



DARE COUNTY BOARD OF EDUCATION MEETING AGENDA

MONDAY, JANUARY 9, 2023 / 5:00 PM

**LOCATION: DARE COUNTY ADMINISTRATION BUILDING
954 MARSHALL C. COLLINS DR., MANTEO, NC 27954**

Type of Meeting

Regular	<u> x </u>
Special	<u> </u>
Emergency	<u> </u>
Adjourned	<u> </u>
Recessed	<u> </u>

Members in Attendance

Ron Payne, Chairman	<u> </u>
Barry Wickre, Vice-Chairman	<u> </u>
Mary Ellon Ballance	<u> </u>
Susan Bothwell	<u> </u>
Matt Brauer	<u> </u>
David Twiddy	<u> </u>
Carl Woody	<u> </u>

- I. Meeting Called to Order – Board Chairman
- II. Moment of Silence – Board Chairman
- III. Welcome/Pledge – Susan Bothwell
- IV. Approval of Agenda
- V. Public Comment
- VI. Announcements
- VII. Approval of Consent Agenda (Attachment #1)
 - A. Personnel Consent Agenda
 - B. Minutes
 - December 12, 2022, Regular Meeting
 - C. Other
 - Donation of Funds from Knights of Columbus for Exceptional Children Program

VIII. Reports / Items for Information

A. Presentation of Bell Award from NCSBA – Steve Basnight

IX. Unfinished Business

X. New Business

A. First Reading of Proposed Policy Manual Updates – Brian Shaw (Attachment #2)

- NEW Policy 3220: Technology in the Educational Program
- Revised Policy 3225/7320: Technology Responsible Use
(to be codified as 3225/4312/7320)
- Revised Regulation 3225/7320-R: Technology Responsible Use Regulations
(to be codified as 3225/4312/7320-R1)
- Revised Form 3225/7320-R: Student E-Mail Parent Permission Form
*(to be codified as 3225/4312/7320-R1, Form 1
Dare County Schools Technology Permission Form – Parent)*
- Revised Form 3225/7320-R: Acceptable Use of the Internet Form
*(to be codified as 3225/4312/7320-R1, Form 2
Dare County Schools Technology Permission Form – Student)*
- Revised Form 3225/7320-R: Information Technology Resource Acceptance Form
(to be codified as 3225/4312/7320-R1 Form 3 - Staff)
- NEW Policy 3228/7323: Use of Personal Technology to Conduct School Business
- Repeal Policy 3229: Digital Learning
- Revised Regulation 3229-R: Student Laptop User Agreement
(to be codified as 3225/4312/7320-R2)
- Revised Form 3229-R: Annual Student and Parent/Guardian Authorization Form
(to be codified as 3225/4312/7320-R2 - Form 1)
- Revised Policy 7360/8225: Crowdfunding
- Revised Policy 7241: Drug and Alcohol Testing of Commercial Motor Vehicle Operators
(Drafts A & B)
- NEW Policy 4720: Surveys of Students
- NEW Policy 3105: Part-Time Admission of Home School Students
- Revised Policy 3620: Extracurricular Activities and Student Organizations

- B. Memorandum of Understanding Between the County of Dare and the Dare County Board of Education for Use of the First Flight Athletic Fields
- Brian Shaw (Attachment #3)
- C. Memorandum of Understanding Between the County of Dare and the Dare County Board of Education for Use of County-Owned and Operated Fueling Stations
- Steve Basnight (Attachment #4)
- D. Memorandum of Agreement Between the Dare County Board of Education and the Town of Southern Shores for the School Resource Officer at Kitty Hawk Elementary School
- Steve Basnight (Attachment #5)

XI. Board Member Comments

XII. Adjourn

JANUARY 9, 2023 CONSENT AGENDA

A. Personnel

Recommend the Board approve the personnel consent agenda as presented.

B. Minutes

Recommend the Board approve the Board meeting minutes for December 12, 2022.

C. Other

Recommend the Board accept the donation of funds in the amount of \$8,100 from the Knights of Columbus for the Exceptional Children Program as requested.

The Dare County Board of Education met in **regular session** on Monday, December 12, 2022, at the Dare County Board of Commissioners Meeting Room in Manteo, NC. Members in attendance were Mary Ellon Ballance, Susan Bothwell, Matt Brauer, Ron Payne, David Twiddy, Barry Wickre, and Carl Woody.

Mr. Steve Basnight, Superintendent of Schools, called the meeting to order at 5:00 p.m. and requested a moment of silence. He presided over the meeting until a chairperson was elected by the Board later during the meeting.

Following the moment of silence, Mr. Basnight led the Board in the Pledge of Allegiance. He then recognized and welcomed the following Dare County Board of Commissioners: Chairman Bob Woodard, Vice-Chairman Wally Overman, Mr. Rob Ross, and Mr. Steve House.

Next, Mr. Basnight called Mrs. Georgia Sellers, a Certified Notary Public and the Board's Executive Assistant, forward to administer the Oath of Office to the following Board Members who were elected in November 2022:

- Mr. Matt Brauer – District 3
- Mr. Ron C. Payne – District 2
- Mr. Barry L. Wickre – District 1

After the Oaths of Office were administered, Mr. Basnight opened the floor for nominations for the position of Chairman of the Dare County Board of Education.

Mary Ellon Ballance nominated David Twiddy, and Barry Wickre nominated Ron Payne. No other nominations were received. The nominees were then voted on in the order that they were nominated.

Voting *Yea* for Mr. Twiddy were Mary Ellon Ballance, Susan Bothwell, and David Twiddy. Matt Brauer, Ron Payne, Barry Wickre, and Carl Woody voted *Nay*.

Voting *Yea* for Mr. Payne were Matt Brauer, Ron Payne, Barry Wickre, and Carl Woody. Mary Ellon Ballance, Susan Bothwell, and David Twiddy voted *Nay*.

Mr. Ron Payne was elected to serve as Chairman of the Dare County Board of Education by a vote of 4 to 3.

Following the election, Mr. Basnight relinquished the gavel to Mr. Payne to conduct the election for Vice-Chairman.

Mary Ellon Ballance nominated David Twiddy, and Carl Woody nominated Barry Wickre. No other nominations were received. The nominees were then voted on in the order that they were nominated.

Voting *Yea* for Mr. Twiddy were Mary Ellon Ballance, Susan Bothwell, and David Twiddy. Matt Brauer, Ron Payne, Barry Wickre, and Carl Woody voted *Nay*.

Voting *Yea* for Mr. Wickre were Matt Brauer, Ron Payne, Barry Wickre, and Carl Woody. Mary Ellon Ballance, Susan Bothwell, and David Twiddy voted *Nay*.

Mr. Barry Wickre was elected to serve as Vice-Chairman of the Dare County Board of Education by a vote of 4 to 3.

Following the elections, comments were made by Chairman Payne. Mr. Payne then requested a motion to approve the agenda. Barry Wickre moved that the Board approve the agenda as requested. The motion was seconded by Carl Woody and approved 7 to 0 by the Board.

Next, the floor was opened for Public Comment; however, no comments were made during that time.

Chairman Payne then requested a motion to approve the following Consent Agenda. Barry Wickre made a motion that the Board approve the consent agenda as requested. The motion was seconded by Carl Woody and approved 7 to 0 by the Board.

Personnel

Recommend the Board approve the personnel consent agenda as presented.

Minutes

Recommend the Board approve the Board meeting minutes for the following dates:

October 11, 2022 Board Hearing
November 2, 2022 Special Meeting
November 9, 2022 Special Meeting
November 9, 2022 Regular Meeting
November 30, 2022 Special Meeting

Finance

Recommend the Board adopt the budget amendments as presented.

Other

Recommend the Board accept the grant from the Hatteras Island Youth Education Fund for Cape Hatteras Secondary School as requested.

Recommend the Board approve the amended Government and Education Access Channels Interlocal Shared Used Agreement as presented.

Under *Reports and Items for Information*, Mr. Basnight provided an update on ESSER funding allocated to Dare County Schools. He noted that the funds are being used to cover approximately twenty salaries and that the district is on schedule to spend the balance of the allotment by the 2023-2024 deadline.

Next, School Board Attorney Rachel Hitch provided an update on the status of a draft policy that would allow home-school students to participate in DCS athletics. She plans to present the draft policy in January for the Board's consideration, and if approved, students could begin participating as early as February 2023.

Next, Mr. Basnight provided an update on the Aviation Program to be piloted at First Flight High School beginning with the 2023-2024 school year. This will be a two-year program where students will construct an airplane with materials provided by Tango Flight. The airplane will be constructed on the grounds of the Wright Brothers National Memorial where the first successful flight took place over one hundred years ago.

Under *Unfinished Business*, Board Attorney Rachel Hitch presented the second reading of the following policy manual updates for the Board's approval. David Twiddy made a motion that the Board approve the revised policy manual updates as presented. The motion was second by Mary Ellon Ballance and approved 7 to 0 by the Board.

- Revised Policy 2210: Duties of Officers
 - Repeal Policy 2212: Duties of the Chairperson
 - Repeal Policy 2214: Duties of the Vice Chairperson
 - Repeal Policy 2216: Duties of Board Secretary
- Revised Policy 2600: Consultants to the Board
- New Policy 6450: Purchase of Services
- Revised Policy 6560: Disposal of Surplus Property
- New Policy 7360/8225: Crowdfunding
 - New Form 7360/8225-A: Crowdfunding Project Approval Form (*for information only*)
 - New Form 7360/8225-B: Crowdfunding Parent Consent Form (*for information only*)

Under *New Business*, Paul Carson, a Certified Public Accountant, from Anderson, Smith & Wike, PLLC, presented a summary of the Dare County Board of Education's financial statements for year ending June 30, 2022. There were no problems or concerns found during the audit and a clean management letter was issued by the firm. Following the presentation, Barry Wickre moved that the Board receive the audit report as presented. The motion was seconded by Carl Woody and approved 7 to 0 by the Board.

For the second item under *New Business*, Superintendent Steve Basnight presented a request to transfer an additional \$9,000 to cover the increased cost of replacing the sound system in the Manteo Middle School gymnasium. Mr. Basnight noted that the initial quote for the project was \$8,600, however, the quote is now outdated and the new quote is \$9,000 more. Mary Ellon Ballance moved that the Board approve the superintendent's request to transfer up to \$9,000 in additional funds to cover the new quote and possible contingency to replace the sound system in the Manteo Middle School gymnasium. The motion was seconded by Susan Bothwell and approved 7 to 0 by the Board.

Following *New Business*, Chairman Payne opened the floor for comments from the Board. No action was required.

Next, Susan Bothwell moved that the Board go into closed session. The purpose of the closed session was for the Board to consult with the Board of Education attorney in order to preserve the attorney client privilege as provided in N.C.G.S. 143- 318.11(a)(3); to consider confidential personnel matters as provided in N.C.G.S. 143-318.11(a)(6); and to consider confidential student matters as provided in N.C.G.S. 143-318.11(a)(1) and the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99). The motion was seconded by Matt Brauer and approved 7 to 0 by the Board. The Board went into closed session at 5:42 p.m. and returned to open session at 6:25 p.m.

Upon the Board's return to open session, Carl Woody moved that the Board approve the NC GreenPower waiver and authorize the Board Chairman to sign the waiver on the Board's behalf. The motion was seconded by Barry Wickre and approved unanimously by the Board.

After the motion was approved, Board Attorney Rachel Hitch shared information with the public about the NC GreenPower waiver approved by the Board. She noted that the waiver was for a grant to install LED bulbs in school facilities and that it was no cost to the district.

With there being no further business, Matt Brauer made a motion that the Board adjourn the meeting. The motion was seconded by Susan Bothwell and approved 7 to 0 by the Board. The meeting was adjourned at 6:27 p.m.

Ron C. Payne, Board Chairman

Steve Basnight, Board Secretary



DARE COUNTY SCHOOLS

PERSONNEL CONSENT AGENDA

12/12/2022

Inform the Board of the following *RESIGNATIONS*:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Cody Hughes	Lead Mechanic	Transportation	11/30/2022
Penny Goodwin	EC TA	FFES	11/30/2022
Elena Wilkinson	Teacher	NHES	12/16/2022
Grace Rodriguez	EC TA	FFES	1/6/2023
Kimberly McGee	EC TA	FFMS	2/1/2023

Inform the Board of the following *TERMINATION*:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
June Smith	Bus Driver	Transportation	12/6/2022

Inform the Board of the following *LEAVE of ABSENCES*:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Samantha Persinger	Teacher	NHES	2/23/2023-6/9/2023
Karen McIver	Teacher	NHES	11/21/2022-12/9/2022
Sheryl Williams	ASEP	MES	11/14/2022-1/3/2023

Inform the Board of the following *INTERNAL TRANSFERS*:

<u>Name</u>	<u>From</u>	<u>To</u>	<u>Effective Date</u>
Beverly Hagy	3rd Grade Teacher / CHES	Lit. Interventionist / MTSS CHES	12/16/2022
Don Reeves	PT Bus Driver CHES	Bus Driver & Custodian CHES	11/28/2022
Rodney Austin Brinson	FT Custodian CHES	Custodian & ASEP Asst CHES	11/28/2022
Brian Beavers	Mechanic II / Transportation	Lead Mechanic / Transportation	12/1/2022
Israel Diaz	Mechanic I / Transportation	Mechanic II / Transportation	12/1/2022

Recommend the Board approve the following personnel for *EMPLOYMENT* for the 2022-23 school year:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Hayley Gorges	Occupational Therapist	Central Office	11/15/2022
Julianna Sherman	Math Teacher	CHSS	7/1/2023
Tara Gates	SNA	FFHS	11/28/2022
Emily Parker	EC TA	CHES	11/14/2022
Joy Ellington	ESL Teacher	MES	1/30/2023
Herman Hall	LTS	FFHS	11/7/2022
James Weiland	Bus Driver / SNA	Transportation / MHS	12/8/2022
Matthew Seidel	ECTA	KHES	1/3/2023

Recommend the Board approve the following *SUBSTITUTE TEACHERS* for the 2022-23 school year:

<u>Name</u>	<u>Name</u>	<u>Name</u>	
Foster Mattingly	Evan Fiedler	Lisa Kisers	Jonathon Thomas
Linda Kiser	Madeleine Dale	Faira Fischer	Iva Rosell
Donna Pittman	Denise Daniels	Jackie Mills	Niki Harper
Meredith Thomas			

Recommend the Board approve the following *SUBSTITUTE BUS DRIVERS/MONITORS* for the 2022-23 school year:

<u>Name</u>
Renee Joyner (add Bus Monitor)

Recommend the Board approve the following COACHES for the 2022-23 school year:

<u>Name</u>	<u>Season</u>	<u>Location</u>
Jannie Kenyon	Assistant Varsity Cheer	MHS
John King	Volunteer Asst JV & Varsity Basketball	FFHS
Ricarco Cabrera	Volunteer Asst Track Winter/Spring	FFHS
Isabel Campbel	Volunteer Track Winter/Spring	FFHS
Michael Wilson	Head Wrestling	MMS
Charles Foreman	Asst Wrestling	MMS
DeShaun Banks	Assistant Boys Basketball	MMS
DuWayne Gibbs	Head Boys Basketball	MMS
Levi Curles	Head Girls Basketball	MMS
Sabrina Flowers	Asst Girls Basketball	MMS
Elizabeth Dehart	Head Cheerleading	MMS
Andrew "Shank" Austin	Assistant JV BB	CHSS
Woody Willis	Head Varsity Boys Basketball	CHSS
Colby O'Neal	Assist Varsity Boys Basketball	CHSS
Earl Fountain	Head Varsity Girls Basketball	CHSS
Randy Ratliff	Assist Varsity Girls Basketball	CHSS
Colby O'Neal	Head JV Boys Basketball	CHSS
Annie Tolson	Varsity BB Cheerleading	CHSS
Paul Ranno	Strength Training Winter	CHSS
Daniel Arellano	MS Head Boys Basketball	CHSS
Chris Hanburger	MS Assist Boys Basketball	CHSS
Jessee Waterfield	MS Head Girls Basketball	CHSS
Brittany Barnett	MS Assist Girls Basketball	CHSS
Steve Smalley	Head Wrestling	FFMS
Shane Francis	Assist Wrestling	FFMS
Eric Hanks	Volunteer Assist Wrestling	FFMS
Leslie Kempf	Volunteer Assist Wrestling	FFMS
Tom Basile	Head Girls Basketball	FFMS
Jonathan Scarborough	Asst Girls Basketball	FFMS
Hillary Szalkiewicz	Volunteer Asst Girls Basketball	FFMS
Matt Drake	Head Boys Basketball	FFMS
Miles Nowarah	Volunteer Assist Girls Basketball	FFMS
Dave Tonnesen	Head Swimming	FFHS
Robert Trivette	Assist Swimming	FFHS
Russell Kepler	Head Wrestling	FFHS
Jay Hawes	Assist Wrestling	FFHS
Shane Francis	Volunteer Assist Wrestling	FFHS
Kyle Briglia	Volunteer Assist Wrestling	FFHS
Ray Richards	Head Girls Basketball	FFHS
Emily Morris	Assist Girls Basketball	FFHS
Billy Folkes	Head JV Girls Basketball	FFHS
Chad Williams	Head Varsity Boys Basketball	FFHS
Mike Head	Assist Varsity Boys Basketball	FFHS
Chip Rose	Head JV Boys Basketball	FFHS
Mike Head	Assist JV Boys Basketball	FFHS
Daniel Murray	Head Indoor Track	FFHS
Joy Ogburn	Varsity Head Cheerleading	FFHS
Brianna Vann	Varsity Assist Cheerleading	FFHS
Larry Orenuga	Volunteer Girls Basketball	FFMS
Chad Leary	Assist Athletic Director	MHS
Eric Pruitt	Varsity Men's Basketball Assistant	MHS
Timmy Charity	JV Men's Basketball Assistant	MHS

Recommend the Board approve the following COACHES for the 2022-23 school year CONT:

Brad Creef	Women's Basketball Head	MHS
Emily Newton	Swimming Head	MHS
Jimmy Metzinger	Wrestling Head	MHS
Timmy Charity	Varsity Men's Basketball Head	MHS
Preston Gordon	JV Men's Basketball Head	MHS
Bud Hendrix	Men/Women Basketball Volunteer Assistant	MHS
Michelle Shafer	Women's Basketball Assistant	MHS
Hannah Henderson	Swimming Assistant	MHS
Jimmy Metzinger	Head Womens Wrestling	MHS
Casey Winstead	Wrestling Assistant	MHS
Charles Spangler	Wrestling Volunteer Assistant	MHS
Elizabeth DeHart	Varsity Basketball Cheer Head	MHS
Elizabeth DeHart	Competition Cheer	MHS
Amber Seymour	Athletic Trainer	MHS
Cliff Phelps	Wrestling Volunteer Assistant	MHS
Melissa Mann	Indoor Track Head	MHS
Jannie Kenyon	Varsity Basketball Cheer Assistant	MHS
Hunt Thomas	Basketball Announcer	MHS
Brian Emery	Strength Training	MHS

Dare County Schools

BUDGET AMENDMENT - 2022-2023

The Dare County Board of Education, at a meeting on the 12th day of December 2022, passed the following resolution.

Be It Resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2023.

Purpose	Description	07/01/2022 Budget Resolution	Budget Amendment	12/12/2022 Amended Budget
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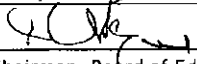

STATE EXPENDITURES

5000	Instructional Services	33,058,488.00	864,522.00	33,923,010.00
6000	System Wide Support Services	3,359,542.00	10,000.00	3,369,542.00
7000	Ancillary Services	2,000.00	0.00	2,000.00
8000	Non-Programmed Charges	46,883.00	0.00	46,883.00
TOTAL		36,466,913.00	874,522.00	37,341,435.00

STATE REVENUES

	State Funds	36,466,913.00	874,522.00	37,341,435.00
TOTAL		36,466,913.00	874,522.00	37,341,435.00

Explanation: To increase State budgets to reflect revised allotments: additional funding for the following programs CTE - program support (\$74,535), children with disabilities/behavioral support (\$491,526), school safety grants (\$36,666), principal performance bonuses (\$23,145), at-risk student services (\$200,503), school connectivity (\$47,229), and school technology fund (\$918).

Requested by: Anna McGinnis	Date: 12/12/2022
Recommended by: Steve Basnight	Budget Amendment #: BA-6 (State)
Approved by: 	
Chairman, Board of Education	Superintendent, Board of Education

Dare County Schools

BUDGET AMENDMENT - 2022-2023

The Dare County Board of Education, at a meeting on the 12th day of December 2022, passed the following resolution.

Be It Resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2023.

Purpose	Description	7/01/2022 Budget Resolution	Budget Amendment	12/12/2022 Amended Budget
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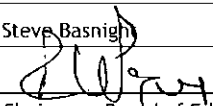
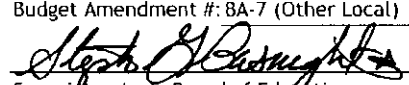
OTHER LOCAL CURRENT EXPENDITURES

5000	Instructional Services	1,149,579.00	9,000.00	1,158,579.00
6000	System Wide Support Services	279,588.00	0.00	279,588.00
7000	Ancillary Services	0.00	0.00	0.00
8000	Non-Programmed Charges	0.00	0.00	0.00
TOTAL		1,429,167.00	9,000.00	1,438,167.00

FEDERAL REVENUES

	Other Local Current Funds	1,429,167.00	0.00	1,429,167.00
	Appropriated Fund Balance	0.00	9,000.00	9,000.00
TOTAL		1,429,167.00	9,000.00	1,438,167.00

Explanation: To appropriate funds for the down payment for the Tango Flight project.

Requested by: Anna McGinis	Date: 12/12/2022
Recommended by: Steve Basnigh	Budget Amendment #: 8A-7 (Other Local)
Approved by:  Chairman, Board of Education	 Superintendent, Board of Education

DATE: January 9, 2023

KEY ADMINISTRATOR: Reida Roberts, Director of Exceptional Children

AGENDA ITEM: Approval of Donation of Funds from the Knights of Columbus for the Exceptional Children Program

BACKGROUND INFORMATION:

Dare County Schools Policy #8220 sets forth the provisions for gifts and bequests. Through this policy, the Board of Education reserves the right to determine the appropriateness of each gift or contribution for the educational programs of the school system and to accept or reject any proposed gifts. The policy also requires that any gift valued at more than \$5,000 receive Board of Education approval before acceptance.

The local Knights of Columbus Least Among My Brethren (LAMB) project solicit donations locally year round. This is the 37th year the program has been raising funds to benefit teachers and local community agencies that impact the lives of children and adults with disabilities.

The amount that will be distributed to Dare County Schools Exceptional Children's teachers is **\$8,100**.

RECOMMENDATION:

The superintendent recommends the Board accept the donation of funds in the amount of **\$8,100** from the Knights of Columbus for Exceptional Children Teachers to purchase supplemental materials for use with their Exceptional Children students.

DATE: January 9, 2023

KEY ADMINISTRATOR: Brian Shaw, Board Attorney
Poyner Spruill LLP

AGENDA ITEM: First Reading of Proposed Policy Manual Updates

BACKGROUND INFORMATION:

The North Carolina School Boards Association and Poyner Spruill, LLC provide regular updates to policies which have undergone revision based on changes to legal requirements or cross references. The Board of Educations' Policy Team then meets monthly to review and make recommendations to update existing policies, as permitted, based on local implementation and feedback.

The policies listed below are being presented to the entire Board for first reading and consideration. Copies of the draft policies may be requested through the Dare County Schools' *Contact Us* email address found on the district website.

- **NEW Policy 3220, Technology in the Educational Program**
(recommended policy from the N.C. School Boards Association)
- **Revised Policy 3225/7320, Technology Responsible Use**
(to be codified as 3225/4312/7320, recommended from the N.C. School Boards Association)
- **Revised Regulation 3225/7320-R, Technology Responsible Use Regulations**
(to be codified as 3225/4312/7320-R1, recommended revisions from Poyner Spruill, LLP)
- **Revised Form 3225/7320-R, Student E-Mail Parent Permission Form**
(to be codified as 3225/4312/7320-R1, Form 1, Dare County Schools Technology Permission Form (Parent), recommended revisions from Poyner Spruill, LLP)
- **Revised Form 3225/7320-R, Acceptable Use of the Internet Form**
(to be codified as 3225/4312/7320-R1, Form 2, Dare County Schools Technology Permission Form (Student), recommended revisions from Poyner Spruill, LLP)
- **Revised Form 3225/7320-R, Information Technology Resource Acceptance Form**
(to be codified as 3225/4312/7320-R1, Form 3 (Staff), recommended revisions from Poyner Spruill, LLP)
- **NEW Policy 3228/7323, Use of Personal Technology to Conduct School Business**
(recommended policy from the N.C. School Boards Association)

- **Repeal Policy 3229, Digital Learning** *(proposed repeal recommended by Poyner Spruill, LLP)*
- **Revised Regulation 3229-R, Student Laptop User Agreement** *(to be codified as 3225/4312/7320-R2, recommended revisions from Poyner Spruill, LLP)*
- **Revised Form 3229-R, Annual Student and Parent/Guardian Authorization Form** *(to be codified as 3225/4312/7320-R2 Form 1, recommended revisions from Poyner Spruill, LLP)*
- **Revised Policy 7360/8225, Crowdfunding** *(recommended revisions from Poyner Spruill, LLP)*
- **Revised Policy 7241: Drug and Alcohol Testing of Commercial Motor Vehicle Operators** *(recommended revisions from Poyner Spruill, LLP) (Drafts A & B)*
- **New Policy 4720: Surveys of Students** *(recommended policy from the N.C. School Boards Association)*
- **NEW Policy 3105: Part-Time Admission of Home School Students**
- **Revised Policy 3620: Extracurricular Activities and Student Organizations** *(recommended revisions from Poyner Spruill LLP and from the N.C. School Boards Association)*

RECOMMENDATION

This is the first reading. No action is required at this time.

Policy Code: 3220 Technology in the Educational Program

In alliance with the North Carolina Digital Learning Plan, the board is committed to establishing and supporting effective digital teaching and learning practices supported by contemporary information and communications technology systems to foster globally competitive students prepared for modern life. The board recognizes the benefits of digital and technology-enabled and -enhanced teaching and learning resources that provide the ability to make data more accessible, personalize learning, easily customize curriculum, provide access to current information, and enable access to quality materials at a lower cost than traditional materials. To that end, the board supports classroom digital and technology-enabled and -enhanced teaching and learning resources that are aligned with the current statewide instructional standards. In addition, to the extent funding permits, the board will endeavor to ensure that all students have access to personal digital and technology-enabled teaching and learning devices to foster the skills necessary for future-ready learners.

The board expects that information and communications technologies will be integrated seamlessly across the curriculum and used to support student achievement and to prepare students to be successful in college, in careers, and as globally engaged, productive citizens. The curriculum committee should provide suggestions in the curriculum guides referenced in policy 3115, Curriculum and Instructional Guides, for integrating technological resources (as defined in Section A below) into the educational program. School administrators and teachers are encouraged to develop additional strategies for integrating technological resources across the curriculum and utilizing the power of technology to personalize learning and improve learning outcomes while making more efficient use of resources. The strategies should be included in the school improvement plan if they require the transfer of funds or otherwise relate to any components of the school improvement plan.

The superintendent shall oversee development of the school system's digital teaching and learning vision as part of the school system's strategic plan and a yearly action plan that aligns to the vision. The development and ongoing review of the vision and the action plan will include various stakeholders such as curriculum leaders, teachers, administrators, students, parents, and representatives from technology services, instructional technology, finance, and other departments as required. The action plan will include adequate data privacy protections to secure student data and will take into account the level of out-of-school Internet access for students.

The superintendent may establish relationships with businesses and seek grants and other funding sources in an effort to acquire additional technological resources for the educational program and to support continuous out-of-school Internet access for students.

A. Selection of Technological Resources

Technological resources are information and communications technologies including, but not limited to, the following: (1) hardware, including both fixed and mobile technologies and devices such as desktop computers, laptops, netbooks, tablets, e-readers, smartphones, and gaming devices; (2) software, including cloud-based and web-based applications, programs, and platforms; (3) network and telecommunications systems and services; (4) Internet access; (5) multimedia equipped classrooms; (6) computer classrooms and laboratories; and (7) other existing or emerging mobile communications systems. All technological resources must be purchased and used in a manner consistent with applicable law and board policy, including laws and policies related to copyright, public records, bidding, and other purchase requirements, accessibility for students with disabilities, staff duties, and standards for student behavior.

Technological resources must meet or exceed the following standards before they may be considered for implementation.

1. Technological resources must support the current statewide instructional standards or the programs of the school system.

2. Technological resources must support the current use of learning and instructional management technologies in the school.

3. Technological resources must be compatible with the condition of the network and other infrastructure resources. The technology director shall set minimum standards for technological resources that are purchased or donated. Upgrading, hardware conditions, and similar requirements must be maintained to the highest standards.

4. There must be sufficient staff to operate and maintain the technological equipment, programs, and systems.

5. There must be adequate funds budgeted to implement and support the technological resources and to train instructional staff to use the resources to improve educational outcomes.

Procurement of technological resources should be done in collaboration with teachers and technical support staff, as appropriate. Whenever possible, a pilot period to test the resource should occur prior to full purchase.

B. Deployment of Technology to Schools

The superintendent shall oversee the development of the school system's technology deployment and refresh plan. The plan will be designed to ensure organized, effective, efficient, and sustainable means of deploying and maintaining technology resources and will establish appropriate

refresh/replacement cycles. The superintendent shall develop procedures that outline the strategy of the technology deployment and refresh plan.

C. Bring Your Own Technology (BYOT) Initiative

The superintendent is authorized to investigate and develop a plan to allow staff and students the option to use their personal electronic devices in place of or along with their school system assigned devices. The plan should address, at a minimum, the instructional use of personal devices, compatibility requirements, access limitations or requirements, content filtering, security, and other issues as recommended by the technology director. The plan should assign personal responsibility to the user for repair and replacement of damaged or stolen devices and for any data or other charges arising from use of a personal device. The plan should require a written agreement for the use of personal technology devices from each student and staff member who wishes to participate in the BYOT initiative. The plan should ensure that students who are unable to bring in outside technology will be able to access and utilize school equipment so that no student is excluded from instruction due to lack of access to technology.

D. Electronic Communication and Other Collaborative Tools

The superintendent is authorized to permit instructional personnel to incorporate email, social networking sites, blogs, wikis, video sharing sites, podcasts, video conferencing, online collaborations, instant messaging, texting, virtual learning environments, and/or other forms of direct electronic communications or Web 2.0 applications for educational purposes to the extent the superintendent deems appropriate and in accordance with policy 7335, Employee Use of Social Media. The superintendent shall establish parameters and rules for use of these tools and shall require instruction for students in how to use such tools in a safe, effective, and appropriate way. Instructional personnel shall make all reasonable attempts to monitor student online activity and shall otherwise comply with the requirements of policy 3225/4312/7320, Technology Responsible Use, when using these tools.

E. Technology-Related Professional Development

The superintendent shall plan a program of professional development for digital teaching and learning that prepares administrators, teachers, coaches, school library media coordinators, and technical support staff to utilize digital tools and resources in accordance with the N.C. Digital Learning Competencies for Teachers and Administrators. Professional development shall emphasize technology integration and continuous improvement, including the use of ongoing technology-integrated online-learning activities throughout the course of study and the provision of personalized learning. Professional development shall also address the ethical, legal, and practical issues related to social networking and mobile devices in the classroom and other topics deemed necessary by the

superintendent or technology director. To the extent possible, job-specific professional development opportunities should be made available, as well as professional development that is personalized to meet the needs of individual staff.

School improvement teams should identify any staff development appropriations for technology-related professional development in their school improvement plans.¹⁰ The superintendent and technology director should assist schools in coordinating staff development needs as provided in policy 1610/7800, Professional and Staff Development.

Legal References: [G.S. 115C-522](#), [-528](#); [143B-1341](#); State Board of Education Policy [SBOP-018](#)

Cross References: Professional and Staff Development (policy 1610/7800), Curriculum and Instructional Guides (policy 3115), Technology Responsible Use (policy 3225/4312/7320), Internet Safety (policy 3226/4205), Copyright Compliance (policy 3230/7330), School Improvement Plan (policy 3430), Integrity and Civility (policy 4310), Public Records – Retention, Release, and Disposition (policy 5070/7350), Network Security (policy 6524), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335), Gifts and Bequests (policy 8220)

Other Resources: North Carolina Digital Teaching and Learning Competencies for Teachers and Administrators, available at <https://www.dpi.nc.gov/districts-schools/districts-schools-support/digital-teaching-and-learning/digital-teaching-learning-standards#digital-learning-competencies-for-educators>; The North Carolina Digital Learning Plan (2022), available at <https://www.dpi.nc.gov/districts-schools/districts-schools-support/digital-teaching-and-learning/digital-learning-initiative#:~:text=The%20North%20Carolina%20Digital%20Learning%20Plan%20describes%20the,Learning%20Initiative.%202022%20North%20Carolina%20Digital%20Learning%20Plan>

Adopted:

Dare County Board of Education

Policy Code: 3225/4312/7320 Technology Responsible Use

The board provides its students and staff access to a variety of technological resources. These resources provide opportunities to enhance learning and improve communication within the school community and with the larger global community. Through the school system's technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects, and acquire access to current and in-depth information.

The board intends that students and employees benefit from these resources while remaining within the bounds of safe, legal, and responsible use. Accordingly, the board establishes this policy to govern student and employee use of school system technological resources. This policy applies regardless of whether such use occurs on or off school system property, and it applies to all school system technological resources, including but not limited to computer networks and connections, the resources, tools, and learning environments made available by or on the networks, and all devices that connect to those networks.

A. Expectations for Use of School Technological Resources

The use of school system technological resources, including access to the Internet, is a privilege, not a right. Individual users of the school system's technological resources are responsible for their behavior and communications when using those resources. Responsible use of school system technological resources is use that is ethical, respectful, academically honest, and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette. General student and employee behavior standards, including those prescribed in applicable board policies, the Code of Student Conduct, and other regulations and school rules, apply to use of the Internet and other school technological resources.

In addition, anyone who uses school system computers or electronic devices or who accesses the school network or the Internet using school system resources must comply with the additional rules for responsible use listed in Section B, below. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive.

Within the first month of school, all students must receive instruction on appropriate online behavior as provided in policy 3226/4205, Internet Safety.

All students and employees must be informed annually of the requirements of this policy and the methods by which they may obtain a copy of this policy. Before using school system technological resources, students and employees must sign a statement indicating that they understand and will strictly comply with these requirements and acknowledging awareness that the school system uses

monitoring systems to monitor and detect inappropriate use of technological resources. Failure to adhere to these requirements will result in disciplinary action, including revocation of user privileges. Willful misuse may result in disciplinary action and/or criminal prosecution under applicable state and federal law.

B. Rules for Use of School Technological Resources

1. School system technological resources are provided for school-related purposes only. Acceptable uses of such technological resources are limited to responsible, efficient, and legal activities that support learning and teaching. Use of school system technological resources for commercial gain or profit is prohibited. Student personal use of school system technological resources for amusement or entertainment is also prohibited. Because some incidental and occasional personal use, the board permits infrequent and brief personal use so long as it occurs on personal or non-instructional time, does not interfere with school system business, and is not otherwise prohibited by board policy or procedure.

2. Under no circumstance may software purchased by the school system be copied for personal use.

3. Students and employees must comply with all applicable laws, including those relating to copyrights and trademarks, confidential information, and public records. Any use that violates state or federal law is strictly prohibited. Plagiarism of Internet resources will be treated in the same manner as any other incidents of plagiarism, as stated in the Code of Student Conduct.

4. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally viewing, accessing, downloading, storing, printing, or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages, or other material that is obscene, defamatory, profane, pornographic, harassing, abusive, or considered to be harmful to minors.

5. The use of anonymous proxies to circumvent content filtering is prohibited.

6. Users may not install or use any Internet-based file sharing program designed to facilitate sharing of copyrighted material.

7. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).

8. Users must respect the privacy of others. When using e-mail, chat rooms, blogs, or other forms of electronic communication, students must not reveal

77 personal identifying information or information that is private or confidential,
78 such as the home address or telephone number, credit or checking account
79 information, or social security number of themselves or fellow students. For
80 further information regarding what constitutes personal identifying
81 information, see policy 4705/7825, Confidentiality of Personal Identifying
82 Information. In addition, school employees must not disclose on school
83 system websites or web pages or elsewhere on the Internet any personally
84 identifiable, private, or confidential information concerning students
85 (including names, addresses, or pictures) without the written permission of a
86 parent or guardian or an eligible student, except as otherwise permitted by
87 the Family Educational Rights and Privacy Act (FERPA). Users also may not
88 forward or post personal communications without the author's prior consent.

89 9. Users may not intentionally or negligently damage computers, computer
90 systems, electronic devices, software, computer networks, or data of any
91 user connected to school system technological resources. Users may not
92 knowingly or negligently transmit computer viruses or self-replicating
93 messages or deliberately try to degrade or disrupt system performance.

94 10. Users may not create or introduce games, network communications
95 programs, or any foreign program or software onto any school system
96 computer, electronic device, or network without the express permission of
97 the technology director or designee. An approval process will include the
98 review of a vendor's privacy policies.

99 11. Users are prohibited from engaging in unauthorized or unlawful activities,
100 such as "hacking" or using the computer network to gain or attempt to gain
101 unauthorized or unlawful access to other computers, computer systems, or
102 accounts.

103 12. Users are prohibited from using another individual's ID or password for
104 any technological resource without permission from the individual. Students
105 must also have permission from the teacher or other school official.

106 13. Users may not read, alter, change, block, execute, or delete files or
107 communications belonging to another user without the owner's express prior
108 permission.

109 14. Employees shall not use passwords or user IDs for any data system
110 (e.g., the state student information and instructional improvement system
111 applications, time-keeping software, etc.) for an unauthorized or improper
112 purpose.

113 15. If a user identifies a security problem on a technological resource, he or
114 she must immediately notify a system administrator. Users must not

115 demonstrate the problem to other users. Any user identified as a security
116 risk will be denied access.

117 16. Teachers shall make reasonable efforts to supervise students' use of the
118 Internet during instructional time.

119 17. Views may be expressed on the Internet or other technological
120 resources as representing the view of the school system or part of the
121 school system only with prior approval by the superintendent or designee.

122 **C. Restricted Material on the Internet**

123 The Internet and electronic communications offer fluid environments in which
124 students may access or be exposed to materials and information from diverse and
125 rapidly changing sources, including some that may be harmful to students. The
126 board recognizes that it is impossible to predict with certainty what information on
127 the Internet students may access or obtain. Likewise, it is impossible to block all
128 potentially inappropriate sites on the Internet. Nevertheless, school system
129 personnel shall take reasonable precautions to prevent students from accessing
130 material and information that is obscene, pornographic, or otherwise harmful to
131 minors, including violence, nudity, or graphic language that does not serve a
132 legitimate pedagogical purpose. The superintendent shall ensure that technology
133 protection measures are used as provided in policy 3226/4205, Internet Safety,
134 and are disabled or minimized only when permitted by law and board policy. The
135 board is not responsible for the content accessed by users who connect to the
136 Internet via their personal mobile telephone technology (e.g., 3G, 4G service).

137 **D. Parental Consent**

138 The board recognizes that parents of minors are responsible for setting and
139 conveying the standards their children should follow when using media and
140 information sources. Accordingly, before a student may independently access the
141 Internet, the student's parent must be made aware of the possibility that the
142 student could obtain access to inappropriate material while engaged in
143 independent use of the Internet. The parent and student must consent to the
144 student's independent access to the Internet and to monitoring of the student's
145 Internet activity and e-mail communication by school personnel.

146 In addition, in accordance with the board's goals and visions for technology,
147 students may require accounts in third party systems for school related projects
148 designed to assist students in mastering effective and proper online
149 communications or to meet other educational goals. Parental permission will be
150 obtained when necessary to create and manage such third party accounts.

151 **E. Privacy**

Students, employees, visitors, and other users have no expectation of privacy in anything they create, store, send, delete, receive, or display when using the school system's network, devices, Internet access, email system, or other technological resources owned or issued by the school system, whether the resources are used at school or elsewhere, and even if the use is for personal purposes. Users should not assume that files or communications created, transmitted, or displayed using school system technological resources or stored on servers or on the storage mediums of individual devices will be private. The school system may, without notice, (1) monitor, track, and/or log network access, communications, and use; (2) monitor and allocate fileserver space; and (3) access, review, copy, store, delete, or disclose the content of all user files, regardless of medium, the content of electronic mailboxes, and system outputs, such as printouts, for any lawful purpose. Such purposes may include, but are not limited to, maintaining system integrity, security, or functionality, ensuring compliance with board policy and applicable laws and regulations, protecting the school system from liability, and complying with public records requests. School system personnel shall monitor online activities of individuals who access the Internet via a school-owned device.

By using the school system's network, Internet access, email system, devices, or other technological resources, individuals consent to have that use monitored by authorized school system personnel as described in this policy.

F. Use of Personal Technology on School System Property

Each principal may establish rules for his or her school site as to whether and how personal technology devices (including, but not limited to smart phones, tablets, laptops, etc.) may be used on campus. Students are responsible for following expectations for acceptable use of the Internet even if using a personal device. Students' devices are governed also by policy 4318, Use of Wireless Communication Devices. The school system assumes no responsibility for personal technology devices brought to school.

G. Personal Websites

The superintendent may use any means available to request the removal of personal websites that substantially disrupt the school environment or that utilize school system or individual school names, logos, or trademarks without permission.

1. Students

Though school personnel generally do not monitor students' Internet activity conducted on non-school system devices during non-school hours, when the student's online behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, the student may be

191 disciplined in accordance with board policy (see the student behavior
192 policies in the 4300 series).

193 2. Employees

194 Employees' personal websites are subject to policy 7335, Employee Use of
195 Social Media.

196 3. Volunteers

197 Volunteers are to maintain an appropriate relationship with students at all
198 times. Volunteers are encouraged to block students from viewing personal
199 information on volunteer personal websites or online networking profiles in
200 order to prevent the possibility that students could view materials that are not
201 age-appropriate. An individual volunteer's relationship with the school
202 system may be terminated if the volunteer engages in inappropriate online
203 interaction with students.

204 Legal References: [U.S. Const. amend. I](#); Children's Internet Protection Act, [47 U.S.C.](#)
205 [254\(h\)\(5\)](#); Electronic Communications Privacy Act, [18 U.S.C. 2510-2522](#); Family
206 Educational Rights and Privacy Act, [20 U.S.C. 1232g](#); [17 U.S.C. 101 et seq.](#); [20 U.S.C.](#)
207 [7131](#); [G.S. 115C-325\(e\)](#) (applicable to career status teachers), [-325.4](#) (applicable to
208 non-career status teachers)

209 Cross References: Curriculum and Instructional Guides (policy 3115), Technology in the
210 Educational Program (policy 3220), Internet Safety (policy 3226/4205), Web Page
211 Development (policy 3227/7322), Use of Personal Technology to Conduct School
212 Business (policy 3228/7323), Copyright Compliance (policy 3230/7330) Student
213 Behavior Policies (all policies in the 4300 series), Student Records (policy 4700),
214 Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records -
215 Retention, Release, and Disposition (policy 5070/7350), Use of Equipment, Materials,
216 and Supplies (policy 6520), Network Security (policy 6524), Staff Responsibilities (policy
217 7300), Employee Use of Social Media (policy 7335)

218 Adopted: December 14, 1999

219 Revised: July 25, 2003

220 Revised: October 13, 2009

221 Revised: June 10, 2014

222 Revised: June 11, 2019

223 Revised: January 14, 2020

224

225 [Revised:](#)

226

Dare County Board of Education

Regulation Code: 3225/4312/7320-R1 Technology Responsible Use Regulations

Mandatory Orientation/Acknowledgement. To educate students on proper Computer, Network, and Internet use and conduct, a mandatory orientation session is required by the end of the first month of school each school year. Employees will receive a copy of the regulations and sign an acknowledgement form indicating that they have read and understand the regulations.

Availability of Access

Acceptable Use. Information technology resource access will be used to improve learning and teaching consistent with the educational goals of Dare County Schools. The District requires legal, ethical, and appropriate use of the information technology resources.

Privilege. Access to the Dare County Schools information technology resources is a privilege, not a right. Any users of these resources, including staff and students, must comply with the following requirements. Any student's failure to comply may lead to serious disciplinary action. Any employee's failure to comply may lead to serious disciplinary action up to and including dismissal.

Access to Information Technology Resources. Information technology resources are provided to all Dare County Schools teachers and staff. Students may be allowed to use the local network with campus permission, but may only use the Internet and school-based email communication with parent permission. Student's Internet access will be under the direction and guidance of a Dare County Schools teacher or staff member. Access to the District's electronic communications system, including the Internet, shall be made to students and employees primarily for instructional and administrative purposes in accordance with this policy and regulations.

Subject to Monitoring. All Dare County Schools information technology resource usage shall not be considered confidential and is subject to monitoring by designated staff at any time to ensure appropriate use.

User Responsibilities. Information technology resource users, like traditional library users, are responsible for their actions.

1. Users with accounts will be required to maintain password confidentiality by not sharing the password with others. Users will also be required to logout of the network prior to leaving the computer.

2. Users are expected to use appropriate language: Swearing, vulgarity, ethnic or racial slurs, and any other inflammatory languages are prohibited.

3. Revealing such personal information as addresses or phone numbers of users to others is prohibited.

- 37 4. System users are asked to purge electronic mail or outdated files on a regular
38 basis.
- 39 5. System users are responsible for making sure they do not violate any copyright
40 laws.
- 41 6. Users are to notify the appropriate supervisor or district designee if they should
42 encounter any material or electronic communication that is inappropriate.
- 43 7. System users may not use another person's system account.
- 44 8. System users and parents of students with access to the District's system
45 should be aware that use of the system may provide access to other electronic
46 communications systems in the global electronic network that may contain
47 inaccurate and/or objectionable material.
- 48 9. A user who gains access to inappropriate material is expected to discontinue
49 the access as quickly as possible. Students should report the incident to the
50 supervising teacher; all other users should report the incident to the Technology
51 Department.
- 52 10. A student who knowingly brings prohibited materials into the school's
53 electronic environment will be subject to suspension of access and/or revocation
54 of privileges on the District's system and will be subject to disciplinary action in
55 accordance with the Board-approved Student Code of Conduct.
- 56 11. An employee who knowingly brings prohibited materials into the school's
57 electronic environment will be subject to disciplinary action in accordance with
58 District policies.
- 59 12. Users who bring personal equipment into the school must coordinate with the
60 technology staff prior to connecting it to the network. Dare County Schools will not
61 be liable for any damage to and will not provide technical services to repair/fix
62 personal equipment.
- 63 13. Students who are issued district-owned and maintained laptops must follow
64 the guidelines in the district's Laptop Handbook for Students and Parents.
- 65 14. Those who use district-owned and maintained technologies to access the
66 Internet at home are responsible for both the cost and configuration of such use.
- 67 15. Students with permission to use their personal devices during school are
68 subject to the same rules and expectations for acceptable use outlined in policy
69 and this regulation.

Student Responsibilities. Students of Dare County Schools are bound by all portions of the Information Technology Resources Use Policy and Regulations.

Campus Level Responsibilities. The Principal or designee will:

1. Be responsible for disseminating and enforcing the Information Technology Resource Use Regulation for the District's system at the campus level.

2. Ensure that employees supervising students who use the District's systems provide information emphasizing the appropriate and ethical use of this resource.

Inappropriate Use Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically named as violations in this document, that violate the rules of network etiquette, or that hamper the integrity or security of any components that are connected to the Information Technology Resources.

The following actions are considered inappropriate uses and are prohibited:

Violations of Law. Transmission of any material in violation of any US or state law is prohibited. This includes, but is not limited to: copyrighted material; threatening, harassing, or obscene material; material protected by trade secret; or confidential information, or public records. Any attempt to break the law through the use of a Dare County Schools Information Technology Resources account may result in litigation against the offender by the proper authorities. If such an event should occur, Dare County Schools will fully comply with the authorities to provide any information necessary for the litigation process.

Modification of Computer. Modifying or changing computer settings and/or internal or external configurations without appropriate permission is prohibited.

Commercial Use. Use for the purpose of product advertisement, commercial, income-generating or "for-profit" activities is prohibited.

Vandalism/Mischief. Any malicious attempt to harm or destroy District equipment or materials, data of another user of the District's system, or any of the agencies or other networks to which the District has access is prohibited. Deliberate attempts to degrade or disrupt system performance may be viewed as violations of district policy and, possibly, as criminal activity under applicable state and federal laws. This includes, but is not limited to, the uploading or creating of computer viruses.

Vandalism as defined above will result in the cancellation of system use privileges, possible prosecution, and will require restitution for costs associated with system restoration, hardware, or software costs.

Personal Websites and Social Networking Sites. The superintendent may use any means legally available and appropriate to request the removal of personal websites

that substantially disrupt the school environment or that utilize school system or individual school names, logos or trademarks without permission.

1. Students

Though school personnel generally do not monitor students' Internet activity conducted on non-school system computers during non-school hours, when a student's on-line behavior has a direct and substantial effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with board policy (see the student behavior policies in the 4300 series).

2. Employees

Employees are to maintain an appropriate professional relationship with students at all times. If an employee creates and/or posts inappropriate content on a website or profile and allows students access to the site, or if not, said content otherwise has a negative impact on the employee's ability to perform his or her job as it relates to working with students, the employee may be subject to appropriate discipline. This section applies to all employees, volunteers and student teachers working in the school system. Employees must review and acknowledge understanding of the expectations for use of social media outlined in Policy #7335 annually.

As role models for the school system's students, employees are responsible for their public conduct even when they are not performing their job duties as employees of the school system. Employees will be held to the same professional standards in their public use of social media and other electronic communications as they are for any other public conduct.

Employees are responsible for the content on their social media sites. Employees who use social media for personal purposes must be aware that the content they post may be viewed by anyone, including students, parents and community members. Employees shall observe the following principles when communicating through social media:

1. Employees shall not post confidential information about students, employees or school system business.

2. Employees shall be professional in all Internet postings related to or referencing the school system, students or their parents, and other employees.

3. Employees shall not use profane, pornographic, obscene, indecent, lewd, vulgar or sexually offensive language, pictures or graphics or other

141 communication that could reasonably be anticipated to cause a substantial
142 disruption to the school environment.

143 4. Employees shall not post content that negatively impacts their ability to
144 perform their jobs.

145 **Electronic Mail Violations.** Forgery of electronic mail messages is prohibited. Reading,
146 deleting, copying, or modifying the electronic mail of other users, without their
147 permission is prohibited. Sending unsolicited junk mail, chain letters, political lobbying,
148 transmitting obscene messages or pictures is prohibited.

149 **Illegally Accessing or Hacking Violations.** Illegally accessing or hacking and
150 subsequent manipulation of information of private databases/systems is prohibited.

151 **File/Data Violations.** Deleting, examining, copying, or modifying files and/or data
152 belonging to other users, without their permission is prohibited.

153 **Copyright Violations.** Downloading or using copyrighted information without following
154 approved Dare County Schools procedures is prohibited.

155 **System Interference/Alteration.** Deliberate attempts to exceed, evade or change
156 resource quotas (printing, downloading, storage) are prohibited. The deliberate causing
157 of network congestion through mass consumption of system resources is prohibited.

158 **Participation in Chat Rooms, Instant Messaging, and Newsgroups.** Students and
159 employees utilizing this district's electronic communications system, including access to
160 the Internet, are prohibited in any chat room, Instant Messaging, or newsgroup
161 accessed on the Internet, other than those approved and given access by the
162 Technology Department.

163 **Denial, Revocation, or Suspension of Access Privileges.** With just cause, the
164 System Administrator and/or building principal, may deny, revoke, or suspend
165 Network/Internet access as required, pending an investigation.

166 **Security**

167 **Reporting Security Problem.** If knowledge of inappropriate material or a security
168 problem on the Network/Internet is identified, the user should immediately notify his/her
169 supervisor. The security problem should not be shared with others.

170 **Impersonation.** Attempts to log on to the Network/Internet impersonating a system
171 administrator or Dare County Schools employee, student, or individual other than
172 oneself, will result in revocation of the user's access to Network/Internet.

Other Security Risks. Any user identified as having had access privileges revoked or denied on another computer system may be denied access to the Dare County Schools Network/Internet.

Warning. Sites accessible via the Network/Internet may contain material that is illegal, defamatory, inaccurate or controversial. Dare County Schools makes every effort to limit access to objectionable material, however, controlling all such materials on the Network/Internet is impossible. With global access to computers and people, a risk exists that students may access material that may not be of educational value in the school setting. The Dare County Schools Internet connection is the only system to be used in schools. No commercial Internet accounts may be used.

Disclaimer. This agreement applies to stand-alone computers as well as computers connected to the Network/Internet. Dare County Schools shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users. Dare County Schools shall not be responsible for ensuring the accuracy or usability of any information found on the internet.

The board is aware that there is information on the Internet that is not related to the educational program. The board also is aware that there is information and opportunities to communicate on subjects that are not suitable for school-age children and that many parents would find objectionable. The school district will take reasonable precautions to prevent students from having access to inappropriate materials, such as violence, nudity, obscenity or graphic language which does not serve a legitimate pedagogical concern. The school district will not limit access to the Internet for the purpose of restricting access to political ideas or social perspectives if the action is not rated simply by a school district official's disapproval of the ideas involved. However, the user is ultimately responsible for his or her activity on the Internet.

Legal Reference: [U.S. Const. Amend. I](#); [17 U.S.C. 100](#) *et seq.*; Electronic Communications Privacy Act, [18 U.S.C. 2510-2522](#); Family Educational Rights and Privacy Act, [20 U.S.C. 1232g](#); [G.S. 115C-391](#), [-325\(e\)](#).

Cross Reference: Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Copyright Complaint (policy 3230/7330), Standards of Expected Student Behavior (policy 4310), Public Records (policy 5070), Staff Responsibilities (policy 7300)

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Revised: October 13, 2009

Revised: August 4, 2014

Revised: August 21, 2017

210 Revised: June 11, 2019

211 [Revised:](#)

212 **Dare County Board of Education**

For use with 3225-R/7320-R

Dare County Schools
~~Student E-Mail Parent~~ Technology Permission Form - Parent

Acceptable**Internet Use**

Online resources, including Internet access, and school-assigned email accounts will be available to students at Dare County Schools.

In use of these resources, transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, and the uploading or creation of computer viruses.

Although all Internet usage is filtered and many inappropriate areas will be blocked for student access, students are expected to always have a specific topic of interest assigned by a teacher for research using the Internet. It is the student's responsibility to avoid accessing inappropriate or questionable material. Internet access is a privilege, not a right, and access entails responsibility. All Internet activity is monitored by Dare County Schools personnel for compliance with Dare County policy 3225/4312/7320.

As parent(s) I/we agree have reviewed Policy ~~Addendum~~ 3225/4312/7320 and Regulation 3225/4312/7320-R1 and will allow our student to access the Internet after signing this agreement.

Student _____ **Date** _____

Printed Parent(s) Name _____

Parent Signature _____ **Date** _____

School _____ **Provided Email Account Use**

Parents and Students:

Your ~~child's~~student's teachers will be using email for class assignments this year and in future years as long as the student is enrolled in Dare County Schools. -Since school-assigned, individual email accounts are now an option for Dare County Schools' students, your approval is necessary for your ~~child~~student to participate.

~~The use of email by individual students is not specifically included in the Dare County Schools Information Technology Resource Use regulation which you approve separately (see page 39). This form serves as an addendum to your approval of the Dare County Schools – Acceptable Use of the Internet.~~

With your permission, your student will be assigned his or her own username and will be allowed to send and receive email. -All district policies are still in effect, and apply, as indicated in the Information Technology Resource Use Policy. Every attempt has been made to provide safe, secured student email, however it is still the responsibility of users to follow all school rules, as well as teacher directions and procedures and to report any inappropriate use or material to school personnel.

As explained in the Acceptable Use Regulation, the use of school technology, networks, and Internet services does not create any expectation of privacy. -Dare County Schools reserves the right to search and/or monitor any information, created, accessed, sent, received, and/or stored in any format by students on school equipment.

~~By signing below you are indicating that you understand and agree to follow the district and school policies as detailed above and in board policies 3225/7320 and their supporting regulations. To read the entire policy and regulations, see pages 33-38 of this booklet or look online at: <http://www.dcs.daretolearn.org>~~

 Printed Student Name _____ Student Signature _____ Signature Date _____

_____ I DO grant permission for my child to use the student email services referred to _____ above to be provided by the school system.

_____ I DO NOT grant permission for my child to use the student email services _____referred to above to be provided by the school system.

Printed Parent(s) Name _____

Parent Signature _____
Signature _____ Date _____
Date: _____

PLEASE SIGN AND RETURN TO YOUR CHILD'S SCHOOL

File with 3225-R/7320-R

Dare County Schools Technology Permission Form – Student**~~Acceptable Use of the~~****Internet Use**

Online resources, including Internet access, and school-assigned email accounts will be available to students ~~and staff~~ at Dare County Schools. ~~In order to promote personal growth in gathering techniques, critical thinking skills, and communication skills, Internet accounts will be available in support of educational research consistent with the educational objectives of Dare County Schools. Transmission~~

In use of these resources, transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, and the uploading or creation of computer viruses.

Although all Internet usage is filtered and many inappropriate areas will be blocked for student access, students are expected to always have a specific topic of interest assigned by a teacher for research using the Internet. It is the student's responsibility to avoid accessing inappropriate or questionable material. Internet access is a privilege, not a right, and access entails responsibility. All Internet activity is monitored by Dare County Schools personnel for compliance with Dare County policy 3225/4312/7320.

I have reviewed Policy 3225/4312/7320 and ~~Regulations~~Regulation 3225/4312/7320-R1 and agree to abide by them. In order that the Internet be used appropriately for education purposes, I agree to access only those sites that are determined by my teacher to be of educational value. I agree to download/print only information that has been approved by my teacher. I understand that any violation of this policy may result in the termination of my access to the Internet.

Print Student Name _____

Student Signature _____

Date _____

**~~As parent(s) I/we agree have reviewed Policy 3225/7320 and Regulation 3225/7320-R
and will allow our student to access the Internet after signing this agreement.~~**

Printed Parent(s) Name _____

Parent Signature _____

Date _____

~~PLEASE SIGN AND RETURN TO YOUR CHILD'S SCHOOL~~

Dare County Schools

Information Technology Resource Acceptance Form

Employee Information

Name (last, first, middle)

Assignment Location

Assignment/Position Title

School/Fiscal Year

Acceptance

As prescribed in the Information Technology Resource Acceptable Use Regulation (3225/4312/7320-R1) all staff employees of Dare County Schools are required to receive a copy of the regulations and sign an acknowledgement form indicating that they have read and understand the regulations.

Access to the Dare County Schools information technology resources is a privilege, not a right. Any users of these resources, including staff, must comply with the requirements outlined in the regulation. Any employee's failure to comply may lead to serious disciplinary action up to and including dismissal. Any use of social media during school hours must be directly and obviously related to the instructional program. Any fines or fees, including legal fees, associated with violations of law will be the responsibility of the violator.

Therefore, by signing this form, you acknowledge that you have read the terms and conditions of the acceptable use outlined in the Information Technology Resource Acceptable Use regulation and understand the inherent responsibilities.

Signature

Date

Policy Code: 3228/7323 Use of Personal Technology to Conduct School Business

The board recognizes that employees may use a variety of personal technology devices and accounts in their personal lives. At times, it may be convenient for employees to use their personal technology devices and accounts to conduct school business. Although such use of personal technology devices and accounts may be convenient, it is likely to produce a conflict between employees' interests and the school's obligations: employees ordinarily expect privacy in their personal technology devices and accounts, but the school is legally obligated to preserve certain school business-related electronically stored information ("ESI").

School business-related ESI (including text messages and e-mails) sent and/or received by an employee using a personal technology device or account may constitute public records or student education records, and as a result may require retention and disclosure by the school system. In the event of litigation, school business-related ESI located on a personal technology device or account may be subject to discovery and a litigation hold.

A. Limitations on Use

Unless otherwise authorized by a BYOT (Bring Your Own Technology) initiative, employees are expected to use school-controlled technology devices and accounts for conducting school business and storing school business-related ESI when such devices and accounts are readily available. Any use of personal technology devices and accounts is subject to this policy and all other relevant board policies, including but not limited to policy 3225/4312/7320, Technology Responsible Use, and policy 7335, Employee Use of Social Media.

1. Personal Technology Devices

For purposes of this policy, "personal technology device" means a technology device that is not under the control of the school system and which the school system does not have the ability to access without the employee's assistance. This definition includes, but is not limited to, computers, phones, tablets, and other technological devices that are owned or leased by an employee.

Use of personal technology devices to conduct school business or to store school business-related ESI is authorized only when (1) done in accordance with an official BYOT program; (2) the use is occasional and incidental to the regular use of school-controlled technology devices; or (3) the superintendent or designee has pre-approved in writing the employee's regular use of personal technology for conducting school business and/or storing school business-related ESI.

For purposes of this policy, “personal external storage device” means a device that has a primary purpose of storing data, is not under the control of the school system, and which the school system does not have the ability to access without the employee’s assistance. Personal external storage devices constitute personal technology devices for purposes of this policy, but are subject to the following additional limitation: employees are prohibited from storing school business-related ESI on personal external storage devices, including, but not limited to, external hard drives, USB flash drives, flash memory cards, DVDs, compact discs, or magnetic tape, unless specifically authorized to do so by the superintendent or designee in writing.

2. Personal Accounts

For purposes of this policy, “personal account” means an account that is not under the control of the school system and which the school system does not have the ability to access without the employee’s assistance. This definition includes, but is not limited to, personal email accounts, social media sites, and online file storage services (e.g., file hosting services, cloud storage services, or online file storage providers that host user files via the Internet).

Employees are prohibited from using personal accounts to conduct school business or to store school business-related ESI unless specifically authorized to do so by the superintendent or designee in writing.

B. School System Access to School Business-Related ESI on Employees’ Personal Technology Devices and Accounts

Any school business-related ESI stored on an employee’s personal technology devices or accounts is property of the school system. Employees shall transfer to an appropriate custodian all school business-related ESI upon request of the superintendent or designee and upon leaving employment. Employees shall cooperate with school officials in accessing any school business-related ESI stored on personal technology devices or accounts.

Employees are cautioned that using personal technology devices or accounts to conduct school business or to store school business-related ESI will significantly reduce their expectation of privacy in those devices or accounts. If an employee uses a personal technology device or account to conduct school business or to store school business-related ESI, an inspection of the employee’s device or account may be necessary to ensure that all public records and education records are preserved.

By using personal technology devices or accounts to conduct school business or to store school business-related ESI, employees are deemed to consent to the school system accessing and inspecting such devices or accounts to gather

78 school business-related ESI and ensure that all public records and education
79 records are preserved. If school officials have a reasonable basis to conclude that
80 school business-related ESI is stored on an employee's personal technology
81 device or account, a reasonable inspection of the employee's device or account
82 may be performed in order to retain any public records or education records
83 required to be retained by law and/or board policy. Such an inspection shall be
84 made only after consultation with the board attorney.

85 **C. Required Notices and Consent**

86 All employees must be informed annually of the terms of this policy and the
87 methods by which they may obtain a copy of this policy. Employees must sign a
88 statement indicating that they understand and will comply with the requirements of
89 this policy.

90 Legal References: U.S. Const. amend IV; Stored Communications Act, 18 U.S.C. 2701,
91 et seq.; Computer Fraud and Abuse Act, 18 U.S.C. 1030; G.S. 14-454, -458

92 Cross References: Technology in the Educational Program (policy 3220), Technology
93 Responsible Use (policy 3225/4312/7320), Internet Safety (policy 3226/4205), Student
94 Records (policy 4700), Public Records – Retention, Release, and Disposition (policy
95 5070/7350), Electronically Stored Information Retention (policy 5071/7351), Employee
96 Use of Social Media (policy 7335)

97 Adopted: January __, 2023

99 **Dare County Board of Education**

1 **Policy Code: 3229 Digital Learning**

2 ~~Dare County Board of Education is committed to providing digital learning opportunities.~~
3 ~~The introduction of a student laptop initiative will greatly enhance the 21st Century~~
4 ~~learning environment of classrooms in Dare County Schools, providing teachers and~~
5 ~~students with access to a rich array of educational resources and opportunities.~~

6 ~~The superintendent or designee shall promulgate regulations as necessary to govern~~
7 ~~the issuance and acceptable use of student laptops.~~

8 ~~Adopted: December 16, 2014~~

9 ~~Revised: June 11, 2019~~

10 **Dare County Board of Education**

Regulation Code: ~~3229~~3225/4312/7320-R2 Student Laptop User _Agreement

Issuance and Return of Laptop

- Students and their parent/guardian must sign and return the student laptop user agreement and pay the home usage fee (if home use option is selected) before a laptop will be issued.

- Students may be issued a laptop for school use only or for school and home use. Students who do not sign up for home use of the computer will be responsible for turning in the laptop for secure storage overnight at the school at the time and place to be determined by the school principal.

- Laptops will be collected by school personnel on or before the last day of the school year or upon student withdrawal from school. If the laptop is not returned as required, a student's privileges may be restricted by the principal until such a time as the student complies with this requirement. Seniors are required to return laptops prior to being allowed to participate in graduation ceremonies. Additionally, if the laptop is not returned, the student and the student's parent/guardian may be assessed the full replacement cost of the laptop. If necessary, Dare County Schools may institute legal actions against the student and/or the student's parent/guardian for failing to return the computer or pay replacement costs.

Laptop Usage Fee

- Students who have been issued a laptop for home use must pay an annual laptop usage fee of \$25.00.

- The laptop usage fee covers the device for the first accidental damage, including but not limited to, cracked screens (within limits), damaged keyboards, or broken internal components. All additional breaks may incur an additional charge. The student may receive a loaner device until his/her device is fixed if he/she does not owe for damages.

- Fees may be waived or reduced for students who demonstrated an economic hardship, consistent with Policy 4600 Student Fees.

- The usage fee does not cover lost, stolen, or intentionally damaged laptops. If the laptop is lost, stolen, intentionally damaged or destroyed during the time it is issued to the student, the student and the student's parent/guardian will be responsible for the actual cost of repair or replacement. The student will not be issued a replacement laptop for home use until the costs have been paid in full.

- Dare County Schools officials will investigate all incidents of laptops reported as lost, stolen, or intentionally damaged and may refer any such incidents to law enforcement. Any theft, conspiracy to steal, or unauthorized sale of or conspiracy

to sell a Dare County Schools-owned laptop will be prosecuted to the fullest extent of the law.

- If the laptop malfunctions in any way or if the laptop is accidentally damaged, the student will immediately report the problem to a teacher or administrator.

If a student withdraws from the school system, the laptop usage fee may be prorated and refunded, based on condition of the laptop and time of year.

Student Responsibilities

- The student will make sure that the laptop is fully charged each day prior to arrival at school. (A fully charged computer is projected to operate for a period of 9 to 12 hours.)

- Laptops will include a power supply cord. Lost power cords are not covered by the usage fee. If a student loses the power cord, a fee equal to the replacement cost will be charged to the student for a replacement cord with approved specifications for proper charging capability. Replacement cords will be provided by Dare County Schools. The use of replacement cords other than those issued by the school system is prohibited.

- The student's possession and use of the laptop is a privilege, not a right. The student and the student's parent/guardian acknowledge that they have no right or entitlement to possession or use of the laptop and that neither this document nor any conversation, correspondence or understanding between themselves and any representative of Dare County Schools gives them any ownership or contractual rights of any kind to the laptop.

- Because the laptop is school property and is intended only for approved educational uses, the student's possession and use of the laptop will be subject at all times, both on and off campus, to the terms and conditions described in this document, as well as Policy 3225/[4312](#)/7320 (Technology Responsible Use Policy) found in the *Code of Student Conduct*. Additional policies, regulations, rules and restrictions may be imposed by Dare County Schools. All applicable state and federal laws and regulations govern appropriate use of the laptop. Dare County Schools may recall the laptop or place additional restrictions on the student's use or possession of the laptop, at any time and for any reason, with or without prior notice.

- The laptop may be inspected at any time by Dare County Schools officials, with or without prior notice, either in person or remotely via the Internet or network connections, for purposes of maintenance and/or to monitor the student's use of the laptop (including any email communications and internet activities) to determine whether the student is complying with the terms and conditions set forth or described in this document. The student and parent/guardian acknowledge that they

have no reasonable expectation of privacy to any data or information of any kind contained on the laptop, which shall at all times remain the property of Dare County Schools and is intended to be used only for school purposes. The student and the student's parent/guardian further acknowledge that if any such inspection reveals evidence that the student has violated the *Code of Student Conduct* or any criminal law, such evidence may be used in support of disciplinary action against the student and may be shared with law enforcement.

- The student will not attempt to bypass or disable any internet filtering software installed on the laptop.

- A student will not install or permit to be installed on the laptop any hardware, software, drivers, or other programs or devices without the advance written approval of the School's Technology Facilitator. A student will not delete, uninstall, or attempt to circumvent any hardware, software, drivers, filters, or other programs or devices installed on the laptop by Dare County Schools. The exterior of the laptop will not be altered in any way by the student or the student's parent/guardian, including but not limited to attaching stickers or making any type of inscriptions or markings.

- The student may not use the laptop, or permit the laptop to be used, to access any websites or online resources that have not been approved by a Dare County Schools' teacher or school administrator.

- Should the student inadvertently gain access through the laptop to any confidential information about other students or staff members of Dare County Schools, including but not limited course work or grade information, the student will immediately report the incident to a teacher or administrator and will not share the information with any other person.

- The student and the student's parent/guardian accept responsibility for any violation of the United States copyright laws and for any charges, fees, fines and/or legal fees associated with a student's noncompliance with these regulations.

- The student and the student's parent/guardian acknowledge that they are solely responsible for ensuring that the student's use of the laptop to access the Internet while off campus will be safe and responsible and in compliance with all applicable laws, policies, rules, and regulations. The student and student's parent/guardian will hold Dare County Schools and its employees harmless for any harm that may come to the student or any other person as a result of the student's off-campus Internet activities.

- The student may not use the laptop or permit the laptop be used in furtherance of any crime or unlawful or inappropriate activities of any kind, including but not limited to, fraud; threat; defamation; plagiarism; copyright, patent, or trademark infringement; illegal downloading; theft of intellectual property; gambling; accessing, viewing, or transmission of pornographic or violent images or content; illegal or

114 unauthorized accessing or use of data; bullying or harassment; malicious Internet
115 activities (including "hacking" of other computers or websites); advertising or
116 commercial activities; abusive or insulting communications.

117 Adopted: December 16, 2014

118 Revised by the Superintendent: May 11, 2016

119 Revised by the Board of Education: January 10, 2017

120 Revised by the Board of Education: June 11, 2019

121 Revised by the Board of Education: June 8, 2021

122 Revised by the Board of Education:

123 **Dare County Board of Education**

Dare County Schools Student Laptop User Agreement

ANNUAL STUDENT AND PARENT/GUARDIAN AUTHORIZATION FORM

~~Dare County Schools Student Laptop User Agreement~~

PLEASE PRINT ALL INFORMATION

Student Name: _____
Last Name First Name Student ID #

Name of School _____ School Year _____

Parent/Guardian Name: _____
Last Name First Name

Parent Email Address: _____

Mailing Address: _____

Home Phone _____ Work Phone _____ Cell Phone _____

Please Select One of the Following Options for School/Home Use of Laptop:

- ☐ We request a laptop to be issued for at-school and off-campus use. My usage fee of \$25.00 accompanies this form.
- ☐ We request a laptop to be issued for at-school use only (does not require usage fee).

Signatures

By signing this form, the student and the student's parent/guardian certify we have read the revised Policy ~~3229~~3225/4312/7320-R2, accept its terms and conditions, and will comply with these regulations at all times. Any charges, fines, fees, or legal costs resulting from a student's noncompliance with these regulations, including but not limited to violations of the United States copyright laws, are the sole responsibility of the student and the student's parent/guardian.

Student Signature

Date

Parent/Guardian Signature

Date

(RETURN THIS FORM TO YOUR SCHOOL)

Policy Code: 7360/8225 Crowdfunding

A. General

Crowdfunding is the process of using online sites to solicit donations, whether monetary or in-kind, on behalf of the school system. A crowdfunding campaign is considered to be on behalf of the school system if it uses imagery or language that would lead a reasonable person to believe that (1) the school system is associated with the campaign or (2) the campaign has the purpose or effect of providing resources or a benefit to the school system.

The Board considers crowdfunding a method of fundraising, and as such any crowdfunding project created for the benefit of any Dare County School, classroom, or classroom activity must comply with Policy 5220, Collections and Solicitations, Policy 8220, Gifts and Bequests, and this policy.

B. Individuals Permitted to Fundraise

1. Employees

The Board permits, but does not require, its employees to crowdfund for the benefit of Dare County Schools and its students. Students are permitted to participate in publicizing an employee's approved crowdfunding campaign but are prohibited from otherwise engaging in crowdfunding on behalf of the school system. Employees or students who participate in crowdfunding on behalf of the school system are acting in their capacity as employees or students and are subject to all rules governing employee and student conduct.

An employee is limited to one (1) crowdfunding project per academic semester, and a maximum of two (2) crowdfunding projects per employee per academic year. Failure to comply with this policy will result in a one (1) year suspension from launching a crowdfunding project for the benefit of any Dare County School. Other disciplinary action may be imposed, depending on the employee's conduct or actions.

2. Non-Employees & Other Groups

Any non-employee of Dare County Schools seeking to launch a crowdfunding campaign for the benefit of any Dare County Schools is required to obtain a Dare County Schools employee to sponsor, oversee, and apply for approval for the crowdfunding campaign pursuant to this policy. Any non-employee crowdfunding campaign application that receives approval must comply with all Dare County Schools board policies, including this policy.

Parent organizations, such as PTAs or booster clubs, are subject to and must comply with Policy 5010, Parent Organizations, and are exempt from this policy.

C. Approval Process

Employees may only crowdfund using the platform, **DonorsChoose**, unless otherwise permitted in writing by the school principal and Director of Finance or Director of Finance's designee.

Any employee who wants to crowdfund a project on **DonorsChoose** for the benefit of any Dare County School must submit a proposal of the crowdfunding project to the school principal and the Chief Finance Officer. The employee must obtain prior written approval from both the school principal and Chief Finance Officer before launching the fundraising page, including posting on the platform. The school principal and Director of Finance or Director of Finance's designee have complete discretion in determining which crowdfunding project proposals are approved or denied.

1. Crowdfunding Proposal

A crowdfunding proposal must detail the following:

- i. Project Name;
- ii. Project Description & Purpose, including the classroom, program, or activity to be benefitted and the educational purpose to be served;
- iii. Nature and quantity or amount of donations being requested;
- iv. Terms & Conditions of the crowdfunding platform, (only if not using **DonorsChoose**)
- v. Process for Collecting Donations;
- vi. Project Timeline (start and end dates of the crowdfunding campaign);
- vii. All content to be posted on or used in the crowdfunding project campaign, including narrative, pictures, images, etc.; and
- viii. Statement of recognition by the requester that any proceeds of the campaign are school property.

2. Requirements for Approved Requests

Approval may be given only if all of the following conditions are satisfied:

i. Confidentiality of Student Information

All Board policies and procedures safeguarding the confidentiality of personnel and students (Policy 7315, Confidential Information and Policy

4705/7825, Confidentiality of Personal Identifying Information) must be followed when posting any narrative, pictures, videos, or images of any students or staff.

ii. Pictures and Images

Prior to posting any picture or image of a student or students on a crowdfunding project page, the employee and the school principal must provide students' parent(s) and/or legal guardian(s) with information about the crowdfunding project.

Parents and/or legal guardians must provide prior written consent to have their child's name, picture, image, or any other personally identifiable information used on the crowdfunding page or shared directly with donors.

iii. Crowdfunding projects must conform with Policy 3225/7320, Technology Responsible Use and Policy 7335, Employee Use of Social Media.

iv. Central office personnel and school principals must be granted access and administrator rights to the crowdfunding project page before the crowdfunding project page is launched.

v. Equipment

a) Technology: A crowdfunding project that involves technology equipment of any kind, including any hardware or software, must be reviewed and approved by the Director of Technology Services, prior to applying for project approval. All technology equipment received must be delivered directly to the Director of Technology Services for proper setup and installation.

b) Outdoor Equipment: A crowdfunding project that involves any outdoor equipment (such as playground equipment, gardening equipment, and facility improvements) must be reviewed and approved by Director of Facilities prior to applying for project approval.

vi. Any crowdfunding campaign must comply with all applicable laws and regulations and Board policies.

vii. All donations, monetary and in-kind, must be delivered directly to the school.

viii. No crowdfunding campaign may suggest that the donation sought is required for or integral to a student's special education program, a student's ability to achieve their IEP goals, or the participation of students with disabilities in any school program.

ix. No crowdfunding campaign may request food or beverage items inconsistent with Smart Snack Standards, or nutrition standards set by the United States Department of Agriculture regulations or school system or school policies.

D. Approval and Process for Allocating Donations

1. Approval must be in writing, signed by the school principal and Director of Finance or Director of Finance's designee.

2. Once written approval for a crowdfunding project is obtained from the school principal and Director of Finance or Director of Finance's designee, the crowdfunding project may be launched.

3. All monetary and non-monetary donations (supplies, equipment, etc.) obtained from a crowdfunding project are the property of the Dare County Board of Education, and all accounting and inventory procedures apply to those donations. Any non-monetary donations may be reallocated to any school in the district at the discretion of the school system. Furthermore, every crowdfunding project shall include a statement on the project's page stipulating that any non-monetary donations may be reallocated to any school in the district at the discretion of the superintendent or designee.

4. In the event an employee is transferred, dismissed, or resigns during a school year, any donations organized by that employee shall remain at the school where the employee was at the time the donations were received, unless otherwise reallocated by the Superintendent or designee.

5. The Board reserves the right to modify the use of the donation(s) obtained from a crowdfunding project, if the needs of the students or the school system change.

E. Recordkeeping

A file shall be maintained in the Dare County Schools Fiscal Services Department for any crowdfunding project. This file should include: (1) the crowdfunding project proposal and/or project, (2) the project's written approval, (3) a copy of all postings on the crowdfunding platform, (4) any photos or images posted with the project, and (4) a copy of all agreements and parental permission forms.

At the conclusion of the crowdfunding project, the employee must submit to the school principal and Director of Finance or Director of Finance's designee a written statement within thirty (30) calendar days that provides a description of the items purchased with donations to the campaign, the number of items purchased with donations to the campaign, and how the donations are being used to benefit the Dare County Schools.

137 Records will be stored and maintained in accordance with policy 5070, Public Records –
138 Retention, Release, and Disposition.

139 Cross-references: Technology Responsible Use (policy 3225/7320); Confidentiality of
140 Personal Identifying Information (policy 4705/7825); Parent Organizations (policy 5010);
141 Public Records - Retention, Release, and Disposition (policy 5070); Collections and
142 Solicitations (policy 5220); Confidential Information (policy 7315); Employee Use of
143 Social Media (policy 7335); Gifts and Bequests (policy 8220)

144 Adopted: December 12, 2022

145 [Revised: January __, 2023](#)

146 **Dare County Board of Education**

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

Policy Code:

7241

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

A. APPLICABILITY

This policy applies to any driver, which for purposes of this policy is defined as any employee, volunteer, or independent contractor whose duties for the board of education require a commercial driver's license under federal law. This includes anyone who regularly or intermittently drives a school bus, an activity bus, a vehicle designed to transport 16 or more people (including the driver), or any other vehicle that meets the definition of commercial motor vehicle under 49 C.F.R. 382.107. Employees who operate vehicles for inspection, service, or maintenance purposes are included in this definition.

B. PROHIBITED ACTS

No driver may:

1. operate any school bus or school activity bus while consuming alcohol or while alcohol remains in the driver's body, in violation of G.S. 20-138.2B;
2. use alcohol while performing safety-sensitive functions;
3. perform safety-sensitive functions within four hours after using alcohol;
4. use alcohol within eight hours following an accident while operating a commercial motor vehicle or until undergoing a post-accident alcohol test, whichever occurs first;
5. report for or remain on duty requiring the performance of safety-sensitive functions when the driver uses any Schedule I drug or substance; or
6. report for or remain on duty requiring the performance of safety-sensitive functions when the driver uses any non-Schedule I drug or substance that is identified in the other federal schedules of controlled drugs, unless such use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that use of the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

Safety-sensitive functions include, but are not limited to, inspecting, servicing, or conditioning any commercial motor vehicle; operating any commercial motor vehicle;

participating in or supervising the loading or unloading of a commercial motor vehicle; and repairing, obtaining assistance for, or remaining in attendance upon a disabled vehicle.

In addition, drivers and anyone who supervises drivers must not commit any act prohibited by federal law, including the federal regulation entitled “Controlled Substances and Alcohol Use and Testing” (49 C.F.R. pt. 382, hereinafter referred to as Part 382), or by policy 7240, Drug-Free and Alcohol-Free Workplace.

C. TESTING

The human resources office will carry out pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing for drugs and alcohol as required by Part 382.

Federal regulations prohibit a driver who is tested under the provisions of this section and found to have an alcohol concentration of at least .02 from performing safety-sensitive functions for at least 24 hours following administration of the test. Drivers who are tested under the provisions of this section and found to have any alcohol in their system are subject to additional discipline under this policy, including dismissal.

D. EMPLOYEE AND APPLICANT INQUIRIES

All employees subject to this policy, all employees who would become subject to this policy by virtue of a change or expansion of duties, and all applicants who would be subject to this policy if employed by the board ~~must consent in writing to the release of any information gathered pursuant to Part 382 by any previous employers and~~ must give written or electronic consent to any query by school officials of the federal Commercial Driver’s License Drug and Alcohol Clearinghouse (“Clearinghouse”) and, where applicable, must consent in writing to the release of any information that the school system is required to obtain from any previous employers under Part 382.

1. Pre-Employment Inquiry

Before employing any applicant subject to this policy, school officials shall ~~obtain, pursuant to the applicant’s written consent, all records maintained by the applicant’s previous employer regarding violations of Part 382 in the three years prior to the inquiry date. School officials shall also~~ conduct a query of the Clearinghouse, pursuant to the applicant’s electronic consent submitted through the Clearinghouse, to obtain any information regarding the applicant’s violations of Part 382. If the applicant was subject to an alcohol and controlled substance testing program under the requirements of a U.S. Department of Transportation (DOT) agency other than the Federal Motor Carrier Safety Administration within the previous three years, school officials shall also obtain, pursuant to the applicant’s written consent, all records maintained by those DOT-regulated employers that the school system is required to obtain under Part 382.

If school officials obtain information from the applicant's previous employer or from the Clearinghouse that the applicant committed a violation of Part 382 and has not subsequently completed the return-to-duty process required under federal law, the applicant may be disqualified from employment. If the applicant is subject to follow-up testing, has not successfully completed all follow-up tests, and school officials would like to further consider the applicant, school officials shall request the applicant's follow-up testing plan directly from the previous employer.

2. Annual Query

School officials shall conduct a limited query of the Clearinghouse at least once per year for each employee subject to this policy, pursuant to the employee's written or electronic consent, to determine whether information exists about the employee regarding violations of Part 382. If information exists about the employee, school officials shall obtain the information in the Clearinghouse within 24 hours of conducting the limited query, subject to the employee's electronic consent submitted through the Clearinghouse.

E. TRAINING AND EDUCATION

Each driver and supervisory employee, including principals and assistant principals, must be provided with educational materials that inform the employees of drug testing procedures, prohibited acts, consequences, and other aspects of Part 382, this policy, and any accompanying administrative procedures. The information also will identify a school system employee who is responsible for providing information on substance abuse. Each employee must sign a statement certifying his or her receipt of these materials.

Each supervisor who is responsible for overseeing the performance of drivers, including principals and assistant principals, must undergo at least one hour of training concerning alcohol misuse and one additional hour of training concerning drug abuse.

F. REFERRALS

Each driver who commits acts prohibited by Part 382 or G.S. 20-138.2B, other than provisions governing pre-employment testing, will be provided with information concerning resources available for evaluating and resolving drug or alcohol misuse. This information will include the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

G. CONSEQUENCES

Employees who have committed a prohibited act; refused any test required by this policy; or otherwise violated this policy, G.S. 20-138.2B, or Part 382 will be subject to disciplinary action, up to and including dismissal.

Any employee who has committed a violation of Part 382 will not be allowed to perform any safety-sensitive functions until the employee has completed the return-to-duty process, including an evaluation by a substance abuse professional, completion of any appropriate treatment designated by the substance abuse professional, and achievement of a negative return-to-duty test. Moreover, if the employee's violation of Part 382 has been reported to the Clearinghouse, the employee may not resume safety-sensitive functions until a query of the Clearinghouse demonstrates that the employee completed the return-to-duty process.

H. PROCEDURES

All procedures for collection and testing provided in the Federal Highway Administration's "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" (49 C.F.R. pt. 40) and all requirements in Part 382, including testing, reporting, record retention, training, and confidentiality, will be followed. Copies of these federal regulations will be readily available. The superintendent shall develop any other procedures necessary to carry out these regulations.

Legal References: 49 U.S.C. 31306; 49 C.F.R. pts. 40, 382; G.S. 20-138.2B

Cross References: Drug-Free and Alcohol-Free Workplace (policy 7240)

Adopted:

Draft B

DRUG AND ALCOHOL TESTING OF COMMERCIAL MOTOR VEHICLE OPERATORS

Policy Code:

7241

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

A. APPLICABILITY

This policy applies to any driver, which for purposes of this policy is defined as any employee, volunteer, or independent contractor whose duties for the board of education require a commercial driver's license under federal law. This includes anyone who regularly or intermittently drives a school bus, an activity bus, a vehicle designed to transport 16 or more people (including the driver), or any other vehicle that meets the definition of commercial motor vehicle under 49 C.F.R. 382.107. Employees who operate vehicles for inspection, service, or maintenance purposes are included in this definition.

B. PROHIBITED ACTS

No driver may:

1. operate any school bus or school activity bus while consuming alcohol or while alcohol remains in the driver's body, in violation of G.S. 20-138.2B;
2. use alcohol while performing safety-sensitive functions;
3. perform safety-sensitive functions within four hours after using alcohol;
4. use alcohol within eight hours following an accident while operating a commercial motor vehicle or until undergoing a post-accident alcohol test, whichever occurs first;
5. report for or remain on duty requiring the performance of safety-sensitive functions when the driver uses any Schedule I drug or substance; or
6. report for or remain on duty requiring the performance of safety-sensitive functions when the driver uses any non-Schedule I drug or substance that is identified in the other federal schedules of controlled drugs, unless such use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that use of the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

Safety-sensitive functions include, but are not limited to, inspecting, servicing, or conditioning any commercial motor vehicle; operating any commercial motor vehicle; participating in or supervising the loading or unloading of a commercial motor vehicle; and repairing, obtaining assistance for, or remaining in attendance upon a disabled vehicle.

In addition, drivers and anyone who supervises drivers must not commit any act prohibited by federal law, including the federal regulation entitled “Controlled Substances and Alcohol Use and Testing” (49 C.F.R. pt. 382, hereinafter referred to as Part 382), or by policy 7240, Drug-Free and Alcohol-Free Workplace.

C. TESTING

The human resources office will carry out pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing for drugs and alcohol as required by Part 382.

Federal regulations prohibit a driver who is tested under the provisions of this section and found to have an alcohol concentration of at least .02 from performing safety-sensitive functions for at least 24 hours following administration of the test. Drivers who are tested under the provisions of this section and found to have any alcohol in their system are subject to additional discipline under this policy, including dismissal.

D. EMPLOYEE AND APPLICANT INQUIRIES

All employees subject to this policy, all employees who would become subject to this policy by virtue of a change or expansion of duties, and all applicants who would be subject to this policy if employed by the board ~~must consent in writing to the release of any information gathered pursuant to Part 382 by any previous employers and~~ must give written or electronic consent to any query by school officials of the federal Commercial Driver’s License Drug and Alcohol Clearinghouse (“Clearinghouse”) and, where applicable, must consent in writing to the release of any information that the school system is required to obtain from any previous employers under Part 382.

1. Pre-Employment Inquiry

Before employing any applicant subject to this policy, school officials shall ~~obtain, pursuant to the applicant’s written consent, all records maintained by the applicant’s previous employer regarding violations of Part 382 in the three years prior to the inquiry date. School officials shall also~~ conduct a query of the Clearinghouse, pursuant to the applicant’s electronic consent submitted through the Clearinghouse, to obtain any information regarding the applicant’s violations of Part 382. If the applicant was subject to an alcohol and controlled substance testing program under the requirements of a U.S. Department of Transportation (DOT) agency other than the Federal Motor Carrier Safety Administration within the previous three years, school officials shall also obtain, pursuant to the applicant’s

written consent, all records maintained by those DOT-regulated employers that the school system is required to obtain under Part 382.

If school officials obtain information from the applicant's previous employer or from the Clearinghouse that the applicant committed a violation of Part 382 and has not subsequently completed the return-to-duty process required under federal law, the applicant may be disqualified from employment. Applicants subject to follow-up testing at the time of application shall be disqualified from employment.

2. Annual Query

School officials shall conduct a limited query of the Clearinghouse at least once per year for each employee subject to this policy, pursuant to the employee's written or electronic consent, to determine whether information exists about the employee regarding violations of Part 382. If information exists about the employee, school officials shall obtain the information in the Clearinghouse within 24 hours of conducting the limited query, subject to the employee's electronic consent submitted through the Clearinghouse.

E. TRAINING AND EDUCATION

Each driver and supervisory employee, including principals and assistant principals, must be provided with educational materials that inform the employees of drug testing procedures, prohibited acts, consequences, and other aspects of Part 382, this policy, and any accompanying administrative procedures. The information also will identify a school system employee who is responsible for providing information on substance abuse. Each employee must sign a statement certifying his or her receipt of these materials.

Each supervisor who is responsible for overseeing the performance of drivers, including principals and assistant principals, must undergo at least one hour of training concerning alcohol misuse and one additional hour of training concerning drug abuse.

F. REFERRALS

Each driver who commits acts prohibited by Part 382 or G.S. 20-138.2B, other than provisions governing pre-employment testing, will be provided with information concerning resources available for evaluating and resolving drug or alcohol misuse. This information will include the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

G. CONSEQUENCES

Employees who have committed a prohibited act; refused any test required by this policy; or otherwise violated this policy, G.S. 20-138.2B, or Part 382 will be subject to disciplinary action, up to and including dismissal.

Any employee who has committed a violation of Part 382 will not be allowed to perform any safety-sensitive functions until the employee has completed the return-to-duty process, including an evaluation by a substance abuse professional, completion of any appropriate treatment designated by the substance abuse professional, and achievement of a negative return-to-duty test. Moreover, if the employee's violation of Part 382 has been reported to the Clearinghouse, the employee may not resume safety-sensitive functions until a query of the Clearinghouse demonstrates that the employee completed the return-to-duty process.

H. PROCEDURES

All procedures for collection and testing provided in the Federal Highway Administration's "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" (49 C.F.R. pt. 40) and all requirements in Part 382, including testing, reporting, record retention, training, and confidentiality, will be followed. Copies of these federal regulations will be readily available. The superintendent shall develop any other procedures necessary to carry out these regulations.

Legal References: 49 U.S.C. 31306; 49 C.F.R. pts. 40, 382; G.S. 20-138.2B

Cross References: Drug-Free and Alcohol-Free Workplace (policy 7240)

Adopted:

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

A. SURVEYS INVOLVING PROTECTED TOPICS

1. Definition of Protected Topic

For purposes of this policy, the following are considered a “protected topic”:

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

2. Rules Regarding Surveys Involving Protected Topics

a. Protection of Student Privacy

The school system will take measures to protect the identification and privacy of students participating in any survey concerning any of the protected topics. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

b. Parental Notification

The school system will notify parents at the beginning of each school year of the specific or approximate dates of administration of surveys concerning the protected topics. Parents have the right to review any survey that

concerns one of the protected topics or any instructional materials used in any such survey.

c. Parental Consent

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

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

B. THIRD PARTY SURVEYS

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

C. COLLECTION OF STUDENT DATA FOR MARKETING PURPOSES

The school system generally will not collect, disclose, or use personal student information for the purpose of marketing or selling the information or otherwise providing the information to others for that purpose. However, in the event the board approves a collection, disclosure, or use of personal student information for one of those purposes, the school system will (1) notify parents at the beginning of each school year of the specific or approximate dates of such collection, disclosure, or use, (2) allow parents to inspect any instrument used to collect the information before the instrument is administered or distributed to a student, and (3) offer the parent the opportunity to opt out of the collection, disclosure, or use of the student's personal information.

The preceding rules for the collection, disclosure, and use of personal student information do not apply if the school system collects, discloses, or uses personal information from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following:

1. college or other postsecondary education recruitment or military recruitment;
2. book clubs, magazines, and programs providing access to low-cost literary products;
3. curriculum and instructional material used by elementary schools and secondary schools;

4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
5. the sale by students of products or services to raise funds for school-related or education-related activities; and
6. student recognition programs.

D. OTHER RELEVANT POLICIES

In addition to this policy, the board, with parental and community input, has developed other policies concerning surveys and related matters as required by the Protection of Pupil Rights Amendment. These policies include: 1310/4002, Parental Involvement; 3210, Parental Inspection of and Objection to Instructional Materials; 4700, Student Records; and 5240, Advertising in the Schools.

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

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Parental Inspection of and Objection to Instructional Materials (policy 3210), Student Discipline Records (policy 4345), Student Records (policy 4700), Advertising in the Schools (policy 5240)

Adopted:

Policy Code: 3105 Part-Time Admission of Home School Students

Recognizing the right of parents to educate their children at home, the board will maintain a cooperative relationship with parents of home school students through dual enrollment of high school home school students.

Parents or legal guardians may enroll home school high school students in the Dare County Schools on a part-time basis under the following conditions:

1. The student must meet the requirements of policy 4110, Immunization and Health Requirements for School Admission, and policy 4120, Domicile or Residence Requirements.

2. Upon enrollment, the student will be assigned to a school within Dare County Schools in accordance with policy 4150, School Assignment.

3. The student must enroll for at least one-half of the school day and must take at least one course on campus each semester.

4. Classes will be assigned on a space-available basis. A school is not obligated to add classes to accommodate part-time enrollment of home school students.

5. The student must present academic records from the student's current home school. The principal will determine appropriate grade/class placement based on documentation of curriculum/courses the student has been studying in home school instruction and on the student's previous public, charter or private school record, if applicable. The principal may also require appropriate testing information or demonstration of subject matter mastery in determining placement.

6. The student is subject to all fees for the courses in which the student is enrolled.

7. Home school students dually enrolled in Dare County Schools must participate in all required district, state and federal testing.

8. The student is expected to adhere to the Dare County Schools *Student Code of Conduct* and other rules applicable to full-time enrolled students. Part-time enrolled students will be subject to consequences for violation of school or district rules to the same extent as full-time enrolled students.

9. The student may be eligible to participate in athletics as determined by the principal, board policy 3620, Extracurricular Activities and Student Organizations, and any applicable rules of the North Carolina High School Athletic Association, the North Carolina Department of Public Instruction, and the State Board of Education.

35 10. Transportation for part-time enrolled students is the responsibility of the
36 parent or legal guardian. However, at the principal's discretion, a student may be
37 allowed to access bus transportation to or from school if a compatible preexisting
38 bus route is available.

39 11. At all times while enrolled on a part-time basis in the Dare County Schools,
40 the student must maintain attendance in an active home school registered with
41 the North Carolina Division of Non-Public Education.

42 Legal References: G.S. 115C

43 Cross References: Graduation Requirements (policy 3460), Extracurricular Activities
44 and Student Organizations (policy 3620), Immunization and Health Requirements for
45 School Admission (policy 4110), Domicile or Residence Requirements (policy 4120),
46 School Assignment (policy 4150)

47 Adopted: January __, 2023

48 **Dare County Board of Education**

49

Policy Code: 3620 Extracurricular Activities and Student Organizations

The board recognizes the value of interscholastic athletics and extracurricular activities in promoting leadership and team skills, practicing democratic principles, and encouraging the lifelong learning process. Students are encouraged to participate in opportunities available at the school, including interscholastic athletics and student organizations. As provided in board policy 4326, all students in grades 6-12 who desire to participate in voluntary school activities or privileges, including interscholastic athletics and other extracurricular activities, must agree to participate in the random drug testing program. All activities are open to all students attending that school unless a restriction is justified and has been approved by the principal. The principal shall ensure that students and parents are notified of the various opportunities for participation in extracurricular activities and shall establish rules, as necessary, to govern such activities.

A. Requirements for Participation in Extracurricular Activities

Participation in extracurricular activities, including student organizations and interscholastic athletics, is a privilege, not a right, and may be reserved for students in good academic standing who meet behavior standards established by the board, the superintendent, and or the school.

Participation in extracurricular activities may be restricted if a student (1) is not performing at grade level as provided in policy 3400, Evaluation of Student Progress; (2) has ~~exceeded the number of absences allowed by policy 4400;~~ Attendance failed to meet any applicable attendance requirements; (3) has violated the student conduct standards found in the 4300 series of policies; or (4) has violated school rules for conduct. School administrators choosing to exercise this authority to restrict participation shall provide this policy and any additional rules, including attendance requirements, developed by the superintendent or the principal to all parents, guardians, and students.

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

B. Additional Rules for Specific Activities

1. Intervention Plan

Extracurricular activities may be used as a component of an at-risk student's intervention plan. The intervention plan may include providing for or restricting the student's participation in extracurricular activities. If the plan restricts the student's participation, the plan must include other intervention strategies designed to improve student performance. All students with disabilities will be accorded rights as required by federal and state law.

2. Student-Initiated, Noncurriculum-Related Student Groups at the Secondary Level

Student-initiated, noncurriculum-related, secondary school student groups will be permitted to conduct voluntary meetings on school grounds during noninstructional time, 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. The principal shall establish viewpoint neutral rules governing such meetings, including restrictions on when and where meetings may occur.

School employees may not promote, lead, or participate in student-initiated meetings but may be present at meetings to maintain order and discipline, to protect the well-being of the students and faculty, and to assure that attendance of students at the meetings is voluntary. School employees may not influence the form or content of any prayer or other religious activity or require any person to participate in prayer or other religious activity. In addition, non-school persons may not direct, conduct, control, or regularly attend the activities of the groups.

No public funds will be expended on behalf of the student-initiated, noncurriculum-related student groups except for the incidental cost of providing space for the group meetings.

Student-initiated, noncurriculum-related groups will have the same access to communication channels for publicizing their meetings as is allowed to all other noncurriculum-related student groups. However, school officials may indicate in such communications that the meetings are not sponsored by the school.

For purposes of this section, a noncurriculum-related student group is one that is not directly related to the curriculum. A student group will be considered curriculum-related only if (1) the group's subject matter is taught in a regularly offered course or relates to the curriculum as a whole; (2) participation in the group is required as part of a course; or (3) participation in the group results in course credit.

3. Interscholastic Athletics

In addition to meeting the general requirements listed above, to be eligible for interscholastic athletics participation, students must meet all applicable eligibility standards of the State Board of Education, the North Carolina High School Athletic Association, and the North Carolina Department of Public Instruction as well as any locally established requirements for interscholastic athletics participation.

C. Special Circumstances

1. Students with Disabilities

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

2. Transitioning Children of Military Students Families

School administrators shall facilitate the inclusion and participation of transitioning military children in extracurricular activities of children of military families, as defined in policy 4050, Children of Military Families, transferring into the school, to the extent they are otherwise qualified, by:

- a. providing information about extracurricular activities to transitioning militaryincoming children of military families; and
- b. waiving application deadlines.

3. Athletic Participation by Dually Enrolled Home School Students

Home school students who are dually enrolled in accordance with policy 3105, Part-Time Admission of Home School Students, are eligible to participate in high school interscholastic athletics if they comply with all of the following.

- a. The student must present a home school card from the Division of Non-Public Education for the previous and current years, as well as a transcript, attendance record, and record immunizations.
- b. The student must submit proof that the student has been enrolled in a registered home school for 365 days prior to participation in athletics.
- c. Prior to the first date of practice, the student must provide the results of a nationally standardized achievement test, taken within the last year, that indicates the student was on grade level at the time the test was taken.
- d. The student must pass all classes in which the student is enrolled at the assigned school in order to maintain athletic eligibility.
- e. Once dually enrolled and deemed eligible to participate in athletics, the student must maintain continuous dual enrollment. Failure to maintain continuous dual enrollment would render the student ineligible for athletic participation for 365 days.

f. The student must notify the principal of the assigned school in writing of the student's intent to try out for an athletic team at least 10 days prior to the first practice date of each sport season in which the student wishes to participate. Failure to comply with this requirement renders the student ineligible for that sport season.

g. The student must comply with all other applicable North Carolina High School Athletic Association rules and regulations regarding eligibility for athletic participation.

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

D. Appeals Process

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

Legal References: Americans with Disabilities Act, [42 U.S.C. 12132](#), [28 C.F.R. pt. 35](#); Equal Access Act, [20 U.S.C. 4071-4074](#); Individuals with Disabilities Education Act, [20 U.S.C. 1400 et seq.](#), [34 C.F.R. pt. 300](#); Rehabilitation Act of 1973, [29 U.S.C. 705\(20\)](#), [794](#), [34 C.F.R. pt. 104](#); [G.S. 115C art. 9](#), [115C-12\(23\)](#), [-47\(4\)](#), [115C-47\(4\)](#), [-390.2](#), [-407.5](#), [-407.55](#), [-407.60](#), [-407.65](#); [16 N.C.A.C. 6E .0204](#); State Board of Education Policy [ATHL-001](#); *Policies Governing Services for Children with Disabilities*, State Board of Education Policy [EXCP-000](#); N.C. High School Athletic Association Handbook, available at <https://www.nchsaa.org/handbook>; Middle/Junior High School Athletic Manual (NCDPI), available at <https://sites.google.com/dpi.nc.gov/nchealthyschools/athletics> <http://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/programs-and-initiatives/nc-healthy-schools/athletics>

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Evaluation of Student Progress (policy 3400), Student Promotion and Accountability (policy 3420), School Improvement Plan (policy 3430), Children of Military Families (policy 4050), Domicile or Residence Requirements (policy 4120), Homeless Students (policy 4125), School Assignment (policy 4150), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Behavior Policies (4300 series), Attendance (policy 4400), Community Use of Facilities (policy 5030)

Adopted: November 11, 1997

Revised: January 9, 2007

Regulations Issued: January 9, 2007

Revised: November 10, 2009

Revised: November 8, 2016

Revised: June 13, 2017

Revised: June 9, 2020

Revised: January __, 2023

Dare County Board of Education

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) made and entered the date of last execution by the parties, by and between The County of Dare (County) and the Dare County Board of Education (BOE).

WITNESSETH:

Whereas, County desires to use the unimproved areas behind First Flight Middle School (FFMS) and First Flight Elementary School (FFES), and near First Flight High School (FFHS), for County Parks and Recreation proposes. The area to be used is outlined in blue on the map attached as Exhibit A (the "fields"); and

Whereas, the BOE has agreed to allow County to use the fields for Parks and Recreation purposes upon the following terms and conditions; and

Whereas, N.C. Gen. Stat. 160A-461 authorizes units of local government to enter into contracts or agreements with each other in order to execute any undertaking; and

Whereas, N.C. Gen. State. 115C-524(b) provides that local boards of education may enter into agreements permitting non-school groups to use school real and personal property for non-school purposes, and that no liability shall attach to any board of education or individual board member for personal injury suffered by reason of the use of school property pursuant to such agreements;

Now therefore, in consideration of the mutual terms and conditions contained herein, the parties agree as follows:

1. FFMS, FFES, and FFHS shall have first priority in the use of the fields. County shall schedule their uses of the fields and the supporting facilities on the fields around scheduled uses by FFMS, FFES, and FFHS.
2. At the beginning of each school year and prior to the school start date, FFMS, FFES, and FFHS shall provide County with a schedule of school uses to allow County to schedule their activities and outside activities at times that are not in conflict with FFMS, FFES, and FFHS activities. Once scheduled, no changes may be made without the approval of the County Parks and Recreation Director and the Principal of the respective school impacted by the change. The parties will work together in good faith to accommodate the needs of each.
3. County shall have the use of the fields for recreation activities at all times that they are not in use for scheduled activities of FFMS, FFES, and FFHS. All inquiries for field use by outside entities will be directed to County. County will schedule field use with travel teams, club sports and others who desire to use the fields when not in use by the schools or by County. Such use by the County or outside entities shall be considered use pursuant to this agreement within the scope of N.C. Gen. Stat. 115-524(b).

4. County will keep and maintain the fields, concession stands, bathrooms, if any, and the improvements located upon the fields, at a minimum to their condition at the time of this agreement.
5. County will mow and line the fields appropriately for FFMS and FFHS scheduled athletic activities. Schools will schedule their activities to allow sufficient time prior to an athletic event for County to prepare the fields.
6. County shall be authorized to make improvements to the fields, including, but not limited to, adding lights, bleachers, dugouts, storage facilities, fences, concession stands, irrigation, score boards, and other amenities for its recreation programs with prior approval of the BOE or its designee, which approval shall not be unreasonably withheld. County shall be responsible for all permits and approvals necessary for such improvements and for the costs of installation and maintenance of such improvements. County shall notify BOE before adding any such improvements to be certain there is no conflict with schools needs for fields or with any drainage plans or other plans or permits held by the schools.
7. FFMS, FFES, and FFHS shall be authorized to use the County improvements, with the exception of any new storage facilities which may constructed, during the times they have scheduled activities on the field.
8. FFMS, FFES, and FFHS shall be authorized to use the storage space in the existing concession stand for storage of school equipment and materials that are currently located in that facility.
9. FFMS, FFES, and FFHS shall be authorized to use the existing concession stand during the times they have activities scheduled on the fields.
10. After their respective use, each of the parties shall: (a) pick up all trash and debris on the fields, in the dugouts, around the bleachers, place it in a bag and place the bag in a receptacles located on the fields or in the school's dumpster (county shall empty the receptacle); (b) clean and sanitize the concession stand and all equipment and utensils used in the concession stand and return them to their appropriate storage area; (c) place all equipment used for any activity on the fields in the storage facility or designated storage space.
11. County and the schools shall have keys to all gates and facilities and shall not provide keys to anyone other than their designated personnel.
12. All use of the fields shall be supervised. The County shall provide staff or designated volunteers to supervise activities of county or scheduled by County and the schools shall provide staff to supervise school activities.
13. Those using the fields shall park in the paved school parking lots. No parking shall be allowed behind the schools.

14. This agreement sets forth all of the understandings of the parties and supersedes all other agreements or understandings, written or oral. This agreement may only be amended in writing with the consent of all parties.

15. This agreement may be terminated: (a) after 5 years by either party, for any reason or no reason, upon one year's written notice to the other party; or (b) at any time by either party for material breach upon written notice, provided that if the breach is curable the breaching party shall be provided a reasonable time to cure the breach.

In witness whereof, the parties have executed this agreement the date set forth below.

Dare County Board of Education

Dare County

Superintendent

Date: _____

County Manager

Date: _____



County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

STATE OF NORTH CAROLINA
COUNTY OF DARE

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("Agreement") is made and entered into this the _____ day of _____, 2023 ("Effective Date") by and between the COUNTY OF DARE, a North Carolina Body Politic ("County"), and the DARE COUNTY BOARD OF EDUCATION ("Board,"); collectively, the County and the Board are collectively referred to herein as the "Parties".

WITNESSETH:

WHEREAS, the County owns and maintains certain fueling stations (hereinafter "Fueling Stations") located on County-owned property (also referred to as 1018 Driftwood Drive, Manteo, North Carolina) which are utilized to provide fuel to governmental service vehicles; and

WHEREAS, the Board provides the necessary resources to support the students and teachers in the Dare County school system; and

WHEREAS, the Board desires to utilize the Fueling Stations for the purpose of providing fuel to its vehicles; and

WHEREAS, the County, to benefit the County students serviced by the Board, approves of and authorizes the Board's use of the Fueling Stations for the aforesaid purpose, subject to the terms of this Memorandum; and

WHEREAS, the purpose of this Agreement is to authorize the Board's use of the Fueling Stations for the purpose(s) stated herein and reduce to writing the understanding of the parties as to the terms of said use.

NOW, THEREFORE, in consideration of the various mutual covenants, promises and undertakings set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Board and the County do hereby agree as follows:

1. The Board shall be allowed to utilize the County-owned Fueling Stations for the purpose of providing fuel to the Board's vehicles which are used to carry out its daily operations.
2. The Board's use of the pumps for the above-stated purpose includes access to any County-owned property on which such Fueling Stations may exist, and namely being 1018 Driftwood Drive, North Carolina, for the purpose of fueling Board vehicles.

3. The Board agrees to compensate the County for said fuel usage in the following manner:
 - a. The Board agrees to pay the County the amounts accounting for the Board's actual monthly usage of the fuel at the County's wholesale price, net of refundable taxes, if any, which amounts will be presented to the Board by the County via monthly invoices. The Board agrees to pay said invoices upon receipt.
 - b. The Board further agrees to pay County \$0.0164 per gallon used for actual maintenance and administrative costs associated with the Board's usage of the Fueling Stations, which amount will be updated annually as of each June 30 with notification to the Board.
4. The County will continue to maintain and operate the Fueling Stations throughout the course of this Agreement, unless otherwise stated in writing.
5. The Parties agree to indemnify and hold the other harmless for any negligent acts or omissions committed by one party in relation to this Agreement which result in a claim, loss, or damage to the other party.
6. This Agreement shall remain in full force and effect, until such time as the Parties expressly agree in otherwise, which agreement shall be in writing.
7. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina.
8. This Agreement contains the entire understanding between the parties and may not be altered, modified, terminated, or discharged except in writing.
9. Each person who signs this Agreement on behalf of the Parties named above is authorized to do so.

[Signature Pages to Follow]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the Effective Date set forth above.

COUNTY OF DARE

By: _____

Position/Title: _____

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF DARE

I, _____, a Notary Public of the County and State aforesaid, certify that _____, of whose identity I have personal knowledge, personally appeared before me and acknowledged that the signature on the record presented is his/her signature and that s/he voluntarily executed the foregoing instrument for the purpose stated therein and in the capacity indicated.

Witness my hand and official stamp or seal, this _____ day of _____, 2022.

Notary Public

Printed Name

My commission expires:

This instrument has been preaudited in the manner required by the NC Local Government Budget and Fiscal Control Act

Date: _____

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the Effective Date set forth above.

DARE COUNTY BOARD OF EDUCATION

By: _____

Position/Title: _____

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF DARE

I, _____, a Notary Public of the County and State aforesaid, certify that _____, of whose identity I have personal knowledge, personally appeared before me and acknowledged that the signature on the record presented is his/her signature and that s/he voluntarily executed the foregoing instrument for the purpose stated therein and in the capacity indicated.

Witness my hand and official stamp or seal, this _____ day of _____, 2022.

Notary Public

Printed Name

My commission expires:

This instrument has been preaudited in the manner required by the NC School Budget and Fiscal Control Act

STATE OF NORTH CAROLINA
COUNTY OF DARE

KITTY HAWK ELEMENTARY SCHOOL POLICE OFFICER
MEMORANDUM OF AGREEMENT

This AGREEMENT is made this the 3rd day of January 2023 by and between the Dare County Board of Education (hereinafter "the Board"), the local administrative unit for the Dare County Public Schools, and the Town of Southern Shores (hereinafter the "Town"), a municipality located in Southern Shores, Dare County, North Carolina, and in consideration of the mutual promises and covenants contained herein, the parties hereby contract and mutually agree as follows:

WITNESSETH:

WHEREAS, the Board desires to have the Town provide a law enforcement ("officer") at Kitty Hawk Elementary School, one of the schools owned and operated by the Board which is located within the Town: and

WHEREAS, the Town agrees to provide and to manage an officer for Kitty Hawk Elementary School; and

WHEREAS, the parties agree that the officer should be assigned to Kitty Hawk Elementary School in order to prevent antisocial behavior through education, communication, and understanding between school personnel, youth, police, and the community using various programs supported by both the Dare County Board of Education, the Town of Southern Shores and the Southern Shores Police Department.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the same being valuable consideration to support entry into said agreement and each of the parties agreeing that the same has actual value in proportion to the benefits to be received by the respective parties, the parties do agree as follows, to wit:

1. The Town shall provide one (1) law enforcement officer to be assigned to Kitty Hawk Elementary School, for each calendar school year to the following school:

Kitty Hawk Elementary School
16 S. Dogwood Trail
Southern Shores, North Carolina 27949

2. The parties agree that the officer will be responsible for enforcing the law and not be used as an arm of school or parental discipline, unless a violation of the law or of the Board of Education policy is committed in the presence of the police officer or a violation of the law or Board policy

arises in the course of an investigation by the police officer. Further, the police officer should attempt to abide by all board policies concerning students attending school at Kitty Hawk Elementary School.

3. The Board and the Town have agreed to certain guidelines concerning the assignment of the police officer at Kitty Hawk Elementary School which are herein incorporated by reference as Exhibit A.
4. The parties agree that the police officer is an employee of the Town, works directly under the supervision of the Chief of Police of the Town of Southern Shores, and the Board assumes no liability for any act of omission by the officer that would ever arise in the assigned officer's performance or non-performance of their duties.
5. The term of this contract shall run indefinitely but can be terminated by either party upon given sixty (60) days proper notice to the other party at the address listed below:

The Board

Mr. Steve Basnight
3020 Wrightsville Ave.
Nags Head, NC 27959

The Town

Cliff Ogburn- Town Manager Town of
Southern Shores 5375 N. Virginia
Dare Trail Southern Shores, NC
27949

6. This agreement shall be governed by and construed in accordance with the laws of the State of North Carolina.

In Witness Whereof the parties hereto have caused this Memorandum of Agreement to be executed in their corporate names by duly authorized officers in duplicate originals, one of which is retained by each of the parties, the day and year first written above.

Dare County Board of Education

By: _____

Attest:

By: _____

Town of Southern Shores

By: _____