code will promote respect for teachers, build school spirit, decrease unhealthy competition involving fashion trends and dress, ease the strain on parental clothing budgets, and allow for easy identification of intruders on campus.

For all of these reasons, the Pamlico County Board of Education is implementing a mandatory school dress code for students in grades kindergarten through twelve beginning in the 2006-2007 school year.

(1)Implementation

This mandatory school dress code shall be implemented for all students in grades kindergarten through twelve in Pamlico County Schools commencing in the fall semester of the 2006-2007 school year.

(1)Student and Parent Notification

It is the responsibility of the school principal to communicate the information contained in this policy so that students and parents are able to comply with the school dress code requirements.

(1)School Dress Code

A. Shirts and Blouses

1. **Shirts and blouses must be collared and have sleeves.** Pullover shirts, known as golf or polo shirts, turtlenecks, and button-down shirts or "oxford" shirts are acceptable.
2. The shirts and blouses must be of a solid color (i.e. black, white, etc.). Shirts and blouses with more than one color will not be permitted, to include stripes.
3. **Shirts and blouses may not bear any emblems, insignias, logos, or slogans, other than that of the student's individual school.**
4. **Shirts and blouses are to be tucked into bottom wear (pants/trousers/capris/skirts/shorts/skorts/blue jeans) at all times.**

5. **Baggy/oversized shirts and blouses are not permitted.**

B. Bottom Wear

1. Boys may wear shorts, pants, or blue jeans. Girls may wear shorts, dresses, pants, skirts, jumpers, skorts, capris, or blue jeans.
2. Navy, black and khaki-colored trousers and blue jeans are approved for wear. **Bottom wear with more than one color will not be permitted.** Bottom wear may not bear any emblems, insignias, logos, or markings other than small brand name and that will be no larger than 2 x 3 inches in size.
3. **Baggy/oversized pants are not permitted.** Pants and shorts with side pockets, known as “cargo” pants and shorts, may not have more than six pockets.
4. **All bottom wear must be worn at waist-level. Girls only may wear the “hip hugger design” bottom wear, but the shirt/blouse must be tucked into the bottom wear.** In grades 6-12, a belt should be worn with bottom wear that has belt loops. In grades K-5, belts will be encouraged as appropriate.
5. The length of shorts, skirts, skorts, dresses, and jumpers cannot be shorter than three (3) inches above the knee. Students shall not roll up one or both legs of shorts or pants.

C. Sweaters, Sweatshirts, and Undershirts

1. Sweaters, sweatshirts, and vests may be worn over a collared shirt with sleeves. Visible undershirts must be of a solid color. A sweater/sweatshirt is not to be worn in lieu of a collared shirt.
2. Sweaters, sweatshirts, vests, and undershirts may not bear any emblems, insignias, logos, or slogans, other than that of the student’s individual school.
3. Sweaters and sweatshirts must be waistbanded and worn no more than two (2) – three (3) inches below the waist and are not to be folded or tucked underneath.
4. **Baggy/oversized sweaters, sweatshirts and vests are not permitted.**
5. For students in grades 6-12, “hoodies” are not authorized for wear at anytime during the school day and/or during activities listed in paragraph J.

D. Jackets/Coats

1. Jackets must be appropriately sized and may not be baggy or oversized.
2. **Jackets must be removed upon entering the building in grades six through twelve.**

E. Shoes

1. Spiked heels are prohibited.
2. Bedroom shoes are prohibited.

3. Shoes must be tied and properly fastened at all times.
4. Oversized shoes are not authorized.

F. Identification Cards

Students will possess an ID card that is readily visible. (Grades 6-12)

G. Headwear

Headwear may not be worn inside the school building. This includes, but is not limited to: bandanas, rags, headbands, scarves, hats, combs, etc.

- H. **ALL CLOTHING, TO INCLUDE SHOES, MUST BE THE APPROPRIATE SIZE FOR THE STUDENT.** For example, the waist of the bottom wear should not be bunched or overlapped when a belt is worn. The length of the crotch should be in close proximity of one's crotch. Shirts, to include undershirts, should not be excessive in length and the shoulder seams should be within one (1) inch of the shoulder.

- I. Holes/tears in shirts/blouses, bottom wear, or any attire is prohibited.

J. Extracurricular Activities

1. Students participating as a member of a team and/or group in after school events continue to represent our community and Pamlico County Schools. Dressing inappropriately many times gives our community members or members of other communities a poor impression of the many positive things being accomplished by our students and our school system.
2. Students participating in after school, weekend, and summer **school sponsored activities** are to comply with dress code policy;
 - athletics
 - band/chorus
 - other school events (JROTC, etc.)
3. Time Period:
 - participating in an event
 - attending any school event
 - waiting for an event to begin (before a sports event/band concert/etc.)
 - after an event
 - traveling to and from an event
 - before or after practice and on school grounds
4. Coaches, directors, and event chairpersons are to ensure that students comply with the dress code policy. Students who do not comply will be reported to the school administration and disciplined in accordance with:
 - school discipline procedures, and
 - discipline measures as stipulated by the school athletic policy.

K. Application/Location/Time Period

The school dress code also applies any time a student is participating in a school event, in the school library, and when being transported on a school bus.

(1)Discipline

Compliance with this policy is mandatory. Generally, each school should strive to achieve full compliance with this policy through the use of positive reinforcement and incentive measures.

Students transferring in from other school districts will have a one-week grace period before compliance becomes mandatory but must still abide by the provisions in Section H. General Prohibitions.

Students enrolled in grades 6-12 and who violate the school dress code may be subject to various measures. For initial or minor violations, simply notifying the student and parent of the violation and immediately correcting the problem should be sufficient. **For repeated or patently offensive violations that demonstrate a conscious decision not to adhere to the school dress code requirements, the student may be subject to more severe discipline, up to and including in-school or out-of-school suspension.**

School administration shall employ a “progressive discipline” approach, with notification to the parents, so as to encourage full compliance with no more discipline than is reasonably necessary. The following disciplinary measures for students enrolled in grades 6-12 will generally apply to violations of this policy:

1st Offense

Write the School Dress Code

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal’s discretion.

Parent notification

2nd Offense

One (1) day in- school suspension

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal’s discretion.

Parent notification

3rd Offense

One (1) day out-of-school suspension

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These

may be returned at the end of the school year or earlier at the principal's discretion.
Parent notification

4th Offense

I. Maximum 5 to 10 days out-of-school suspension

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal's discretion.

Parent notification

Removal from athletic team and/or band/chorus for remainder of season

Possible assignment to the Alternative Learning Center

Loss of Prom privilege

(1) Special Considerations

A. Religious or Medical Exemptions

Principals shall exercise appropriate discretion in implementing this policy, including making reasonable accommodations on the basis of students' religious beliefs or medical conditions. The superintendent shall exempt a student from wearing the designated attire when it would impose a substantial burden on a medical condition or the exercise of a sincerely held religious belief, so long as the exemption does not result in a dangerous or disruptive situation. A parent, guardian or person in loco parentis of a student shall submit to the superintendent a written statement explaining the medical condition or religious belief and how it is affected by this policy. Examples of other circumstances in which the sincerity of the religious belief has been demonstrated may be submitted. If the superintendent has reason to believe the student does not qualify for the exemption, he shall refer the matter to the Board of Education attorney for further inquiry.

B. Exercise of Free Speech

A student wearing a nondisruptive button, armband or other accoutrement which constitutes a protected expression of free speech will not be in violation of this policy. The student may not wear such insignia as to circumvent the intentions of this policy. Administrators may regulate the size or style of such insignias to reduce disruption, but not to interfere with students' established legal rights.

C. Financial Hardships

Upon written request to the principal, Pamlico County Schools may assist compliance by families suffering financial hardships. Assistance will be given to those families that have substantial financial difficulty in adhering to this policy.

D. Exceptions

- 1. The school principal may approve certain items of clothing as spirit wear or encourage spirit apparel for particular school days or events.**
- 2. The school principal may allow students to wear athletic uniforms or jerseys that are related to school activities.**

E. Interpretation of Policy

The school principal or designee shall have authority to make all reasonable decisions and interpretations regarding the implementation of this school dress code. If a student, parent or guardian has questions about whether a particular item of clothing satisfies the school dress code, the student, parent or guardian is encouraged to ask the school principal or designee.

F. Staff and Community Involvement

The Board of Education believes that a school dress code policy is most effective when it is developed and accepted by the majority of staff and parents. The school principal shall seek input from school staff and parents in connection with the school dress code policy. The school principals may bring recommendations to the Board of Education from time to time if the school principals feel that changes or adjustments to the policy are desirable.

G. Additional Rules by School Principal

School principals shall have the authority to make rules and regulations that are not inconsistent with this policy.

H. General Prohibitions

Students may not wear clothing that has a reasonable likelihood of causing a substantial disruption or a material interference with the learning process. Dress and/or appearance prohibited under this section includes, but is not limited to:

- any adornment such as chains, spike collars or spike wrist bands, etc. that reasonably could be perceived as or used as a weapon
- any symbols, styles or attire (such as bandanas) frequently associated with intimidation, violence, gangs, or violent groups
- articles of clothing that are patently offensive to race, creed, color, or sex
- attire with messages or illustrations that are lewd, indecent, or vulgar
- attire, jewelry, or buttons that display or promote drugs, smoking, alcohol, sex or violent behavior
- bell-bottom pants more than twelve (12) inches in width
- belts with excessive metal rings/materials and belt buckles in excess of two (2) inches
- excessively short or tight garments
 - form fitting spandex material, nylon, denim are prohibited
- **EXCESSIVELY LOOSE FITTING CLOTHING**
- exposed undergarments
- head covering of any kind (hats, do-rags, bandanas, etc.)
- hoodies for students in Grades 6-12. (Note: Students in Grades K-5 may wear hoodies except in the months of August, September, April, May and June.)
- holes/tears in any attire (usually not from wear)

- jewelry affixed to the nose, tongue, cheek, lip, eyebrow, or any part of the facial area less the ears – only piercing of the ears will be permitted
- necklaces of any substance (metal, rope, etc.) in excess of twenty-four inches in total length
- pajamas and/or lingerie
- sagging pants - pants should not drag the ground when standing
- skirts, shorts, skorts, jumpers, dresses shorter than three (3) inches above the knee when standing
- sunglasses inside of school building to include on top of head
- sweaters and sweatshirts lower than two (2) – three (3) inches from the waistline
- tank tops, net shirts, see-through tops, halter tops, spaghetti-strap tops, open midriff tops, etc.

Adopted: April 3, 2006
Revised: April 2, 2007
Revised: August 4, 2008
Revised: December 1, 2008
Revised: August 3, 2009

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The Pamlico County Board of Education strongly believes that drug and substance abuse can be detrimental to the physical and emotional health and the academic performance of its students. It is from this belief and out of concern for students' well being that a random drug-testing program is initiated in the Pamlico County Schools.

The purpose of this drug testing program is to help students, not to be punitive.

Therefore:

- **A positive test will not result in suspension from school or notification to legal authorities.**
- **A first positive test will be reported only to the principal and parents and will not automatically result in ineligibility from any school activities.**
- **A student shall not be subject to suspension from school solely as a result of a random drug test unless the student is in violation of other portions of the Pamlico County Schools' Student Code of Conduct.**

I. FINDINGS

The Pamlico County Board of Education enacts this drug testing policy based on the following findings:

- A. Drug and substance abuse by students is a serious problem throughout the nation.
- B. There is a substantial problem of alcohol and drug abuse among Pamlico County students.
- C. The primary responsibility for addressing substance abuse by students rests with parents.
- D. The school system and the community at large also have a responsibility for addressing substance abuse by students.
- E. The Pamlico County Board of Education has implemented various prevention education and intervention programs to reduce substance abuse among Pamlico County students and is committed to addressing the substance abuse problem head-on rather than ignoring it.
- F. The U.S. Supreme Court has authorized the use of random drug testing of

- students who elect to participate in voluntary school activities that are privileges rather than rights.
- G. An increasing number of school districts in North Carolina and across the country have enacted random drug testing policies.
 - H. School districts that have enacted random drug testing policies report positive results in reducing drug use, discipline problems, and in fostering a school culture resisting drug abuse.
 - I. Students who participate in athletics and other voluntary extracurricular activities are representatives of the school system and are often role models for other students.
 - J. Students who voluntarily choose to drive to and from school are permitted to park on campus as a privilege. The school district has a particular interest in assuring the safety of these drivers and campus parking lots.
 - K. Students participating in driver education classes are subject to this policy. Driver education classes are not part of the school curriculum and are not required to meet graduation requirements.
 - L. A random drug testing policy of students engaged in voluntary school activities is likely to be an effective tool in reducing substance abuse.

II. GOALS OF RANDOM DRUG TESTING PROGRAM

The random drug testing program is not intended to punish students, but to help them. Goals of the random drug testing program are:

1. To educate students about the dangers and problems associated with drug use/abuse;
2. To deter drug use/abuse by students;
3. To identify students participating in extracurricular activities, driving to school or taking driver education classes who may be abusing drugs and to determine the identity of the drug(s);
4. To provide information to parents so that parents can take appropriate steps at the family level;
5. To motivate students to resist negative peer pressure;
6. To provide opportunities for counseling and treatment for any student who is determined to be using/abusing drugs;
7. To help ensure the safety of students who participate in athletics, extracurricular activities or driving privileges;
8. To remove the stigma of drug use/abuse from those students who do not use drugs;
9. To develop a drug-free program that produces students who can serve as role models and influence their peers to lead healthy and responsible lives; and
10. To complement the school system's overall drug education program.

III. STUDENTS SUBJECT TO RANDOM DRUG TESTING PROGRAM

1. All students in grades 7-12 who desire to participate in any of the following voluntary school activities or privileges must agree to participate in the random drug testing program:
 - Interscholastic athletics;
 - Other voluntary extracurricular activities;
 - Campus driving and parking privileges; and
 - Driver education classes.
2. Participation in the random drug testing program is mandatory only for students who elect to participate in the above voluntary activities, which are a privilege not a right. Participation in the random drug testing program shall not be required as a condition of attending school or enrolling in any for-credit class.
3. Any parent of a student in grades 7-12 has the opportunity to consent to the student voluntarily participating in the random drug testing program, whether or not the student is a participant in any of the privileged activities listed above. The same procedures will apply, as outlined in this policy, for all students participating in random drug testing.
4. The student and parent/guardian will be required to sign a Drug Testing Consent Form (RDT Form 1). The parent/guardian shall be given a copy of the signed Consent Form and this random drug testing policy. The original Consent Form shall be kept in the student's official file.
5. Students who desire to participate in the voluntary activities or privileges covered by this program shall sign the Consent Form (RDT Form 1), prior to fall athletic practice, at the beginning of the school year, or as soon thereafter as practicable. The Consent Form will authorize random drug testing for the student's entire school career.
6. A signed Consent Form may be revoked by a signed letter requesting withdrawal from the Random Drug Testing program. A student who withdraws will no longer be subject to random drug testing and will not be eligible for participation in the voluntary activities or privileges covered by this policy for a period of 365 days from the date of withdrawal.

IV. IMPLEMENTATION:

1. Key Implementation Roles
 - i. The Random Drug Testing Agency, using the NCWISE database, will generate a list of students eligible for testing. The names of the students selected for testing will be returned to the pool of students and may be selected again.
 - ii. Test Administrator. The drug testing samples will be taken by a Testing Administrator who shall be trained, qualified, and experienced in administrating

saliva drug testing and acquiring samples. This person will be from the Testing Agency or from the local Health Department.

- iii. Testing Agency. The testing agency will provide testing kits for implementation of the drug testing program. The testing agency will be an independent agency or entity and under contract with the Board of Education. This agency will also confirm positive samples taken at the school site.
 - iv. Medical Review Officer (MRO). The contracted Testing Agency shall employ or provide by subcontract a licensed physician as a Medical Review Officer.
 - v. Superintendent's Designee. The Superintendent may designate an employee of the school district to coordinate the district's drug testing program.
 - vi. Certified Substance Abuse Professional. Certified substance abuse professionals whose professional credentials are acceptable to the Superintendent or designee shall conduct substance abuse assessment and counseling services.
2. Role of school system employees. **Pamlico County Schools personnel shall not assist with the actual testing or physical collection of the samples and shall have no access to the test samples.** These functions will be carried out by the Testing Administrator. School system employees will be expected to call students from class and assist with coordinating testing as needed.
3. Random Selection. Eligible students will be randomly selected for testing by the Testing Agency using the following process:
- The Superintendent or designee shall maintain a list of all eligible students who have signed Consent Forms. The list shall be updated prior to each testing date.
 - Each eligible student on the list shall be assigned using the students' school number.
 - The Superintendent or designee shall provide the Testing Agency with a list of the students' numbers, categorized by school.
 - Prior to each testing date, the Superintendent or designee will notify the contracted Testing Agency as to what number or percentage of students will be tested.
 - The contracted Testing Agency shall randomly generate a list of student numbers representing students to be tested. Students who were absent on a testing date, after their previous selection under this random selection process, shall be added to the next randomly generated list. The list shall be provided to the Superintendent or designee.
 - The Superintendent or designee will match the randomly generated student numbers with the students' names and will notify each school

- which students are to be tested.
 - Selected students shall be pulled from class for testing on testing day. There shall be no advance notification of which students will be tested.
 - Documentation of the selection process shall be maintained.
4. Absences. A student who is absent on the day of a test shall be excused from testing, but shall be added to the sample to be tested on the next testing date. However, a student who is present at school on the day of testing and avoids testing by leaving campus (or cutting class) without a valid excuse for that day shall be considered as having refused to be tested.
 5. Refusal to Test or Tampering with a Test. A refusal to be tested, or an attempt to alter, substitute, adulterate or otherwise tamper with a test sample, shall result in the same consequences as a positive test.
 6. Frequency of Tests. Random drug testing will be conducted at least four times during the academic year. The dates of testing will not be publicized in advance.
 7. Location of Tests. To the extent possible, the testing will occur at the middle and the high school on the same dates.
 8. Number of students tested. Approximately fifty percent (50%) of eligible students at each secondary school will be tested in the course of a year. The Superintendent shall determine what number or percentage of eligible students are to be tested.
 9. Oral tests. Testing will be by saliva specimen.
 10. Confidentiality. All test results will be strictly confidential, including the maintenance of the sample throughout the collection and testing process. All reported results will be maintained by the Superintendent or designee in a locked file cabinet. Disclosure of test results will be limited to those who have a need to know in order to implement this policy. When under this policy a student becomes ineligible to participate in any voluntary activity, the principal shall inform the particular coach, teacher, or sponsor (or administrator for parking permits) that the student is ineligible.

V. SUBSTANCES TESTED FOR

Substances for which students will be tested shall include:

marijuana (THC)	cocaine	phencyclidine (PCP)
amphetamines/methamphetamine		opiates (Oxycontin,
Vicodin)		

alcohol

At the recommendation of the contracted Testing Agency and determination by the Superintendent, students may be tested for other or additional substances for which use by a minor is illegal.

VI. CONSEQUENCES OF POSITIVE TESTS

1. First Positive Test:

1. The student and student's parent/guardian are notified by the Principal.
2. The student is not precluded from participation in the voluntary activities subject to this program, as a result of the first positive test, provided the parent/guardian enrolls the student in a substance abuse treatment program approved by the Superintendent. If proof of enrollment is not provided to the Principal within ten (10) days, then the Principal shall promptly notify the Superintendent or designee, and the student shall be ineligible to participate in the voluntary activities covered by this policy until proof of enrollment is filed with the Principal.
3. The Principal shall provide the parent/guardian a list of resources for substance abuse assessment and intervention in the Pamlico County area.
4. The parent/guardian is encouraged to actively seek assistance for the student.
5. The student is subject to a mandatory retest after 30 days but within 90 days of the first positive test. The student will be identified by the Testing Agency for retesting on a regularly scheduled test date.
6. Failure to complete the programs will result in a 365-day extracurricular activity suspension, ineligibility, loss of driving privileges, and/or removal from driver education classes.

2. Second Positive Test:

1. Upon a second positive test at any time during the student's school career, the contracted MRO/Testing Agency/Testing Administrator/Principal shall notify the Superintendent or designee.
2. A conference will be scheduled between the school principal, the student, and the student's parent/guardian.
3. The student is ineligible to participate in the voluntary activities covered by this policy (interscholastic athletics, other extracurricular activities, parking privileges and driver education classes) for 365 calendar days unless the student regains eligibility earlier, as provided below.
4. The student may regain eligibility prior to 365 calendar days upon compliance with all of the following requirements:
 - Eligibility to participate in school activities as noted in paragraph III. 1

may be restored if the student and the student's parent or guardian successfully

completes a prior approved drug abuse and/or intervention program at the student/parent's expense. The program selected by the parent or student must have prior approval from Pamlico County Schools. Upon enrollment in an approved program, the student shall regain eligibility to participate in athletics, cheerleading, extra-curricular groups, to operate/park a motor vehicle on campus and participate in driver education classes after 10 school days. Failure to complete the program will result in reinstatement of the 365-day ineligibility consequence.

- The student shall satisfy the substance abuse assessment/counseling requirement of Section VII below. For a second positive test, the student is considered in compliance once he or she has completed the substance abuse assessment and is participating in any recommended counseling or treatment program.
 - The parent/guardian shall supply to the Principal a certification of completion from the student's physician or counseling agency.
 - A student shall test "negative" on a retest prior to regaining eligibility. This retest may be the mandatory retest provided in subsection C. 4 below, or may be a privately arranged test by a licensed drug testing agency acceptable to the Superintendent or designee. A privately arranged drug test shall be at the expense of the parent/guardian.
5. The student will be subject to a mandatory retest after 30 days but within 90 calendar days of the second positive test.

C. Third Positive Test:

1. Upon a student's third positive test any time during the student's school career, the Principal shall notify the Superintendent or designee.
2. A conference will be scheduled between the student's parents, the student, and school principal.
3. The student will be ineligible to participate in the voluntary activities covered by this policy for at least 365 calendar days.
4. The student may regain eligibility after 365 calendar days, upon compliance with all of the following requirements:
 - The student shall satisfy the substance abuse assessment/counseling requirement of Section VII below.
 - The student will be subject to a mandatory retest before regaining eligibility.
 - The parent/guardian shall supply to the Principal a certification from the student's physician, and/or counseling agency.

VII. SUBSTANCE ABUSE ASSESSMENT/COUNSELING REQUIREMENT

Whenever a student is required to satisfy the substance abuse

assessment/counseling requirement of this policy, the student shall:

1. Undergo a substance abuse assessment by a licensed/certified substance abuse professional acceptable to the Superintendent or designee.
2. Provide the school principal with written certification by the licensed/certified substance abuse professional that the substance abuse assessment has been completed.
3. Undergo counseling/treatment or other intervention, if any, as recommended by the licensed/certified substance abuse professional. The Board of Education will not specify requirements of any such counseling/treatment or intervention, as this will be based on the student's individual needs. The Board of Education's interest is that the student receive whatever assistance is appropriate for the particular individual.
4. After a second positive test, eligibility may be regained prior to completion of the counseling/treatment program, as long as the student has undergone a substance abuse assessment and is in the process of complying with any recommended counseling/treatment program.
5. After a third positive test, eligibility will not be regained until the licensed/certified substance abuse professional certifies that the student has successfully completed any recommended counseling/treatment program.
6. Failure to fully cooperate or comply with substance abuse assessment or any counseling/treatment program recommended by the licensed/certified substance abuse professional shall make the student ineligible for participation in the voluntary activities covered by this policy.

VIII. TEST PROCEDURES AND SAFEGUARDS

1. Oral test. Testing will be by saliva specimen.
2. Screening test. The saliva specimen shall be screened using an OraliScreen 6 Panel Test or other screening test.
3. Confirming test. If the screening test indicates the presence of a controlled substance, the specimen shall be subject to a confirming test by gas chromatography/mass spectrometer (GC/MS).

4. Standards for positive test. The contracted Test Agency will use the standard cutoff scores generally used by SAMHSA (Substance Abuse and Mental Health Services Administration) for determining a positive test result.
5. Use of licensed laboratory only. The contracted Testing Agency must use a laboratory that is appropriately licensed by SAMHSA.
6. Expense. The expense, if any, of the assessment or counseling/treatment program shall be the responsibility of the parent/guardian, not the Pamlico County Schools. Grants may sometimes be available to defray costs.
7. Testing Responsibilities.
 - a. Respects the privacy interests of the student during collection of saliva samples.
 - b. Provides a secure chain of custody of each student's saliva sample.
 - c. Provides for screening and confirming tests which use generally accepted testing procedures at an approved laboratory.

IX. MEDICAL REVIEW OFFICER

1. Any confirming test reported as "positive" for the presence of a tested substance shall be reported to the MRO.
2. The MRO shall notify the Superintendent of the test results and provide an opportunity to present information, such as the documented use of a prescription medication or an over-the-counter drug, which would render an apparent "positive" result invalid or "negative."
3. Failure or refusal of the student or the student's parent/guardian to cooperate with the MRO shall constitute a refusal to test, which is considered a positive test.
4. The Principal shall inform the student and the student's parent/guardian of the opportunity for an additional confirming test at the student's/parent's expense using a 2nd sample of the student's saliva. If the additional confirming test is negative, the district will cover the costs.
5. If the MRO determines that an apparent "positive" test result is the result of a lawful use of a prescription or non-prescription drug, the test result shall be considered as "negative."
6. If the MRO determines that the test results are valid and positive, the MRO shall inform the Superintendent of this determination.

X. METHOD OF COLLECTION OF SALIVA SAMPLES

The following procedures shall be used for the collection of saliva specimens at the individual schools.

1. Notice of Collection. All students selected for testing at a school shall not be notified simultaneously. A school administrator, counselor or nurse will notify each student personally that he/she has been selected for testing immediately prior to testing. The student shall not be allowed to go to his/her locker for any reason. The student may not leave the testing area until he/she has provided a saliva specimen.
2. Cooperation. If the student refuses to cooperate with school employees or the Testing Administrator, the student's refusal to cooperate shall be treated as a "positive" test result.
3. Time of Collection. In general, saliva specimens will be collected as determined by the Testing Administrator in conjunction with a school administrator.
4. Collection Location, Supplies and Equipment. Each school and the Testing Administrator shall select by mutual agreement one or two rooms to use for collecting saliva samples.
5. Protection of Student's Privacy. The Testing Administrator shall view a student in the act of providing a specimen and shall monitor each student in a non-intrusive but controlled manner to detect any attempt to provide a false saliva specimen. Immediately upon receipt of a saliva specimen, it shall be tested to determine whether it is positive or negative.
6. Chain of Custody. The Testing Administrator shall implement procedures to ensure that each student's saliva sample is appropriately labeled and secured to prevent each sample from being lost, misplaced, or contaminated. At a minimum, the Testing Administrator shall:
 - a. Provide each student with a sanitized kit. The kit/sample will remain in the student's possession until a seal is placed on the container by the Testing Administrator. The student will sign a form certifying that the kit/container contains his/her saliva sample and that it has been sealed. The seal may be broken only by the lab testing the specimen.
 - b. After the specimen has been sealed, the specimen shall be transmitted to the testing laboratory by the Testing Administrator.
 - c. In order to maintain confidentiality, the specimen kit/container shall be labeled with the student's number and not the student's name.

7. Refusal or Inability to Provide Sample. The Testing Administrator shall implement appropriate procedures for use in the event a student refuses to provide a saliva sample or states that he/she is physically unable to provide a saliva sample. A refusal to provide a saliva sample will be treated as a “positive” test result.

a)XI. EVALUATION AND REVIEW OF POLICY

The Testing Administrator shall provide periodic statistical reports (without identifying students' names) to the Superintendent's designee, indicating the numbers of students tested and the numbers of first, second and third positive test results, by substance and by school. The Superintendent will make an annual report to the Board of Education regarding the impact of this policy.

A.XII. FORMS

- RDT Form 1—Student Consent and Parent Permission
- RDT Form 2—Superintendent Notification to Principal of Random Drug Testing Day
- RDT Form 2A—Superintendent Memorandum to Principal of Selected Students
- RDT Form 2B—Superintendent Follow-up Letter to Principal
- RDT Form 3—Student Information Sheet
- RDT Form 4—Principal Notification Letter to Parent of Testing
- RDT Form 5—Principal Notification Letter to Parent of Negative Results
- RDT Form 6—Principal Positive Notification Letter to Parent
- I. RDT Form 7—Parent-Principal RDT Conference

Legal References: U.S. Const., Amend. IV; N.C. Gen. Stat. 115C-47(4); Bd. of Education of Independent School Dist. No. 92 of Pottawatomie County v. Earls, 122 S.Ct. 2559 (2002)

Adopted: May 5, 2008

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There must exist a climate of discipline conducive to serious study and respect for oneself, other people and property for a school to meet satisfactorily the needs of youth. Each principal shall have the authority and be charged with the responsibility to take whatever reasonable and legal action is necessary to establish and maintain appropriate student behavior in accordance with Board policy. One of the basic goals of the Pamlico County Board of Education is to prevent dropouts, suspensions and expulsions. By the same token, the Board recognizes the absolute necessity of maintaining good order for the operation of effective and safe schools. Principals are authorized to take appropriate disciplinary actions in accordance with state law and these Board policies.

6500.1 Teachers shall have the responsibility and authority for discipline over students, except in those cases requiring the attention of the principal.

6500.2 Students may be referred to the school-based committee when:

- the teacher has requested assistance from the principal two or more times due to a student's disruptive behavior; and
- the teacher finds that the student's disruptive behavior continues to interfere with the academic achievement of that student or others in the class.

If a student is referred to the school-based committee because of disruptive behavior, the student is not required to be screened, evaluated, or identified as a child with special needs. A student may not refer a disciplinary matter on his behavior to this committee before discipline is imposed.

Before a school-based committee meeting can be held, the committee must provide reasonable notice to the student's parent, guardian, or legal custodian and encourage that individual to attend and participate in the meeting.

The following individuals may attend the school-based committee meeting:

- members of the school-based committee;
- the teacher requesting assistance;
- additional classroom teachers requested by the teacher seeking assistance;
- the student's parent, guardian, or legal custodian.

The school-based committee may take the following actions:

- advise the teacher on managing the student's behavior more effectively;
- recommend to the principal the transfer of the student to another class within the school;

- recommend to the principal a multi-disciplinary diagnosis and evaluation of the student;
- recommend to the principal that the student be assigned to an alternative learning program; or
- recommend to the principal that the student receive any additional services that the school or the school unit has the resources to provide for the student.

The recommendation of the school-based committee is final and not subject to appeal pursuant to N.C. Gen. Stat. § 115C-45.

If the principal does not follow the recommendation of the committee, the principal must provide written notice of action taken to resolve the matter and the reason the principal did not follow the recommendation of the committee to:

- the committee;
- the teacher who referred the matter to the committee; and
- the superintendent.

Legal Reference: G.S. 115C-47, -288, -307, -390, -391, -397.1.
Adopted: June 5, 2000

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6510

DISCIPLINARY ACTIONS

6510

It shall be the responsibility of the principal to investigate fully the cases of students appropriately referred to his office for misbehavior, and to determine such subsequent action as deemed warranted.

Legal Reference: G.S. 115C-47, -288, -390, -391
Adopted: June 5, 2000

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6511

IN-SCHOOL SUSPENSION

6511

The Board recognizes and approves the implementation and use of in-school suspension, Saturday in-school suspension, or assignment to the Alternative Learning Center as progressive disciplinary options and acceptable alternatives to more severe sanctions, in appropriate cases. The parent or guardian shall be notified when a child has been assigned to in-school suspension.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000
Revised: August 7, 2006

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6512

DETENTION

6512

If the principal deems it appropriate to require a student to stay after school for a stated period of time for a stated purpose, the principal may authorize such detention, provided the parent or guardian has received at least one day's notice. The parent or guardian shall be responsible for safe transportation of a student so detained.

Legal Reference: G.S. 115C-47, -288, -307, -390, -391
Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes that the most effective discipline is preventive and not punitive in nature. However, there are times when corrective actions become necessary. Such actions should be reasonable and aimed at improvement of behavior.

School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:

- (1) To quell a disturbance threatening injury to others;
- (2) To obtain possession of weapons or other dangerous objects on the person or within the control of, a student;
- (3) For self-defense;
- (4) For the protection of persons or property;
- (5) To restrain or correct students and maintain order.
- (6) To maintain order on school property, in the classroom, or at a school-related activity on or off school property.

Physical Restraint

Physical restraint shall be considered a reasonable use of force in the following circumstances:

- As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person;
- As reasonably needed to maintain order or prevent or break up a fight;
- As reasonably needed for self-defense;
- As reasonably needed to ensure safety of any student, school employee, volunteer, or other person present to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;
- As reasonably needed to escort students safely from one area to another;
- If used as provided for in a student's IEP or Section 504 plan, or behavior intervention plan; and

- As reasonably needed to prevent imminent destruction to school or another person's property.

Except in these circumstances, physical restraint shall not be considered a reasonable use of force and its use is prohibited by the Pamlico County Board of Education.

Mechanical Restraint

Mechanical restraint is permissible only in the following circumstances:

- When properly used as an assistive technology device included in the student's IEP or Section 504 plan, or behavior intervention plan, or otherwise prescribed for the student by medical or a related service provider;
- When using seatbelts or other safety restraints to secure students during transportation;
- As reasonably needed for self-defense; and
- As reasonably needed to insure the safety of any student, school employee, volunteer or other person present.

Except in these circumstances, mechanical restraint shall not be considered a reasonable use of force and is prohibited by the Pamlico County Board of Education.

Seclusion

Seclusion may be used in the following circumstances:

- As reasonably needed to respond to a person in control of a weapon or other dangerous object;
- As reasonably needed to maintain order or prevent or break up a fight;
- As reasonably needed for self-defense;
- As reasonably needed when a student's behavior poses a threat of imminent physical harm to himself or others or imminent substantial destruction or school or another's property;
- When used as specified in the student's IEP, 504 Plan, or behavior intervention plan, and the student is:
 1. Monitored in seclusion by an adult in close proximity who is able to see and hear the student at all times.

2. Released from seclusion upon cessation of behaviors that led to seclusion.
3. Confined in a space approved for such use by the Pamlico County Board of Education.
4. Confined in a space appropriately lighted, ventilated, heated or cooled, and free of objects that unreasonably expose the student or others to harm.

Except in these circumstances, the use of seclusion is not a reasonable use of force and is not permitted by the Pamlico County Board of Education. Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.

Isolation

Isolation is permitted as a behavior management technique provided that:

- The space used for isolation is appropriately lighted, ventilated, and heated or cooled;
- The duration of isolation is reasonable in light of the purpose of isolation;
- The student is reasonably monitored while in isolation; and
- Isolation space is free of objects that unreasonably expose the student or others to harm.

Time Out

Nothing in this policy prohibits or regulates the use of time out.

Aversive Procedures

An “aversive procedure” is a systematic physical or sensory intervention program for modifying behavior which causes or reasonably may be expected to cause:

1. significant physical harm, such as tissue damage, physical illness, or death
2. serious, foreseeable long-term psychological impairment
3. obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice

The use of aversive procedures is prohibited in the Pamlico County Schools.

Reporting Requirements

School personnel must promptly notify the principal or designee of:

1. Any use of aversive procedures.
2. Any prohibited mechanical restraint.
3. Any use of physical restraint resulting in observable physical injury to a student.
4. Any prohibited use of seclusion or seclusion that exceeds ten minutes or the amount of time specified in the student's behavior intervention plan.

When the principal or designee has personal knowledge or actual notice of any of these events, the principal or designee shall promptly notify the Superintendent and the student's parent or guardian and provide the name of the school employee that the parent or guardian can contact regarding the incident. This notification should occur at the end of the work day during which the incident occurred when reasonably possible, but never later than the end of the following work day. Within a reasonable period of time, but no later than thirty (30) days after the incident, the student's parent or guardian shall be provided with a written incident report that includes:

1. Date, time of day, location, duration and description of incident and intervention.
2. Events that led up to the incident.
3. Nature and extent of any injury to student.
4. Name of school employee to contact regarding incident.

The Superintendent or designee will maintain a record of all incidents required to be reported under this policy and shall provide this information annually to the State Board of Education.

The Pamlico County Board of Education and its employees are prohibited from retaliating against an employee for reporting an alleged violation of this policy unless the reporting employee knew or should have known the report was false.

Corporal punishment shall not be used in the Pamlico County Schools.

Nothing stated herein shall inhibit anyone from taking whatever action may be necessary in case of an attack on his person or in his own self-defense. Nothing stated herein prohibits the use of physical restraint, mechanical restraint, seclusion or any other use of force by law enforcement officers. Nothing stated herein creates a private right of action

against the Pamlico County Board of Education, its agents or employees.

The Superintendent may adopt regulations to implement this policy.

A.

B.

C. Legal Reference: G.S. 115C-47(45), -288, -307, -390, -391, -391.1

Adopted: June 5, 2000

Revised: August 7, 2006

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If the principal is informed of or witnesses any serious misconduct and thinks that immediate removal of the student is necessary to restore order or to protect school property or persons or the school grounds, he may suspend the student immediately for not more than three days and promptly shall notify the parent or guardian of this action.

In such cases the principal is not required to conduct an investigation before the suspension. If the principal decides to conduct an investigation and the findings warrant further disciplinary action, the total suspension time shall not exceed ten school days, unless the procedures for long-term suspension are implemented. When a summary suspension is used the principal is not to send the student from the campus without adequate transportation. The student may be allowed to spend the remainder of the day at school and ride the bus if the principal feels it is appropriate for him to do so. If the student's remaining on campus, in the principal's opinion, creates a dangerous situation, then the student should be removed immediately by parents, sheriff or any other way that protects the school and its participants.

Legal Reference: G.S. 115C-47, -288, -390, -391

Adopted: June 5, 2000

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Before invoking a short-term suspension, the principal shall inform the student of the nature and basis of the alleged misconduct. The student is required to respond truthfully and completely. The student should be encouraged to raise any defense felt to be available. The nature and extent of further investigation by the principal is left to the sound discretion of the principal taking into account all the facts and circumstances of a particular situation. If a student requests that the principal question witnesses named by the student, or if the student claims the need for additional time to present evidence which may exculpate him, the principal shall give due consideration to these requests.

If the principal finds the allegations true, he may invoke a short-term suspension and shall make every effort to confer with the parent or guardian at that time. A short-term suspension is a denial to a student of the right to attend school and to take part in any school function for any period of time up to ten (10) school days. Concurrent with the short-term suspension, the principal may suspend a student's eligibility to participate in extracurricular activities or other school functions for a period of time up to or exceeding ten (10) school days.

The removal of a student from his class by the classroom teacher, principal or other authorized school personnel for the remainder of the subject period or school day and his location in another room or place on the school premises shall not be considered a short-term suspension.

When a student is suspended, the principal shall send a statement to his parents and to the Superintendent fully describing the misconduct, stating the rule violated and stating the principal's reason for action. The principal shall keep on file all documents and relevant information received about the misconduct.

Decisions on short-term suspensions may be appealed to the Superintendent. Within ten days of receiving the Superintendent's decision, the student (or parent or guardian) may petition the Board of Education for a hearing. The Board of Education shall notify the person filing the petition of its decision whether or not to grant a hearing. The Superintendent may, in her discretion, postpone the disciplinary action pending the Board's decision.

Legal Reference: G.S. 115C-47, -288, -390, -391

Adopted: June 5, 2000

Revised: July 1, 2002.

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This policy applies to out-of-school suspensions for any period of time in excess of ten school days.

6516.1 ACTIONS BY PRINCIPAL AND SUPERINTENDENT

If the principal determines that a suspension beyond ten days is appropriate, the principal shall recommend such penalty to the Superintendent in writing. The principal's recommendation shall contain the nature of the offense and the recommended penalty. A copy of the recommendation shall be sent by registered mail to the parent of the student and to the student.

Deleted:

The Superintendent and principal shall confer to review the recommendation. The Superintendent may confer with the student and/or the parent. The Superintendent may adopt, modify or reverse the principal's recommendation. A copy of the Superintendent's decision shall be sent by certified mail, return receipt requested, to the student and parent. The Superintendent's decision may be appealed to the Board of Education.

Whenever a student receives a long-term suspension, the student and parent will be provided a copy of this policy and a notice informing the student of the following: 1) the right to appeal the Superintendent's decision to the Board of Education; 2) the right to seek judicial review of the Board's decision; 3) the information that will be included in the student's official record; and 4) the procedure for expungement of this information, as set out in Board Policy 6300.

If English is not the first language of the parent/guardian, the notice shall be written in English and also in the parent or guardian's first language when the appropriate foreign language resources are readily available. Both versions shall be in plain language and shall be easily understandable.

A long-term suspension may extend through the remainder of the school year. In circumstances involving serious assaults, weapons, bomb threats, or acts of terror, the suspension may extend up to 365 days.

6516.2

APPEALS TO THE BOARD

A student or parent who desires to appeal a long-term suspension decision by the Superintendent may do so by giving written notice to the Superintendent within three (3) calendar days of receipt of the Superintendent's decision. A student or parent who appeals a long-term

suspension must specify whether the appeal is challenging the alleged misconduct, the length of suspension, or both.

In the event of a timely appeal the Superintendent shall inform the Board chairperson and arrange a hearing before the Board (or a panel of the Board). If a notice of appeal is not received within the three (3) day period, there is no right to appeal or a hearing, and the suspension shall be final.

The long-term suspension imposed by the Superintendent need not be postponed pending the outcome of the appeal.

6516.3 BOARD HEARING PROCEDURES

The chairperson may appoint a panel of the Board consisting of at least three members to conduct the hearing and make a decision for and on behalf of the Board.

The hearing shall be held no later than the next regularly scheduled Board meeting or ten (10) calendar days after receipt of the written appeal, whichever is later. The Superintendent or designee shall send at least three (3) days written notice of the time and place of hearing and the offenses of which the student is accused to the student's parent and to the principal.

If the student or parent request a hearing but do not attend, the Board may conduct the hearing in their absence.

The following rules will govern the conduct of the hearing:

1. The hearing shall be conducted in private.
2. The student and parent may be present at the hearing. The student may be represented by an attorney at the hearing if the Superintendent is notified at least 2 school days prior to the hearing that the student will have an attorney present.
3. Witnesses should be present only when they are giving information. The hearing may be attended by the Board, the Superintendent, the principal and his administrative assistants, the student, his parents, and, if desired, his representative, and such other persons as the Board deems necessary.
4. The Board panel may consider the school records of the student as well as the testimony of any witnesses.
5. In presenting evidence, the principal or other representatives of the school have the burden of proof and shall present first the witnesses

and documentary evidence against the student. Next, the student or his representative may present evidence, including any documents and witnesses.

6. Both the principal or school representative and the student or his representative may examine the witnesses presented by the other side. The chairperson of the hearing panel has power to limit questioning by any person, if such questioning is unproductively lengthy or irrelevant.
7. The chairperson of the hearing panel shall provide for making a record of any information orally presented at the hearing.
8. After the evidence has been presented, all parties shall leave the hearing room, and the hearing panel shall reach its decision in private. The decision shall be based solely on the evidence presented at the hearing. If the student or parent challenges the factual allegations of misconduct, the decision shall set forth in writing the findings of fact upon which the decision rests. The chairperson of the hearing panel shall send a copy of the written decision to the Superintendent and the student's parents within three (3) school days after the hearing is completed. The Board of Education must be sure that: (1) the penalty was not excessive, 2) there was sufficient evidence to justify punishment, and (3) the proper procedures were followed.

6516.4 APPEAL TO SUPERIOR COURT

An adverse decision by the Pamlico County Board of Education may be appealed by the student to a court of law in accordance with Article 4 of Ch. 150B of the General Statutes. The person seeking judicial review must generally file the petition within 30 days after being served with the written copy of the board's decision.

Legal Reference: G.S. 115C-45, -47, -288, -307, -390, -391

Adopted: June 5, 2000

Revised: July 1, 2002

Revised: June 6, 2005

Revised: March 6, 2006

Revised: August 7, 2006

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EXPULSION

Upon recommendation of the principal and Superintendent, the Board may permanently expel a student who is fourteen (14) years of age or older and whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees.

The Superintendent shall notify the student and the student's parent/guardian of the Superintendent's decision to recommend expulsion, by certified mail, return receipt requested. A student or parent who desires a hearing before the Board on the expulsion recommendation must provide a written request for hearing to the Superintendent within three (3) calendar days of receipt of the Superintendent's recommendation. If a request for hearing is not received by the Superintendent within the three-day period, the student and parent shall have no right to a hearing and the Board may make a decision on the expulsion recommendation without a hearing.

If a timely request for a hearing is received, the Superintendent shall inform the Board chairperson and arrange a Board hearing. The expulsion hearing may be scheduled for the same time as a long-term suspension appeal hearing for the same conduct. The hearing procedures set forth in Rules 1 through 7 of Policy 6516.3 shall govern Board expulsion hearings. The chairperson may appoint a panel of the Board consisting of at least three members to conduct the hearing and make a decision for and on behalf of the Board.

The Board's decision to expel a student shall be based on clear and convincing evidence. Prior to ordering the expulsion of such a student, the Board shall consider whether there is an appropriate alternative program offered by the Board that may provide education services to the student.

When notice of an expulsion is given to a student or parent, this notice shall identify what information will be included in the student's official record, and the procedure for expungement of this information, as set out in Board Policy 6300. The notice shall also explain the right to appeal the expulsion. If English is not the first language of the parent/guardian, the notice shall be written in English and also in the parent or guardian's first language when the appropriate foreign language resources are readily available. Both versions shall be in plain language and shall be easily understandable.

The decision of the Board under this policy is final, subject only to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes.

Any student who has been expelled may request that the Board reconsider its decision at any time after the July 1 that is at least six months after the expulsion decision. If the student demonstrates to the Board's satisfaction that his presence in school no longer constitutes a threat to the safety of other students or employees, the Board shall readmit

the student and assign him to a school on a date the Board deems appropriate.

Legal Reference: G.S. 115C-47, -391

Adopted: June 5, 2000

Revised: July 1, 2002

Revised: March 6, 2006.

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To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student.

A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

6600.1 Personal Searches - A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

If a pat down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness present, when feasible.

If the school official has reasonable suspicion to believe that the student has on his or her person an item imminently dangerous to the student or to others, a more intrusive search of the student's person may be conducted. Such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the Superintendent or his designee, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures.

- A. Use of Metal Detectors - A metal detector may be used to search a student's person and/or personal effects whenever a school authority has reasonable suspicion to believe that the student is in possession of a weapon. The search must be conducted by a school official, or by the school resource officer in conjunction with school officials. The search will be conducted in private, when feasible.

A school is authorized to conduct general searches of students and their personal effects with a metal detector before a student enters the school campus or any school-sponsored extracurricular activity. Prior to initiating general searches, the school must substantiate to the satisfaction of the Superintendent the need for general searches

based upon a pattern of or potential for violence or disruption or, for

an extracurricular activity, a need for additional security. The Superintendent or principal should provide notice to students and parents of the school policy for general searches, but not necessarily of specific times or places where searches will be conducted. Any general search conducted pursuant to this policy must be conducted by a school official, or by the school resource officer in conjunction with school officials.

- 6600.2 Locker Searches - Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without consent, and without a search warrant.
- 6600.3 Automobile Searches - Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.
- 6600.4 Seizure of Illegal Materials - If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

Legal Reference: G.S. 115C-47, -288(e), -307(a)
Adopted: June 5, 2000
Revised: May 7, 2007

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6601

INTERROGATION

6601

If the interrogation of a student indicates that the completion of the interrogation should be carried out by a police officer or other legal officer, the principal shall make a reasonable attempt to notify the parents (except in cases of suspected child abuse or neglect by the parent) and give them an opportunity to be present at the time of questioning.

Legal Reference: G.S. 115C-36, -47, -288
Adopted: June 5, 2000

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6602

REPORTING VIOLENT ACTS

6602

A principal immediately must notify local law enforcement authorities and the Superintendent when the principal has personal knowledge or actual notice from school personnel that an act has occurred on school property involving any of the following: assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law. The principal should notify the superintendent and the superintendent should notify the Board of any reports made to law enforcement. Failure to make the required reports may subject the principal to a class 3 misdemeanor. School property includes any public school building, bus, public school campus, grounds, recreational area or athletic field, in the charge of the principal.

The Superintendent shall establish a procedure by which all acts of school violence shall be reported to the State Board of Education pursuant to State law and regulation.

Legal Reference: G.S. 115C-12, -47, -288
Adopted: June 5, 2000

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I.6603 SAFE SCHOOLS PLANS 6603

The Board requires the adoption of safe school plans setting forth, at each school, procedures for identifying and serving the needs of students who are at risk of academic failure or of engaging in disruptive or disorderly behavior. These procedures will also include mechanisms for:

- Assessing the needs of disruptive and disorderly students;
- Providing them with services for academic achievement and behavior modification; and
- Removing them from the class when necessary.

Safe School Plans shall comply with any applicable guidelines issued by the State Board of Education.

Legal Reference: N.C. Gen. Stat. § 115C-105.47(b)(5)(6).
Adopted: June 5, 2000

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I.6604 SCHOOL RESOURCE OFFICER PROGRAM 6604

In the interest of providing a safe and secure environment for students and school personnel, and consistent with the mandate of the Pamlico County Schools' Safe Schools Plan, the Pamlico County Board of Education has cooperatively arranged for deputies of the Pamlico County Sheriff's Department to serve as School Resource Officers (SROs) in designated schools.

SROs work in full cooperation with school administrators, faculty, staff, and students to: help maintain a safe and secure environment at the schools through the prevention of criminal activities and disturbances; help prevent juvenile delinquency; and serve as a resource for the dissemination of information regarding students' rights and responsibilities as citizens.

The following rules shall govern the SRO program.

6604.1 Basic Qualifications of SROs. An SRO shall meet the following basic qualifications:

- A. The SRO shall be a commissioned law enforcement officer with at least three years of law enforcement experience;
- B. The SRO shall possess sufficient knowledge of all applicable federal and state laws, including the Juvenile Code of North Carolina; County ordinances; and Board of Education policies and administrative regulations;
- C. The SRO shall be capable of conducting in-depth criminal investigations;
- D. The SRO shall possess an even temperament and set a good example for students; and
- E. The SRO shall possess good communication skills to enable the officer to function effectively within the school environment.

6604.2 Duties of SROs

- A. To protect lives and property in the school system;

- B. To provide law enforcement services to the school system;
- C. To investigate criminal activity committed on or adjacent to school property;
- D. To help prevent juvenile delinquency through close contact with students and school personnel;
- E. To counsel certain students, such as students suspected of engaging in criminal misconduct, when requested by the principal, the principal's designee, or the parents of the student;
- F. To answer questions that students may have about North Carolina criminal or juvenile laws, and to make classroom presentations at the request of the principal or teachers, but not give legal advice;
- G. To assist other law enforcement officers with outside investigations concerning students attending public school in Pamlico County;
- H. To provide security and/or traffic control for special school events or functions, such as PTO meetings or athletic events; and
- I. To provide traffic control during the arrival and departure of students when a school crossing guard is absent.

6604.3 Search and Seizure. In investigating crimes and performing interrogations, searches, and arrests of students, SROs shall at all times comply with applicable Pamlico County Sheriff's Department policies, as well as state and federal law.

6604.4 Enforcement of School Rules. Violations of school rules, as opposed to violations of the criminal law, should be handled at the school level by school personnel. SROs are available for advice, assistance, and consultation, but those matters that are the exclusive concern of the school administration and do not constitute violations of the law should be handled by school personnel. Where student misconduct involves a violation of both school rules and the criminal law, school personnel and SROs shall consult together about the situation and their respective roles.

6604.5 SRO Access to Education Records

- A. School officials shall allow SROs to inspect and copy any public records maintained by the school including student directory information such as yearbooks. SROs may not inspect and/or copy confidential student education records except in emergency situations, consistent with state and federal law.

- B. If information in a student's cumulative record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety, the need for the information to meet the emergency situation, and the extent to which time is of the essence.
- C. If confidential student records information is needed, but no emergency situation exists, the information may be released only upon the issuance of a search warrant, subpoena, or court order to produce the records, or upon consent of the parent or eligible student.

6604.6 Maintenance of SRO Records. Any arrest records, citations, charges, or other law enforcement documentation generated by SROs in the course of their law enforcement duties shall be: a) maintained separately from education records; b) maintained solely for law enforcement purposes; and, c) disclosed only to law enforcement officials of the same jurisdiction.

6604.7 Access to SRO Records. Any arrest records, citations, charges, or other law enforcement documentation generated by SROs in the course of their law enforcement duties shall be considered law enforcement records of the Pamlico County Sheriff's Department. Such records shall not be available to students, parents, school officials, or the general public, except as provided by law.

6604.8 Dress Code. SROs shall wear their regular Sheriff's Department uniform.

6604.9 Training. SROs shall be required to undergo appropriate in-service training as required under Sheriff's Department policy and state law. In addition, as directed by the Board of Education, all SROs may be required to engage in training tailored to the school system environment, such as the School Resource Officer basic and advanced training programs offered by the North Carolina Academy of Justice and the workshops and training sessions conducted by the Center for the Prevention of School Violence.

6604.10 Evaluation of School Resource Officers. The Superintendent (or his designee) shall annually evaluate the SRO program and the performance of each SRO.

Legal Reference: G.S. 115C-47, -402; Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and 34 C.F.R. Part 99.

Adopted: June 5, 2000

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6700

OPTIONAL STUDENT PROGRAMS

6700

The Board may from time to time elect to provide various optional programs or services to students.

Legal Reference: 115C-36, -40, -47, Art. 16
Adopted: June 5, 2000

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6710

FREE AND REDUCED PRICE MEALS

6710

Free or reduced price meals shall be served to students who qualify in accordance with current State guidelines. Such guidelines shall be available to the public in each school.

Legal Reference: G.S. 115C-47, -263, -264
Adopted: June 5, 2000

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A student accident insurance program shall be made available annually to all students on a volunteer basis. The premium will be assumed by the respective parent or guardian.

6720.1 Every student participant in a student activity which requires accident insurance shall be required to:

- A. Furnish proof of membership in the student accident insurance program, or
- B. Furnish proof that comparable coverage is carried in another insurance policy.

6720.2 Student activities requiring student accident insurance coverage or waivers are:

- A. Interscholastic athletic programs
- B. Intramural athletic programs
- C. Marching bands
- D. Cheerleaders
- E. Activities groups making overnight trips or excursions.

6720.3 In such programs as vocational education, it shall be the responsibility of the instructor to see that each firm or business providing work-study experience for a student carries appropriate insurance coverage for the protection of the student.

Legal Reference: G.S. 115C-36, -40, -47
Adopted: June 5, 2000

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The Board fully supports the law requiring any person, including any employee of the Pamlico County Board of Education, who has cause to suspect that a juvenile (less than eighteen years old who is not married or emancipated) is or has been abused or neglected by his or her parent or other person responsible for his care, or that a juvenile is "dependent" (needs assistance or placement because of the lack of a parent or caretaker or whose parent or caretaker is unable to provide supervision) or has died as the result of maltreatment, to report the case of that juvenile to the Director of the Pamlico County Department of Social Services. The Board endorses the active cooperation of all of its employees with the Department of Social Services in order that the Department of Social Services may investigate the report of alleged neglect or abuse, offer immediate protection to any child needing protection, and provide or arrange for services to help the parent solve those problems which lead to abuse or neglect. The Board shall actively support all employees who make a report of child abuse or neglect in good faith. Employees should be aware that the law protects from liability any person who makes such a good faith report and that the law presumes such reports to have been made in good faith.

- 6730.1 The Superintendent shall prepare and disseminate current regulations and procedures for reporting suspected child abuse and/or neglect.
- 6730.2 Periodic staff development opportunities shall be provided for all staff members on the subject of identifying and reporting suspected cases of child abuse or neglect.
- 6730.3 The Superintendent and all associate or assistant superintendents, personnel administrators and principals are required to inform the State Superintendent of Public Instruction when the reporting employee knows or has substantial reason to believe that a licensed employee:
- a) has been convicted or entered a plea of no contest in a criminal case involving physical abuse or sexual abuse of a child or student; or
 - b) has been dismissed on the basis of immorality pursuant to N.C. Gen. Stat. § 115C-325(e)(1)b for any behavior involving physical abuse or sexual abuse of a child or student; or
 - c) has committed any physical abuse or sexual abuse of a child or student.

Legal Reference: G.S. 7A-543 through -552; 115C-400; 16 N.C.A.C. 6C.0312

Adopted: June 5, 2000

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The Superintendent shall be responsible for the preparation and dissemination of a set of procedures concerning health services for students. Such procedures shall provide for timely review, cooperative agreements, reporting, and directions to employees of the school system.

Legal Reference: G.S. 115C-81(e1); Ch. 130A, Art. 6
Adopted: June 5, 2000

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5050

SCHOOL HEALTH EDUCATION PROGRAM

6750
5050

The Pamlico County Board of Education is committed to a sound, thorough school health education program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The Board recognizes the primary role of parents/guardians in providing for the health and well-being of their children and seeks to involve parents/guardians in the schools as provided in this policy. The school health education program provided by the school district will meet all requirements established by state and federal law, including the Basic Education Program, N.C. Gen. Stat. § 115C-81(e1). Further, the Board will follow the North Carolina Standard Course of Study for Healthful Living Education.

The Board's school health education program will encompass all major aspects of healthful living for students from kindergarten through ninth grade. As required by law, this program will include instruction on the benefits of sexual abstinence until marriage ("abstinence"), the avoidance of out-of-wedlock pregnancy, and the prevention of sexually transmitted diseases ("STD's") at appropriate grade levels.

A copy of all program objectives relating to abstinence until marriage, avoidance of out-of-wedlock pregnancy, or the prevention of sexually transmitted diseases will be available for review at any school where the program will be taught, prior to their use with students. Instructional materials relating to these topics will be available for review either at the school or at an identified central location. Before students may participate in a portion of a program that includes these topics, the school system will notify the parents/guardians of the opportunity to review the material and the right to withhold consent for the student to participate. Any parent/guardian wishing to withhold consent must do so in writing to the principal, on an annual basis. Otherwise, consent to the program is presumed.

A determination of what will be appropriate education for any student with identified exceptionalities will be made in accordance with the student's individualized education plan, following all procedures as provided in the North Carolina Procedures Governing Programs and Special Services for Children with Special Needs.

Contraceptives shall not be made available or distributed on school property. Further, the Pamlico County Board of Education and its employees shall not provide information to students about where to obtain contraceptives or abortion referral services, unless consent is given by the parent/guardian in person.

Legal References: N.C. Gen. Stat. 115C-36, Art. 9, -81(e1); Procedures Governing Programs and Services for Children With Special Needs

Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes the importance of students maintaining physical health and proper nutrition in order to take advantage of educational opportunities. The board further recognizes that student wellness and proper nutrition are related to a student's physical well-being, growth, development and readiness to learn. The board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience.

The Pamlico County Board of Education is also concerned about the prevalence of childhood obesity and consequent health implications during the remainder of their lives. In the short-term, overweight children may exhibit compromised health, with effects on school attendance and academic performance.

The Superintendent shall maintain procedures to carry out the goals of this policy, including a plan to evaluate the effectiveness of efforts to promote high-quality nutrition and physical activity programs.

A. School Health Advisory Council

The board will appoint a School Health Advisory Council to help plan, implement, and monitor this policy as well as other health and nutrition issues within the school district. Of those appointed to the council, there will be at least one person from each of the following groups: school board member, school district administrator, district food service representative, student, parent/guardian, a member of the public, a local health department representative, and a representative from each of the following school health areas: physical/health education, staff wellness, and mental and social health.

The council will assist the superintendent, or his designee, in creating an annual report, which includes the minutes of physical activity and the minutes of physical education and/or healthful living education received by students in the Pamlico County Schools each school year, and any other information required by the State Board of Education.

B. Nutrition Education

Nutrition Education and Healthy Living Skills shall be taught as part of the regular instructional program in order to provide opportunity for all students to understand and practice concepts and skills related to health promotion and disease prevention.

- Nutrition education will be provided in accordance with the North Carolina Healthful Living Curriculum and can be integrated into other areas of the curriculum such as math, science, language arts and social studies.

- The school cafeteria is an integral part of the total school environment. It will serve as a “learning laboratory” to allow students to apply critical thinking skills taught in the classroom and to learn and practice healthy living skills.
- Nutrition education will be shared with families and the broader community to provide a positive impact on students and on the health of the community. (Examples include newsletters, brochures, participation in health fairs, etc.)
- Professional development opportunities will be made available to the staff responsible for nutrition education.

C. Physical Education

Physical education and physical activity shall be an essential element of each school’s instructional program. The program will provide the opportunity for all students to develop the skills, knowledge, and attitudes necessary to participate in a lifetime of healthful physical activity. Physical education programs will comply with state and local requirements.

- Time allotted for moderate to vigorous physical activity for students K-8 will meet the state requirement of 30 minutes each day as required by the North Carolina Healthy Active Children Policy, and grades 6-8 will work toward the goal of 225 minutes average per week. This can be achieved through regular physical education classes and/or through physical activities such as Classroom Energizers, Take 10, Awaken the Brain, or through use of walking areas and other activities.
- Physical education, Energizers and other forms of physical activity shall not be taken away from students as a form of punishment. In addition, severe and/or inappropriate exercise may not be used as a form of punishment for students.
- Physical education courses will be conducted in an environment where students learn, practice, and are assessed on developmentally appropriate motor skills, social skills, and knowledge. Class size will be in accordance with North Carolina State Board of Education standards.
- Physical education courses will be taught under the direction of a licensed physical education teacher.
- Schools will work toward having adequate equipment available for all students to participate in physical education and physical activity.
- Schools will work toward having safe physical activity facilities on campus.
- Schools are requested to encourage community members to make use of the school’s physical activity facilities outside of the normal school day.

D. Nutrition Guidelines

All foods available in the Pamlico County Schools during the school day will be offered to students with consideration for promoting student health, reducing childhood obesity, providing a variety of nutritional meals, and promoting life-long healthy eating habits. Foods and beverages available on each school campus shall meet all applicable federal

and state nutritional guidelines. Students with special dietary needs will be reasonably accommodated.

The Student Health Advisory Council shall establish separate nutritional standards for those foods and beverages for which there are no mandatory state or federal guidelines.

E. Activities to Promote Wellness

In addition to the standards outlined above, the Pamlico County Board of Education adopts the following goals for school-based activities designed to promote wellness:

- Pamlico County Schools will provide an attractive, clean, and safe meal environment.
- Students will be provided adequate time to eat meals (at least 10 minutes for breakfast and 15 minutes for lunch for the time the student is seated.)
- Drinking water will be available at all meal periods and throughout the school day.
- Professional development will be provided for district nutrition staff.
- To the extent possible, the Pamlico County Schools will utilize funding and outside programs to enhance staff and student wellness.
- Food should not be used in the Pamlico County Schools as a reward unless they meet Winners' Circle guidelines.
- As appropriate, the goals of this student wellness policy will be considered in planning all school-based activities.
- Administrators, teachers, food service personnel, students, parents/guardians, and community members will be encouraged to serve as positive role models to promote student wellness.
- Students will be encouraged to start each day with a healthy breakfast. The school breakfast program will be available at all schools.
- The Child Nutrition Department will work with local media and the School Health Advisory Council to inform the community about health issues of school children and the programs that are in place at the schools to address such issues.

F. Guidelines For Reimbursable Meals

The child nutrition supervisor will ensure that school district guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

G. Monitoring And Review Of Policy

The superintendent or his/her designee will be responsible for overseeing implementation of this policy and monitoring the Pamlico County Schools' programs and curriculum to ensure compliance with this policy, related policies, and established

guidelines or administrative regulations.

In each school, the principal or designee will ensure compliance with this policy and will report on the school's compliance to the superintendent or designee.

Legal References: The Child Nutrition and WIC Reauthorization Act of 2004, P.L. 108-265, Sec. 204; National School Lunch Act, *as amended*, 42 U.S.C. § 1751, *et seq.*; G.S. § 115C-264.2, -264.3; G.S. § 115C-81(e); State Board of Education Policy # HSP-S-000 and EEO-S-000.

Cross References: School Health Education Program (Policy 5050, 6750), Free and Reduced Price Meals (Policy 6710, 7041), Health Services (Policy 6740); Child Nutrition (Policy 7000), Child Nutrition Programs (Policy 7040), Cooperation with Other Agencies (Policy 7042), Menu Preparation and School Food Service Purchasing (Policy 7050), Food Service Safety and Sanitary Practices (Policy 7060).

Adopted: June 29, 2006

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6770

NC INFANT ABANDONMENT NOTIFICATION

6770

The Superintendent shall ensure that all students in Grades 9 through 12 are provided annually with information on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

Legal Reference: G.S. 7B-500

Adopted: January 5, 2009

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6800

STUDENT ACTIVITIES

6800

Student activities shall be considered an integral part of the school instructional program and shall be conducted in accordance with the policies of the Board of Education and the regulations of the Superintendent.

During the regular school day, activities allowed should be only those making the greatest contribution to the educational objectives of the school, and thus enforcing and extending the educational experiences provided in the subjects taught. The school principal shall approve all school activities.

Legal Reference: G.S. 115C-47, -84

Adopted: June 5, 2000

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6801

PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

6801

Participation in extracurricular school activities is a privilege, not a right. Appropriate student behavior may be considered in determining student eligibility to participate in extracurricular activities and events. When any student is charged with a criminal offense, the student's principal shall investigate the circumstances of the charge to determine whether the student may continue to participate in extracurricular school activities. The principal may make his determination before the student's criminal case reaches final disposition.

Legal Reference: G.S. 115C-36, -47, -288
Adopted: June 5, 2000

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**6802
7404**

**ATTENDANCE AT ATHLETIC EVENTS
AND EXTRACURRICULAR ACTIVITIES**

**6802
7404**

Attendance at athletic events and other extracurricular activities sponsored by the Pamlico County Schools is limited to students, parents, staff and other persons whose presence poses no threat to the goals of the program or the safety of persons attending the program. Any person who has been convicted of a felony involving the manufacture, sale, delivery or possession of a controlled substance under federal, state or territorial law and whose citizenship has not been restored will not be permitted to attend athletic events or other extracurricular activities sponsored by the Pamlico County Schools.

Legal Reference: G.S. 115C-47(4)
Adopted: June 5, 2000

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6805

STUDENT FEES

6805

The Board of Education shall establish a schedule of fees which may be charged to students. A listing of approved local school fees shall be filed in the office of the Superintendent and reported to the State Superintendent of Public Instruction. School personnel shall issue to each student a receipt for the fees collected.

6805.1 Fees may be waived or reduced in the event of inability to pay. The following procedures shall be used to ascertain the ability of students or their parents to pay the assessed fees.

- A. All students/parents shall be notified at the beginning of each school year of the fees appropriate for their individual schools.
- B. All students/parents shall be notified of the possibility of waiver or reduction of fees for persons financially unable to pay.
- C. On appropriate forms made available upon request, students/parents may apply in confidence to the school principal for waiver or reduction of school fees.
- D. The School principal will approve or disapprove each request.
- E. Students/parents may appeal the action of the principal to the superintendent's office.
- F. No sanctions may be imposed or publicity given to students whose fees have been waived or reduced.

6805.2 Once fees have been paid, any student transferring to another school within the county will not be assessed additional fees for the same services in the new school for that school year.

6805.3 If a student transfers from Pamlico County Schools to another local school administrative unit or is compelled to withdraw because of illness or for any other good and valid reason, then the student/parents shall be entitled to a refund of the fees paid by them prorated in accordance with the schedule established by law.

Legal Reference: G.S. 115C-47(6);-384

Adopted: June 5, 2000

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A basic purpose of education is to prepare students for reasonable self-expression. The right to free expression is constitutionally guaranteed and shall be accorded all students so long as such expression does not interfere with the rights of others or unduly interrupt the educational process.

- 6810.1 Publications sponsored or in any way funded by the school or under school control shall be known as school publications and shall be assigned faculty advisors.
- 6810.2 Independent student or off-campus publications shall not be published or circulated on school premises except upon the approval of the principal.

Legal Reference: U.S. Constitution, Amendment I
Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes the need for school-sponsored organizations to sponsor fund raisers to adequately fund their programs. The Board prohibits door-to-door sales by students in grades K-8 and strongly encourages students in grades 9-12 to be escorted by parents when conducting door-to-door sales.

The Board of Education also realizes that the need to maintain control over the number and types of fundraisers held within its community in order to preserve positive relations with business owners and community members. Fundraisers should be approved in a fair and equitable manner and at appropriate times as not to conflict with others.

Any fundraiser that is sponsored by a student organization or classroom, a school-affiliated association, such as Parent Teacher Organizations or Booster Clubs that requests the participation of students or use of school property must have the prior approval of the building principal and Superintendent. Principals may elect to establish a fund-raising committee within their schools to advise them on the overall number, nature and scope of fundraisers.

Requests for fundraisers must be submitted to the building principal for approval on the "Selling or Soliciting/Fundraising #6820F" form according to a time schedule approved by the principal. Requests approved by the building principal shall be sent to the Superintendent, or designee, for final approval. The superintendent, or designee, shall monitor the overall number, nature and scope of fundraisers district-wide.

Contracts with outside agents, companies and/or services must also be approved by the building principal and superintendent, or designee, as part of the approval process. Requesting parties shall not enter into any contract or start any aspect of the fundraiser until final approval is given by the Superintendent, or designee.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000
Revised: December 7, 2009

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College and university researchers and some of our own students may request the privilege of administering surveys to students. Absolutely no surveys are to be taken unless the guidelines listed below are observed and cleared with the Superintendent.

1. The researcher requesting permission to administer a poll shall submit in writing a statement of the objectives of the project and the intended uses of the findings, including publication, to the principal.
2. The substance and form of the poll shall conform to reasonable standards of good taste.
3. Arrangements for administration shall be made so that the project shall not be disruptive of any normal school activity.
4. A reasonable time and place for administration shall be arranged.
5. The time arrangements shall be sufficient to obtain an adequate sample of responses but shall not exceed such boundaries.
6. It is strongly recommended that student poll writers obtain the counsel of club advisors or other qualified adults in preparing the poll.

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

Adopted: June 5, 2000

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Properly established and operated clubs and organizations facilitate human development and education. Clubs and organizations may be authorized and shall be given staff supervision and leadership.

6840.1 Secret organizations shall not be permitted in any school in the system.

6840.2 Clubs and organizations established and sponsored by outside agencies or groups shall not be considered school clubs and shall not function on school grounds or during the school day unless they meet the staff supervision and leadership requirements of the lead paragraph.

Legal Reference: G.S. 115C-40, -47

Adopted: June 5, 2000

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Student-initiated, noncurriculum-related student groups shall be permitted to conduct voluntary meetings on school grounds after the school day regardless of the size of the group or the religious, political, philosophical or other content of the speech at the meetings, provided that the meetings do not materially and substantially interfere with the orderly conduct of the educational activities of the school. Such meetings shall be open to all students without regard to race, color, religion or national origin.

- 6841.1 School employees shall not promote, lead or participate in the meetings of these noncurricular student groups; however, a school employee may be present at the meetings to maintain order and protect the general welfare of the students involved. School employees also may not influence the form or content of any prayer or other religious activity, nor require any person to participate in prayer or any other religious activity. In addition, non-school persons may not direct, conduct, control or regularly attend the activities of noncurricular student groups.
- 6841.2 No public funds may be expended on behalf of the student groups covered by this policy except for the incidental cost of providing space for the group meetings.
- 6841.3 Students seeking to establish a voluntary noncurricular group shall seek approval from the principal.
- 6841.4 The Superintendent shall develop regulations and procedures consistent with this policy and state and federal law.
- 6841.5 This policy shall apply to high schools only.

Legal Reference: The Equal Access Act, P.L. 98-377, Title VIII (1984)
Adopted: June 5, 2000

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6850

STUDENT COUNCIL

6850

All student councils, whatever names they bear, shall be organized and receive the prior approval of the principal.

6850.1 Each student council shall have a faculty advisor approved by the principal and the advisor shall be responsible for its performance.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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6900

EQUAL EDUCATIONAL OPPORTUNITIES

6900

It is the policy of the Pamlico County Board of Education not to discriminate on the basis of race, national origin, sex, marital status, religion, and handicapping conditions in its educational programs and activities.

Complaints or grievances regarding this policy may be addressed in accordance with Policy 6902.

Inquiries from students and their parents, and employees regarding compliance with Title IX may be directed to the Superintendent, or to the Director of the Office for Civil Rights, Department of Education, Washington, D.C.

Legal Reference: Civil Rights Acts of 1866, 1964, 1970, and 1971; Age Discrimination in Employment Act of 1967; Equal Pay Act of 1963; Executive Order 11246; Title IX of the Education Amendments of 1972; Vocational Rehabilitation Act of 1973; 20 U.S.C. § 1703; G.S. 126-16
Adopted: June 5, 2000

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The Board assumes responsibility for providing continuing educational opportunities for the pregnant student. The following reasonable safeguards shall be exercised:

- 6901.1 The student shall make known the condition of pregnancy to school officials as soon as it has been medically determined.
- 6901.2 School officials shall assess the need for changes in a student's program on an individual basis.
- 6901.3 Any decision to modify the student's program shall be made only after consultation with the student, parent or guardian, and medical consultant, as appropriate.
- 6901.4 The school shall make appropriate referrals for services to community agencies in situations judged to be beneficial to the student.
- 6901.5 The educational program shall meet the standards required by the law and rules related to the classification of pregnant students as children with special needs.
- 6901.6 Any services available to a student who is temporarily disabled for any medical and/or physical reason shall not be denied a pregnant student.
- 6901.7 No student shall be excluded from any class or extracurricular activity on the basis of the student's pregnancy, child birth, false pregnancy, termination of pregnancy or recovery therefrom, unless by request of the student.

Legal Reference: G.S. 115C-109, -111, -113(h), -366; Title IX of the Education Amendments of 1972, as amended; 45 C.F.R. 86.40

Adopted: June 5, 2000

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The Pamlico County student grievance procedure shall be on file in the principals' offices and the office of the Coordinators of Title IX and the Individuals With Disabilities Education Act. It also follows herein, for easy reference.

Legal Reference: G.S. 115C-45, -47; Title IX of the Education Amendments of 1972, as amended; 20 U.S.C. §§ 1400 et seq.

Adopted: June 5, 2000

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The grievance procedure may be used to address any situation occurring within the operation or normal procedures of the school which causes a student and/or parent to believe he has been wronged, including cases of alleged discrimination on the basis of race, color, sex, age, national origin, or handicap. Students and their parents are encouraged to discuss their concerns informally with the person(s) involved before invoking formal grievance procedures. Exception: Appeals of suspensions and expulsion will follow the procedure outlined in Board Policy.

1. Initiation

A student may initiate a grievance proceeding when either the student or his parent believes that a violation, misapplication or misinterpretation of school board policy or state or federal law or regulation has occurred.

2. Procedure

The procedure for initiation and conduct of a grievance procedure shall be:

a. Step I – Principal Conference

A student, parent or guardian wishing to invoke the grievance procedure shall make a written request for a conference with the principal to discuss the grievance and seek resolution. The following guidelines shall be observed in Step 1:

- (1) A grievance shall be filed in writing as soon as possible but in no event longer than ten (10) school days after disclosure of the facts giving rise to the grievance.
- (2) The request shall include a statement describing the grievance and naming the specific policy, rule or law believed to have been violated.
- (3) The principal shall grant the conference within five (5) school days following receipt of the request.
- (4) The principal shall state his position on the question in writing to the student within five (5) school days following the conference.
- (5) Only the parent or someone acting in loco parentis shall be permitted to join or represent the student in the conference with the principal.

b. Step II – Appeal to the Superintendent

If the grievance is not resolved at Step I, the student may appeal the principal's decision in writing to the superintendent.

- (1) The appeal must be made in writing within five (5) school days following receipt of the principal's position statement on Step I.
- (2) The superintendent or his designee shall review the grievance within five (5) school days following receipt of the appeal.
- (3) A written response shall be made to the student, the parent, or the guardian, and the principal from the superintendent or his designee within ten (10) school days following the superintendent's review.

c. Step III – Appeal to the Board of Education

If the grievance is not resolved at Step II, the student may appeal the superintendent's decision to the Pamlico County Board of Education.

- (1) The appeal must be made in writing within ten (10) school days following the response of the superintendent.
- (2) To the extent possible, a written record of all prior proceedings shall be prepared which fairly and accurately expresses the facts and contentions of all parties to the grievance, which record shall be sent to the Board.
- (3) The hearing before the Board shall, in an informal manner, permit each party to be heard concerning the grievance. The hearing may, at the discretion of the Board, be held in executive session. The Board may, at the request of any party, require the attendance of witnesses or the production of documents.
- (4) The Board shall render a decision, in writing, within forty-five (45) calendar days of the hearing, and notify all parties.

SPECIAL NOTE: The time limits, as specified within this policy, are the maximum allowable time limits in which to resolve a grievance; however, **most** grievance appeals take much less time.

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It is the policy of the Pamlico County Schools not to discriminate against anyone on the basis of sex in its educational programs, activities, or employment policies, in accordance with Title IX of the Education Amendments of 1972. Inquiries regarding compliance with Title IX may be directed to:

Title IX Coordinator
Pamlico County Schools
507 Anderson Dr.
Bayboro, NC 2828515-9799

or to:

Regional Civil Rights Director
U.S. Department of Education
Office for Civil Rights, Southern Division
District of Columbia Office
Post Office Box 14620
Washington, DC 20044-4620

Legal Reference: Title IX of the Education Amendments of 1972, as amended
Adopted: June 5, 2000

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It is the policy of the Pamlico County Board of Education to attempt to provide a safe and secure environment for all students and employees. Under certain circumstances students with communicable diseases may pose a threat to the health and safety of students and staff. In an effort to maintain a balance between the need to educate all eligible students, to protect students' and employees' rights, and to control communicable diseases, decisions regarding the educational status of students with communicable diseases shall be made on a case-by-case basis, in accordance with this policy.

1. In order to prevent the spread of communicable diseases, guidelines for necessary health and safety precautions shall be distributed by the administration and shall be followed by all school employees.
2. The Pamlico County Schools shall include health, hygiene and safety education in its curriculum. The curriculum shall include age-appropriate information concerning safe health practices that will inhibit and prevent the spread of diseases.
3. In accordance with N.C.G.S. § 130A-136, school principals shall report suspected cases of communicable diseases, including AIDS, to the Pamlico County Health Department. Confidentiality of such reports is protected by law, and school principals are presumed by law to be immune from liability for making such reports in good faith. The principal also shall report suspected cases of communicable diseases, including AIDS and HIV infection, to the Superintendent.
4. In order to address the needs of the student within the school environment, parents and school employees shall notify the principal in the event they are aware of any student suffering from a communicable disease.
5. Children with AIDS and HIV infection shall be permitted to attend school without special restrictions, except in accordance with 15A N.C.A.C. 19A.0201 and .0202 and this subsection.

When the local health director notifies the Superintendent that a child with AIDS or HIV infection may pose a significant risk for transmission, the Superintendent, in consultation with the local health director, shall appoint an interdisciplinary committee in accordance with state health regulations and procedures established by the Superintendent. The committee shall consult with the local health director regarding the risk of transmission and advise the Superintendent regarding the placement of the student. The committee shall include appropriate school system personnel, medical personnel, and the child's parent or guardian and may include legal counsel. The Superintendent shall inform the Board whenever a committee has been formed and shall advise the Board of the professional composition of the committee.

The interdisciplinary committee shall review each case individually in consultation with the local health director to determine how the student's disease is transmitted, how long the student will be infectious, to what degree the student's presence in school exposes other students and staff to harm, and the probability that the disease will be transmitted to others in the school community. If the local health director concludes that a significant risk of transmission exists in the student's current placement, the committee shall determine if an appropriate adjustment can be made to the student's school program to eliminate this risk. If that is not possible, an alternative educational program which incorporates protective measures required by the local health director shall be designed by appropriate school officials.

Periodic reevaluation of the student's condition and status shall be undertaken by the committee and the local health director. The student's placement shall continue until the health director determines that the risk has abated, whereupon the committee shall determine the appropriate educational placement for the student.

All deliberations of the interdisciplinary committee shall be kept strictly confidential.

6. If the administrative or instructional personnel on the committee determine that the student has limited strength, vitality or alertness due to a chronic or acute health problem that adversely affects the student's educational performance, they shall make a referral of the student for possible identification and placement as a student with special needs.
7. Students who are immunodeficient due to AIDS, HIV infection or other cause face increased risk of severe complications from exposure to communicable diseases that appear in the school setting. Accordingly, students and their parents should report to the principal in the event a student suffers from any such immunodeficiency. Whenever possible, the principal of a school should notify the parents of an infected or immunodeficient student of the existence of chicken pox, influenza, meningococcus, measles or tuberculosis occurring in the school that may represent a serious threat to the student's health. Students who are removed from school as a result of such conditions shall be provided an alternative educational instructional program.
8. The local health director shall determine which school personnel shall be informed of the identity of a student with AIDS or HIV infection. Any employee who is informed or becomes aware of the student's condition shall respect and maintain that student's right of privacy and the confidentiality of his records. Employees who are informed of the student's condition shall be provided with appropriate information concerning necessary precautions and shall be made aware of confidentiality requirements.

9. Nothing in this policy is intended to grant or confer any school attendance or education rights beyond those existing by law.

Legal Reference: G.S. 130A-136, -142, -143; 15A N.C.A.C. 19A.0201 through .0204
Adopted: June 5, 2000

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6911

CONTROL OF LICE AND NITS

6911

It shall be the policy of the Pamlico County Board of Education that students who have *pediculosis capitis* (head lice and nits) must be kept out of school until they are effectively treated. The principal may request medical advice or require appropriate medical documentation to determine whether a student has been effectively treated.

Legal Reference: G.S. 130A-6, -41, -133, -145
Adopted: June 5, 2000

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6920

ACCIDENTS, ILLNESS OR INJURY AT SCHOOL

6920

The parent or guardian of each student will be required to provide the following emergency information, which will be required annually and will be kept on file in an accessible location:

- Parent/guardian location and phone number during the school day;
- Name, address, and phone number of the student's physician;
- Name and phone number of a relative or neighbor who may be contacted in an emergency; and
- Information concerning any physical disability or medical condition suffered by the student and known to the parent or guardian.

Whenever a child is ill or injured at school, the principal or his designee shall immediately notify the parent. In the event of serious injury or sudden illness to a student, a parent will be notified as to whether to pick up the child at school or meet the child at the hospital. If a parent cannot be reached, the student will be transported to the hospital emergency room and the physician on the emergency form will be notified. Efforts to notify a parent will continue until the parent has been reached.

Principals will inform the superintendent immediately of any serious injuries suffered by students while under the supervision of the school. A report of such injury will be filed in the office of the principal, the Superintendent, and the school nurse assigned to the building. Forms for reporting injuries are available from the office of the superintendent. For all injuries serious enough to require medical attention or requiring the student to be taken home, and in all cases that the staff member in charge deems necessary, reports will be made and filed as stated above.

No sick or injured student will be taken home or sent home unless a parent, or someone

designated by the parent, is at home to accept responsibility for the student.

A parent who objects to the procedures contained in this policy is responsible for submitting to the principal a written emergency plan for the care of their child. This plan must be approved by the building principal before implementation.

Legal Reference: G.S. 115C-47, -288, -307; North Carolina School Health Manual (rev. 2005)

Adopted: June 5, 2000

Revised: _December 3, 2007

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7000

CHILD NUTRITION

7000

The child nutrition services program shall operate in accordance with law. The programs in which the system participates are the breakfast program, the school lunch program, and the summer food services program.

Legal Reference: G.S. 115C-263, -264
Adopted: June 5, 2000

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7010

CHILD NUTRITION SERVICES DIRECTOR

7010

The Child Nutrition Services Director shall be appointed by the Board upon the recommendation of the Superintendent.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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7011

DUTIES OF CHILD NUTRITION SERVICES DIRECTOR

7011

The Child Nutrition Services Director shall be responsible to the Superintendent for the conduct of those duties and responsibilities as set forth in the job description.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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7020 CHILD NUTRITION SERVICES DEPARTMENT STAFF 7020

A staff shall be provided for the administration and operation of the child nutrition services program in accordance with the recommendations of the State Department of Public Instruction, Division of Child Nutrition.

Legal Reference: G.S. 115C-47, -263, -264
Adopted: June 5, 2000

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7030 DUTIES OF PRINCIPALS AND CAFETERIA MANAGERS 7030
IN CHILD NUTRITION SERVICES PROGRAM

The principal and cafeteria manager shall be responsible for the child nutrition services program in their school, under the supervision of the Child Nutrition Services Director.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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7031 SUPERVISION OF STUDENTS 7031

All responsibilities for supervision of students in the cafeteria should be designated by the principal. Cafeteria managers and teachers should work together to assure an orderly environment in the cafeteria.

Legal Reference: G.S. 115C-288(e), -307
Adopted: June 5, 2000

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All schools shall participate in the National Child Nutrition Program, under the jurisdiction of the Division of Child Nutrition of the Department of Public Instruction, and in accordance with federal guidelines established by the Child Nutrition Division of the United States Department of Agriculture, and in accordance with Board Policy.

The Pamlico County Board of Education will accept all federal and state revenues available for its child nutrition programs and will maximize the use of these funds for the purposes of providing nutritionally adequate meals to all students at the lowest possible price. Realizing the need for adequate income for each category of meals, this Board of Education fully intends to use all federal, state and local resources in order to provide adequate income in all categories of meals, whether they be free, reduced or paid, in order to fully support maximum federal reimbursement, so long as the uses of federal, state and local revenues are in harmony with local, state and federal policies. In no way does this policy statement indicate that this Board of Education will be required to provide any additional support, but simply directs the financial support that is presently being provided. This document will serve as a basis for the Board of Education to direct its financial support (presently being provided) to that category of meals that operates at a deficit.

Legal Reference: G.S. 115C-47(7), (22); -263; -264; National School Lunch Act, as amended, 42 U.S.C. §§1751, et seq.; Child Nutrition Act of 1966, as amended, 42 U.S.C. §§1771, et seq.

Adopted: June 5, 2000

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The child nutrition services program shall participate in the national school lunch program, and the school breakfast program, and shall receive commodities donated by the United States Department of Agriculture; and it shall accept responsibility for providing free meals and reduced price meals to eligible children in the schools.

Application forms shall be sent to all homes by the end of the first week of school, along with an explanatory letter to parents. Additional copies shall be available at the principal's office in each school. The information provided on each application is confidential, and it will be used for the purpose of determining eligibility. The use or disclosure of any information obtained from an application for free or reduced price meals shall be limited as provided by law. Applications may be submitted at any time during the school year. In certain cases, foster children may also be eligible for these benefits. If a family has foster children living with them and wishes to apply for such meals, the family should contact the school. In the operation of these programs, no child will be discriminated against because of race, sex, color, disability or national origin. The Child Nutrition Services Director will review the applications and determine eligibility. This form shall be sent to the food services office for review, to be signed by the verifying official and kept on file for three years and three months. In the event that a parent should be dissatisfied with the verifying official's decision, the parent may request, either orally or in writing, a hearing to appeal the decision. The Superintendent shall designate a hearing officer for the program. The hearing officer, as well as the verifying official, shall have a copy of the hearing procedure, which may be reviewed by any interested party.

Legal Reference: G.S. 115C-263, -264; National School Lunch Act, as amended, 42 U.S.C. §§1751, et seq.; Child Nutrition Act of 1966, as amended, 42 U.S.C. §§1771, et seq.

Adopted: June 5, 2000

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7042

COOPERATION WITH OTHER AGENCIES

7042

The Child Nutrition Services Program will abide by the rules and regulations of and cooperate with the North Carolina Department of Agriculture and the U. S. Department of Agriculture.

Legal Reference: G.S. 115C-47(7), (22); -263, -264; National School Lunch Act, as amended, 42 U.S.C. §§1751, et seq.; Child Nutrition Act of 1966, as amended, 42 U.S.C. §§1771, et seq.

Adopted: June 5, 2000

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7050 MENU PREPARATION AND SCHOOL FOOD SERVICE PURCHASING 7050

Menu preparation and purchasing by the Child Nutrition Services Program will be consistent with established state and federal guidelines for programs which receive special revenue funds and shall comply with any related procedures required by law. It shall not be mandatory that the provisions of G.S. 115C-522(a) and § 143-129 be complied with in the purchase of supplies and food for such school food services. However, the Board prefers and encourages using the bidding process to the extent it is possible and reasonable to do so.

Legal Reference: G.S. 115C-47(7), (22); -263, -264, -522; G.S. 143-129; National School Lunch Act, as amended, 42 U.S.C. §§1751, et seq.; Child Nutrition Act of 1966, as amended, 42 U.S.C. §§1771, et seq.

Adopted: June 5, 2000

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7051 BANKING, RECORDKEEPING, BUDGETING AND ACCOUNTING 7051

Banking, recordkeeping, budgeting and accounting will be conducted in accordance with generally accepted practices and procedures, as dictated by the School Budget and Fiscal Control Act and in accordance with state and federal guidelines.

Legal Reference: G.S. 115C-47(7), (22); -426, -450; -Art. 31; National School Lunch Act, as amended, 42 U.S.C. §§1751, et seq.; Child Nutrition Act of 1966, as amended, 42 U.S.C. §§1771, et seq.

Adopted: June 5, 2000

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7060 FOOD SERVICE SAFETY AND SANITARY PRACTICES 7060

The Child Nutrition Services Program will comply with all local, state, and federal rules and regulations to establish and maintain high standards of safety and sanitation.

Legal Reference: G.S. 115C-47(7), (22); -263, -264; National School Lunch Act, as amended, 42 U.S.C. §§1751, et seq.; Child Nutrition Act of 1966, as amended, 42 U.S.C. §§1771, et seq.

Adopted: June 5, 2000

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7070

ELIGIBILITY OF PATRONS

7070

Adults eligible to eat in the school cafeterias shall be school employees and personnel on official business and local patrons, subject to the authority of the cafeteria manager and principal. The adult price will be charged.

Legal Reference: G.S. 115C-47(7), (22); -263, -264
Adopted: June 5, 2000

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The Board shall provide a system of transportation for all eligible students.

- 7100.1 Supplementary rules and regulations to govern the operation and use of buses, in conformity with state statutes and regulations, shall be prepared by the Superintendent's office and distributed to students and other appropriate persons.
- 7100.2 State supported transportation shall be limited to those services for which funds have been budgeted.
- A. Students who live outside Pamlico County will not be guaranteed transportation on school buses.
 - B. Students who are assigned outside their geographical area because of their request for a transfer are not guaranteed transportation.
 - C. Students who are medically certified as temporarily incapacitated may be considered for special accommodation.
- 7100.3 All other transportation, such as activity buses and transportation for field trips, shall be operated from local fund provisions.
- A. State-operated buses may be used for instructional programs directly related to the school curriculum when the trip and the use of the bus are approved in accordance with Board policy.

Legal Reference: G.S. 115C-239, -242

Adopted: June 5, 2000

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7110

APPOINTMENT OF TRANSPORTATION DIRECTOR

7110

The Transportation Director shall be appointed by the Board upon the recommendation of the Superintendent.

Legal Reference: G. S. 115C-239, -240, -241, -242, -248
Adopted: June 5, 2000

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7111

DUTIES OF TRANSPORTATION DIRECTOR

7111

The Transportation Director shall be responsible to the Superintendent or his designee for the conduct of those duties and responsibilities as set forth in the job description, including the establishment of bus routes and stops, designed for maximum safety and efficiency.

Legal Reference: G.S. 115C-240(c), -248; 20-218
Adopted: June 5, 2000

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7120

DAMAGING SCHOOL BUSES

7120

Any willful or careless damage to a school bus shall be paid for by the person responsible for such damage. The principal and the Transportation Director will inspect all school buses and assess fair and reasonable damage fees.

All persons should be aware that, in addition to violating Board policy, it is unlawful to willfully demolish, destroy, deface, injure, burn or damage any public school bus or public school activity bus, punishable by a fine and/or imprisonment.

Legal Reference: G.S. 14-132.2; 115C-399

Adopted: June 5, 2000

Revised: September 3, 2002.

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7130

DUTIES OF SUPERINTENDENT IN TRANSPORTATION PROGRAM

7130

The superintendent or his designee shall be responsible for pupil and employee transportation for all buses that serve the school system. The responsibilities of the Superintendent or designee shall include:

- A. Assigning buses to the respective schools;
- B. Assigning pupils to buses;
- C. Assigning drivers, other employees and volunteer safety monitors to school buses;
- D. Assigning the employees who may be transported to and from school on school buses;
- E. Preparing, implementing and enforcing the plan for school bus routes.

In cases where buses serve more than one school, the principals of the respective schools shall implement and enforce the assignment of the pupils made by the Superintendent or his designee.

Legal Reference: G.S. 115C-244 through -246, -288

Adopted: June 5, 2000

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7131

**DUTIES AND RESPONSIBILITIES OF
SCHOOL BUS DRIVERS**

7131

The school bus driver shall keep informed of all laws, rules, and regulations pertaining to operating the school bus and shall cooperate with the superintendent, the principal, and other school officials in compliance.

7131.1 A bus driver shall possess proper certification to operate the vehicle to which he is assigned.

Legal Reference: G.S. 20-218; 115C-245(b) and (c)
Adopted: June 5, 2000

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7132

**DUTIES AND RESPONSIBILITIES OF
SCHOOL BUS MONITORS**

7132

The superintendent or his designee may, in his discretion, appoint a bus monitor to assist the bus driver. The monitor shall possess all essential leadership characteristics and abilities.

All monitors shall be given instruction as to the performance of their duties and responsibilities.

Legal Reference: G.S. 115C-245(d)
Adopted: June 5, 2000

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7133

**DUTIES AND RESPONSIBILITIES OF
SCHOOL BUS PASSENGERS**

7133

The principal shall make certain that all passengers assigned to a school bus for transportation are informed and cautioned, through class instruction, supervision, and otherwise, of the responsibility of the individual passenger for conduct and safety. The principal shall also inform parents of each bus passenger as to the responsibilities of bus passengers. Each bus passenger shall cooperate with the superintendent, principal, teacher, bus driver, and bus monitor.

Legal Reference: G.S. 115C-245(b)
Adopted: June 5, 2000

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7140

STUDENT TRANSPORTATION INSURANCE

7140

Student transportation insurance entitlements shall be administered in accordance with general statutes.

Legal Reference: G.S. 115C-257
Adopted: June 5, 2000

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7150

BUS SERVICE PRIORITY

7150

It shall be the responsibility of the Transportation Director to maintain all buses in safe and proper operational order, placing first priority on the maintenance of those buses assigned to the transportation of students to and from school.

Legal Reference: G.S. 115C-242, -248, -249
Adopted: June 5, 2000

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7160

CONTRACT TRANSPORTATION

7160

In cases where Board- or State-owned vehicles cannot serve the transportation requirements efficiently, private contracts shall be negotiated in accordance with law.

Legal Reference: G.S. 115C-253
Adopted: June 5, 2000

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7170

PURCHASE OF SYSTEM-OWNED VEHICLES

7170

All buses and other system-owned vehicles shall be titled in the name of the Board and purchased in accordance with law and relevant Board policies.

Legal Reference: G.S. 115C-239, -240
Adopted: June 5, 2000

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7171

SCHOOL VEHICLES

7171

Subject to the approval of the Superintendent, vehicles may be purchased out of individual local school funds and used for school purposes only. The title of any such vehicle shall be in the name of the Pamlico County Board of Education. For such vehicles less than five years old, the Board shall maintain insurance coverage sufficient to cover the vehicle's fair market value. The Board shall maintain insurance coverage for property damage and shall provide insurance coverage for personal liability of not less than \$100,000.

Legal Reference: G.S. 115C-42, -47(25), -239, -247, -249, -255
Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes the value of activity buses. Student transportation for school activities is an integral part of the school program.

These rules and regulations will apply to activity buses:

- A. The principal is responsible for carrying out all regulations.
- B. The bus must have minimum insurance coverage as provided in Policy 7171.
- C. The expenses of maintenance and repair of all activity buses must be paid from local funds.
- D. The bus may be driven only by a driver who is at least age 18 and has been approved by the principal and holds a valid driver's license of Class "A", or Class "B", or a Class "C" license and a school bus driver's certificate, or a commercial driver's license and a school bus driver's certificate.
- E. Activity buses must be used only for school related activities as approved by the principal and/or Board of Education.
- F. A member of the school staff or a person designated by the principal must accompany all trips.
- G. Permanent licenses and gas without tax may be purchased for activity buses whose title are in the name of the Pamlico County Board of Education.
- H. Passenger capacity shall be limited to the number of persons who can be properly seated.
- I. The fee for the use of the activity bus shall be in keeping with the cost of operation as suggested by the Division of School Bus Transportation, State Department of Public Instruction.
- J. Activity buses shall be inspected at least once each thirty days during the school year for defects which may affect the safe operation of the buses.
- K. Other uses of activity buses, in accordance with state law, must be approved by the Board.

Legal Reference: G.S. 20-218; 115C-47, -243, -247, -248, -288; 66-58(c)

Adopted: June 5, 2000

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7173
7173

SCHOOL BUS IDLING

The Pamlico County Board of Education recognizes that emissions that accumulate from school buses can be harmful to students and bus drivers. The board further recognizes that unnecessary bus idling wastes fuel and financial resources. The board is committed to transporting students on school buses in a manner that is safe and consistent with resource conservation. To this end, the board prohibits all unnecessary school bus idling. In addition, the board prohibits the warming up of buses for longer than five (5) minutes, except in extraordinary circumstances or circumstances beyond the bus driver's control.

This policy applies to school buses and activity buses when used to transport students to/from school, extracurricular activities, field trips and other school-related activities.

The superintendent or designee shall develop procedures consistent with this policy, and ensure that school bus drivers and appropriate school personnel are informed of the idling policy and the procedures for limiting bus idling.

Legal Reference: G.S. 115C-36; State Board of Education Policy Number EEO-M-003; N.C. Public School Allotment Policy Manual, State Allotment Formulas – Transportation of Students, Program Report Code 056 (as modified October 6, 2005)

Legal Reference: G.S. 115C-36; State Board of Education Policy Number EEO-M-003; N.C. Public School Allotment Policy Manual

Adopted: December 5, 2005

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I. STUDENT TRANSPORTATION MANAGEMENT:
II. RESOURCE CONSERVATION FOR BUS TRANSPORTATION

The Pamlico County School System recognizes its responsibility to practice fiscal and environmental conservation. The Superintendent of Pamlico County Schools or designee shall prepare and implement a policy to make fuel conservation and protection of air quality an integral part of the system's school bus transportation operation. The purpose of this policy shall be to conserve fuel and to reduce student and driver exposure to diesel exhaust particulate matter by limiting unnecessary idling of activity and school buses in all operations except when student safety would be jeopardized. All activity and school bus drivers are directed to conserve fuel during bus operations thus reducing the amount of diesel emissions and cost for fuel.

A. RESOURCE CONSERVATION PRACTICES FOR BUS TRANSPORTATION

In an effort to conserve fuel and reduce exhaust emissions the following practices are hereby enacted:

- 1. Maintain vehicles in a condition that promotes efficient operation.**
- 2. School buses shall not idle longer than five (5) minutes during warm-up periods.**
- 3. Encourage passengers to be waiting for the bus at the designated time and location.**
- 4. No bus shall run without the driver being in the driver's seat or within three feet of the bus.**
- 5. Buses shall not idle longer than five (5) minutes while loading or unloading.**
- 6. Buses shall not park "nose to tail" when it can be avoided.**
- 7. Drivers shall leave sufficient following distance between other buses.**
- 8. Buses shall not park on school grounds near building air intake systems.**
- 9. All bus drivers shall receive a copy of this policy and regulations and/or equivalent educational materials upon employment and at the beginning of each school year.**
- 10. During periods of increased costs of fuel, fuel shortages, or crisis situations the Superintendent or designee shall restrict field trips as they deem necessary.**

Exceptions to these practices are granted only when running the engine is necessary to operate required safety equipment, or to maintain a safe environment for students with special needs.

Implementation of this policy is the responsibility of the superintendent, finance officer, transportation director, school-level administrators and bus drivers.

7200

MAINTENANCE PROGRAM

7200

It shall be the responsibility of the Director of Maintenance to safeguard the investment made in public schools, to keep all school buildings in safe condition and in good repair to the end that all public school property shall be taken care of and be at all times in proper condition for use.

Legal Reference: G.S. 115C-524(b)

Adopted: June 5, 2000

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7210

DISPOSAL OF HAZARDOUS OR TOXIC MATERIALS

7210

A broad range of substances including solvents, oils, heavy metals, and herbicides or insecticides must be disposed of in accordance with federal and state regulations. Environmental contamination or potential civil and criminal liability may result from failure to comply with federal and state law. For this reason, any employee who is faced with materials that may potentially be regulated by state or federal law should contact the school system's hazardous waste coordinator before making any effort to dispose of these materials. Any employee who suspects that any hazardous or toxic waste may have been spilled on the property of the school system will immediately report such knowledge to the hazardous waste coordinator.

2422.1 The Superintendent shall designate the individual who shall have responsibilities as the hazardous waste coordinator.

Legal Reference: G.S. § 143, Article 21A; 33 U.S.C. § 1251 et seq.

Adopted: June 5, 2000

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Pests are significant problems for people and property. The pesticides that are commonly used in pest control may pose risks to human health and environment. The Board is committed to maintaining a safe educational environment while also protecting the physical conditions of school facilities. To this end, the Board will utilize Integrated Pest Management (IPM) programs or incorporate IPM procedures into the maintenance program conducted by the school system. The Superintendent will appoint an IPM contact person to facilitate the use of IPM techniques. As necessary, the Superintendent will develop administrative procedures for the IPM program.

A. Overview of Integrated Pest Management (IPM).

IPM is a comprehensive approach that combines effective, economical, environmentally sound, and socially acceptable methods to prevent and solve pest problems. IPM emphasizes pest prevention and provides a decision-making process for determining if, when, and where pest suppression is needed and what control tactics are appropriate. Pesticides will not be used based solely on a schedule, but only as needed to achieve pest control goals.

The school district's IPM will strive to do the following:

- Minimize any potential health, environmental, and economic risks from pests or from the use of pest control methods.
- Minimize loss or damage to school structures or property from pests or from the use of pest control methods.
- Minimize the risk of pests spreading into the community
- Enhance the quality of facility use for the school and community.

B. Use of IPM in Facility and Maintenance Operations

The school district shall include pest management considerations in facilities planning, design, and maintenance. The IPM contact person, in conjunction with the school district's contracted pest management professional will recommend to the Superintendent any modifications in landscaping, structures, or sanitation practices needed to reduce or prevent pest problems. The Superintendent will review such recommendations and may authorize action to address necessary minor changes in a timely manner, as the budget permits. For significant changes or changes that require a significant expenditure of funds, the Superintendent will recommend changes to the Board for approval.

C. Providing information on IPM to the school community

Staff, students, pest managers, parents, and the public will be informed about potential school pest problems, school IPM policies and procedures, and their respective roles in achieving the desired pest management objectives.

D. Recordkeeping

Records of all pest management activities shall be maintained, including inspection records, monitoring records, pest surveillance data sheets or other indicators of pest populations, and a record of structural repairs or modifications. If pesticides are used, records shall be maintained on site to meet the requirements of the state regulatory agency and school board. Material Safety Data Sheets (MSDS) related to substances used in pest management will be on file at each school and the Maintenance Department.

Legal Reference: G.S. 115C-36

Adopted: December 3, 2007

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7300

BUILDINGS AND GROUNDS

7300

It shall be the responsibility of the building-level supervisor to keep all buildings and grounds in a clean, well-groomed, and attractive state at all times in order to provide a healthful, safe, and attractive setting for the educational program.

Legal Reference: G.S. 115C-47, -524

Adopted: June 5, 2000

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7310

DIRECTOR OF MAINTENANCE

7310

The Director of Maintenance shall be appointed by the Board upon the recommendation of the Superintendent.

Legal Reference: G.S. 115C-47, -276

Adopted: June 5, 2000

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7311

DUTIES OF DIRECTOR OF MAINTENANCE

7311

The Director of Maintenance shall be responsible to the Superintendent for the conduct of those duties and responsibilities set forth in the job description or established by the Superintendent or his designee.

Legal Reference: G.S. 115C-47, -276

Adopted: June 5, 2000

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7320

DUTIES OF PRINCIPAL IN OPERATIONS PROGRAMS

7320

It shall be the duty of all principals to be alert continually for and to identify any conditions of their buildings in the nature of uncleanliness, safety hazard, or other threats to health and safety.

Legal Reference: G.S. 115C-47, -288, -523, -524

Adopted: June 5, 2000

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7400

SCHOOL FACILITIES

7400

Since school facilities represent an investment of the citizenry for the education of students and for the general benefit of the community and its citizens, their proper use and enjoyment shall be encouraged.

Legal Reference: G.S. 115C, Art. 13
Adopted: June 5, 2000

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7401

COMMUNITY USE OF SCHOOL FACILITIES

7401

The Pamlico County Board of Education endorses community use of school facilities for appropriate purposes, subject to the first priority use for school purposes. The Superintendent shall prepare and administer regulations and procedures necessary for the general use of school facilities including regulations to safeguard the investment made in public schools and to keep all school buildings and property in good repair. A fee schedule for facility use shall be prepared annually by the Superintendent and approved by the Board.

No liability shall attach to the Board, individually or collectively, for personal injury suffered by reason of community use of school property.

Legal Reference: G.S. 115C, Art. 13; -524
Adopted: June 5, 2000

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7402

SUPERVISION OF ACTIVITIES

7402

The principals shall be responsible for the supervision of all activities in their respective auditoriums, cafeterias, classrooms and on school grounds when used by the school or community.

Legal Reference: G.S. 115C-47, -288
Adopted: June 5, 2000

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7403

VISITORS TO THE SCHOOLS

7403

All school visitors shall report to the administrative office for clearance and permission to be in the school. Each principal shall see that signs are posted in each school to notify all visitors to report to the school office.

7403.1 To protect the educational program from being eroded through encroachments upon instructional time, salespersons shall not be permitted to call upon personnel at their school buildings except when given written permission by the Superintendent, in accordance with Board Policy 2322.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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**7404
6802**

**ATTENDANCE AT ATHLETIC EVENTS
AND EXTRACURRICULAR ACTIVITIES**

**7404
6802**

Attendance at athletic events and other extracurricular activities sponsored by the Pamlico County Schools is limited to students, parents, staff and other persons whose presence poses no threat to the goals of the program or the safety of persons attending the program. Any person who has been convicted of a felony involving the manufacture, sale, delivery or possession of a controlled substance under federal, state or territorial law and whose citizenship has not been restored will not be permitted to attend athletic events or other extracurricular activities sponsored by the Pamlico County Schools.

Legal Reference: G.S. 115C-47(4)
Adopted: June 5, 2000

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**7405
3032
4032**

**SMOKING
AND TOBACCO PRODUCTS PROHIBITED**

**7405
3032
4032**

It is the policy of the Board of Education to promote the health and safety of all students and staff and to promote the cleanliness of all school facilities. To this end, the Board prohibits at all times the use of any tobacco product by any person in any school building or facility, or on school grounds, and in or on any school property owned or operated by the Pamlico County Schools. This policy also prohibits the use of any tobacco product by persons attending a school-sponsored event at a location not listed above when in the presence of students or school personnel or in an area where smoking is otherwise prohibited by law.

Tobacco products may be included in instructional or research activities in school buildings, provided the activity is conducted or supervised by a faculty member overseeing the instructional research, and the activity does not include smoking, chewing, or otherwise ingesting the tobacco product. Permission must be obtained from the principal prior to conducting any such instructional or research activities.

The Superintendent is responsible for providing adequate notice to students, parents, the public and school personnel of this policy, including posting signs regarding this policy in every school building. The Superintendent is also responsible for enforcing this policy at the central office of the Pamlico County Schools. The principal of each school in the school system is responsible for enforcing this policy at his or her respective school and shall require that school personnel enforce this policy.

Legal Reference: G.S. 115C-47(18), -407; 20 U.S.C. §6083

Adopted: June 5, 2000

Revised: July 6, 2004

Revised: December 3, 2007

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7410

CARE OF SCHOOL BUILDINGS

7410

It shall be the duty of every teacher and principal in charge of school buildings to instruct students in the proper care of public property. Principals and teachers shall exercise due care in protecting school property against damage by students. If they fail to exercise reasonable care in the protection of property during the school day, principals and teachers may be held financially responsible for any resulting damage. If the damage is due to carelessness or negligence on the part of the principal or teachers, the superintendent may hold those in charge of the building responsible for the damage. If the damage is not repaired before the close of the term, the final voucher of the responsible principal or teacher may be deducted in an amount sufficient to cover the cost of repair.

If any child in school shall carelessly or willfully damage school property, the teacher or principal shall report the damage to the parent and, if the parent refuses to pay the cost of repairing same, the teacher or principal shall report the offense to the superintendent of schools.

It shall be the duty of all principals to report immediately to the superintendent any unsanitary conditions, damage to school property or needed repair.

Legal Reference: G.S. 1-538.1; 115C-276(c); -288(f); -307(h); -523; -524
Adopted: June 5, 2000

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7411

VANDALISM

7411

Vandalism is the willful destruction of school property, equipment or materials. Local school authorities are to report in writing to the Superintendent any forceful entry that results in theft and/or damage to any school property, and shall immediately notify local law enforcement officials. Determination of the loss resulting from the theft and/or damages shall be a joint endeavor of the local school personnel and the Director of Maintenance or other designated administrator.

Legal Reference: G.S. 1-538.1; 14-132, -132.2, -288.4; 115C-100, -276(c), -288(f), -307(h), -398, -399, -523, -524, -526
Adopted: June 5, 2000

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School building construction will be undertaken in accordance with the master plan for each school adopted by the Pamlico County Board of Education. The Board will not be involved in substandard construction. In the event of insufficient funding for a project, the Board will defer parts of the master plan to later phases.

The Board is committed to designing new and renovated facilities in a manner that maximizes the use of space, conserves environmental resources and produces structurally sound and safe buildings. All school buildings should be designed to create safe, orderly and inviting learning environments.

The Superintendent is responsible for the design of facilities that have been identified in the long-range facility needs plan and have been approved for funding. The Superintendent will ensure that all legal requirements are met in the design of new or renovated buildings. The Superintendent may utilize services of outside professionals, including architects and other consultants, in the facility design and construction. Any contract for professional services related to facility design must be reviewed by the Board attorney and approved by the Board.

The Superintendent will report periodically to the Board on the development of facility plans. The Superintendent also will report on the State Board's review of facility plans conducted pursuant to G.S. 115C-521(c) and will specifically address any concerns noted by the State Board. The Board will give final approval of facility plans before investing money into new buildings or renovations.

Legal Reference: G.S. 115C-521; -524

Adopted: June 5, 2000

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7510

**FACILITY EXPANSION PROGRAM/
LONG-RANGE PLANNING**

7510

The Board, in conjunction with the Superintendent, shall develop a long range plan for construction of new facilities. This plan shall be reviewed periodically.

The Board authorizes the Superintendent to gather information as to long-range facility needs of the district. The Superintendent may utilize the services of those consultants, such as city, county or regional planners, he deems necessary.

It is the goal of the Board to provide the facilities needed for the number of students in the school system and to provide the type of facilities that will best accommodate and support the educational program.

Legal Reference: G.S. 115C-47, -276, -521, -524
Adopted: June 5, 2000

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7520 PLANS FOR MEETING HANDICAPPED CODES IN BUILDINGS 7520

The Pamlico County Schools shall pursue a plan of modification of its school facilities that shall culminate in those buildings being made accessible and functional for use by handicapped persons.

It is not expected that all buildings will immediately meet all standards related to handicapped codes. However, no handicapped individual will be placed in any area that will not meet educational and safety requirements. No qualified individual with a disability shall be excluded or denied the benefits of services, programs, or activities of the Pamlico County Schools because of inaccessible or unusable facilities. All students with disabilities who are served through the Exceptional Children's Program shall be served in the least restrictive environment.

All new facilities shall be designed and constructed in such a manner that the facility or part of the facility is readily accessible to and usable by individuals with disabilities. Standards for construction approved by federal regulations shall be followed for new facilities. Any facilities constructed after 1980 also must be readily accessible to and usable by individuals with disabilities. Any modifications necessary to achieve this standard and to be in compliance with federal regulations shall be made.

Facilities existing prior to 1980 shall be modified as necessary in order for programs and activities of Pamlico County Schools, when viewed in their entirety, to be readily accessible to individuals with disabilities. Existing facilities also shall be modified, as necessary, in order to serve students with disabilities in the least restrictive environment in which their individual education plan can be implemented. If structural changes are necessary to achieve program accessibility, Pamlico County Schools shall develop a transition plan setting forth the steps necessary to complete such changes. Opportunity to participate in the development of the transitional plan shall be given to interested parties and the plan shall be available for public inspection.

The following plan shall be followed to satisfy handicapped codes:

1. Assure accessibility to buildings;
2. Provide facilities necessary to assure the safety and health of handicapped students; and
3. Create a physical and educational environment conducive to the education of the handicapped.

Although there are varying degrees of renovation and modification that are needed for individual buildings, it is desirable that all of the building complexes will be made functionally adaptive to serve all handicapped students, and this will be accomplished as

funds become available for this purpose.

Legal Reference: 29 U.S.C. §§794 et seq., 42 U.S.C. §§12101 et seq., 20 U.S.C. §§1400 et seq., 34 CFR 104.21, 104.22, 104.23, 28 CFR 35.149, 35.150, 35.151.

Adopted: June 5, 2000

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**SALE OF PRODUCTS OF VOCATIONAL
EDUCATION PROGRAMS**

All services, properties and products generated through vocational education programs, including project houses, may be sold or disposed of through:

- (a) private negotiation and sale, prior to which the Board may, but need not, specify a minimum price, sales agent or method of advertisement;
- (b) advertisement for sealed bids, specifying a date certain for opening bids;
- (c) negotiated offer, advertisement and upset bid, upon the terms set forth in G.S. 160A-269 or as modified by the Board at the time this method of sale or disposal is selected;
- (d) public auction upon the terms set forth in G.S. 160A-270 or as modified by the Board at the time this method of sale or disposal is selected;
- (e) exchange through private negotiation; or
- (f) lease or rental, upon such terms as designated by the Board.

Any of the above methods of sale or disposition may be chosen, in the discretion of the Board, upon adopting a resolution authorizing the sale or disposition.

All checks or funds received from sales or dispositions under this policy must be made payable to and paid directly to the Pamlico County Board of Education. All proceeds from the sale or disposition of services, properties or products of vocational education programs shall be applied to the vocational education fund.

Legal Reference: G.S. 115C, Art. 10, Part 2

Adopted: June 5, 2000

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7700

BUILDING AND GROUNDS MANAGEMENT SAFETY

7700

The Pamlico County Schools shall be in compliance with the rules and regulations of the N.C. Department of Labor, which administers the Williams-Steiger Occupational Safety and Health Act of 1970 (OSHA), as amended.

The Pamlico County Schools will provide safe surroundings and equipment. Safety procedures are established for the benefit of all employees. When safety equipment is required, it will be furnished by the school system.

Safety is every employee's responsibility. Where any unsafe condition is discovered, the facts concerning this condition should be brought to the attention of the immediate supervisor without delay.

Legal Reference: G.S. 115C-166, -169
Adopted: June 5, 2000

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7710

EMERGENCY DRILLS

7710

Each school principal shall conduct a fire drill during the first week after the opening of school and, thereafter, at least one fire drill each school month in each building in his charge where children are assembled. The principal shall inspect each building in his charge at least twice each month during the regular school session, and the principal shall file a written report each month with the Superintendent.

The Superintendent shall cause each principal to be aware of various potential emergencies such as natural disasters, civil disturbances, etc. Each principal shall develop emergency plans to cope with such situations.

Legal Reference: G.S. 115C-288, -525
Adopted: June 5, 2000

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8000 FUNCTION OF ADMINISTRATION 8000

The administrative staff shall be responsible for the overall conduct and operation of the school system in accordance with law and Board policy.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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8010 FILLING ADMINISTRATIVE POSITIONS 8010

All administrative vacancies shall be filled in accordance with the qualifications established for the respective positions and upon the recommendation of the Superintendent.

8010.1 All administrative vacancies occurring during any season of the year shall be posted in each school a minimum of ten (10) calendar days prior to filling of said vacancies, except when circumstances dictate shorter posting time.

Legal Reference: G.S. 115C-36, -47,
Adopted: June 5, 2000

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8020 PROTECTION OF ADMINISTRATORS 8020

The Board shall extend full professional support to administrative personnel and also shall provide adequate legal and insurance protection commensurate with the responsibilities and risks of the respective positions.

Legal Reference: G.S. 115C-42, -43, -47
Adopted: June 5, 2000

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8030

CONTRACTS

8030

All administrative personnel defined by law as holding contract positions shall be extended contracts in accordance with provisions of law.

Legal Reference: G.S. 115C-47, -271, -278
Adopted: June 5, 2000

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8040

PROFESSIONAL GROWTH

8040

All administrators shall keep abreast of new developments in the education profession.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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The Superintendent shall function as the chief administrative officer of the school system and as the chief executive officer to the Board of Education.

The Board elects the Superintendent, prescribes his duties, and may remove the Superintendent for cause. The Superintendent serves as the secretary of the Board without vote, and is responsible for the administration and organization of the Pamlico County Schools.

The Superintendent may delegate duties to subordinate employees as required for effective administration of the schools, except in such matters where the Board prohibits delegating authority. The Superintendent shall be responsible for work delegated to employees. Any reports or recommendations for Board action from any employee under the direction of the Superintendent shall be made to the Superintendent.

Legal Reference: G.S. 115C-271, -276
Adopted: June 5, 2000

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To be eligible for service as Superintendent, a person shall:

- A. Be a resident of Pamlico County.
- B. Have good moral character.
- C. Possess an earned doctorate or the equivalent.
- D. Hold or be qualified to hold the North Carolina superintendent's certificate.
- E. Have had three years experience in school work in the past ten (10) years.
- F. Provide evidence of good health.
- G. Be elected by a majority vote of the Board.
- H. Have entered into a written contract with the Pamlico County Board of Education, a copy of which contract shall have been filed with the State Superintendent of Public Instruction.
- I. Receive the approval of the State Superintendent of Public Instruction and the State Board of Education.
- J. Take an oath of office as provided by law.

Legal Reference: G.S. 115C-47, -271, -272(a)
Adopted: June 5, 2000

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When a vacancy in the position of Superintendent occurs, the Board shall give just consideration to the qualifications of any applicant who registers an interest. The Board, in its discretion, may establish a plan to conduct a search for qualified applicants.

Legal Reference: G.S. 115C-36, -47, -271, -275
Adopted: June 5, 2000

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8150

JOB DESCRIPTION OF SUPERINTENDENT

8150

TITLE: Superintendent of Schools

QUALIFICATIONS: As set by law and Board policy

REPORTS TO: Board of Education

SUPERVISES: All personnel of the school system

JOB GOAL: To provide leadership in developing and maintaining the best possible educational programs and services.

PERFORMANCE RESPONSIBILITIES:

1. In conjunction with the Chairman, prepare an agenda for Board meetings. Attend and participate in all meetings of the Board and its committees, except when his own employment or salary is under consideration, and serve as Secretary to the Board.
2. Advise the Board on the need for new and/or revised policies and see that policies of the Board are implemented.
3. Prepare the annual operating budget recommendations and implement the approved budget.
4. Prepare and submit recommendations relative to all matters requiring Board action, placing before the Board such necessary and helpful facts, information and reports as needed to insure informed decisions.
5. Inform and advise the Board about the programs, practices and problems of the schools, and keep the Board informed of the activities operating under the Board's authority.
6. Secure and nominate for employment the best-qualified and most competent personnel.
7. Assign and transfer employees as the interest of the school system may dictate.
8. Report to the Board the case of any employee whose service is unsatisfactory and recommend appropriate action.
9. Hold such meetings of teachers and other employees as necessary for the

discussion of matters concerning the improvement and welfare of the schools.

10. Keep the Board and the public informed about modern educational practices.
11. Delegate to other employees the exercise of powers or the discharge of duties.
12. Keep abreast of new developments in the education profession.
13. Provide for current curriculum guides and courses of study.
14. Make recommendations for new school sites; plans for new buildings; appropriations for sites and buildings; and improvements, alterations and changes to buildings and equipment.
15. Maintain records for the schools and act as custodian of such records.
16. Make recommendations to the Board for transportation, food service, health and safety, cleanliness, maintenance and operations of properties, and other necessary functions.
17. Attend or provide representation at meetings of other governmental agencies when the public schools have an interest.
18. Act, when necessary, on any matter not covered by Board policy and report such action to the Board as soon as practicable.
19. Perform such other duties as may from time to time be assigned by the Board.
20. Coordinate the adoption and implementation of the safe school plan, evaluate each principal's performance regarding school safety, monitor and evaluate the implementation of safety plans at each school, and coordinate with local law enforcement and court officials appropriate aspects of implementation of the plan. If the Superintendent fails to carry out these responsibilities, he will face disciplinary consequences such as a reprimand, withholding of salary, or both.
21. Keep the public informed in order to maintain support for public education.

TERMS OF EMPLOYMENT: Salary and length of employment to be agreed upon with the Board.

EVALUATION: Performance to be evaluated annually by the Board.

Legal Reference: G.S. 115C-47, -105.47, -276
Adopted: June 5, 2000

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8155

**AUTHORIZATION OF THE SUPERINTENDENT
TO ACT FOR THE BOARD**

8155

The Superintendent and Board Attorney are authorized to negotiate all terms and conditions of a contract to purchase real property, once the pursuit of that particular real property has been agreed upon by the Board of Education. Any contract to purchase real property negotiated by the Superintendent and Board Attorney pursuant to this policy shall be conditioned upon final approval by the Board prior to purchase and closing on the property.

Legal Reference: G.S. 115C-36, -47(15)
Adopted: June 5, 2000

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8160

COMPENSATION AND BENEFITS OF SUPERINTENDENT

8160

The Superintendent shall receive such compensation and other benefits as agreed upon with the Board. The Board shall review annually the Superintendent's compensation and benefits upon the event of its annual evaluation of the Superintendent's performance.

Legal Reference: G.S. 115C-271, -272(a)
Adopted: June 5, 2000

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8170

EXPENSES OF SUPERINTENDENT

8170

The Superintendent shall be reimbursed for those expenses as established by the Board at the time of employment and subsequent annual reviews.

Legal Reference: G.S. 115C-36, -47, -271
Adopted: June 5, 2000

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8180

EVALUATION OF SUPERINTENDENT

8180

The Board shall conduct an annual evaluation of the Superintendent to be completed no later than June 30 of each year.

8180.1 The Superintendent shall be given full rights to raise questions and make appropriate explanations.

8180.2 The Board shall include in the evaluation of the Superintendent his performance as related to the goals developed by the Superintendent and the Board, and other legal requirements.

Legal Reference: G.S. 115C-272
Adopted: June 5, 2000

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8190

SEPARATION OF SUPERINTENDENT

8190

In the event that the Superintendent's contract is or should be terminated, the Board shall take such appropriate and necessary action as would insure the continuous smooth operation of the school system.

Legal Reference: G.S. 115C-271, -274, -275
Adopted: June 5, 2000

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8200

ADMINISTRATIVE PERSONNEL

8200

The Board shall provide an administrative staff for the conduct of the management functions of the school system. The Superintendent shall maintain a current organizational chart for all positions above the level of principal.

Legal Reference: G.S. 115C-36, -47, -278, -284(g)
Adopted: June 5, 2000

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8201

QUALIFICATIONS AND PERFORMANCE RESPONSIBILITIES

8201

A job description shall be prepared for each administrative position which functions in a line capacity, outlining the qualifications, responsibilities and pertinent elements of the position. The job descriptions shall be maintained by the Superintendent. Each administrator will be required to carry out effectively his performance responsibilities.

Legal Reference: G.S. 115C-36, -47
Adopted: June 5, 2000

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8240

RECRUITMENT

8240

Vacancies in administrative positions shall be filled by the most competent applicants available and in accordance with all stipulations of equal employment and non-discrimination requirements.

Legal Reference: Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972, as amended
Adopted: June 5, 2000

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8250

SELECTION

8250

The Superintendent shall be responsible for recommending for employment in administrative positions only those applicants who have been investigated sufficiently to give assurance that they are fully qualified.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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8251

ASSIGNMENT

8251

Assignment of administrators shall be the responsibility of the Superintendent.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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8252

ORIENTATION

8252

The Superintendent shall provide for appropriate orientation of each administrator given a new assignment.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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8254

EVALUATION

8254

The Superintendent shall be responsible for establishing procedures for an annual evaluation of each administrator.

Legal Reference: G.S. 115C-47, -276

Adopted: June 5, 2000

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8255

PROMOTION

8255

In recognition of meritorious performance, promotion from within the school system shall be encouraged. To this end, administrators interested in promotion shall be responsible for making proper school officials aware of their interest in and qualifications for promotion.

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

Adopted: June 5, 2000

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8256

CAREER STATUS

8256

All administrators who were eligible for and who attained career status prior to July 1, 1998, shall retain such career status in keeping with provisions of law. Administrators may not receive career status unless the position in which they are serving qualifies as a career status position under the law.

Legal Reference: G.S. 115C-278, -284(g), 287.1, -325

Adopted: June 5, 2000

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8257

TRANSFER

8257

Any administrator desiring a transfer shall make such interest known to the Superintendent, who shall be responsible for acting on the request.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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8261

TIME SCHEDULES

8261

The Superintendent shall be responsible for the establishment of time schedules for all administrative positions, based on the demands of the various positions, and requiring a minimum of a five-day, forty-hour week.

Legal Reference: G.S. 115C-47, -84, -276
Adopted: June 5, 2000

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8262

EXPENSES FOR SYSTEM EMPLOYEES

8262

The Superintendent shall be responsible for developing and monitoring procedures for travel, in accordance with Board approved rates.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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8263

NON-SCHOOL EMPLOYMENT

8263

No administrator, including the Superintendent, shall accept any non-school employment which in any way conflicts with or impairs his ability to carry out properly the requirements of his administrative assignment.

Legal Reference: G.S. 115C-47, -272
Adopted: June 5, 2000

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8264

PROFESSIONAL LEAVES AND ABSENCES

8264

After rendering three consecutive years of administrative service in the Pamlico County Public School System, an employee shall be eligible to apply for professional leave not to exceed one year, and without pay, the purpose of which shall be limited to professional improvement.

- 8264.1 Application for professional leave shall be submitted prior to May 15 of the school year preceding the proposed leave.
- 8264.2 Reemployment shall be assured for the year following the leave; provided, however, reemployment in the position previously held may not be guaranteed.
- 8264.3 A person granted leave shall be responsible for obtaining information and making necessary individual arrangements relative to continuation of retirement, hospitalization, and salary benefits during the leave of absence.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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8265

CONFERENCES AND VISITATION

8265

Within the limits of budgetary provisions, administrators shall be encouraged to attend educational conferences and make visitations which are designed to broaden their competence in their positions. Any such attendance shall have received prior approval of the Superintendent's Office.

Legal Reference: G.S. 115C-47, -276
Adopted: June 5, 2000

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8300

RESPONSIBILITY FOR COMPLIANCE WITH BOARD POLICY

8300

All school employees shall be held responsible for familiarizing themselves with the printed policies of the Board and shall be held accountable for compliance.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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8305
3005
4005

CODE OF ETHICS AND STANDARDS OF CONDUCT

8305
3005
4005

Each employee is responsible for both the integrity and the consequences of his or her own actions. The highest standards of honesty, integrity, and fairness must be exhibited by each employee when engaging in any activity concerning the school system, particularly in relationships with vendors, suppliers, students, parents, the public, and other employees. Employee conduct should be such as to protect both the person's integrity and/or reputation and that of the school system. An unswerving commitment to honorable behavior by each and every employee is expected. Integrity can accommodate the inadvertent error and the honest difference of opinion; it cannot accommodate deceit or subordination of principle.

Each employee should conduct himself in such a manner as to promote a safe, secure, and orderly school environment. Further, each employee's conduct should foster a climate of respect at the school and, thus, by example demonstrate that appropriate personal conduct should be a priority for all students and all school employees.

Employees shall perform their jobs in a competent and ethical manner without violating either the public trust or applicable laws, policies and regulations. It is not practical or possible to enumerate all of the situations that might fall under the guidelines of this policy. In addition to other policies, regulations and approved practices that have been established covering specific areas of activity (such as purchasing), the absence of law, policy or regulation covering a particular situation does not relieve an employee from the responsibility to exercise the highest ethical standards at all times.

The Superintendent shall develop in Regulations and Procedures guidelines which address the specifics related to this policy.

Legal Reference: G.S. 14-234 to -236; 115C-47 and -105.47.
Adopted: June 5, 2000

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8307
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4007

DRUG-FREE WORKPLACE

8307
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4007

The Pamlico County Board of Education believes that work environments must be free of employees who are under the influence of alcohol or illegal drugs, or who abuse prescription drugs. It is the purpose of this policy to ensure that all employees are free of these substances so that they may perform their tasks safely and efficiently. Emphasis will be placed on rehabilitation of employees who abuse drugs or alcohol so that they may live up to their responsibilities and the standards set by this policy. All employees should be aware of the harmful effects and dangers of alcohol and other drug abuse. Specifically, an employee working under the influence of alcohol or drugs:

- A. May create unsafe conditions for other employees and students;
- B. May perform unsatisfactorily and may adversely affect the performance of those who work with him;
- C. May discredit the Pamlico County Schools and cause disrespect for both the Board of Education and the Pamlico County Schools among students and parents.
- D. May violate the duty of all Pamlico County Schools employees to serve as role models for students.

I. Definitions

For the purposes of this policy, the following definitions shall apply:

- A. A "Category A employee" is one whose primary duty includes being a school bus driver, an activity bus driver, a driver's education teacher, a bus mechanic, or a security officer. Because of the sensitive nature of the duties of these employees and because misjudgment by such employees may have an immediate impact on the safety and physical well-being of students and other school personnel, the Board has established a special category for these employees.
- B. "Illegal drugs" are defined as controlled substances when used for non-medical purposes and substances which may affect or alter bodily functions, judgment, or perception when used for non-medical purposes, whether listed as a controlled substance or not. The North Carolina Controlled Substances Act (N.C. Gen. Stat. Ch. 90, Art. 5) and the United States Controlled Substances Act (21 U.S.C. § 801 et seq.) define "controlled substances" and make them illegal when used for non-medical purposes.
- C. "Under the influence" is defined as being that state when an employee's

behavior or performance is affected to an observable extent by alcohol, drugs or other substances. Without regard to an employee's behavior or performance, an employee shall be deemed to be under the influence when his alcohol content level as determined by a breathalyzer or blood test equals or exceeds the level that constitutes impaired driving in a commercial motor vehicle under the Motor Vehicle Laws of North Carolina (N.C. Gen. Stat. § 20-138.2).

D. "Abuse" of prescription drugs or other substances occurs when a person uses prescription drugs or other substances either without or in a manner contrary to the specific direction of a physician and where such use affects the employee's behavior or performance to an observable extent.

II. Prohibited Acts

The Board prohibits the following acts:

A. The manufacture, sale, distribution, possession or use of illegal drugs or the abuse of prescription drugs by its employees;

B. The sale, distribution, possession or use of alcohol by its employees while on duty;

C. In the case of Category A employees, driving at any time while under the influence of alcohol or other drugs.

III. Penalties for Noncompliance

Any employee who violates this policy shall be subject to disciplinary sanctions, which may include dismissal. When appropriate, emphasis shall be given to rehabilitation of employees.

A. Any employee who is convicted or pleads guilty or no contest to a felony involving selling, distributing, possessing and/or using illegal drugs in violation of state or federal law shall be dismissed. In addition, if a Category A employee is convicted or pleads guilty or no contest to a charge of driving at any time while under the influence of alcohol or drugs, he shall be dismissed.

B. Any employee who sells or distributes illegal drugs shall be dismissed. Any employee who uses or is found to be under the influence of illegal drugs or to be abusing prescription drugs while on duty shall be subject to discipline, up to and including dismissal, except that a Category A employee shall be dismissed in all such cases.

C. Any employee who sells or distributes alcohol while on duty shall be dismissed. Any employee who uses or is found to be under the influence of alcohol while

on duty shall be subject to discipline, up to and including dismissal, except that a Category A employee shall be dismissed in all such cases.

D. In those cases where discipline less than dismissal is appropriate under this policy and where there appears to be a reasonable possibility of rehabilitating an employee, he shall be referred to appropriate programs. After an assessment and evaluation, the employee may, as an alternative to other discipline, be allowed to participate in a rehabilitation program as approved by the Superintendent and at the employee's expense. (This alternative is not available to Category A employees.) If the employee fails to complete the program satisfactorily, then the employee shall be disciplined, up to and including dismissal. If the employee is found to have committed a subsequent drug or alcohol offense after entering the program, then the employee shall be dismissed.

IV. Authority to Test

A. Pre-employment testing

All job applicants for Category A positions shall be required to undergo a drug test prior to and as a condition of final employment by the Board of Education. A confirmed, positive test indicating illegal or prohibited use of drugs will disqualify the applicant for employment with the school system. All newly hired Category A employees, full and part-time, will be temporary employees pending a review of drug test results.

All job applicants will be required to read this policy as a condition of employment and sign a statement of intent to comply with this policy.

B. Post-employment - Category A employees

After they have been employed, Category A employees will be required to:

1. Submit to random alcohol and drug tests without cause;
2. Submit to an immediate medical examination, including alcohol or drug testing, where a supervisor or other management employee has reasonable suspicion to believe that the employee is under the influence of alcohol or other drugs;
3. Immediately submit to alcohol or drug testing if involved in an accident while operating a school vehicle; and
4. Read this policy as a condition of continuing employment and sign a statement of intent to comply with this policy.

In the event the employee refuses to submit to a drug test as required

herein, or there is a positive alcohol or drug test, and it is confirmed by the medical review officer that the Category A employee has been using illegal drugs or abusing prescription drugs, then the employee shall be dismissed.

Testing of all commercial motor vehicle operators employed by the Board, including school bus and activity bus drivers, shall include testing that complies with 49 C.F.R. Part 382 and Board policy 3008/4008/8308.

C. Post-employment - All employees

Each employee shall be given a copy of this policy.

Any employee of the Board may be required to submit to a drug or alcohol test when a supervisor or other management employee has reasonable suspicion to believe that the employee is using alcohol or illegal drugs or is abusing prescription drugs in the workplace. Refusal to consent to such testing shall be cause for disciplinary action up to and including dismissal.

Reasonable suspicion justifying such testing may be based on, among other things:

1. Observation of drug use or possession and/or the physical symptom(s) of being under the influence of a drug or alcohol;
2. A pattern of abnormal conduct or erratic behavior consistent with abuse of drugs or alcohol;
3. Arrest or conviction for a drug- or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation;
4. Information provided either by reliable and credible sources or independently corroborated; or
5. Evidence that the employee has tampered with a previous drug or alcohol test.

V. Drug-Free Workplace Act of 1988

In furtherance of the goals of the Drug-Free Workplace Act of 1988 and as a condition of employment with the Pamlico County Schools, each employee must comply fully with this policy. Each employee is required to notify his or her immediate supervisor and the appropriate personnel department representative within five days after any criminal conviction or no contest plea involving alcohol or drugs. Employees who are aware of another employee's on-the-job alcohol or other drug violation must notify their immediate supervisor and the appropriate personnel department representative. Employees who fail to make such notification are subject to disciplinary action up to and

including dismissal.

VI. Confidentiality

Information obtained through implementation of this policy is intended to be solely for the purposes specified in this policy and to protect the health and safety of students and/or employees. The confidentiality of all test results will be maintained as required by applicable laws, with only those persons having a need to know being informed of the results.

VII. State Law

All drug testing conducted by or on behalf of the Pamlico County Board of Education will comply with the requirements of N.C. Gen. Stat. 95-230 through -234.

VIII.

Employees shall be provided information concerning available counseling, rehabilitation, and re-entry programs.

Legal Reference: G.S. 115C-47; G.S. Ch. 95, Art. 20; 21 U.S.C. 812; 41 U.S.C. 701 et seq.; 49 U.S.C. App. 2717; 49 C.F.R. Parts 40 & 382

Adopted: June 5, 2000

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8308
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**DRUG AND ALCOHOL TESTING OF
COMMERCIAL MOTOR VEHICLE OPERATORS**

8308
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4008

The purpose of this policy is to help ensure safe operation of school vehicles and to comply with federal regulations by establishing a comprehensive program of drug and alcohol testing for school bus drivers and all other commercial motor vehicle operators employed by the Board.

Applicability

Persons subject to this policy include anyone who operates a commercial motor vehicle in the course of their duties for the Board of Education, including anyone who regularly or intermittently drives a school bus, activity bus, or other vehicle designed to transport sixteen or more people, including the driver.

Prohibited Acts

No person who is subject to this policy, or any supervisor of such persons, may commit any act prohibited by 49 C.F.R. Part 382, or by Board policy 3008/4008/8308. In addition, commercial motor vehicle operators employed by the Board shall not be impaired by alcohol or by any prescription or non-prescription drug while on duty or while operating any motor vehicle. Employees found in violation of this policy or Part 382 will be subject to dismissal.

Procedures

The administration shall ensure that the collection procedures outlined in 49 C.F.R. Part 40 are met, and that testing, reporting, record retention, training, confidentiality, and other requirements of 49 C.F.R. Part 382 are met.

Testing

The administration shall carry out pre-employment, post-accident, random, reasonable suspicion, return to duty, and follow-up testing for drugs and alcohol as required by 49 C.F.R. Part 382. School bus drivers and others employed by the Board for the primary purpose of operating a commercial motor vehicle shall undergo pre-employment testing. Employees whose duties include intermittent driving will not be subject to pre-employment testing but must undergo pre-duty testing before operating a commercial motor vehicle, and must undergo all other testing required by Part 382. Refusal of any test required pursuant to this policy or Part 382 shall be cause for dismissal.

Pre-employment Inquiry

All applicants who would be subject to this policy if employed shall consent in writing to the release of any information gathered pursuant to 49 C.F.R. Part 382 by any of the applicant's previous employers. Before employing any applicant covered by this policy or Part 382, the administration shall obtain, pursuant to written consent, all records maintained by the applicant's previous employer of prohibited acts taking place during the previous two years.

Training and Education

Each commercial motor vehicle operator and supervisory employee, including principals and assistant principals, shall be provided with educational materials that inform the employees of drug testing procedures, prohibited acts, consequences, and other aspects of 49 C.F.R. Part 382 and this policy. The information also shall identify a school system employee who will be responsible for providing information on substance abuse. Each employee shall sign a statement certifying receipt of these materials.

Each supervisor responsible for overseeing the performance of commercial motor vehicle operators shall undergo at least one hour of training concerning alcohol misuse and an additional hour of training concerning drug abuse.

Referrals

Each motor vehicle operator who violates acts prohibited by 49 C.F.R. Part 382, other than provisions governing pre-employment testing, shall be provided with information concerning resources available for evaluating and resolving drug or alcohol misuse. This information shall include names, addresses, and telephone numbers of substance abuse professionals and counselling and treatment programs. Before allowing anyone who has committed a prohibited act under 49 C.F.R. Part 382 to drive again, that employee shall be evaluated by a substance abuse professional and must undergo any appropriate treatment designated by the substance abuse professional.

Legal Reference: 49 U.S.C. App. 2717; 49 C.F.R. Parts 40 & 382
Adopted: June 5, 2000

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The Superintendent shall be responsible for making provisions for and administering procedures for the temporary closing of a school or schools because of inclement weather or other unforeseen occurrence which presents a threat to the safety of students, staff or property.

Legal Reference: G.S. 115C-47, -84

Adopted: June 5, 2000

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It is the goal of the Pamlico County Schools to have automatic external defibrillators (AEDs) available for use in all of its schools. American Red Cross or American Heart Association certified responders may use an AED in response to cardiac medical emergencies. An AED will not be administered by anyone without proper training. All AEDs will be maintained and tested in accordance with operational guidelines of the manufacturer and monitored by the Pamlico County School Nurse Program. The AEDs will be housed on school property and should not accompany Emergency Medical Service personnel to a hospital emergency room. A designated AED may accompany teams to athletic events, to be used in accordance with this policy. The Superintendent shall issue procedures governing the proper usage and maintenance of the AED units, in compliance with all pertinent federal and state statutes and regulations.

To the extent provided by law, Pamlico County Schools personnel shall be immune from liability for their acts or omissions in rendering good faith care to someone who appears to be in cardiac arrest.

Legal Reference: N.C. Gen. Stat. §§ 90-21.15; 115C-307
Adopted: March 6, 2006

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AUTOMATED EXTERNAL DEFIBRILLATORS GUIDELINES (Policy 8330)

RATIONALE

The following guidelines have been developed to compliment the Pamlico County Schools' Health Services Program and response procedures for managing emergency medical incidents. Current research indicates that a person's chance of survival when suffering a sudden cardiac arrest diminishes significantly without intervention occurring within the first minutes of an onset of cardiac arrest. This response plan incorporates the recommendations as outlined by the American Heart Association, American Red Cross, and current legislation passed by the General Assembly (Senate Bill 1269)

CONTRAINDICATION OF USE OF AED (with adult electrodes):

PATIENT IS CONSCIOUS
PATIENT HAS A PULSE AND IS BREATHING
SCENE IS UNSAFE OR WET
PATIENT IS LESS THAN 80 POUNDS
PATIENT IS LESS THAN 8 YEARS OLD

NOTE: THE YOUTH ELECTRODES WILL BE USED FOR PATIENT LESS THAN 80 POUNDS OR LESS THAN 8 YEARS OLD PROVIDED ALL OTHER CONTRAINDICATIONS DO NOT APPLY

1. The Pamlico County School System has collaborated with Pamlico County Emergency Medical Services to implement a Public Access Defibrillator Program.
2. A collaborative agreement has been established between Pamlico County Schools and a Physician Consultant to oversee the administration of the AED Program. This collaborative agreement will be renewed on a bi-annual basis starting from the date of the original agreement. The physician will review the Pamlico County Schools plan and suggest modifications as needed.
3. Each AED Team member will receive instruction and maintain CPR/AED certification as presented by a certified American Heart Association/American Red Cross trainer. After initial training, each team member will receive an annual update training to review the response guidelines, use of the AED and receive current updates on protocols. A record will be kept and updated annually listing school employees who are certified.
4. AED units will be secured in an identified location for use only by trained personnel.
5. The building Principal will appoint a staff member to check the unit readiness daily. Once a month a complete check of the unit will be made following the checklist provided. The Supervisor of the School Nurse Program will be notified if any maintenance is indicated.
6. Following each incident, the Supervisor of the School Nurse Program will receive and review a copy of the AED incident report to assure appropriate procedures

were followed. If deemed necessary, the Physician Consultant will meet with the AED Team to review the report and make necessary recommendations.

7. A copy of the completed AED incident report will be submitted to the Superintendent or designee following each incident.

RESPONSE GUIDELINES FOR SUDDEN CARDIAC ARREST

Goal: To improve an individual's chance of survival after experiencing sudden cardiac arrest.

CONTRAINDICTION OF USE OF AED (with adult electrodes):

PATIENT IS CONSCIOUS
PATIENT HAS A PULSE AND IS BREATHING
SCENE IS UNSAFE OR WET
PATIENT IS LESS THAN 80 POUNDS
PATIENT LESS THAN 8 YEARS OLD

NOTE: THE YOUTH ELECTRODES WILL BE USED FOR PATIENT LESS THAN 80 POUNDS OR LESS THAN 8 YEARS OLD PROVIDED ALL OTHER CONTRAINDICATIONS DO NOT APPLY

Procedure after onset of cardiac event:

1. The observer will:
 - a. During office hours the observer notifies the office of a person experiencing a cardiac event; providing location and pertinent details
 - b. After office hours, the observer will notify emergency services directly by phoning or having someone phone 911
 - c. Assess the safety of the incident scene and take universal precautions as necessary.
 - i. If the scene is safe and precautions are in place, assess patient status
 - ii. If the patient alert/conscious; place person in position of comfort and monitor until EMS arrives
 - iii. If the patient is unconscious, initiate CPR protocols
2. Office staff will:
 - a. Notify emergency services by phoning 911 and provide details of the incident
 - b. Alert AED team of incident over intercom/walkie-talkie by stating: "AED certified personnel report to (the location reported by the observer)"
 - c. Notify Superintendent's office of incident and known details
3. AED Team will (until arrival of EMS):
 - a. Report to location with the AED device, assess safety and take universal precautions

- b. Assess the patient status, assist with CPR, and prepare AED unit for use
- c. Apply AED pads, have everyone stand back and follow prompts the unit provides
- d. Continue CPR if there is no pulse/breathing and monitor patient's status until EMS arrives
- e. Following the incident, one member of the AED Team will complete the AED Incident Report and the team will meet to review their actions

**PAMLICO COUNTY SCHOOLS
AUTOMATED EXTERNAL DEFIBRILLATION (AED)
INCIDENT REPORT**

Date of incident: _____ Time of incident: _____ AM /
PM

Location of incident (be exact):

Patient's Age: _____ Patient's Sex: _____ Male _____ Female

CPR prior to defibrillation: _____ Attempted _____ Not Attempted

Cardiac Arrest Witnessed by: _____ AED team member _____ Bystander

Estimated time (in minutes) from cardiac arrest until CPR administered: _____

AED Shock: _____ Indicated _____ Not Indicated

Number of shocks given: _____

Estimated time (in minutes) from cardiac arrest until first AED shock: _____

Additional comments:

Patient outcome at incident site (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Return of pulse and breathing | <input type="checkbox"/> No return of pulse or breathing |
| <input type="checkbox"/> Return of pulse with no breathing | <input type="checkbox"/> Became responsive |
| <input type="checkbox"/> Return of pulse, then loss of pulse | <input type="checkbox"/> Remained unresponsive |

Name of AED operator:

Name of the transporting ambulance and driver:

Name of facility patient was transported to:

Name of emergency first responder(s):

Signature(s) Title Date

This report is to be completed by Pamlico County Schools AED responder with copies to the Superintendent, Supervisor of the School Nurse Program, and Physician Consultant

COLLABORATIVE AGREEMENT BETWEEN
PAMLICO COUNTY SCHOOLS AND PHYSICIAN

A collaborative agreement has been established between Pamlico County Schools and _____ to oversee the administration of the Automated External Defibrillator Program. This collaborative agreement will be renewed on a bi-annual basis.

_____ has reviewed the Pamlico County Schools Automated External Defibrillator Policy and associated procedures that include, but are not limited to the following:

1. A record of school employees who are certified in CPR/AED by either the American Red Cross or American Heart Association will be kept and up-dated annually.
2. A periodic review of CPR/AED procedures will be conducted with trained employees.
3. Periodic checks of AED equipment will be made.
4. Following each incident in which the Automated External Defibrillator (AED) is used, the Supervisor of the School Nurse Program will send a copy of the AED incident form to _____. The physician will review the incident report to assure that appropriate procedures were followed, and make any recommendations necessary.

Physician	Date
Supervisor of the School Nurse Program	Date

The Board recognizes the importance of using precautionary measures and educating employees to prevent the transmission of communicable diseases.

In furtherance of this objective, Pamlico County Schools will comply with regulations on bloodborne pathogens in 13 North Carolina Administrative Code 7C.0101(a)(96), which is identical to OSHA regulations, 29 Code of Federal Regulations 1910.1030. The citations in this policy refer to the federal regulations. Additional training and education beyond the requirements of these regulations also will be provided as described below.

The following procedures will be followed in order to comply with the bloodborne pathogens regulations.

8333.1 Exposure Determination

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All job classifications must be categorized as to whether (1) all employees in the job classification have occupational exposure; (2) some employees in the job classification have tasks which create occupational exposure, with each of these tasks being listed; or (3) all employees in the job classification perform no tasks which are likely to create occupational exposure. 1910.1030(c)(2).

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. 1910.1030(b).

The exposure determination will be made by the Superintendent or his designee by consulting with the exposure control team to identify tasks where occupational exposure may occur.

The exposure determination must be included in the exposure control plan and reviewed at least annually to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. 1910.1030(c)(iv).

8333.2 Exposure Control Plan

3033.2
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The exposure control plan will include the schedule and methods for implementing universal precautions, engineering and work practice controls, personal protective equipment, housekeeping, and labeling of hazardous

areas. The plan also will include the schedule and method for providing training classes, Hepatitis B vaccination and post-exposure follow-up. The plan will show how records will be

maintained for training classes, Hepatitis B vaccinations/refusals of vaccinations, and exposure incident reports. 1910.1030(c)(1).

The exposure control team will be responsible for drafting and producing the final copy of the exposure control plan and for making copies available as required by 1910.1030(1)(iii)(5). The exposure control team also will ensure that an annual review of the exposure control plan is conducted and that input is sought from employees.

8333.3 Hepatitis B Vaccination

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The Hepatitis B vaccination will be made available to all employees with occupational exposure, at no cost at a reasonable time and place by a licensed physician or other healthcare professional or someone supervised by a licensed professional. The tests will be performed at an accredited laboratory. The vaccination shall be made available within ten working days of initial assignment but after receiving the training required by 1910.1030-(g)(2). An employee may refuse the vaccination and at any later date choose to receive the vaccination. 1910.1030(f)(1), (2).

The Assistant Superintendent for Administrative Services will coordinate healthcare services necessary to provide the vaccination.

The Assistant Superintendent for Administrative Services will maintain Hepatitis B vaccination records as part of the medical records required to be kept for duration of employment plus 30 years. 1910.1030(h)(1).

The Assistant Superintendent for Administrative Services will ensure that those refusing Hepatitis B vaccinations will sign a statement of refusal. The Assistant Superintendent for Administrative Services will maintain records of refusals in the medical records of employees. 1910.1030(f)(2).

8333.4 Post-Exposure Follow-Up

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Following a report of an exposure incident, Pamlico County Schools will make available to the exposed employee a confidential medical evaluation and follow-up. 1910.1030(f)(3).

The Assistant Superintendent for Administrative Services will coordinate provision of contracted healthcare services or reimbursement for healthcare services as identified in 1910.1030 (f)(3), (4) and (5), and will ensure incident exposure forms are available to employees.

The Assistant Superintendent for Administrative Services will maintain records of exposure incidents which shall be kept as part of the employee's medical record for the duration of employment plus thirty years with information required by 1910.1030(f)(5), (6) and 1910.1030(h)(1).

8333.5 Training of Employees

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4033.5

All employees with occupational exposure (either all in an identified job classification or for particular employees who perform tasks reasonably anticipated to cause occupational exposure) must receive training at the time of initial assignment and annually from the date of previous training. Training must be provided within ten days of initial assignment and before the Hepatitis B vaccination is offered. 1910.0130(f)(2)(i), 1090.1030(g)(2).

Training of those classified as having occupational exposure must include material as described in 1910.1030(g)(2)(vii). For those who are occupationally exposed but received training prior to the effective date of 1910.1030(g)(2), training must only be provided initially to address any gaps in material required to be taught by 1910.1030(g)(2)(vii).

Pamlico County Schools also is providing basic training to other employees who are not occupationally exposed according to the statutory definition but who may benefit from exercising universal precautions. These employees include administrative personnel. The Assistant Superintendent for Administrative Services will be responsible for providing training for employees and making records of training.

Training records required by 1910.1030(h)(2) for classes taught to occupationally exposed employees will be maintained by the Assistant Superintendent for Administrative Services for three years. The information contained in records will include all information required by 1910.10-30(h)(2)(i).

Training records not required by the statute will be maintained by the principals/department heads/supervisors.

8333
3033 COMPLIANCE WITH BLOODBORNE PATHOGENS REGULATIONS
4033 (cont.)

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8333.6 Workplace Safety Precautions

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Pamlico County Schools will comply with all universal precautions, engineering and workplace controls, personal protection equipment, and housekeeping in 1910.1030(d). Labeling of hazardous materials also will be performed as required by 1910.1030(g)(1).

The exposure control team will be responsible for assuring that the exposure control plan has a complete schedule and method of implementation of workplace safety precautions to be included in the exposure control plan. The exposure control team will work with the Finance Officer in developing the schedule and methods of implementation for engineering and workplace controls as identified in 1910.1030(d)(2), personal protection equipment in 1910.1030(d)(3), housekeeping in 1910.1030(d)(4), and labeling in 1910.1030(g)(1).

The Superintendent or his designee will ensure precautions are in place and that the exposure control plan is updated at least annually to reflect changes in facilities or employee tasks. 1910.1030(c)(iv).

The Finance Officer will ensure the purchase of protective equipment and its availability to employees. The Finance Officer also will ensure purchase of protective labels and their use in all required work areas.

8333.7 Confidentiality

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Pamlico County Schools and its employees shall strictly adhere to all confidentiality rules and laws regarding employees with communicable diseases, including HIV or HIV-associated conditions.

Legal Reference: 13 N.C. Admin. Code 7C.0101(a)(96); 29 C.F.R. 1910.1030
Adopted: June 5, 2000

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8335
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SEXUAL HARASSMENT

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The Pamlico County Board of Education believes that all employees and students are entitled to work and study in school-related environments that are free of sexual harassment. To this end, the Board prohibits employees from engaging in sexual harassment and advises employees that when evidence of sexual harassment is established, disciplinary action may be taken, up to and including dismissal.

8335.1 Unwelcome sexual advances, requests for sexual favors, and other verbal or
physical
3035.1 conduct of a sexual nature constitute sexual harassment when:
4035.1

Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic progress, or completion of a school-related activity; or

Submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual, or, in the case of a student, submission to or rejection of such conduct, is used in evaluating the individual's performance within a course of study or other school-related activity; or

Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or a student's educational performance, or creating an intimidating, hostile, or offensive environment.

8335.2 Examples of sexual harassment include, but are not limited to, continued or
repeated
3035.2 offensive sexual flirtations, advances or propositions; continued
or repeated verbal

4035.2 remarks about an individual's body; sexually degrading words used toward an individual or to describe an individual; and the display in the work place of sexually suggestive objects or pictures. Sexual harassment does not include personal compliments welcomed by the recipient, or social

interactions or relations freely entered into by employees or prospective employees.

8335.3 It is possible for sexual harassment to occur at various levels: between
peers or
3035.3 co-workers, between supervisors and subordinates, between employees
and students,
4035.3 or imposed by non-employees on employees and/or students.

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SEXUAL HARASSMENT (cont.)

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- A. In the event that anyone believes that he/she has been sexually harassed, he/she should bring the matter to the attention of the designated Title IX Coordinator for the Pamlico County Schools, who is the Assistant Superintendent for Administrative Services. Upon listening to the facts and allegations, the Assistant Superintendent for Administrative Services will advise the person on how to attempt to resolve the matter directly and informally, or if that course fails or is unwise, to present the complaint in writing to him with supporting detail. The Assistant Superintendent for Administrative Services will then proceed to investigate the matter and will attempt to resolve it in an expeditious manner.

- B. If for any reason, the complainant is not satisfied with the administration's response, he/she may file an appeal with the Chairman of the Board of Education.

Legal Reference: Title VII of the Civil Rights Act of 1964; G.S. 126-16; Equal Employment Opportunity Commission's "Final Amendment Guidelines on Discrimination Because of Sex"; Title IX of the Education Amendments of 1972

Adopted: June 5, 2000

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8336
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PROHIBITED RELATIONSHIPS WITH STUDENTS

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All employees of the Pamlico County Board of Education, other than student employees, are prohibited from dating, courting or entering into a romantic or sexual relationship with any student who is enrolled in the Pamlico County Schools, regardless of the student's age or consent. Employees engaging in such inappropriate conduct will be subject to disciplinary action, up to and including dismissal.

Any employee who has reason to believe that another employee is inappropriately involved with a student, as described above, shall report this information to the Assistant Superintendent for Administrative Services. An employee who fails to make such a report when he has a reasonable belief that an inappropriate relationship exists, may be subject to disciplinary action.

Legal Reference: G.S. 115C-47, -308

Adopted: June 5, 2000

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3037/4037/8337
3037/4037//8337

PROHIBITION OF BULLYING, HARASSMENT AND DISCRIMINATION

Bullying, harassment, and discrimination are prohibited in the Pamlico County schools. The Pamlico County schools and staff shall not tolerate any bullying, harassment, or discrimination on school property and grounds or at any school activity on or off campus. The board believes that all employees and students should be free of discrimination, harassment, and bullying as a part of a safe, orderly, caring and inviting working and learning environment. The board commits itself to nondiscrimination in all its educational and employment activities.

The board also prohibits retaliation against an employee or student who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of this policy.

Any violation of this policy is considered a serious violation and appropriate action will be taken in response to a violation.

3037.1 APPLICATION OF POLICY **4037.1** **8337.1**

All persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school district must comply with all applicable federal and state laws and regulations regarding harassment, bullying, or discrimination. Visitors also are expected to comply with applicable laws, including the prohibition against discrimination, harassment and bullying of students or employees. This policy will apply in the following circumstances:

1. while in any school building or on any school premises before, during or after school hours;
2. while on any bus or other vehicle as part of any school activity;
3. while waiting at any bus stop;
4. during any school function, extracurricular activity or other activity or event;
5. when subject to the authority of school personnel; and
6. any time or place when the behavior has a direct and immediate effect on

maintaining order and discipline in the schools.

3037.20 DEFINITIONS
4037.2
8337.2

For purposes of this policy, the following definitions will apply.

5. *Discrimination.* As used in this policy, discrimination means unlawful differential treatment of others based solely on their membership in a protected group or category, such as race, color, national origin, sex, pregnancy, religion, age, or disability. Discrimination may be intentional or unintentional.

6. *Harassment and Bullying.* As used in this policy, harassing or bullying behavior refers to any pattern of gestures or written, electronic or verbal communications, or any physical act or threatening communication, that:
 1. Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
 2. Creates or is certain to create a hostile learning or working environment. A "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that is bullying or harassing behavior.

Harassing or bullying behavior includes verbal or physical conduct that is intended to intimidate, injure, degrade, or disgrace another student or person, or that has such an effect. It may include a pattern of abuse over time and may involve a student being "picked on." It can include a variety of behaviors, such as but not limited to the following:

- Physical intimidation or assault
- Derogatory verbal comments (e.g., name-calling, hostile teasing, cruel rumors, taunts, put-downs, epithets, false accusations, harassment or discriminatory acts, slurs and mean-spirited jokes)
- Threatening gestures or actions; oral, cyber, or written threats
- Extortion or stealing money and possessions
- Shunning and exclusion from peer group
- Hazing

Harassing or bullying behavior includes, but is not limited to, behavior described above that is reasonably perceived as being motivated by an actual

or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

3037.21 REPORTING DISCRIMINATION, HARASSMENT OR BULLYING
4037.3
8337.3

11. Any student who believes that he or she has been harassed, bullied or discriminated against in violation of this policy should report such behavior immediately to a teacher, counselor or administrator at his or her school. In the case of alleged harassment or bullying of a student by a school employee, a report also may be made to the Associate Superintendent for Administrative Services or designee.
12. Any employee who believes that he or she has been harassed, bullied or discriminated against in violation of this policy should report such behavior promptly to his/her immediate supervisor and/or the Associate Superintendent for Administrative Services or designee.
13. Any school employee who observes or becomes aware of alleged harassing, bullying or discriminatory behavior shall promptly report the incident as follows:
 - a. If the alleged perpetrator is a student, the report shall be made to the principal;
 - b. If the alleged perpetrator is a school employee, the report shall be made to the alleged perpetrator's immediate supervisor and/or the Associate Superintendent for Administrative Services;
 - c. If the alleged perpetrator is some other person, the report may be made to the principal and/or the Associate Superintendent for Administrative Services;
 - d. Failure to make such a report required by this section may subject the employee to disciplinary action.
14. Any person may report an act of harassment, bullying or discrimination anonymously. However, formal disciplinary action may not be taken solely on the basis of an anonymous report.
15. If the person to whom a report should be made under this section is the alleged perpetrator, or in circumstances not otherwise provided above, a report of harassing, bullying or discriminatory behavior may be made to the Associate

Superintendent for Administrative Services, the Superintendent, or the Board attorney.

3037.22 INVESTIGATION
4037.4
8337.4

15. All reports of alleged harassment, bullying or discriminatory behavior shall be promptly and thoroughly investigated.
16. Investigation of alleged harassment, bullying or discriminatory behavior by a student shall be conducted by the principal or designee.
17. Investigation of alleged harassment, bullying or discriminatory behavior by an employee shall be conducted by the Associate Superintendent for Administrative Services or designee.
18. Investigation of alleged harassment, bullying or discriminatory behavior by a volunteer or visitor shall be conducted by the principal or designee if the behavior occurred on school grounds or at a school activity, and otherwise by the Associate Superintendent for Administrative Services or designee.
19. If the individual designated as investigator under this policy is the alleged perpetrator, the investigation shall be conducted by an appropriate person designated by the Superintendent. If the alleged perpetrator is the Superintendent or a member of the Board, the Board attorney shall be the investigator.
20. If at any time the investigator receives information alleging that the harassment, bullying or discriminatory behavior was based on sex or gender, the investigator shall notify the school system's Title IX Coordinator. In such case, the procedures outlined in Board Policy 3035/4035/8335 (Sexual Harassment) shall be followed.
21. The school system shall notify law enforcement and other appropriate external agency if required by law or board policy.

3037.23 INTERVENTION AND DISCIPLINARY ACTION
4037.5
8337.5

9. The actions taken in response to harassment, bullying or discriminatory behavior should be reasonably calculated to end any harassment, bullying, or discrimination, eliminate a hostile environment if one has been created, and prevent harassment, bullying or discrimination from occurring again. In addition

to taking disciplinary action as necessary, the principal or other school official shall take appropriate remedial action to address the conduct fully.

10. Violations of this policy shall be considered misconduct and will result in disciplinary action up to and including long-term suspension or expulsion in the case of students and disciplinary action up to and including dismissal in the case of employees.
11. This policy shall not be construed or applied so as to discipline students or other persons for expression protected by the First Amendment, or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.
12. Nothing in this policy precludes the school system from taking appropriate disciplinary action against a student or employee where the evidence does not establish harassment, bullying or discrimination but the conduct fails to satisfy the school system's high expectations for appropriate conduct.

3037.24 NON-RETALIATION
4037.6
8337.6

The board prohibits reprisal or retaliation against any person who reports an act of discrimination, harassment or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the principal or the appropriate supervisory personnel, after consideration of the nature and circumstances of the act, in accordance with applicable federal, state or local laws, policies and regulations.

3037.25 TRAINING AND PROGRAMS
4037.7
8337.7

The Superintendent shall designate an employee(s) to participate in training by the Department of Public Instruction pertaining to anti-discrimination, anti-harassment and anti-bullying. The designee shall provide leadership and training in the school district regarding this policy and state requirements.

The board will provide training for students and staff regarding the board's policy on discrimination, harassment and bullying and as appropriate will create programs to address these issues. To the extent funding is made available, the Superintendent shall provide additional training to school employees and volunteers who have significant contact with students. The Superintendent shall ensure that any training or programs provided will include identifying groups that may be the target of discrimination, harassment or bullying; identifying places at which such behavior may occur including within school

buildings, at school bus stops, via the internet, etc.; and providing clear examples of behavior that constitutes discrimination, harassment or bullying.

3037.26 NOTICE
4037.8
8337.8

The Superintendent is responsible for providing effective notice of this policy to students, parents and employees. This policy shall be posted on the school system website, and copies of the policy should be readily available in the principal's office, the media center at each school and the Superintendent's office. Notice of this policy shall appear in all student and employee handbooks and in any school system publication that sets forth the comprehensive rules, procedures and standards of conduct for students and employees.

3037.27 COORDINATORS
4037.9
8337.9

The Superintendent or designee shall publish the names, addresses and phone numbers of the "Title IX coordinator" (for sex discrimination), "Section 504 coordinator" (for discrimination on the basis of disability) and the "ADA coordinator" (also for discrimination on the basis of disability) in a manner intended to ensure that employees, applicants, students, parents and other individuals who participate in the school district's program are aware of the coordinators. The purpose of the coordinator positions is to provide additional protection of nondiscrimination rights. The coordinator either must (1) implement a resolution to a discrimination, harassment or bullying complaint, to the extent a resolution can be reached and the coordinator has the authority to implement corrective action or (2) notify the Superintendent that intervention by other school officials is required to resolve the situation.

3037.28 RECORDS AND REPORTING
4037.10
8337.10

The Superintendent or his or her designee shall maintain confidential records of complaints or reports of harassment, bullying, or discrimination. The records shall identify the names of any individuals accused of harassment, bullying, or discrimination and the resolution of such reports or complaints. The Superintendent also shall maintain records of training, corrective action or other steps taken by the district to help provide an environment free of harassment, bullying, or discrimination.

The Superintendent shall report to the State Board of Education all verified cases of discrimination, harassment or bullying. The report will be made

through the Discipline Data Collection Report or through other means required by the State Board of Education.

Legal References: North Carolina School Violence Prevention Act, G.S. §115C-407.5 et seq.; State Board Policy HRS-A-007.

Cross Reference: Policy 3035/4035/8335, Sexual Harassment; Rule 28, Policy 6401, Student Code of Conduct.

Adopted: September 8, 2009

Revised: December 7, 2009

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8400

SCHOOLS AND THE PUBLIC

8400

Since public support is a necessity for the optimum performance of public schools, all administrators shall encourage and foster public interest and participation in the schools and the school program.

Legal Research: G.S. 115C-47
Adopted: June 5, 2000

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8410

GIFTS TO SCHOOLS

8410

Any offer of gifts to a school or schools or to the school system shall be studied by the Superintendent, who shall then submit a summary of the findings to the Board for action.

Legal Research: G.S. 115C-47
Adopted: June 5, 2000

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8411

AWARDS AND SCHOLARSHIPS

8411

The acceptance of any awards or scholarships in the name of any school or to be associated with any school shall be required to conform with the non-discrimination requirements as set forth by law and governmental regulation.

Legal Reference: Title IX of Education Amendments of 1972, as amended; Titles VI and VII of the Civil Rights Act of 1964, as amended
Adopted: June 5, 2000

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8420

FREE MATERIALS DISTRIBUTION

8420

Any non-school material intended for distribution in the schools shall be screened carefully by the principal and proper approval determined before distribution is allowed.

8420.1 No political campaign material shall be distributed in schools either to students or employees or be placed in employee mailboxes or on school grounds during school time or at school events; except that, at schools used as polling places on election days, candidates may place posters on school property and campaign workers may offer prospective voters printed campaign material in accordance with the restrictions imposed on those activities by law and the respective boards of elections.

8420.2 Permission shall not be given for the distribution of special interest or special promotion types of material or publications among students or employees or through the use of employees' mailboxes or on school grounds during the school day or at school events, except by authority of the Superintendent. This section does not apply to on-going and properly-approved school or school system promotions or affairs. Use of employee mailboxes and bulletin boards is governed by Board Policy 3251/4251.

Legal Reference: G.S. 115C-36, -47; U.S. Constitution, Amendment I
Adopted: June 5, 2000

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8430

PUBLIC USE OF SCHOOL RECORDS

8430

Directory listings of employees, senior classes, and any other student groups shall not be furnished to any private, commercial, religious or other type of promotional organization without the approval of the Superintendent.

Legal Reference: G.S. 115C-36, -47, -402
Adopted: June 5, 2000

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All administrators shall be responsible for knowing the proper places to route various complaints that may be brought concerning the schools, the school program or school operation.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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8500

SCHOOL-COMMUNITY RELATIONS

8500

All administrators shall support and promote a continuous effort toward maintaining good school-community relations.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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8511

PUBLIC'S RIGHT TO KNOW

8511

The public's right to know shall be respected by all administrators, and each shall follow established procedures for making appropriate information available to the public.

Legal Reference: G.S. 115C-3, -47, -319 through -321, -384, -402; Ch. 132
Adopted: June 5, 2000

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8512

SCHOOL-SPONSORED INFORMATION MEDIA

8512

School-sponsored papers and other programs should make a positive contribution to the school's public information program. To this end, the administration shall assume responsibility for such activities.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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8513

NEWS MEDIA RELATIONS

8513

The Administration shall be responsible for the promotion of positive relations with news media.

8513.1 A school year is marked by a number of occasions which are worthy of news releases.

8513.2 News conferences and interviews shall be held on appropriate occasions.

8513.3 The provision of speakers for worthy groups affords an excellent opportunity for good school-community relations and shall be encouraged.

Legal Reference: G.S. 115C-47

Adopted: June 5, 2000

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8514

**STUDENTS MAY FOSTER SCHOOL -
COMMUNITY RELATIONS**

8514

School students may engage in the promotion of good school-community relations and appropriate activities for such promotion are encouraged. However, administrators shall not allow students or their instructional time to be improperly used in such programs.

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

Adopted: June 5, 2000

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A significant resource for improving the effectiveness of the educational program is contained in good staff-community relations. The administration shall urge and assist the staff in endeavors to represent the cause of the school system and public education generally in the community.

- 8520.1 Appropriate staff participation in community activities, including public appearances, shall be encouraged and supported.
- 8520.2 Parents and other citizens shall be encouraged to visit schools to observe them in operation.
- 8520.3 Parent conferences with staff members should be by appointment to assure the avoidance of schedule conflicts.
- 8520.4 A teacher or other staff member is encouraged to visit the home of any student when a home visit is considered in the best interest of the student.

Legal Reference: G.S. 115C-47, -307
Adopted: June 5, 2000

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The Board recognizes that such organizations as PTO, booster clubs and other parent organizations perform a valuable service to the schools, and the Board expects that all appropriate school personnel shall perform accordingly.

- 8540.1 It shall be the duty of the Superintendent and respective principals to represent the best interests of the Board, school system and schools in the functioning of such organizations.
- 8540.2 Each parent organization or booster club which is involved with school activities or school students should develop and establish a constitution and bylaws setting forth the purposes of the organization and the general rules and procedures by which it shall operate.
- 8540.3 Such organizations as PTO and booster clubs shall secure the advice and approval of the principal of any school before planning any function in which students, while under the jurisdiction of the school system, are to participate.
- 8540.4 A parent organization shall secure the prior advice and approval of the principal before planning any fund-raising activity intended to benefit a school program; and, at that time, the principal shall be expected to suggest needs of the school, including those not requiring fund raising, that are conducive to the active involvement of significant numbers of interested parents in meaningful service to the school and its students.
- 8540.5 Each parent organization shall establish its own system for handling and dispensing its funds; however, all sections of Board Policy must be followed when expenditures are for school activities use or when funds are to be raised through the use of school students, buildings or grounds.
- 8540.6 Any item purchased by such organizations for school or school activity use shall be the property of the Pamlico County Schools, and the principal shall be required to give prior approval of any such item to be purchased. The item purchased shall be kept and maintained for the use for which it was obtained.

Legal Reference: G.S. 115C-40, -47

Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes that, under G.S. 115C-105.27, each school must have a School Improvement Team (SIT) composed of “the principal of each school, representatives of the assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building, and parents of children enrolled in the school” The purposes and objectives of the SITs shall be as specified in G.S. 115C-105.27.

G.S. 115C-105.27 contains specific requirements regarding the selection of parent-members for the SITs. Specifically, parent-members must be elected from among parents of children enrolled in the school, and must reflect “the racial and socioeconomic composition of the students enrolled in that school”

Legal Reference: G.S. 115C-105.27

Adopted: June 5, 2000

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The Board sees a need from time to time to cooperate with individuals and agencies wishing to conduct research in the system insofar as the proposed research is likely to result in improved services to students without detracting from the primary mission of the school. The Superintendent shall review requests from individuals and/or agencies for any research project and shall report to the Board each instance in which approval of a research study is granted.

Legal Reference: G.S. 115C-47, -230

Adopted: June 5, 2000

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The possession or consumption of alcoholic beverages, including beer, malt liquor and wine, is not permitted on property owned or occupied by the Pamlico County Board of Education. Any person who possesses or consumes any such beverage on school property will be asked to leave the school property immediately and, if he fails to do so, will be arrested and prosecuted for criminal trespass, disorderly conduct or such other charges as may be appropriate. This policy is in addition to and does not modify in any way the Code of Student Conduct adopted by the Pamlico County Board of Education.

Legal Reference: G.S. 18B-103, -301; 115C-40, -47

Adopted: June 5, 2000

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The Board recognizes the value of good relations with other education agencies. Therefore, the administration shall encourage the appropriate use of and participation in the programs of such agencies.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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8700

USE OF SCHOOL SERVICES RESTRICTED

8700

The administration shall be responsible for the restricted use of the following school services, which are intended for official school use only:

- A. Publicly-owned vehicles
- B. Courier service
- C. School telephones
- D. Postage meter or postage stamps
- E. Copying equipment
- F. Computer equipment

The Superintendent is authorized to approve reciprocal arrangements for the temporary sharing of equipment with other governmental agencies.

Legal Reference: G.S. 115C-40, -47
Adopted: June 5, 2000

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8710

ALTERATIONS OF FACILITIES OR EQUIPMENT

8710

Alterations of facilities or equipment of the school system, including installation of personal equipment requiring wiring, carpentry, plumbing or other changes, shall be allowed only upon the approval of the Superintendent's Office.

Legal Reference: G.S. 115C-40, -47, -276
Adopted: June 5, 2000

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8800

DATA MANAGEMENT

8800

The Superintendent shall be responsible for the establishment and maintenance of a data management program for the school system.

Legal Reference: G.S. 115C-47, -438
Adopted: June 5, 2000

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8801

ADMINISTRATIVE RECORDS/REPORTS

8801

The Superintendent shall assume the responsibility of maintaining detailed accurate records in accordance with North Carolina General Statutes.

Each school principal, along with the school treasurer who is approved annually by the Board, shall be responsible for keeping accurate and detailed financial records in accordance with North Carolina General Statutes.

Legal Reference: G.S. 115C-12, -47, -276, -288, -301, -307, -438, -451
Adopted: June 5, 2000

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