

# Policy Committee Agenda

September 19, 2023  
5:00 – 6:00 PM  
Assembly Room

**Type of Meeting:** Lee County Schools Board Policy Committee

**Attendees:** All Policy Committee Members

**Revision Key:** Additions – double underline  
Deletions – ~~strikethrough~~  
NCSBA - yellow  
General Statute Changes – red  
Lee County Schools Changes – blue

## Agenda Topics

Welcome and Call to Order.....Chris Gaster, Chair

Approval of September 19, 2023 Agenda.....Chris Gaster, Chair

Approval of August 15, 2023 Minutes.....Chris Gaster, Chair

## POLICIES FOR REVIEW

### Policy to be reviewed at the request of the policy committee chair:

Policy 4318 Use of Wireless Communication and Other Electronic Devices....Chris Gaster, Chair  
(1<sup>st</sup> copy is the current Lee County Schools policy. 2<sup>nd</sup> copy is from Granville County Schools)

### Policies tabled from August 15, 2023 committee meeting:

Policy Code 8310 Annual Independent Audit.....Kelly Jones

Policy Code 8320 Depositories.....Kelly Jones

### Policy for committee review: Lee County Schools update

Policy Code 5030 Communities Use of Facilities.....Dr. Johnnye T. Waller

### NCSBA Time Sensitive Information: N.C. Session Law 2023-106 (SB 49) “Parents’ Bill of Rights” Stephen Rawson, Attorney

Policy Code 1310/4002 Parental Involvement  
(Additional color coded copy included)

Policy Code 3210 Parental Inspection of an Objection to Instruction Materials

**Policy Code 3540 Comprehension Health Education Program**

**Policy Code 4335 Criminal Behavior**

**Policy Code 4720 Surveys of Students**

**Policy Code 6120 Student Health Services**

**Policy Code 7300 Staff Responsibilities**

**Information Only As Requested by the Board of Education**

**Updated regulations:**

**Administrative Regulation Code 5030-R Communities use of Facilities**

**Administrative Regulation Code 3320-R School Field Trips**

**Additional regulations are currently under review by the Interim Superintendent and may be presented as additional information only.**

**Adjourn.....Chris Gaster, Chair**

Next Policy Committee Meeting  
October 17, 2023  
5:00 PM  
Assembly Room  
Heins Educational Building

**Lee County Board of Education  
Policy Committee Meeting  
Assembly Room, Basement  
Heins Education Building  
August 15, 2023  
5pm**

**Members Present:**

Chris Gaster-Lee County Board of Education member; Chairman-Policy Committee  
Sandra Bowen-Lee County Board of Education Member; Policy Committee member  
Dr. Johnnye Waller-Assistant Superintendent Auxiliary Services  
Dr. Chris Dossenbach-Interim Superintendent  
Stacie Eggers-Assistant Superintendent Human Resources  
Kelly Jones-Chief Finance Officer  
James Alverson-Public Information Officer  
Melissa Brewer-AP, WB Wicker Elementary School  
Dr. Lisa Duffey-Principal, JR Ingram, Jr. Elementary School  
Trysha Mazzola-Mental Health Coordinator and Policy Advisor  
Karen Barnhill-Principal, Lee County High School  
Elayne Monjar-AP, SanLee Middle School  
Susan P. Britt-Administrative Assistant

**Members Present Remotely:**

Stephen Rawson-Board Attorney

Chairman Gaster called the meeting to order.

Chairman Gaster offered a prayer.

Approval of 8/15/2023 Agenda-The 8/15/2023 agenda was approved.

Approval of 5/16/2023 Minutes-The 5/16/2023 minutes were approved.

---

## **Policies for Review**

### **Committee Discussion as recommended by Evergreen Solutions, LLC**

1. Development of policy on banking service contract and/or depositories-to include written agreement and what is to be expected from both parties.

Policy 8320-Depositories was reviewed and no changes were recommended. Kelly Jones, CFO, will present a banking services RFP for discussion at the Finance Committee meeting on August 24, 2023.

2. Fund Balance-Presently, no fund balance policy is in place. Administration will research the information provided to determine if a fund balance policy is necessary and present at a future Finance Committee meeting.
3. Development of policy in conducting physical audit of fixed assets annually.

Policy 6560-Disposal of Surplus Property and Policy 8350-Fixed Assets Inventory were reviewed and no changes were recommended. Administration will request clarification from Evergreen Solutions as to why this was a recommendation.

Chris McNeill, Maintenance Director, will provide a surplus property report quarterly from GovDeals to the Finance Committee.

4. Develop a policy to rotate external audit contract every 5-7 years.

Policy 8310-Annual Independent Audit-Administration will review the policy to determine any changes and present at the September 19, 2023, Policy Committee meeting.

5. Discussion of Lee County Schools policies relating to student discipline as requested by the Chairman, Lee County Board of Education



Policy 4300-Code of Student Conduct  
Policy 4302-School Plan for Management of Student Behavior  
Policy 4303-Fair and Consistent Discipline Administration  
Policy 4328-Gang-Related Activity  
Policy 4329/7311-Bullying and Harassing Behavior Prohibited  
Policy 4345-Student Discipline Records  
Policy 4370-Student Discipline Hearing Procedures

All the policies were reviewed and no changes were recommended.

The committee encouraged consistent discipline in all schools and to educate parents on the relationship between the principal and the SRO's and how discipline is handled between the two.

The next Policy Committee meeting is scheduled for Tuesday, September 19, 2023, 5pm, Assembly Room, HEB.

There being no further business, Policy Committee Member Bowen adjourned the meeting.

## PLS Special Update: August 2023

Updated Policy	Policy Title	Description of Updates	Legal Authority Involved	Notes
1310/4002	Parental Involvement	<ul style="list-style-type: none"> <li>Substantially revises the policy to address the new requirements of the Parents' Bill of Rights. <b>(Required – see Note 1)</b></li> <li>In Section G, requires that the board fill in custom language. <b>(Required – see Note 2)</b></li> <li>Includes minor editorial changes. <b>(Recommended)</b></li> <li>Updates the legal references. <b>(Required)</b></li> <li>Updates the cross references. <b>(Recommended)</b></li> </ul>	S.L. 2023-106 (SB 49); G.S. ch. 114A; 115C art. 7B	<p><b>Note 1:</b> The Parents' Bill of Rights contains many new policy requirements for local boards. When modifying this policy, make sure the requirements of the Parents' Bill of Rights continue to be met. We recommend reviewing the footnoted version of this policy for additional information about the statutory requirements.</p> <p><b>Note 2:</b> G.S. 115C-76.35(a)(1) requires that board policy provides links to parents for community services. In Section G, the bold bracketed language should be removed and replaced with a list of applicable links to community services available to parents of students in your school system.</p>
3210	Parental Inspection of and Objection to Instructional Materials	<ul style="list-style-type: none"> <li>Consolidates the first two sentences of Section A and adds a reference to policy 3200's definition of instructional materials. <b>(Recommended)</b></li> <li>Removes a statement exempting certain Internet information from advance parental review because the law does not provide such an exemption. <b>(Required)</b></li> <li>Adds a process in Section A for parents to inspect instructional materials. <b>(Required – See Note)</b></li> <li>Updates the legal references. <b>(Required)</b></li> <li>Updates the cross references. <b>(Recommended)</b></li> <li>Updates the footnotes. <b>(Informational Only)</b></li> </ul>	S.L. 2023-106; G.S. 115C-76.35(b)(3)	<p><b>Note:</b> The school system must have a written process for parents to inspect and review all textbooks and supplementary instructional materials that will be used in their child's classroom. The process provided in this policy may be modified. However, be aware that timelines described in G.S. 115C-76.40 may apply.</p>
3540	Comprehensive Health Education Program	<ul style="list-style-type: none"> <li>Adds a provision in Section A prohibiting instruction on gender identity, sexual activity, or sexuality in kindergarten through grade four. <b>(Strongly Recommended)</b></li> </ul>	S.L. 2023-106; G.S. 115C-76.55	

\* *Required* means either (1) the provisions are required by law to be addressed in policy or (2) the modifications must be made to ensure the policy reflects current law (ex. adding new statutory language or updates to legal citations).

\* *Strongly recommended* means the provisions are required by law, but they do not have to be addressed in policy, although NCSBA strongly recommends that the provisions be added to policy.

\* *Recommended* means the provisions are not required by law, but NCSBA considers them good practice.

**PLS Special Update: August 2023**

		<ul style="list-style-type: none"> <li>• Updates the legal references. <b>(Required)</b></li> <li>• Updates the cross references. <b>(Recommended)</b></li> <li>• Updates the footnotes. <b>(Informational Only)</b></li> </ul>		
4335	Criminal Behavior	<ul style="list-style-type: none"> <li>• Changes the requirement for reporting to parents when their child is suspected to be the victim of a crime. <b>(Required)</b></li> <li>• Updates the legal references. <b>(Required)</b></li> <li>• Updates a footnote. <b>(Informational Only)</b></li> </ul>	S.L. 2023-106; G.S. 114A-10	
4720	Surveys of Students	<ul style="list-style-type: none"> <li>• Adds a reference to state law in the first sentence. <b>(Required)</b></li> <li>• Changes the parental notification and consent requirements in Section A based on new state law requirements. <b>(Required)</b></li> <li>• Adds a new Section B about well-being questionnaires and health screening forms. <b>(Required)</b></li> <li>• Includes other minor editorial and organizational changes. <b>(Recommended)</b></li> <li>• Updates the legal references. <b>(Required)</b></li> <li>• Updates the footnotes. <b>(Informational Only)</b></li> </ul>	S.L. 2023-106; G.S. 115C-76.25(a)(11), -76.45, -76.65, 402.15	
6120	Student Health Services	<ul style="list-style-type: none"> <li>• Includes minor changes to language. <b>(Recommended)</b></li> <li>• Updates the legal references. <b>(Required – See Note)</b></li> <li>• Adds a footnote. <b>(Informational Only)</b></li> </ul>	S.L. 2023-106; G.S. 90-21.10B	<b>Note:</b> The new G.S. 90-21.10B contains language that prohibits health care practitioners, which includes school employees authorized under state law to perform health care services as part of their job, from providing, soliciting, or arranging medical procedures or treatments for a minor without first obtaining written or documented consent from that minor child's parent. That law goes into effect on December 1, 2023. We recommend that the board discuss the implications of that new law with its board attorney.
7300	Staff Responsibilities	<ul style="list-style-type: none"> <li>• Adds an employee responsibility to support parental involvement and never encourage a student to withhold information from their</li> </ul>	S.L. 2023-106; G.S. 114A-20	

\* *Required* means either (1) the provisions are required by law to be addressed in policy or (2) the modifications must be made to ensure the policy reflects current law (ex. adding new statutory language or updates to legal citations).

\* *Strongly recommended* means the provisions are required by law, but they do not have to be addressed in policy, although NCSBA strongly recommends that the provisions be added to policy.

\* *Recommended* means the provisions are not required by law, but NCSBA considers them good practice.



## PLS Special Update: August 2023

		parents. <b>(Strongly Recommended)</b> <ul style="list-style-type: none"><li>• Updates the legal references. <b>(Required)</b></li><li>• Updates the footnotes. <b>(Informational Only)</b></li></ul>		
--	--	---	--	--

\* *Required* means either (1) the provisions are required by law to be addressed in policy or (2) the modifications must be made to ensure the policy reflects current law (ex. adding new statutory language or updates to legal citations).

\* *Strongly recommended* means the provisions are required by law, but they do not have to be addressed in policy, although NCSBA strongly recommends that the provisions be added to policy.

\* *Recommended* means the provisions are not required by law, but NCSBA considers them good practice.



## **Policy Code: 4318 Use of Wireless Communication and Other Electronic Devices**

The board recognizes that cellular phones and other wireless communication devices have become an important tool through which parents communicate with their children. Therefore, students are permitted to possess such devices on school property as long as such devices are not activated, used, displayed or visible during the instructional day or as otherwise directed by local school rules or school personnel. Wireless communication and other electronic devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios, electronic games, laser pointers, cameras, video cameras and similar devices.

### **A. Authorized Use**

Administrators may authorize individual students to use wireless communication devices for personal purposes when there is a reasonable need for such communication. Teachers and administrators may authorize individual students to use the devices for instructional purposes provided that they supervise the students during such use.

Although generally use is permitted during non-instructional hours, use of cellular phones and other wireless communication devices may be prohibited on school buses when noise from such devices interferes with the safe operation of the buses. In addition, elementary and middle school students who participate in after-school programs are prohibited from using wireless communication devices for the duration of such programming.

### **B. Consequences for Unauthorized Use**

School employees may immediately confiscate any wireless communication devices that are on, used, displayed or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless communication devices will be returned only to the student's parent or guardian.

The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Code of Student Conduct. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violation of this policy.

The following factors should be considered when determining appropriate consequences whether the wireless communication device was used: (1) to reproduce images of tests, obtain unauthorized access to school information or assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation or school rule; and (2) to bully or harass other students;

(3) to send illicit text messages; (4) to take and/or send illicit photographs; or (5) in any other manner that would make more severe disciplinary consequences appropriate.

#### C. Search of Wireless Communication Devices

In accordance with policy 4342, Student Searches, a student's wireless communication device and its contents, including, but not limited to text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, board policy, the Code of Student Conduct or a school rule. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the suspected infraction.

#### D. Liability

Students are personally and solely responsible for the security of their wireless communication devices. The school district is not responsible for the theft, loss or damage of a cellular phone or any other personal wireless communication device.

Legal References: [G.S. 115C-36](#), [-390.2](#)

Cross References: Code of Student Conduct (policy 4300), Disruptive Behavior (policy 4315), Student Searches (policy 4342)

Issued: June 30, 2010

Revised: July 19, 2011

**Lee County Schools**



## **Policy 4318 Use of Wireless Communication Devices**

The board recognizes that cellular phones and other wireless communication devices have become an important tool through which parents communicate with their children. Therefore, students are permitted to possess such devices on school property so long as the devices are not activated, used, displayed or visible during the instructional day or as otherwise directed by school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios and similar devices. Internet-enabled smartwatches are considered wireless communication devices when used for messaging or accessing the internet. Except as permitted by this policy, no student shall use, display, transmit or have in the “on” position on school property any wireless communication device or personal entertainment device, including but not necessarily limited to cell phones, pagers, two-way radios, CD/MP3 players, and electronic games or similar devices until after the conclusion of the instructional day.

Procedures for enforcement of this policy have been developed for administrators.

### **A. Authorized Use**

Administrators may authorize individual students to use wireless communication devices for personal purposes when there is a reasonable need for such communication. Teachers and administrators also may authorize individual students to use the devices for instructional purposes, provided that they supervise the students during such use. Electronic devices may be used by students for instructional purposes with the permission and under the personal supervision of the teacher within the classroom.

#### High Schools:

Students may not use cell phones or other wireless communication devices during the instructional day, except during their assigned lunch period, and between classes. The instructional day is defined as the time from the first bell to begin school and the last bell to dismiss school.

#### Elementary and Middle Schools:

Cell phones and other wireless communication devices may not be used during the instructional day. The instructional day is defined as the time from the first bell to begin school and the last bell to dismiss school.

Although use generally is permitted before and after school, use of cellular phones and other wireless communication devices may be prohibited on school buses when noise from such devices interferes with the safe operation of the buses. In addition, elementary and middle school students who participate in after-school programs are prohibited from using wireless communication devices during such programs.

### **B. Consequences for Unauthorized Use**

School employees may immediately confiscate any wireless communication devices that are on, used, displayed or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless communication devices will be returned only to the student’s parent.

The disciplinary consequences for violations of this policy will be consistent with Section D of policy [4300](#), Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

The following factors should be considered when determining appropriate consequences: whether the wireless communication device was used (1) to reproduce images of tests, obtain unauthorized access to school information or assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation or school rule; (2) to bully or harass other students; (3) to send illicit text messages; (4) to take and/or send illicit photographs; (5) engage in the selling or use of

any drugs or alcohol; or (6) in any other manner that would make more severe disciplinary consequences appropriate.

### **C. Search of Wireless Communication Devices**

In accordance with policy [4342](#), Student Searches, a student's wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, board policy, the Code of Student Conduct or a school rule. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the suspected infraction. If there is any reason to believe the device contains illicit or illegal material, the information will be provided to law enforcement.

### **D. Liability**

Students are personally and solely responsible for the security of their wireless communication devices. The school system is not responsible for the theft, loss or damage of a cellular phone or other personal wireless communication device while on school property or at school events.

Legal References: [G.S. 115C-36](#), [-390.2](#)

Cross References: Internet Safety (policy [3226/4205](#)), Student Behavior Policies (policy [4300](#)), Disruptive Behavior (policy [4315](#)), Student Searches (policy [4342](#))

Adopted: August 17, 2015

Revised: July 10, 2023

Granville County Schools







## **Policy Code: 8310 Annual Independent Audit**

The accounts of the school district and the individual schools shall be audited as soon as possible after the close of each fiscal year by an independent, qualified auditor. The auditor shall be a certified public accountant or an accountant certified by the Local Government Commission as qualified to audit local government accounts. The auditor shall be selected by the board and the terms and conditions shall be specified in a written contract that complies with the requirements of [20 N.C.A.C. 03.0502\(c\)](#). The auditor shall report directly to the board.

The superintendent shall assist the board in providing for an annual independent audit which meets all requirements as provided by [G.S. 115C-447](#) and any other relevant statute. All employees and agents of the school district having custody of public money or responsibility for keeping records of public financial or fiscal affairs shall produce all books and records requested by the auditor and provide any information relating to fiscal affairs requested by the auditor. Any employee who fails to cooperate may be subject to disciplinary action, up to and including dismissal and also may be found guilty of criminal conduct.

All annual audit extensions require full board approval. The finance officer will provide monthly progress reports in open session at the board's regular meetings, until the audit is completed and accepted by the Secretary of the Local Government Commission.

Board members will receive a copy of the report and opinions of the auditor immediately to provide appropriate time to review and prepare for any questions BEFORE the auditor's presentation. The superintendent will arrange for the auditor to present the audited financial statements, compliance reports, if any, and other information as specified in the audit contract. The presentation must be in an official meeting in open session, held as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary of the Local Government Commission.

If required by [20 N.C.A.C. 03.0508](#), the board will submit a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters" the Secretary of the Local Government Commission pursuant to that rule within 60 days of the auditor's presentation to the board.

Legal References: [G.S. 115C-447](#); [20 N.C.A.C. 03.0502](#). [03.0508](#)

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

Adopted: March 18, 2002

Revised: June 8, 2021; January 11, 2022; May 9, 2023

RNC: 4/29/09

## Lee County Schools

---

The board shall review audit services at least every five years.

The accounts of the school district and the individual schools shall be audited as soon as possible after the close of each fiscal year by an independent, qualified auditor. The auditor shall be a certified public accountant or an accountant certified by the Local Government Commission as qualified to audit local government accounts. The auditor shall be selected by the board and the terms and conditions shall be specified in a written contract that complies with the requirements of [20 N.C.A.C. 03.0502\(c\)](#). The auditor shall report directly to the board.

The superintendent shall assist the board in providing for an annual independent audit which meets all requirements as provided by [G.S. 115C-447](#) and any other relevant statute. All employees and agents of the school district having custody of public money or responsibility for keeping records of public financial or fiscal affairs shall produce all books and records requested by the auditor and provide any information relating to fiscal affairs requested by the auditor. Any employee who fails to cooperate may be subject to disciplinary action, up to and including dismissal and also may be found guilty of criminal conduct.

All annual audit extensions require full board approval. The finance officer will provide monthly progress reports in open session at the board's regular meetings, until the audit is completed and accepted by the Secretary of the Local Government Commission.

Board members will receive a copy of the report and opinions of the auditor immediately to provide appropriate time to review and prepare for any questions BEFORE the auditor's presentation. The superintendent will arrange for the auditor to present the audited financial statements, compliance reports, if any, and other information as specified in the audit contract. The presentation must be in an official meeting in open session, held as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary of the Local Government Commission.

If required by [20 N.C.A.C. 03.0508](#), the board will submit a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters" the Secretary of the Local Government Commission pursuant to that rule within 60 days of the auditor's presentation to the board.

Legal References: [G.S. 115C-447](#); [20 N.C.A.C. 03.0502](#). [03.0508](#)

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

Adopted: March 18, 2002

Revised: June 8, 2021; January 11, 2022; May 9, 2023

RNC: 4/29/09



## **Policy Code: 8320 Depositories**

The board shall review banking services at least every three years, and shall designate as official depositories of the school district, one or more banks, savings and loan associations, or trust companies in North Carolina. The school system will comply with all legal requirements applicable to the deposit of funds into the school system's official depository(ies). It shall be unlawful to deposit money anywhere other than an official depository, except as permitted by [G.S. 115C-443\(b\)](#), which exception relates only to certificates of deposits or such other forms of time deposits approved by the Local Government Commission.

Legal References: [G.S. 115C-443](#), [-444](#); [147-86.11](#), [-86.12](#)

Cross References:

Adopted: March 18, 2002

Revised: April 3, 2007; June 14, 2022

**Lee County Schools**

The board shall review banking services at least every ~~three~~ five years, and shall designate as official depositories of the school district, one or more banks, savings and loan associations, or trust companies in North Carolina. The school system will comply with all legal requirements applicable to the deposit of funds into the school system's official depository(ies). It shall be unlawful to deposit money anywhere other than an official depository, except as permitted by [G.S. 115C-443](#)(b), which exception relates only to certificates of deposits or such other forms of time deposits approved by the Local Government Commission.

Legal References: [G.S. 115C-443](#), [-444](#); [147-86.11](#), [-86.12](#)

Cross References:

Adopted: March 18, 2002

Revised: April 3, 2007; June 14, 2022







## **Policy Code: 5030 Community Use of Facilities**

The board endorses the goals of the Community Schools Act. The board will make specified indoor and outdoor school facilities available for use by eligible community groups under agreements developed in accordance with this policy. The board also will make some outdoor school facilities available for limited recreational use by the general public when not inconsistent with the board's use of the facilities. Any use of school facilities that disrupts school activities or that damages school property will not be permitted

### **A. Priority in Use/Fee Structure**

In accordance with [G.S. 163-129](#), the county board of elections is entitled to use school facilities as a polling place on election days. School-sponsored groups and activities, such as school athletic events, and school drama and moral productions, and meetings of student organizations, including organizations permitted to meet under the Equal Access Act, will have first priority in the use of school facilities.

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

1. School-related groups (organizations formed to support the school in some manner, such as the PTA, PTO, teachers and principals' organizations, and booster clubs)

Fees: Fees for use of kitchen will be charged, as applicable, to cover costs. Custodial or supervisory fees may be charged.

2. In accordance with [G.S. 115C-527](#), political parties for the express purpose of annual or biennial precinct meetings and county and district conventions

Fees: Custodial and utility fees may be charged.

3. Local government and youth organizations, including, but not limited to, scouts and 4-H

Fees: Custodial, and/or supervisory fees will be charged. Fees for use of kitchens will be charged, as applicable, to cover costs. Utility fees may be charged.



5. All other not for profit groups (all groups not included in the other categories as well as political parties when meeting for purposes other than precinct meetings or county or district conventions)

Fees: Rental, utility, and custodial, and/or supervisory fees will be charged. Fees for use of kitchens will be charged, as applicable, to cover costs.

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

## **B. Facilities Available for Use**

The superintendent or designee shall ~~is authorized to~~ develop and make accessible to the public list of school facilities available for community use. Among the types of facilities that may be available for community use are auditoriums, athletic fields, dining areas, kitchens, designated classrooms, gymnasiums, media centers, and playgrounds. School facilities not listed as available for community use may be used only in exceptional circumstances based on a justified need and in accordance with terms approved by the superintendent or designee.

## **C. Rules Governing Use of School Facilities**

The superintendent shall develop regulations consistent with this policy. The regulations will include an application process and provisions regarding the supervision of groups using facilities, the care of facilities, prohibited conduct, and other issues deemed appropriate by the superintendent. The regulations will be made available to the public along with the facilities use application form. In addition to the regulations established by the superintendent, users of school facilities must comply with the following rules,

1. Users must comply with all federal, state and local laws and all rules established by the board, the superintendent or designee, and the principal.
2. Users must comply with the all federal, state and local laws and all rules established by the board, the superintendent or designee, and the principal.
3. Users must comply with board policy and legal requirements forbidding the use of tobacco products in school facilities and on school grounds (see policy 5026/7250, Smoking and Tobacco Products).
4. Users must not consume or possess alcohol or drugs on school grounds (see policy 5025, Prohibition of Alcoholic Beverages).

5. Users must not possess weapons or explosives while on school grounds, except in the limited circumstances permitted by state law and policy 5027/7275, Weapons and Explosives Prohibited.

6. Users must not make any modifications, improvements, or alterations to school facilities without the prior written approval of the superintendent or designee.

7. Users must not display or distribute materials that are vulgar, indecent, or obscene or use vulgar, indecent, or obscene language while on school grounds.

8. Users are responsible for supervising their activities and the people present at their activities. Users are responsible for maintaining order and safety during their activities.

9. Upon departure, users must remove any materials or equipment they brought onto school grounds.

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

#### **D. Facility Use Agreements**

A group that wishes to apply for permission to use a school facility must submit an application to the principal of the school at which the facility is located. If a facility use request is approved, the user will enter into a written agreement signed by the user and the superintendent or designee. Absent unusual circumstances, facility use agreements will not be granted for a term longer than one year. An agreement to span more than one year must be approved in advance by the board.

Long-term leases are subject to the provisions of policy 9400, Sale, Disposal, and Lease of Board-Owned Real Property.

#### **E. Damages and Liability Insurance**

Users of school facilities are responsible for the conduct of all persons involved in the users' activities while on school property. Users are responsible for all damage to school facilities, property or equipment that occurs while the facility is being used by the group, regardless of who caused the damage. All user groups, except school-sponsored groups, must furnish a certificate of insurance for general liability coverage with total limit coverage of \$1,000,000 for each claim made. Alternatively, the superintendent or designee may require the user group to



execute a waiver of liability that states that no liability will be attached to the board of education, individually or collectively, for personal injury or personal property damage by reason of use of the school property.

#### **F. Use of Outdoor School Facilities by the General Public**

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

#### **G. Review of Decisions Concerning Use of School Facilities**

Any person or organization may request a review of any decision made by a school employee pursuant to this policy in accordance with policy 1740/4010, Student and Parent Grievance Procedure.

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

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

Issued: June 1997

Revised: December 20, 2006; August 1, 2007; April 7, 2008; June 30, 2009; September 30, 2010; January 27, 2012; September 30, 2015; July 12, 2016; June 13, 2017; May 8, 2018; November 27, 2018; December 8, 2020; April 22, 2021; January 11, 2022



The board endorses the goals of the Community Schools Act. The board will make specified indoor and outdoor school facilities available for use by eligible community groups under agreements developed in accordance with this policy. The board also will make some outdoor school facilities available for limited recreational use by the general public when not inconsistent with the board's use of the facilities. Any use of school facilities that disrupts school activities or that damages school property will not be permitted

#### A. Priority in Use/Fee Structure

In accordance with [G.S. 163-129](#), the county board of elections is entitled to use school facilities as a polling place on election days. School-sponsored groups and activities, such as school athletic events, and school drama and horal productions, and meetings of student organizations, including organizations permitted to meet under the Equal Access Act, will have first priority in the use of school facilities.

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

1. School-related groups (organizations formed to support the school in some manner, such as the PTA, PTO, teachers and principals' organizations, and booster clubs)

Fees: Fees for use of kitchen will be charged, as applicable, to cover costs. Custodial or supervisory fees may be charged.

2. In accordance with [G.S. 115C-527](#), political parties for the express purpose of annual or biennial precinct meetings and county and district conventions

Fees: Custodial and utility fees may be charged.

3. Local government and youth organizations, including, but not limited to, scouts and 4-H

Fees: Custodial, and/or supervisory fees will be charged. Fees for use of kitchens will be charged, as applicable, to cover costs. Utility fees may be charged.

5. All other not for profit groups and for profit groups (all groups not included in the other categories as well as political parties when meeting for purposes other than precinct meetings or county or district conventions)

Fees: Rental, utility, and custodial, and/or supervisory fees will be charged. Fees for use of kitchens will be charged, as applicable, to cover costs.

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

### **B. Facilities Available for Use**

The superintendent or designee shall ~~is authorized to~~ develop and make accessible to the public a list of school facilities available for community use. Among the types of facilities that may be available for community use are auditoriums, athletic fields, dining areas, kitchens, designated classrooms, gymnasiums, media centers, and playgrounds. School facilities not listed as available for community use may be used only in exceptional circumstances based on a justified need and in accordance with terms approved by the superintendent or designee.

### **C. Rules Governing Use of School Facilities**

The superintendent shall develop regulations consistent with this policy. The regulations will include an application process and provisions regarding the supervision of groups using facilities, the care of facilities, prohibited conduct, and other issues deemed appropriate by the superintendent. The regulations will be made available to the public along with the facilities use application form. In addition to the regulations established by the superintendent, users of school facilities must comply with the following rules,

1. Users must comply with all federal, state and local laws and all rules established by the board, the superintendent or designee, and the principal.
2. Users must comply with board policy and legal requirements forbidding the use of tobacco products in school facilities and on school grounds (see policy 5026/7250, Smoking and Tobacco Products).
3. Users must not consume or possess alcohol or drugs on school grounds (see policy 5025, Prohibition of Alcoholic Beverages).
4. Users must not possess weapons or explosives while on school grounds, except in the limited circumstances permitted by state law and policy 5027/7275, Weapons and Explosives Prohibited.
5. Users must not make any modifications, improvements, or alterations to school facilities without the prior written approval of the superintendent or designee.
6. Users must not display or distribute materials that are vulgar, indecent, or obscene or use vulgar, indecent, or obscene language while on school grounds.
7. Users are responsible for supervising their activities and the people present at their activities. Users are responsible for maintaining order and safety during their activities.
8. Upon departure, users must remove any materials or equipment they brought onto school grounds.

A user's violation of the provisions of this policy or any applicable regulations is grounds for suspending the user's privilege to use school facilities for a period of time deemed



appropriate by the principal, subject to the review of the superintendent and the board of education.

**D. Facility Use Agreements**

A group that wishes to apply for permission to use a school facility must submit an application to the principal of the school at which the facility is located. If a facility use request is approved, the user will enter into a written agreement signed by the user and the superintendent or designee. Absent unusual circumstances, facility use agreements will not be granted for a term longer than one year. An agreement to span more than one year must be approved in advance by the board.

Long-term leases are subject to the provisions of policy 9400, Sale, Disposal, and Lease of Board-Owned Real Property.

**E. Damages and Liability Insurance**

Users of school facilities are responsible for the conduct of all persons involved in the users' activities while on school property. Users are responsible for all damage to school facilities, property or equipment that occurs while the facility is being used by the group, regardless of who caused the damage. All user groups, except school-sponsored groups, must furnish a certificate of insurance for general liability coverage with total limit coverage of \$1,000,000 for each claim made. Alternatively, the superintendent or designee may require the user group to execute a waiver of liability that states that no liability will be attached to the board of education, individually or collectively, for personal injury or personal property damage by reason of use of the school property.

**F. Use of Outdoor School Facilities by the General Public**

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

**G. Review of Decisions Concerning Use of School Facilities**

Any person or organization may request a review of any decision made by a school employee pursuant to this policy in accordance with policy 1740/4010, Student and Parent Grievance Procedure.



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

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

Issued: June 1997

Revised: December 20, 2006; August 1, 2007; April 7, 2008; June 30, 2009; September 30, 2010; January 27, 2012; September 30, 2015; July 12, 2016; June 13, 2017; May 8, 2018; November 27, 2018; December 8, 2020; April 22, 2021; January 11, 2022



