

**Policy Committee Meeting
September 21, 2021**

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To: Policy Committee
Date: September 21, 2021
From: Jonathan Scott, Chief Financial Officer
Justin Kiser, Assistant Finance Officer
Re: Board Policy 8310: Annual Independent Audit

The following Policy 8310: Annual Independent Audit will be a policy revision. This policy applies to the annual audit performed at the completion of each fiscal year. The North Carolina School Boards Association (NCSBA) advised district's to update their policy regarding the annual audit. The revised version provided by NCSBA specifies that the contract with the auditor will comply with state requirements (20 N.C.A.C. 03.0502(c)). Among other requirements, 20 N.C.A.C. 03.0502(c) requires the audit contract to include a provision requiring the auditor to submit the completed audit report and opinion to the board and to present the financial statements and audit findings at an official meeting in open session as soon as the audited financial statements are available. The revised NCSBA policy also includes a change which explains that the auditor will provide the board with the audit report and present the financial statements at a board meeting. District Administration is recommending the Board of Education to revise policy 8310 to mirror the policy as currently revised by the NCSBA. The revisions are highlighted below in red:

The accounts of the school system and the individual schools will be audited as soon as possible after the close of each fiscal year by an independent, qualified auditor. The auditor will be selected by the board, and the terms and conditions will be specified in a written contract [that complies with the requirements of 20 N.C.A.C. 03.0502\(c\)](#). The auditor will report directly to the board.

The superintendent shall assist the board in providing for an annual independent audit that meets all requirements as provided by G.S. 115C-447 and any other relevant statute. All employees and agents 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 provide any information relating to fiscal affairs requested by the auditor. Any employee who fails to cooperate may be subject to disciplinary action, up to and including dismissal, and also may be found guilty of criminal conduct.

[The board will receive the report and opinion of the auditor and will arrange for the auditor to present to the board the audited financial statements, compliance reports, if any, and other information as specified in the audit contract. The presentation must be in an official meeting in open session, held as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary of the Local Government Commission.](#)

SELECTION OF AUDITOR

When initiating the selection process for an independent, qualified auditor, the superintendent will notify all certified public accounting firms in the area of the pending appointment by advertising in the local newspapers and will receive proposals from all firms that express an interest, including the firm that may be completing a current term with the board. A committee consisting of the board chair or designee, a second board member, superintendent, and finance officer will consider the qualifications of the firms, their experience in the field of governmental accounting, proposed fee schedules and other factors as the board deems pertinent. The board will consider recommendations of the committee in selecting an auditor.

The board recognizes the value of a continuing relationship with its certified public accountant and the difficulties that may result from frequent changes of auditors. As a result, the board may retain the same firm of certified public accountants for a maximum period of six (6) years, at which time the board must conduct an open bidding procedure. Within any contract period, the board will retain the option of annual renewal.

Legal References: G.S. 115C-447; [20 N.C.A.C. 03.0502](#)

Cross References: Professional Employees: Demotion and Dismissal (policy 7930), Classified Personnel: Suspension and Dismissal (policy 7940)



To: Policy Committee
Date: September 21, 2021
From: Jonathan Scott, Chief Financial Officer
Justin Kiser, Assistant Finance Officer
Andre Stewart, Interim Chief Operations Officer
Eric Allen, Interim Senior Executive Director of Operations
Re: Board Policy 5030: Community Use of Facilities

The following Policy 5030: Community Use of Facilities will be a policy revision. This policy applies to the District's ability to rent its facilities to members of the community for use outside of school hours. In December of 2020, the North Carolina School Boards Association (NCSBA) advised districts to create a temporary policy change related to the rental of district facilities and COVID-19 safety protocols. At its December 17, 2020 meeting, the Board of Education approved this policy change to include specific language related to COVID-19 as follows:

"In order to secure the health and safety of school system students and employees during the COVID-19 pandemic and in accordance with the requirements of the North Carolina Department of Health and Human Services (DHHS), school facilities will not be made available to community groups during or after the school day or on weekends in any week in which the school is holding in-person classes on the school campus. Issues regarding the parties' contractual obligations under long-term leases will be referred to the board attorney. This temporary restriction shall remain in effect until repealed by the board or until the applicable guidance from DHHS is rescinded, whichever occurs first."

At its June 10, 2021 meeting, the Board of Education approved a plan for limited facility rentals beginning July 1, 2021 and ending August 31, 2021. Under the approved plan, on September 1, 2021 the District would return to a full capacity of facility rental across the District. District Administration is recommending the Board of Education to revise policy 5030 to remove the temporary suspension of facility rentals and restore the policy to its previous version.

District Administration is recommending this policy revision recognizing the challenges posed by the ever-evolving COVID-19 pandemic. Removing the temporary policy restriction does not mean that facilities will be used without accordance with safety protocols and guidance. District Administration will work diligently to ensure that facilities are not rented during times when students are present on campus. When a facility is rented during appropriate times, all participants must follow local health or district guidelines including:

- Participants wearing masks
- Physical distancing requirements for the age group (3ft or 6ft)
- Sign-in or attendance rosters to be used for contact tracing by the Orange County Health Department (each entity renting or using facilities would be responsible for contact tracing)
- The district would have the authority to cancel events if current health conditions change or by recommendation of the Health Department due to additional community spread of the COVID-19 virus

- Additional charges may be added to all facility rentals to cover protocol cleaning based on CDC guidelines

The necessary revisions are highlighted below in red:

Policy Code: 5030 Community Use of Facilities

The board endorses the goals of the Community Schools Act. The board will make specified indoor and outdoor school facilities available for use by eligible community groups under agreements developed in accordance with this policy. The board also will make some outdoor school facilities available for limited recreational use by the general public when not inconsistent with the board's use of the facilities. Public use is subject to Section H of this policy.

~~Temporary Restriction on Community Use of Facilities~~

~~In order to secure the health and safety of school system students and employees during the COVID-19 pandemic and in accordance with the requirements of the North Carolina Department of Health and Human Services (DHHS), school facilities will not be made available to community groups during or after the school day or on weekends in any week in which the school is holding in-person classes on the school campus. Issues regarding the parties' contractual obligations under long-term leases will be referred to the board attorney. This temporary restriction shall remain in effect until repealed by the board or until the applicable guidance from DHHS is rescinded, whichever occurs first.~~

A. GENERAL PRINCIPLES

The use of school facilities by community groups should be consistent with the educational program and the goals and objectives of the board and school system.

Priority for facility use will be given to community groups as outlined below in Section B. For-profit groups are not permitted to use school facilities.

Use of school facilities will not be approved for activities that do any of the following:

1. violate federal, state, or local laws;
2. violate board of education policies or regulations;
3. advocate imminent violence;
4. damage or have the potential to damage school buildings, grounds, or equipment; or
5. are in conflict with scheduled school activities.

B. PRIORITY IN USE/FEE STRUCTURE

School-sponsored groups and activities, such as school athletic events, and school drama and choral productions, and meetings of student organizations, including organizations permitted to meet under the Equal Access Act, will have first priority in the use of school facilities.

Priority in the use of school facilities by other groups and the fee structure for such groups will be in accordance with law and the following user categories. Priority in use among groups within the same user category will not be based upon the viewpoints of the groups. All groups within the same user category will be charged for facility use according to the uniform fee structure.

1. In accordance with [G.S. 163-129](#), as a polling place on election days
2. School organizations, including student organizations, and one-time meetings for local governmental agencies supported by tax funds of the community (Town of Chapel Hill, Town of Carrboro, Orange County).

Fees: None

3. School-related groups (organizations formed to support the school in some manner, such as the PTA, NCSBA, teachers' and principals' organizations, and booster clubs) and students from other in-district schools.

Fees: No utility or maintenance fees will be charged. The principal may require or waive custodial or other supervisory services at a fee. Fees for providing use of cafeteria kitchens will be charged to cover costs.

4. Groups selected by schools to provide free educational services to district students, parents, or families (organizations that provide direct educational instruction for students and/or parents/caretakers, do not charge a fee for participation, and are open to all participants. The instruction should support the school or school district's educational mission.)

Fees: Utility/maintenance fees and hourly rental fees for agencies will be charged if the activity occurs after 6:00 p.m. and on weekends unless the facility is open for a previously scheduled school activity or event. Custodial fees will be charged unless the organization has been approved by the district to provide its own custodial services. Fees for providing use of cafeteria kitchens will be charged to cover cost.

5. Recurring meetings and events for local government agencies supported by local tax revenues (Town of Chapel Hill, Town of Carrboro, Orange County) and recurring meetings for other non-profit agencies that regularly rent large amounts of school facility space.

Fees: Utility/maintenance fees and hourly rental fees for agencies will be charged. Custodial fees will be charged unless the organization has been approved by the district to provide its own custodial services.

6. Camps and courses run by school employees

Fees: Utility/maintenance fees and hourly rental fees for local government agencies will be charged. Custodial fees will be charged unless the activity and staff have been approved by the principal to provide its own custodial services.

7. All other non-profit groups

Fees: Utility/maintenance fees, hourly non-profit rental fees and custodial fees will be charged.

8. All other groups

Fees: Utility/maintenance fees, for-profit hourly rental fees and custodial fees will be charged.

Prior to the beginning of each school year, the superintendent shall submit for board approval a fee structure that lists the amount or method of calculating rent and fees to be charged for facility use.

C. REQUESTS FOR USE OF FACILITIES

An eligible individual or group that wishes to apply for permission to use a school facility must submit a written application to the principal of the school in which the facility is located. Facility use request forms will be available in the school administrative office.

D. FACILITIES AVAILABLE FOR USE

The board permits eligible individuals or groups to use the facilities of those schools designated by the board as “community schools.” A list of community schools and the facilities at each site which are available for community use will be available to the public at the superintendent’s office and each principal’s office.

The superintendent is authorized to develop a list of school facilities available for community use. Among the types of facilities that may be available for community use are auditoriums, athletic fields, dining areas, kitchens, designated classrooms, gymnasiums, media centers, and playgrounds.

Other school facilities may be used only in exceptional circumstances based on a justified need and as approved by the superintendent or designee. The superintendent is authorized to determine the fees for the use of facilities in such circumstances.

E. RULES GOVERNING USE OF SCHOOL FACILITIES

The superintendent shall develop regulations consistent with this policy. The regulations will include an application process and provisions regarding the supervision of groups using facilities, the care of facilities, prohibited conduct, and other issues deemed appropriate by the superintendent. A copy of the regulations will be provided to all applicants at the time they receive the facilities use application form. In addition to the regulations established by the superintendent, users of school facilities must comply with the following rules:

1. Users must comply with all federal, state, and local laws and all rules established by the board, the superintendent or designee, and the principal.
2. Users must comply with the requirements of the Americans with Disabilities Act (ADA) (particularly Subchapter III pertaining to Public Accommodations and Services Operated by Private Entities) and the federal regulations that have been adopted for the implementation of the ADA.
3. Users must comply with board policy and legal requirements forbidding the use of tobacco products in school facilities and on school grounds (see policy 5026/7250, Smoking and Tobacco Products).
4. Users must not consume or possess alcohol or drugs on school grounds (see policy 5025, Prohibition of Alcoholic Beverages).
5. Users must not possess weapons or explosives while on school grounds, except in the limited circumstances permitted by state law and policy 5027/7275, Weapons and Explosives Prohibited.
6. Users are responsible for supervising their activity and the people present at their activity. Users are responsible for maintaining order and safety during their activity.

A user's violation of the provisions of this policy or any applicable regulations is grounds for suspending the user's privilege to use school facilities for a period of time deemed appropriate by the principal, subject to the review of the superintendent and the board of education.

F. DAMAGES AND LIABILITY INSURANCE

Users of school facilities are responsible for all damage to school facilities, property or equipment that occurs while the facility is being used by the group, regardless of who caused the damage. Users also are responsible for the conduct of all persons involved in the users'

activities while on school property.

All user groups, except school-sponsored groups, must furnish a certificate of insurance for general liability coverage with a total limit coverage of \$1,000,000 for each claim made. Alternatively, the superintendent or designee may require the user group to execute a waiver of liability that states that no liability will be attached to the board of education, individually or collectively, for personal injury or personal property damage by reason of use of the school property.

G. TERM AND ACCEPTANCE OF LEASE

The superintendent is authorized to enter into agreements with community groups for the lease of school property for terms of one year or less. All such leases must be reviewed and approved in advance by the board attorney. The superintendent shall inform the board of the execution of any lease at its next regularly scheduled meeting. Leases may be renewed following the same process.

Absent unusual circumstances, leases will not be granted for a term longer than one year. A lease for more than one year must be approved in advance by the board. Long-term exclusive leases are subject to the provisions of policy 9400, Sale, Disposal, and Lease of Board-Owned Real Property.

H. USE OF OUTDOOR SCHOOL FACILITIES BY THE GENERAL PUBLIC

Outdoor property and facilities of the school system will be open to limited use by members of the general public in accordance with rules to be established by the superintendent or designee. Public use will be permitted only to the extent that it 1) is not inconsistent with the proper preservation and care of the outdoor school property; 2) does not interfere with the safe and efficient operation of the schools and school activities; and 3) does not conflict with use by any community group operating under a facility use agreement described in this policy. The superintendent is authorized to establish all terms, conditions, and rules necessary to regulate the use of outdoor facilities by members of the general public consistent with these requirements.

I. REVIEW OF DECISIONS CONCERNING USE OF SCHOOL FACILITIES

Any person or organization may request a review of any decision made by a school

employee pursuant to this policy in accordance with policy 1742/5060: Responding to Complaints.

Legal References: Americans with Disabilities Act, [42 U.S.C. 12101](#) *et seq.*, [28 C.F.R. pt. 35](#); Equal Access Act, [20 U.S.C. 4071-4074](#), [28 C.F.R. pt. 36](#); Boy Scouts of America Equal Access Act, [20 U.S.C. 7905](#), [34 C.F.R. pt. 108](#); [36 U.S.C. 20101](#) *et seq.*; [G.S. 14-269.2](#); Community Schools Act, [115C-203 to -209.1](#), [115C-524](#), [-527](#); [160A-274](#); [163-129](#)

Cross References:–Student and Parent Grievance Procedure (policy 1740/4010), Prohibition of Alcoholic Beverages (policy 5025), Smoking and Tobacco Products (policy 5026/7250), Weapons and Explosives Prohibited (policy 5027/7275), Sale, Disposal, and Lease of Board-Owned Real Property (policy 9400)

Adopted: 5/6/99

Revised: 2/1/01, 6/2/05, 1/27/12, 2/16/14, 9/15/16, 4/4/17, 12/17/20

Chapel Hill-Carrboro Schools



To: CHCCS Board Policy Committee
From: Tracy Holloway, Safe Schools Director
Re: Policy Code 4335: Criminal Behavior
Date: September 21, 2021

The following changes to CHCCS BOE Policy 4335- Criminal Behavior, has been updated as required by the North Carolina School Board Association.

- Updates language in the last sentence to reflect the language in the administrative code. **(Required)**
- Updates legal citations in the text and legal references. **(Required)**
- Fixes punctuation in legal references. **(Recommended)**

Legal Authority: 16 N.C.A.C.,6E.0107

Criminal or other illegal behavior is prohibited on school premises or at school related activities. Any student, whom the principal reasonably believes to have engaged in criminal behavior on the school premises or at school activities, will be subject to appropriate disciplinary action as stated in applicable board policies and also may be criminally prosecuted.

A. Students Charged with or Convicted of Criminal Behavior

School officials will cooperate fully with any criminal investigation and prosecution. Any criminal behavior that also violates school rules or board policy will be investigated independently from the criminal investigation and appropriate disciplinary action will be taken.

If necessary, the superintendent and principal may take reasonable measures to preserve a safe, orderly environment when a student has been charged or convicted with a serious crime, regardless of whether the alleged offense was committed on school grounds or related to school activities. Depending upon the circumstances, including the nature of the alleged crime, the child's age, and the publicity within the school community, reasonable efforts may include changing a student's classroom assignment or transferring the student to another school. Transfer to an alternative school may be made in accordance with the criteria established in board policy [3470/4305](#), Alternative Learning Programs/Schools. The student will continue to be provided with educational opportunities unless and until the student is found to have violated board policy or school rules and is suspended or expelled in accordance with procedures established in board policy.

B. Reporting Criminal Behavior

The principal must report immediately to law enforcement officers and the superintendent the following acts when the principal has personal knowledge or actual notice from school personnel that such acts occurred on school property, regardless of the age or grade of the perpetrator or victim: (1) assault resulting in serious personal injury; (2) sexual assault; (3) sexual offense; (4) rape; (5) kidnapping; (6) indecent liberties with a minor; (7) assault involving the use of a weapon; (8) possession of a firearm in violation of the law; (9) possession of a weapon in violation of the law; (10) possession of a controlled substance in violation of the law; (11) assault on school officials, employees and/or volunteers; (12) homicide, including murder, manslaughter and death by vehicle; (13) robbery; (14) robbery with a dangerous weapon; (15) unlawful, underage sales, purchase, provision, possession or consumption of alcoholic beverages; (16) making bomb threats or engaging in bomb hoaxes, possession of explosives or abetting a minor to possess explosives; and (17) willfully burning a school. The superintendent must inform the board of any such reports. In addition, the principal or designee must notify the parents or guardian of students who are alleged to be victims of any of the

above-mentioned acts. The parent or guardian will be notified as soon as a report is made to a law enforcement officer.

Certain crimes must be reported to the ~~State Board of Education~~ Department of Public Instruction in accordance with ~~State Board of Education Policy SSCH-000~~ 16 N.C.A.C 6E 0107

Legal Reference: Gun-Free Schools Act, 20 U.S.C. 7961; G.S. Ch 17, art.7B,14, art 7B, 14-17, -18, -27.21, -27.22, -27.24 through -27.27, -27.29, -27.30, -27.33, -32 through -34.10, -39, -87,-202, -202.1, -202.2, -269.2; ch. 90 art. 5; 115C-47(56); -288(g); S.L. 2015-181; 16 N.C.A.C 6E 0107 ~~State Board of Education Policy SSCH-000~~

Cross Reference: Alternative Learning Programs/Schools (policy [3470/4305](#)), Student Substance Abuse (policy 4325), Theft, Trespass and Damage to Property (policy [4330](#)), Assaults, Threats and Harassment (policy [4331](#)), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy [4333](#));

Adopted: 11/19/98

Revised 1/18/02, 8/12/10, 12/7/15, 10/5/16, 5/1/17

Chapel Hill-Carrboro City Schools



TO: Policy Committee

FROM: Tracy Sanders, RN, BSN, NCSN and Janet B. Cherry, MSW, LCSW

DATE: September 15, 2021

Subject: Revision of Policy Code 6120: Student Health Services

PURPOSE: To update Policy Code: 6120 to reflect editorial changes, new Section B to address the school system mental health plan, legal references and footnotes updates. See recommendations listed below:

- Minor editorial changes as noted in paragraphs one and two (**Recommended**)
- New Section B to address the school system mental health plan (**Strongly Recommended**)- which will state the following:
 - Session Law 2020-7 established a deadline of July 1, 2021, for the board to adopt its initial school-based health plan. Employees must receive required training within six months of employment and subsequent training the next school year and annually thereafter. Existing employees must complete their initial training by the end of the 2021-2022 school year.
- Add Legal references updates (**Required**)
- Add Footnotes updates (**Informational only**)

A. STUDENT HEALTH SERVICES GENERALLY

The board will provide health services to students as required by law. School employees may administer ~~drugs or~~ medication prescribed by a ~~doctor~~ health care practitioner only upon the written request of the parents; give emergency health care when reasonably apparent circumstances indicate that any delay would seriously worsen the physical condition or endanger the life of the student; and perform any other first aid or lifesaving technique in which training has been provided to school employees. A registered nurse also will be available to provide assessment, care planning, and ongoing evaluation of students with special health care service needs in the school setting.

The superintendent may develop procedures or delegate the development of procedures to each ~~school~~ principal for providing these health services and meeting the board requirements listed below.

1. The principal shall determine at the beginning of each school year prior to the beginning of classes, and thereafter as circumstances require, which employees will be selected to participate in the health services program. The principal shall inform his or her staff about which health services duties are delegated to which employees.
2. Any employee designated to provide health care services must receive appropriate training.
3. Health manuals prepared by the governing state agencies must be followed in developing appropriate procedures and for determining which tasks must be performed by registered nurses.
4. Procedures must be consistent with all related board policies, including policy 4230, Communicable Diseases – Students, and policy 6125, Administering Medicines to Students.
5. Procedures must be consistent with state and federal law for students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. The *Policies Governing Services for Children with Disabilities* will be followed, as applicable.
6. Procedures must be consistent with guidelines adopted by the State Board of Education under G.S. 115C-12(31) to serve students with diabetes, including developing and implementing individual diabetes care plans for such students and providing information and training to school personnel to appropriately support and assist such students, in accordance with their individual diabetes care plans.

7. Written information maintained by the school or school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act (FERPA) and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.
8. School personnel must obtain parental consent for medical services as required by law. Parents will be notified of their rights in accordance with policy 1310/4002, Parental Involvement.
9. Health professionals will be consulted in the development of health services. Opportunities also will be provided for input from staff, parents, and students on the health services provided.

B. SCHOOL SYSTEM MENTAL HEALTH PLAN

The superintendent shall develop a school-based mental health plan that includes a mental health training program and suicide risk referral protocol that satisfies the requirements of State Board of Education Policy SHLT-003. The superintendent shall submit the plan to the board for approval and direct implementation of the plan within all applicable deadlines.

By September 15 of each year, the superintendent shall report to the Department of Public Instruction on (1) the content of the school system's mental health plan, including the mental health training program and suicide risk referral protocol, and (2) the school system's prior school year compliance with the requirements of State Board of Education Policy SHLT-003. The board will review the components of the school system's mental health plan at least every five years, starting August 1, 2025, and will update the mental health plan in accordance with any updated requirements provided by the State Board of Education.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), -794, 34 C.F.R. pt. 104; G.S. 115C-12(12), -12(31), -36, -307(c), -375.1, -375.3, ~~-376.5~~; 16 N.C.A.C. 6D .0402; 21 N.C.A.C. 36 .0221, -.0224; *Policies Governing Services for Children with Disabilities*, State Board of Education Policies ~~NCAC-015~~, EXCP-000, SHLT-003

Cross References: Parental Involvement (policy 1310/4002), Communicable Diseases – Students (policy 4230), Student Records (policy 4700), Administering Medicines to Students (policy 6125)

Adopted:



To: CHCCS Policy Committee
Date: September 21, 2021
From: Erika Newkirk, Chief Human Resources Officer
Brandy Reeves, Chief of Staff and School Leadership
Re: Policy 7503-TELEWORKING

The following recommendation is for a new policy, CHCCS BOE Policy 7503-Teleworking. It is optionally recommended by the North Carolina School Boards Association.

This is an **optional** new policy authorizing employees to work from home or at another alternative work location (“teleworking”) in certain circumstances and under certain conditions. The policy may be modified.

- Section A provides relevant definitions of terms used in the policy.
- Section B details the authority of the board or superintendent to require or permit employees to telework in emergency situations.
- Optional Section C addresses teleworking on a permissive basis. This section details who approves these teleworking arrangements and under what circumstances and provides for the termination of such arrangements.
- Section D explains when employees will and will not be permitted to telework and what is required of employees prior to and during teleworking.
- Section E addresses how teleworking arrangements will be made with employees who require ADA accommodations.

Note: This policy was created in response to the COVID-19 pandemic to provide standards for employees working from home in emergency situations. However, the policy also allows employees to telework on a permissive, rather than emergency, basis.

Although it is the board's desire for school employees' work to be performed at their regularly assigned place of work as a matter of course, the board recognizes that in certain limited circumstances it may be practical, efficient, or necessary to allow or require authorized employees of the school system to work from an alternative work location via electronic means ("teleworking"). This policy outlines the circumstances under which teleworking arrangements may be made.

A. DEFINITIONS

1. "Alternative Work Location" is defined as a worksite other than an employee's regularly assigned place of work.
2. "Eligible employee" is defined as an employee of the school system who has demonstrated satisfactory job performance, is in good standing, and can perform all of the employee's essential job duties at an alternative work location. In addition, to be an eligible employee, the employee must have an available and suitable designated workspace at the alternative work location and access to any computer and telecommunications equipment necessary for the completion of tasks.
3. "Telework/Teleworking" is defined as the performance of the essential functions of an employee's job description at an alternative work location, typically the employee's residence, via electronic means in accordance with the employee's usual expected standards of performance and other approved or agreed-upon terms.
4. "Teleworker" is defined as an employee engaged in teleworking on a temporary episodic or emergency basis.
5. "Teleworking agreement" is defined as a written agreement that details the terms and conditions by which an employee is allowed to engage in teleworking.

B. TELEWORKING IN EMERGENCY SITUATIONS

When the superintendent or board determines that any employees cannot or should not work at their regularly assigned place of work as a result of natural disaster, inclement weather, public health emergency, or other situation that threatens the health and safety of employees, students, or the community, the superintendent or board may, consistent with state and federal law, permit or require individual employees or classes of employees to telework. Otherwise applicable teleworking eligibility criteria will be deemed waived to the extent necessary for such employees. In the event the superintendent permits or orders any employee(s) to telework pursuant to this section, the superintendent shall notify the board of the decision and supporting rationale as soon as practical and before announcing

the decision to any employees or the public. The board reserves discretion to overrule or modify the superintendent's decision to permit or order any employee(s) to telework under this section.

If an employee's supervisor determines that the employee is unable to perform his or her essential job duties while teleworking, the employee may be required to take any available accrued leave, whether paid or unpaid, in accordance with policy 7510, Leave.

C. TEMPORARY EPISODIC TELEWORKING ARRANGEMENTS

When deemed practical, efficient, or necessary, employees who are eligible under subsection A.2 may be approved to work via a teleworking arrangement for limited time periods in accordance with the criteria established in Section D of this policy and other criteria consistent with this policy to be developed by the superintendent. Such criteria shall address suitability of job duties; cause; length, frequency, and/or calendar limitations; and other factors as determined by the superintendent and consistent with law. Approval of episodic teleworking arrangements will be made on a non-precedential case-by-case basis and will be consistent with school system policies and procedures and state and federal law. Approval or denial of an episodic teleworking arrangement will not be made on a preferential or discriminatory basis.

Principals have initial authority to allow an episodic teleworking arrangement for eligible employees working at their schools. The superintendent or designee has initial authority to allow a teleworking arrangement for any other eligible employee of the school system. A principal must inform the superintendent or designee any time the principal allows a teleworking arrangement of more than two workdays. Any teleworking arrangement for an employee that exceeds more than 20 workdays for a single episode or a cumulative total of 40 workdays in any 12 month period must be reported to the board. The superintendent or designee or board may terminate any teleworking arrangement.

Teachers are only eligible to telework on optional or required teacher workdays, and only when the superintendent or designee designates the day as an eligible teleworking day for teachers. Principals must still approve telework when a teacher workday has been designated as telework-eligible by the superintendent or designee.

D. GENERAL CONDITIONS ON TELEWORKING

1. Employees are prohibited from teleworking when they are identified as personnel whose physical presence at their regularly assigned place of work or at an alternate school system site is essential to the performance of their duties. In addition, no employee may telework on a full-time, permanent basis and no employee is entitled to telework as a replacement for leave to accommodate family care arrangements, sick leave, Family and Medical Leave, or Worker's Compensation leave.
2. Teleworking is not an entitlement and is offered to the employee at the sole discretion of the school system. No employee will be permitted to telework without

first entering into a teleworking agreement. Teleworking arrangements are subject to termination at any time with reasonable notice given by the teleworker's supervisor.

3. Teleworkers should obtain permission from their supervisor before removing school system equipment or supplies from the employee's regularly assigned place of work to use at an alternative work location. Teleworkers are responsible for maintaining and protecting such school system equipment and returning it to the employee's regularly assigned place of work when the teleworking period ends. Use of school system technological resources is governed by policy 3225/4312/7320, Technology Responsible Use. The school system may condition an employee's authorization to telework on the employee providing his or her own equipment if school system resources are not available for the employee to use.

All costs incurred by an employee to arrange an alternative work location and to telework are the employee's responsibility and will not be reimbursed unless otherwise required by law. If approved by the superintendent or designee and the technology director, software owned by the school system may be installed on an employee-owned computer subject to license agreements. The software must be removed upon termination of the teleworking arrangement unless otherwise approved by the superintendent or designee.

4. A teleworker's alternative work location must be safe, secure, and free of undue distractions. Although school officials will not conduct routine inspections of alternative work locations that are not owned or operated by the school system, the board reserves the right to inspect an employee's alternative work location when deemed necessary to ensure suitability and safety after giving the teleworker reasonable notice.
5. Work-related injuries that occur in the alternative work location must be reported to the teleworker's supervisor.
6. Teleworkers shall be accessible by phone and email during work hours. In addition, attendance at the employee's regularly assigned place of work for on-site meetings, conferences, training sessions, and other school business activities may be required on scheduled telework days. Transportation for such attendance is the teleworker's responsibility.
7. Teleworkers must adhere to the same policies and procedures established for all school system employees. A teleworker's performance will be monitored and assessed in the same manner as employees working from their regularly assigned place of work.
8. Teleworkers must not deviate from the work schedule that would be expected of them at their regularly assigned place of work (including working hours, lunch breaks, etc.) unless specifically authorized to do so by their supervisor. Non-

exempt employees under the Fair Labor Standards Act are not permitted to work off-the-clock while teleworking and will not be permitted to work overtime absent authorization from the employee's supervisor.

E. EMPLOYEES WITH DISABILITIES

This policy does not apply to teleworking as an Americans with Disabilities Act (ADA) accommodation. If teleworking is considered a reasonable accommodation pursuant to the ADA, the school system and employee will follow the school system's ADA process with respect to such accommodation. In addition, employees with disabilities who are required or permitted to telework by the superintendent or board will be provided reasonable accommodations as necessary to fulfill their job duties while teleworking.

This policy and any eligibility criteria or procedures developed by the superintendent to implement this policy are not intended to, and do not, confer any additional employment rights on any employee, including any right to telework or to be assigned to a job position that is suitable for teleworking.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35

Cross References: Prohibition Against Discrimination, Harassment, and Bullying (1710/4021/7230), Discrimination, Harassment, and Bullying Complaint Procedure (1720/4015/7225), Nondiscrimination on the Basis of Disabilities (1730/4022/7231), Confidential Information (2125/7315), Technology Responsible Use (3225/4312/7320), Use of Personal Technology to Conduct School Business (3228/7323), Use of Equipment, Materials, and Supplies (6520), Workday and Overtime (7500), Leave (7510), Permitted Salary Deductions for Absences and Discipline of Certain Exempt Employees (7560)

Issued: March 31, 2020

TELEWORKING

Policy Code:

7503

Although it is the board's desire for school employees' work to be performed at their regularly assigned place of work as a matter of course, the board recognizes that in certain limited circumstances it may be practical, efficient, or necessary to allow or require authorized employees of the school system to work from an alternative work location via electronic means ("teleworking").¹ This policy outlines the circumstances under which teleworking arrangements may be made.

A. DEFINITIONS

1. "Alternative Work Location" is defined as a worksite other than an employee's regularly assigned place of work.
2. ²"Eligible employee" is defined as an employee of the school system who has demonstrated satisfactory job performance, is in good standing, and can perform all of the employee's essential job duties at an alternative work location. In addition, to be an eligible employee, the employee must have an available and suitable designated workspace at the alternative work location and access to any computer and telecommunications equipment necessary for the completion of tasks.
3. "Telework/Teleworking" is defined as the performance of the essential functions of an employee's job description at an alternative work location, typically the employee's residence, via electronic means in accordance with the employee's usual expected standards of performance and other approved or agreed-upon terms.
4. "Teleworker" is defined as an employee engaged in teleworking on a temporary episodic or emergency basis.
5. "Teleworking agreement" is defined as a written agreement that details the terms and conditions by which an employee is allowed to engage in teleworking.³

¹ This policy permits teleworking when circumstances do not necessarily require it. However, if the board wishes to only permit teleworking when it is required due to an emergency situation, revise this sentence to say that "the board recognizes that in certain limited circumstances it may be necessary to allow . . .".

² Delete this paragraph if the board wishes to only permit teleworking when it is required due to an emergency situation.

³ It is recommended that any written agreement include, at a minimum, an acknowledgement that: (1) the employee's compensation, benefits, work hours, and performance expectations will not change when he/she teleworks; (2) the employee will work from a dedicated workspace that does not present safety/health hazards, undue distractions, or undue risk that confidential or private information will be discovered or that school system equipment (if permitted to be brought to the alternative work location) will be stolen or damaged; (3) the employee will obtain permission from his or her supervisor before bringing school system property to an alternative work location and will provide a written list of all school system property brought to the alternative work location; (4) the employee is personally responsible for any school system equipment brought to the alternative work location that is

B. TELEWORKING IN EMERGENCY SITUATIONS

When the superintendent or board determines that any employees cannot or should not work at their regularly assigned place of work as a result of natural disaster, inclement weather, public health emergency, or other situation that threatens the health and safety of employees, students, or the community, the superintendent or board may, consistent with state and federal law, permit or require individual employees or classes of employees to telework. Otherwise applicable teleworking eligibility criteria will be deemed waived to the extent necessary for such employees. In the event the superintendent permits or orders any employee(s) to telework pursuant to this section, the superintendent shall notify the board of the decision and supporting rationale as soon as practical and before announcing the decision to any employees or the public. The board reserves discretion to overrule or modify the superintendent's decision to permit or order any employee(s) to telework under this section.

If an employee's supervisor determines that the employee is unable to perform his or her essential job duties while teleworking, the employee may be required to take any available accrued leave, whether paid or unpaid,⁴ in accordance with policy 7510, Leave.⁵

C. TEMPORARY EPISODIC TELEWORKING ARRANGEMENTS⁶

When deemed practical, efficient, or necessary, employees who are eligible under subsection A.2 may be approved to work via a teleworking arrangement for limited time periods in accordance with the criteria established in Section D of this policy and other criteria consistent with this policy to be developed by the superintendent. Such criteria shall address suitability of job duties; cause; length, frequency, and/or calendar limitations;

lost or damaged as a result of the employee's negligence or malfeasance; (5) the employee will abide by all the policies, procedures, and standards of conduct he or she would be expected to abide by at his or her regularly assigned place of work; (6) the employee does not have a right to telework and the teleworking arrangement may be terminated by school officials at any time; and (7) the employee will notify his or her supervisor if he or she is not able to perform all of his or her job duties, essential or nonessential, at the alternative work location. Depending on the nature of the employee's job duties, the agreement could also require the employee to allow an inspection of his or her alternative work location and/or provide photographs of the alternative work location upon request in order to determine its suitability.

⁴ The FLSA limits the circumstances in which the board may deduct from the salary of an exempt employee who has no accrued leave. Generally, deductions may be made when employees are absent for personal reasons or illness, but the employer's ability to deduct from the salary of an exempt employee is more limited when the employee is absent because the employer does not make work available. See 29 C.F.R. 541.602 and 541.710 and policy 7560, Permitted Salary Deductions for Absences and Discipline of Certain Exempt Employees.

⁵ The Department of Public Instruction has revised the *North Carolina Public Schools Benefits and Employment Policy Manual* to allow employees to take paid State of Emergency Leave related to the COVID-19 pandemic. See Section 9.4.2 of the *North Carolina Public Schools Benefits and Employment Policy Manual* (N.C. Dept. of Public Instruction, current version), available at <https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy>.

⁶ Delete this section if the board wishes to only permit teleworking when it is required due to an emergency situation.

and other factors as determined by the superintendent and consistent with law.⁷ Approval of episodic teleworking arrangements will be made on a non-precedential case-by-case basis and will be consistent with school system policies and procedures and state and federal law. Approval or denial of an episodic teleworking arrangement will not be made on a preferential or discriminatory basis.

Principals have initial authority to allow an episodic teleworking arrangement for eligible employees working at their schools. The superintendent or designee has initial authority to allow a teleworking arrangement for any other eligible employee of the school system. A principal must inform the superintendent or designee any time the principal allows a teleworking arrangement of more than two workdays.⁸ Any teleworking arrangement for an employee that exceeds more than 20 workdays for a single episode or a cumulative total of 40 workdays in any 12 month period must be reported to the board.⁹ The superintendent or designee or board may terminate any teleworking arrangement.

Teachers are only eligible to telework on optional or required teacher workdays, and only when the superintendent or designee designates the day as an eligible teleworking day for teachers. Principals must still approve telework when a teacher workday has been designated as telework-eligible by the superintendent or designee.

D. GENERAL CONDITIONS ON TELEWORKING

1. Employees are prohibited from teleworking when they are identified as personnel whose physical presence at their regularly assigned place of work or at an alternate school system site is essential to the performance of their duties. In addition, no employee may telework on a full-time, permanent basis and no employee is entitled to telework as a replacement for leave to accommodate family care arrangements, sick leave, Family and Medical Leave, or Worker's Compensation leave.
2. Teleworking is not an entitlement and is offered to the employee at the sole discretion of the school system. No employee will be permitted to telework without first entering into a teleworking agreement. Teleworking arrangements are subject to termination at any time with reasonable notice given by the teleworker's supervisor.
3. Teleworkers should obtain permission from their supervisor before removing school system equipment or supplies from the employee's regularly assigned place of work to use at an alternative work location. Teleworkers are responsible for maintaining and protecting such school system equipment and returning it to the employee's regularly assigned place of work when the teleworking period ends. Use of school system technological resources is governed by policy

⁷ The list of criteria may be modified.

⁸ The board may alter this time period.

⁹ This is an optional statement. It is intended to ensure that the board is aware of long-term or frequent teleworking arrangements.

3225/4312/7320, Technology Responsible Use. The school system may condition an employee's authorization to telework on the employee providing his or her own equipment if school system resources are not available for the employee to use.

All costs incurred by an employee to arrange an alternative work location and to telework are the employee's responsibility and will not be reimbursed unless otherwise required by law.¹⁰ If approved by the superintendent or designee and the technology director, software owned by the school system may be installed on an employee-owned computer subject to license agreements. The software must be removed upon termination of the teleworking arrangement unless otherwise approved by the superintendent or designee.

4. A teleworker's alternative work location must be safe, secure, and free of undue distractions. Although school officials will not conduct routine inspections of alternative work locations that are not owned or operated by the school system, the board reserves the right to inspect an employee's alternative work location when deemed necessary to ensure suitability and safety after giving the teleworker reasonable notice.
5. Work-related injuries that occur in the alternative work location must be reported to the teleworker's supervisor.
6. Teleworkers shall be accessible by phone and email during work hours. In addition, attendance at the employee's regularly assigned place of work for on-site meetings, conferences, training sessions, and other school business activities may be required on scheduled telework days. Transportation for such attendance is the teleworker's responsibility.
7. Teleworkers must adhere to the same policies and procedures established for all school system employees. A teleworker's performance will be monitored and assessed in the same manner as employees working from their regularly assigned place of work.
8. Teleworkers must not deviate from the work schedule that would be expected of them at their regularly assigned place of work (including working hours, lunch breaks, etc.) unless specifically authorized to do so by their supervisor. Non-exempt employees under the Fair Labor Standards Act are not permitted to work off-the-clock while teleworking and will not be permitted to work overtime absent authorization from the employee's supervisor.

E. EMPLOYEES WITH DISABILITIES

¹⁰ Under the Fair Labor Standards Act, a nonexempt employee may not be forced to pay for an expense of the employer's business if doing so reduces the employee's pay below any statutorily-required minimum wage or overtime premium pay. See, e.g., Wage and Hour Division Opinion Letter FLSA2001-7 (2001), available at https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/2001_02_16_7_FLSA.pdf.

This policy does not apply to teleworking as an Americans with Disabilities Act (ADA) accommodation. If teleworking is considered a reasonable accommodation pursuant to the ADA, the school system and employee will follow the school system's ADA process with respect to such accommodation. In addition, employees with disabilities who are required or permitted to telework by the superintendent or board will be provided reasonable accommodations as necessary to fulfill their job duties while teleworking.

This policy and any eligibility criteria or procedures developed by the superintendent to implement this policy are not intended to, and do not, confer any additional employment rights on any employee, including any right to telework or to be assigned to a job position that is suitable for teleworking.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35

Cross References: Prohibition Against Discrimination, Harassment, and Bullying (1710/4021/7230), Discrimination, Harassment, and Bullying Complaint Procedure (1720/4015/7225), Nondiscrimination on the Basis of Disabilities (1730/4022/7231), Confidential Information (2125/7315), Technology Responsible Use (3225/4312/7320), Use of Personal Technology to Conduct School Business (3228/7323), Use of Equipment, Materials, and Supplies (6520), Workday and Overtime (7500), Leave (7510), Permitted Salary Deductions for Absences and Discipline of Certain Exempt Employees (7560)

Issued: March 31, 2020

To: Policy Committee
Date: September 21, 2021
From: Brandy Reeves
Re: Policy 5000

Policy 5000

This policy was adopted in 1999 and revised in June 2008, October 2008, December 2009, September 2012 and September 2013. Apparently, our copy has not included those revisions. The updated version below includes the required changes listed on the 2012 and 2013 revisions. Many of the suggested changes were added simply to be in compliance - in case they were previously required in the 2008 and/or 2009 revisions.

We bring this policy to the Committee with two recommendations:

- 1. Adds two policies to the list of policies expressing the board's commitment to the community and orders the list numerically. **(Recommended)***
- 2. Updates the cross references. **(Recommended)***

[Here](#) is the recommended version

To: Policy Committee
Date: September 21, 2021
From: Brandy Reeves
Re: Policy 3430

3430 – School Improvement Plan

We bring this policy to the Committee with four proposals:

1. Proposing that a district team meets internally principals in November, and principals present to an internal review committee. Then principals will submit their updated plans before the last Board meeting of the calendar year for final approval. If there are specific questions regarding individual school plans then the BOE will notify the School Leadership Division in order to make the schools aware and the school will be responsible for attending the Board meeting to answer questions.

2. Proposing that the current mandatory components of the School Improvement Plans be addressed through the use of the Indistar Indicators rather than specific goals written in the plans. Each of the mandatory components of the SIPs can be addressed through activities associated with one or more of the Indicators ([suggested correlations to Indicators](#)). Note - There are 12 Key Indicators that must be addressed in the plan. Other Indicators may be added.

3. Proposing that Mandatory Component 10 be changed to a statement that specifies Principals must notify the Board if significant changes are made to an approved plan rather than requiring this to be done for any modification and not requiring this as a written statement in the SIP.

4. Proposing that the opening paragraph of B. MANDATORY COMPONENTS OF THE PLAN reads as follows:

A school improvement plan must include the following components to identify efforts by the school to improve student performance and to reach the educational goals of the Board. **These components may be addressed through the use of specific goals or through Indicators on the Indistar platform.** A school improvement plan shall remain in effect no more than two years, however the school improvement team may amend the plan as often as is necessary or appropriate. **The principal will notify the superintendent if the school improvement team significantly modifies a board accepted school improvement plan. The Board will review the modifications along with any recommendations from the**

superintendent and accept or reject the modifications. (This was moved from the numerical list of components. Formerly number 10 in the list.)

To: Policy Committee
Date: September 21, 2021
From: Brandy Reeves
Re: Policy 2610 | 2200 | 2210

2610/ 2200/ 2210

We bring this policy to the Committee with four changes:

- Update the policy to reflect the Board Clerk's role to be clearly defined. These changes should be updated without absolving the Superintendent of the responsibility of serving as secretary to the board to a certain extent.
- Update 2200: Election of Officer/Organization of the Board. The policy clearly states that the superintendent is the BOE secretary, but by hiring a Clerk to the Chapel Hill Carrboro City Schools Board of Education this person will assist with the duties and responsibilities such as conducting research, preparing reports, handling information requests, and performing clerical functions. They will also be responsible for preparing correspondence, receiving visitors, arranging conference calls, scheduling and attending meetings and hearings, and preparing agendas; they will post the personnel report for approval by the Board of Education, electronically distribute the Board of Education monthly meeting packet as well as posting to district website, and they are responsible for the policy manual, and other related duties as required by the Chair, Vice Chair, and Superintendent.
- Update 2210 Duties and Responsibilities- to include the role and duties of Clerk to the Chapel Hill-Carrboro City Schools Board of Education will include providing administrative/clerical support to the Board of Education, Facilitating Board Travel, conference, seminar, and professional development activities, responsible for maintaining Board of Education budget, processing requisitions, members and communicating details between board members and associations, placing orders for Board supplies as required, produce and maintain a wide variety of Board of Education meeting documents, help create and maintain the Board Handbook, Communicate with board members, administrators, facilitate committee meetings, and maintain confidentiality at all times.

ELECTION OF OFFICERS/ ORGANIZATION OF BOARD

Policy Code: 2200

The board will elect a chairperson and a vice-chairperson to serve for a term of one year or until his or her successor is elected and qualified by taking the oath of office prescribed in Article VI, Sec. 7 of the North Carolina Constitution (see board policy 2110, Board Member Elections). The Board chairperson may serve only two terms in succession. An organizational meeting for the election and qualification of officers will be held at the first regularly scheduled meeting of the Board in December and as often thereafter as the board will determine appropriate. The officers will be elected in the following order: chairperson, vice-chairperson.

If the chairperson or vice-chairperson resigns from office, the position will be filled at the next regular meeting of the board. The individual elected must have the majority vote of all board members.

The secretary of the board shall be the superintendent, ex officio.

If necessary at any meeting held to elect officers, the superintendent will serve as chairperson of the board for the purpose of conducting the election of the chairperson.

Board Clerk duties:

- will assist with the duties and responsibilities such as conducting research, preparing reports, handling information requests, and performing clerical functions.
- will also be responsible for preparing correspondence, receiving visitors, arranging conference calls, scheduling and attending meetings and hearings, and preparing agendas
- will post the personnel report for approval by the Board of Education, electronically distribute the Board of Education monthly meeting packet as well as posting to district website
- be responsible for the policy manual, and other related duties as required by the Chair, Vice Chair, and Superintendent.

Legal References: G.S. 115C-37(d), -41

Cross References: Board Member Elections (policy 2110)

Adopted: 4/23/98

Commented [1]: Does this need to be changed questions for the policy committee with the addition of the Board Clerk. We do not want to absolve the Supt of these responsibilities.

The designated officers of the board will be chairperson, vice-chairperson, chairperson pro tempore and secretary.

The officers of the board will perform all duties and exercise the authority imposed or conferred upon them by the statutes of the State of North Carolina and by the State Board of Education.

A. Duties of the Chairperson

The chairperson has the following duties:

- preside at all meetings of the board;
- preserve order at all times;
- appoint committee members and chairpersons;
- serve as ex-officio member of all committees;
- call special meetings; and
- sign official district documents.

The chairperson will perform all duties required of the office by law and execute all documents on behalf of the board.

The chairperson will have the following powers:

- to recognize board members who wish to speak
- to rule motions in or out of order, including the right to rule out of order any motions patently offered for obstructive or dilatory purposes;
- to determine whether a speaker has gone beyond reasonable standards of courtesy and appropriateness in his/her remarks;
- enforce time limits to speakers
- to entertain and rule on questions of parliamentary procedure;
- to call a brief recess at any time; and
- to adjourn in an emergency.

The chairperson will have a vote on all matters for which a motion is made and will serve as official spokesperson of the board for communicating the board's position to the public.

B. Duties of the Vice-Chairperson

In the absence of the chairperson, the vice-chairperson of the board will assume all of the rights and responsibilities of the chairperson and will perform other duties assigned by the chairperson.

C. Duties of the Chairperson Pro Tempore

In the absence of both the chairperson and vice-chairperson, the board, by a majority vote of members present, may elect a chairperson pro tempore for that meeting only and the appointment of such temporary officer will be noted in the minutes. While so serving, a chairperson pro tempore performs the regular duties of the chairperson.

D. Duties of the Board Secretary

The superintendent will serve as ex-officio secretary to the board. The superintendent will keep the minutes of the meetings of the board but will have no vote. In the event of a vacancy in the superintendency, or if the superintendent is excluded for a closed-session, the board may designate one of its members to serve temporarily as secretary to the board.

As secretary to the board, the superintendent will:

- record all proceedings of the board;
- issue all notices and orders that may be made by the board;
- ensure that the minutes of the meetings of the board are promptly and accurately recorded in the minutes book which will be kept in the office of the superintendent and be open to public inspection during regular business hours;
- manage all correspondence on behalf of the board, unless the board directs otherwise;
- prepare and distribute copies of the agenda as required by law and board policy;
- maintain board members' manuals of policies and administrative regulations in current status;
- advise the board of policies previously adopted which affect items on the agenda requiring policy consideration;
- in the absence of the chairperson and vice-chairperson, call the board meeting to order and conduct the election of a chairperson pro tempore; and
- perform other duties as required by state law or board policy.

E. Duties of the Board Clerk

- will include providing administrative/clerical support to the Board of Education;
- facilitating Board Travel, conference, seminar, and professional development activities;
- responsible for maintaining Board of Education budget, processing requisitions;
- Board memberships, communicating details between Board members and associations;
- placing orders for Board supplies as required;

Commented [1]: We will add in the Duties and Responsibilities of the Board Clerk as outlined in the memo

Commented [2R1]: The BOE members and the Supt and members of the Cabinet will work together to hire a Board Clerk.

- produce and maintain a wide variety of Board of Education meeting documents;
- help create and maintain the Board Handbook;
- communicate with board members, administrators;
- facilitate committee meetings; and
- maintain confidentiality at all times.

Legal References: G.S. 115C-41(a), -276(b)

Cross References:

Adopted: 4/23/98

BOARD ATTORNEY

Policy Code: 2610

The board will enter into contracts for legal service to the school district including both legal advice and representation in litigation, as needed. Any attorney retained by the board or the superintendent through school district funds represents the legal entity of the school district and not any individual board member or administrator.

The superintendent may consult with the board attorney as needed to carry out administrative operations and to protect the board and school district from liability. Other staff may consult with the board attorney following procedures established by the superintendent.

The chairperson of the board normally will decide for board members when to seek legal advice or assistance on school matters. In instances where an individual member of the board desires to consult directly with the attorney, the board member will notify the chairperson of the legal information to be sought. If it is determined that legal assistance is necessary and has not been sought previously for this matter, the board member will be directed to consult individually with the attorney. Questions raised by members of the board and the attorney's replies will be reported to all board members. The chairperson of a board committee may consult with the board's attorney on issues that arise out of and in connection with the committee's work. The inquiry and response will be reported to all board members.

Legal References: G.S. 115C-36

Cross References:

Adopted: 4/23/98

Commented [1]: Do we need to make any changes to this policy? With the addition of the Board Clerk?