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100.1 Adoption of Policies

The School Board is responsible for the functions of developing and revising policies for the school. The information and adoption of policies will constitute the primary method through which the Board exercises its leadership in the operation of the school.

The Board shall provide guidelines and directives for those to whom it delegates authority. These guidelines and directives shall constitute the policies governing the operations of the school and shall be recorded in writing.

Any new policies or changes in existing policies shall be introduced to the Board for discussion at one meeting or work session of the Board. Action on the proposed policies or changes shall occur at a subsequent Board meeting. This procedure allows time for study and also gives an opportunity for interested parties to react. A two-thirds (2/3) majority of the membership of the Board must vote to adopt a new policy, to change an existing policy and/or to suspend policy.

The formal adoption of policies shall be recorded in the Board minutes. Only those policies so adopted and recorded shall be regarded as official Board policy. Upon adoption, the statements shall be sent to each school media center, and to individuals at other locations the Headmaster deems appropriate. An unofficial electronic copy of the policy manual will be provided on the school website. It is the responsibility of each employee to become familiar with all Board policies.

In an effort to keep its written policies up to date so that they may be used as a basis for administrative decision and Board action, the Board shall review its policies on a continuing basis. The Board shall cause a systematic and comprehensive review of the policies to be made and shall receive the report on such review with any recommendations for revision, not less often than once every six years. The Headmaster is responsible for keeping the Board informed of needed changes in Board policy. The Headmaster has the authority to alter any existing policies necessitated by changes in State and Federal law. Such changes are effective immediately and approved and officially adopted by the Board its next regular meeting.
The School Board delegates to the Headmaster the power to act in cases in which the Board has not provided policy statements to guide administrative action. The Headmaster shall inform the Board of the need for a new policy.

Union Academy Board of Directors
Approved: 6/4/15

100.2 Compliance with Regulations and Procedures

Union Academy administers all educational programs, employment activities, and admissions without discrimination against any person on the basis of gender, race, color, religion, national origin, military affiliation, genetic information, sex, age, disability, or any other legally protected classification.

To ensure compliance, the Headmaster will appoint a compliance officer to hear any complaints relating to violations concerning allegations of illegal harassment or discrimination.

The compliance officer's name, address and phone number will be published in all appropriate documents.

Union Academy Board of Directors
Approved: 6/4/15

100.3 Public Board Meeting and Records

The Board shall comply with all state open meeting and public records requirements as prescribed in G.S. §143, Article 33C and in G.S. §132, respectively. All official meetings of the Board shall be open to the public except as otherwise limited, and proper notice of such meetings shall be posted in advance. All records of the School pertaining the conduct of school business shall be public records except as otherwise exempted by confidentiality laws.

Participation at board meetings

Board meetings are conducted for the purpose of carrying on the official business of the School. The public is cordially invited to attend board meetings to observe the board as it conducts its official business. The Board of Directors, as an elected representative body of the school, also wishes to provide a forum for citizens to express interests and concerns related to the school.
Requests to place item on the agenda

In order that the Board may fairly and adequately discharge its overall responsibility, individuals desiring that an item be placed on the agenda for a specific Board meeting should direct written requests to the Headmaster at least seven (7) working days prior to the meeting.

The request should include:

- The name and address of the person or persons making the request.
- The organization or group, if any, represented.
- A brief explanation of the nature of the item. Questions and/or materials to be presented to the Board are to be submitted along with the request. Additional items may be added to the agenda by the Board by a two-thirds vote of its members.

The Headmaster will confer with the Chairperson of the Board concerning whether to approve placing the requested item on the agenda and to determine the appropriate meeting for such discussion. The Headmaster, with the consent of the Board Chairperson, will accept or deny a request for inclusion on the agenda for any reason determined appropriate by the Headmaster and Chairperson. The Headmaster will explain any other processes available for addressing the concerns.

The Headmaster will notify the requesting party of the response to the request. The Board may, by two-thirds vote and notwithstanding prior denial by the Headmaster, consent to hear a presentation where the appeal to speak is made immediately prior to or during the course of the meeting.

The Chairperson will determine the amount of time to be allocated for individual or group presentations.

Requests to address the Board

During each month in which the Board of Directors holds a regular meeting, at least one (1) period for public comment will be provided. The following procedure will be followed:

- Individuals wishing to be placed on a list of speakers for a Board meeting must sign up prior to the call to order of the meeting.
- The Board will not hear in open session:
  - complaints about the performance of school personnel
  - personnel issues
Section 100 - Governing Board

- confidential student issues
- other matters of a confidential nature

Individuals may address the Board for a maximum of three (3) minutes, unless otherwise specified by the chairperson.

Any person who is representing a group may address the Board for a maximum of five (5) minutes unless otherwise specified by the chairperson.

Within the 30-minute time limit for public comment, persons may speak either for or against any given position.

Board members will not respond to individuals who address the Board; however, Board members may address the Chairperson to request further clarification. In response, the Chairperson may direct the Headmaster to investigate concerns and respond appropriately to the presenter.

Visitors may not take part in Board discussions by asking questions or making comments, except upon invitation to do so by the chairperson.

Disruptions by any person or persons of a public meeting will be subject to action in accordance with G.S. 143-318.17.

Reports of Complaints

Complaints about the performance of school personnel, implementation of Board policy, the quality of the educational program or the adequacy of school facilities should be submitted initially for a response to the school official responsible for the program or facility or to the Headmaster. The Headmaster or designee will make available this Board policy and other relevant grievance procedures to any individual or group submitting a complaint.

In the event the Board and Headmaster need to hear confidential items protected by law, a closed session meeting of the Board may be scheduled at the discretion of the Board. The same procedures used for hearing public comments at Board meetings will apply in such meetings.

Union Academy Board of Directors
Approved: 6/4/15
100.4 Admissions Policy

Union Academy is a tuition-free public school. Any child who is qualified under the laws of North Carolina for admission to a public school is qualified for admission to a charter school. (G.S. 115C-218.45(a). To qualify to attend a NC public school, a student must be a resident of North Carolina. County boundaries or school attendance areas do not affect charter school enrollment. Union Academy does not limit admission to students on the basis of ethnicity, national origin, gender or disability. (G.S. 115C-218.55).

The school shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability. Except as otherwise provided by law or the mission of the School as set out in the charter, the School shall not limit admission to students on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, or ancestry.

Union Academy may give enrollment priority in certain instances as stated in 5C-218.29F (g). The School has decided to offer the following enrollment priorities and will implement them in the order listed below:

1. Children of school’s full-time employees (minimum of 30 hours a week) *(The law limits the amount of staff and/or board children to no more than 15 percent of the school’s total enrollment.)*

2. Siblings of currently enrolled students who were admitted to Union Academy in a previous year. For the purposes of this subsection, the term “siblings” includes any of the following who reside in the same household: half siblings, step-siblings, and children residing in a family foster home.

3. Children of the Board of Directors *(The law limits the amount of staff and/or board children to no more than 15 percent of the school’s total enrollment.)*

4. Opportunity Preference - Exceptions may be made at the Headmaster’s discretion. If a former student was enrolled in our charter school within the last two academic years, but left due to an academic study abroad program, competitive admission residential program, or vocational opportunities of the parents, the charter school may grant enrollment preference. Enrollment depends upon availability and must be before the 20th day of school.

5. Legacy Preference
   - Siblings of students that have graduated from Union Academy and were enrolled at least four years at the school may receive preference at Headmaster’s discretion.

6. Applicants of the general public
During each period of enrollment, Union Academy will accept applications for new students. Once enrolled, students are not required to enroll in subsequent enrollment periods. In order to properly plan, the school will routinely inquire of parents in early spring through letters of intent to ascertain if students will return to Union Academy the following school year.

Applications for new students are available on the Union Academy website (www.unionacademy.org). If needed, application assistance for parents of prospective students may be provided by the Union Academy Registrar's Office.

An advertised open enrollment period will begin each year in mid-January and run for a minimum of six (6) weeks. During the enrollment period, the School shall enroll an eligible student who submits an application within this period, unless the number of applicants exceeds the capacity of the grade level. If the number of applications exceed the number of available seats, a lottery will be held to fill vacant seats for the next school year. After the seats are filled, the drawing will continue to determine the order of a waiting list.

Open seats will be offered to eligible student applicants immediately following the lottery in writing. Applicants will be given five (5) business days to make a decision on the offer. If the offer is not claimed or is declined, within the five (5) day period, the open seat offer will be made to the first student on the waiting list. Recipients of waiting list offers will be given five (5) business days to accept or decline the seat offer. Current year waiting lists dissolve after the 20th day of the new school year. All offers and acceptances must be in writing.

Post Lottery Issues:

After the lottery has occurred, and the school realizes that erroneous information has been provided to the school on the initial application.
1. a parent provides incorrect student grade level information in order to get a better chance at admission. If a parent has willingly and knowingly provided incorrect information on the enrollment application, the school will investigate to be absolutely certain that a parent purposefully and intentionally misled the charter school in their enrollment application. The decision to accept or deny enrollment is at the discretion of the Headmaster.
2. a student’s retention decision is made after the child’s name was drawn for enrollment in a specific grade level. The Headmaster, by law, has the authority to grade and classify students. The Headmaster may decide to promote the child into the appropriate grade level to grant the student admission. However, the Headmaster may agree with the decision made from the sending school. If the Headmaster decides to honor the retention AND the school has already conducted its lottery AND the parents accepted the offer of enrollment, the school may need to honor its offer of enrollment. If, however, the school has not yet held its lottery and realizes the incorrect grade level has been selected, school officials should immediately notify the parent of the issue and place that student in the appropriate grade level.
Lottery procedures will comply with the NC Open Meetings Laws provided in G.S. 143-218.10 (a). Union Academy will publicize the date, time, and location of the meeting and allow anyone to attend.

**Legal Reference:**
G.S. 115C-218
G.S. 115C-218.45
G.S. 115C-218.55
G.S. 115C-238.29F(g)(5)
G.S. 143-218.10 (a)

Union Academy Board of Directors
Approved: 3/6/16

### 100.5 Do Not Resuscitate (DNR) Policy

The health and safety of students is a primary concern of the Board. In emergency situations involving accidents or illness, employees are generally expected to:

- render reasonable first aid and life sustaining care to the extent of their knowledge and training.
- seek assistance of school medical personnel and emergency medical resources when appropriate.

The Board and all its employees do not honor Do Not Resuscitate (DNR) or Medical Order for Scope of Treatment (MOST) Orders. However, when the school nurse is in the school building, she will be the primary responder and shall comply with the legal and ethical requirements established by the appropriate licensing board.

When a student with special health needs is enrolled, appropriate school personnel will determine whether an individualized health plan needs to be prepared for the student. School personnel will consult with the student’s parents, school health officials and the student’s physician, as appropriate, in making the determination. Individualized health plans should be reviewed annually to ensure that the student’s health needs are being met. Such a plan shall not prohibit life-sustaining activities but may describe emergency procedures appropriate to the individual student. It is the intent of the Board that the underlying principle of any response to a DNR request be that no student is to be denied the fullest genuine, appropriate efforts to preserve life and health.

Union Academy Board of Directors
Approved: 6/4/15
**100.6 Use of Tobacco Products**

The use of tobacco products, e-cigarettes and vapes is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. In order to promote positive role models in school and provide a healthy learning and working environment, the Board adopts the following policy.

No one is permitted to use any tobacco product, e-cigarettes or vape at any time including non-school hours – in any building, property, or vehicle owned, leased, rented or contracted by the school on school grounds, athletic grounds, or parking lots; or at any school-sponsored event off campus. Signs will be posted on school campuses forbidding the use of tobacco products, e-cigarettes and vapes at any time, by any person, on school grounds.

Tobacco products, e-cigarettes and vapes may be displayed for a legitimate instructional or pedagogical purpose. The activity may not include smoking, vaping, chewing or otherwise ingesting the product.

The Board strongly encourages students and staff to participate in school and community programs designed to prevent and cure tobacco/nicotine addiction.

For purposes of this policy, “tobacco product” is defined to include cigarettes, cigars, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products. “Tobacco use” includes smoking, chewing, dipping, or any other use of tobacco products. “E-cigarettes and vapes” are defined as any electronic device that people use to inhale an aerosol, which typically contains nicotine (though not always), flavorings, and other chemicals. They can resemble traditional tobacco cigarettes (cig-a-likes), cigars, or pipes, or even everyday items like pens or USB memory sticks.

Students and employees who violate this policy are subject to disciplinary action. All newly hired employees will receive a copy and explanation of this policy.

Union Academy Board of Directors
Approved: 2/27/19
100.7 Closed Sessions

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

A. Permitted Purposes

By majority vote of its members present, the Board and other groups subject to the State Open Meetings law and Board Policy, Open Meetings, may hold or retire to a Closed Session as permitted by law for the deliberation of the following:

1. To prevent the disclosure of information that is privileged or confidential pursuant to the laws, or not considered a public record within the meaning of Chapter 132 of the General Statutes;
2. To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar awards;
3. To consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board, including discussions on the handling or settlement of a claim, judicial action, or administrative procedure;
4. To discuss matters relating to the location or expansion of industries or other businesses in the area served by the Board;
5. To establish, or to instruct the Board’s staff or negotiating agents concerning the position to be taken by or on behalf of the Board in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract;
6. To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual employed or considered for employment with Union Academy; or to hear or investigate a complaint, change, or grievance by or against any individual employee;
7. To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct;
8. To formulate plans relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of the School Improvement Plans by the Board or a School Improvement Team; and
9. To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.
10. Any action dealing with an individual student is to be taken in closed session.
B. Actions of the Board which must be reported or taken in open session.

While deliberations may occur in closed session, the following Board actions must be taken or reported in open session:

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

C. Reasons Expressly Prohibited for Closed Sessions.

The following are expressly prohibited by law as a basis for closed sessions:

1. To discuss general policy matters or other issues that would be open merely because an attorney employed or retained by the Board is a participant; and
2. To consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the Board or another body or to consider or fill a vacancy among its own membership.

Union Academy Board of Directors
Approved: 6/4/15

100.8 Staff Relations

A clear understanding of responsibilities and relationships between and among school personnel is essential for a smoothly running and efficient school system.

1. General Power and Authority of the Teacher

The teacher is delegated certain powers and authority by law and by the Board to hold students accountable while on school property for their conduct during, before and after school. A teacher may remove a student from his/her room by referring the student to the principal for a final decision.
2. Teacher’s Relationship with the Principal

Classroom teachers are under the direct supervision of the principal.

The administrative policies, communications from the Board, assignments of duty, work, instruction schedules, and courses of study will reach the classroom teacher through the principal. All problems and requests pertaining to work should be directed to the principal. All teachers may expect the principal to guide and assist them with problems pertaining to their work with the students. The teachers may expect the principal to share his disciplinary responsibility and to guide and support them as they work together for the good of the students. Both the principal and the teacher should consult with the Headmaster for advice and counsel on specific problems or for interpretations of Board policy.

3. Board and Principal Relations

The school principal has no direct administrative relations with the Board. His relations to the Board are through the Headmaster since the principal is directly responsible to the Headmaster. All matters, which require Board action, should be presented to the Board by the Headmaster or designee.

4. Board and Teacher Relations

The relationship of the teacher to the Board is indirect. The teacher is directly responsible to the principal and through him to the Headmaster, and then to the Board. The Teacher Advisory Council (TAC), a council of elected teacher representatives, shall meet regularly with the Headmaster. However, this does not mean that the teacher does not have access to the Headmaster or to the Board. Conditions may arise when direct access may be obtained through channels established for grievances. Policies are developed out of the needs of the schools; therefore, the Board recognizes the value of teachers in formulating effective policies. Students, citizens, teachers, principals, custodians, etc., may be asked to give input into matters dealing with problems, which affect them.

5. Teacher Relationships with Other Employees.

Teachers should strive to work cooperatively with all school staff members. All work requests or concerns for the work of custodians, maintenance workers and others should be communicated to the principal. Any problems arising between classroom teachers and other school employees should be handled promptly by the principal.

Union Academy Board of Directors
Approved: 6/4/15
100.9 Registered Sex Offenders

It is the goal of the School Board to provide a safe environment for all students and staff of the school. Accordingly, no registered sex offender may be in school buildings, in school facilities, on school campuses, in or on any other school property owned, leased, or maintained by the school, or in attendance at a school-sponsored event except as provided in this policy.

Notification to School

The Sheriff’s department will report the Sex Offender to the Powerschool Coordinator. The Powerschool Coordinator will place an alert on the Lobby Guard system at both campuses. The Powerschool Coordinator will e-mail the information to the administration. Also, principals shall notify the Headmaster or designee any time they become aware that a parent or guardian of a student or a student at the principal’s school is a registered sex offender.

Parents/Guardians of Students

A registered sex offender who is the parent or guardian of a student in the school may only be present in school buildings, in school facilities, on school campuses, in or on any other school property owned, leased, or maintained by the school, or in attendance at a school-sponsored event with and according to prior written permission from the Headmaster or designee. A copy of such written permission also shall be provided to the school principal.

If permission is granted by the Headmaster, the parent or guardian may be on school property only for one of the following purposes:
1. to attend a conference at the school with school personnel to discuss the academic or social progress of the parent/guardian’s child; or
2. when the parent/guardian’s presence has been requested by the principal or his/her designee for any other reason relating to the welfare or transportation of the parent/guardian’s child

In addition, if permission is granted, the following conditions must be met:
1. The parent/guardian must notify the principal of the nature of the visit and the hours when the visit will occur before he/she enters Union Academy property;
2. The parent/guardian must notify the principal’s office upon arrival to and departure from the school property; and
3. The parent/guardian must remain under the direct supervision of school personnel at all times while on school property
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If no school personnel are reasonably available to supervise the parent/guardian on a particular occasion, then the parent/guardian may not be permitted on school property at that time even for one of the permitted purposes.

Student

Except as limited by law governing the education of children with disabilities, the Board, upon the recommendation of the Headmaster/designee and principal, may expel any student who is a registered sex offender based on clear and convincing evidence that the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. If the Board chooses not to expel a student who is a registered sex offender and the student receives educational services on school property, then the student must be under the supervision of school personnel at all times. The following is also applicable:

1. If permitted by the Board, a student who is a registered sex offender and is eligible to attend public school under G.S. 115C-378 may be present on school property subject to any conditions and restrictions imposed by the Board.

2. The Board will hold a hearing to determine whether to expel the student or provide the student with educational services in accordance with Board Policy -Due Process.

3. Prior to expelling a student pursuant to G.S. 115C-390.11(a)(2), the Board will consider whether there are alternative educational services that may be offered to the student.

4. If a student subject to this policy is a student with disabilities pursuant to exceptional children’s laws, he/she will be provided with educational services in compliance with such laws.

5. If a student subject to this policy violates the conditions and restrictions placed on the student by the Board, school officials will impose disciplinary consequences consistent with the terms of the conditions and restrictions placed on the student’s admission or as otherwise provided in any applicable provisions of the Student Code of Conduct Policy.

Union Academy Board of Directors
Approved: 6/4/15
100.10 Flag Display and Pledge of Allegiance

The Union Academy Board of Directors believes that patriotism is an essential element of citizenship. Each school day shall begin with a daily recitation of the Pledge of Allegiance to the flag of the United States of America. School officials shall not compel any person to stand, salute the flag, or recite the Pledge of Allegiance, but each person shall maintain proper decorum while others participate. As available, United States and North Carolina flags shall be displayed in each classroom.

The curriculum shall include instruction that promotes understanding of the meaning of the historical origins of the flag and the Pledge of Allegiance.

Union Academy Board of Directors
Approved: 6/4/15
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Section 200
Personnel
Policies and Procedures

200 – PERSONNEL

200.1 Responsibility for Compliance with Board Policy

All school employees are responsible for familiarizing themselves with the policies of the UA Board of Directors and are accountable for compliance. All school employees are required to comply with all applicable. Copies of the latest edition of Public School Laws of North Carolina are available in the School Board’s central office. Nothing contained in this policy manual may be construed by employees as granting or guaranteeing any property or contractual interests. All policies are subject to change by the Board.

Union Academy Board of Directors
Approved: 6/4/15

200.2 Code of Ethics and Standards of Conduct

Each employee is responsible for both the integrity and the consequences of his or her own actions. Employees are expected to exhibit the highest standards of honesty, integrity, and fairness. Employee conduct should be such as to protect both the person’s integrity and/or reputation and that of the school.

Each employee should conduct himself in such a manner as to promote, directly and by example to others, a safe, secure, and orderly school environment.

Employees shall perform their jobs in a competent and ethical manner without violating either the public trust or applicable laws, policies and regulations. It is not practical or possible to enumerate all of the situations that might fall under the guidelines of this policy.

All educators who are licensed by the state of North Carolina are subject to all licensing and ethical obligations associated therewith, including state regulations 16 NCAC 06C .0312 and 16 NCAC 06C .0602.

Union Academy Board of Directors
Approved: 6/4/15
200.3 Criminal Records Review

The Board has the obligation to ensure the welfare and safety of its students, employees and the larger community. Therefore, as a condition of employment by Union Academy, a review of criminal history shall be conducted on each final candidate for employment or for hiring as an independent contractor. Failure of an applicant to sign a Release of Information form shall be considered a withdrawal of the application for employment. A final candidate for employment or for hiring as an independent contractor will be excluded from hiring on the basis of criminal conduct only when doing so is job-related and consistent with business necessity. If a final candidate is found to have been convicted of a criminal offense, other than a minor traffic violation, the Headmaster or designee shall determine whether the individual is qualified for employment despite the criminal history by considering, among other things, whether the individual poses a threat to the safety of students or personnel or has demonstrated that he or she does not have the integrity or honesty to fulfill the duties of the position. The following factors will be considered in making this determination: (1) the nature and gravity of the offense or conduct; (2) the time that has passed since the offense or conduct and/or completion of the sentence; and (3) the nature of the job sought. Before the Headmaster or designee may exclude a final candidate based on his or her past criminal convictions, the Headmaster or designee must give the candidate the opportunity to demonstrate that the exclusion does not properly apply to him or her. The Board has determined that every position with the school system, regardless of whether the position is located in a school or elsewhere, potentially entails contact with students, either on a regular, occasional, or emergency basis. For that reason, no individual who is a registered sex offender subject will be hired for any position with the school system. In addition, each contract executed by the School with an independent contractor or for services of independent contractors must require the contractor to check sex offender registries for all employees acting under this contract. Denial of employment based on the criminal history record information report shall be made on a case-by-case basis by the Headmaster or designee. If a person omits or gives false information concerning his or her criminal history on his or her employment application, background check form, resume or any other required or submitted application-related document, that person may not be offered employment. Candidates shall not be required to disclose expunged arrests, charges, or convictions and candidate shall not be asked to voluntarily disclose such information without first being advised that disclosure is not required. If the person has been: (a) hired, or (b) offered employment conditioned on the results of a criminal history check, the person will be subject to disciplinary action up to and including dismissal or the offer of employment will be withdrawn, as applicable. Union Academy reserves the right to conduct a criminal record check at any time on any employee within the school system. Applicants and current employees must notify the Director of Human Resources immediately if they are arrested, charged with, or convicted of a criminal offense (including entering a plea of guilty or nolo contendere) other than a minor traffic violation (i.e., speeding, parking, or a lesser violation). Notice must be in writing, must include all pertinent facts, and must be delivered to the Director of Human Resources no later than the next scheduled business day following the arrest, charge, or conviction, unless the applicant is hospitalized or incarcerated, in which case the applicant must report the alleged violation within 24 hours after his or her release. Upon judicial action in the matter, the applicant must report the disposition and pertinent facts in
writing to the Director of Human Resources no later than the next business day following adjudication.

Union Academy Board of Directors
Approved: 6/13/19

200.4 Hiring Policy

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

Union Academy Board of Directors
Approved: 6/4/15

200.5 Personnel Records

A personnel file shall be maintained in the Headmaster’s office for each employee as provided by law. An employee’s personnel file shall be open for his inspection and closed, as to legally protected confidential information, to all others without employee consent except as provided by law and this policy. All other employee records shall be considered public. The Headmaster or designee shall have the overall responsibility for granting or denying access to personnel records consistent with this policy.

Employees and Board members have an absolute duty to maintain the confidentiality of records as required by law. Employees and Board members, by the nature of their occupation positions, are exposed to confidential information which should not be repeated or discussed except with those recognized by law as having a right to the information. Any employee or Board member who is not sure whether particular information may be protected by state or federal confidentiality laws should seek clarification from his or her immediate supervisor or the supervisor for human resources (for employees) or from the Headmaster or Board attorney (for Board members). Where violations occur, appropriate disciplinary action will be taken.

Certain Records Open to Inspection

Notwithstanding the confidentiality of certain employee, some employee information is open to public inspection, including the following:

- The employee’s name;
- The employee’s age;
- The date the employee was originally employed or appointed by the employing agency
- The terms of the employee’s employment contract, if the employee works pursuant to a contract;
- The employee’s current position title;
- The office to which the employee is currently assigned;
- The date and amount of each increase or decrease in the employee’s salary with the employer;
• The date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification;
• A general description of the reasons for each promotion that a public employee received;
• Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken against the employee and, if the disciplinary action was a dismissal, a copy of the written notice of the final decision of the public employer setting forth the specific acts or omissions that are the basis of the dismissal.

Union Academy Board of Directors
Approved: 6/4/15

200.6 Whistle Blower Policy

It shall be the policy of the Union Academy Board of Directors to encourage persons with knowledge of illegal or unethical practices to report, without fear of retribution; such practices to the Principal unless such practices involve the Principal. In this case, the reporter should call the Headmaster. When persons report such practices, it will not be necessary for those reporting to identify themselves by name.

Union Academy Board of Directors
Approved: 6/4/15

200.7 Drug and Alcohol Testing of Activity Buses and School Vehicle Drivers

The purpose of this policy is to help ensure safe operation of school vehicles and to comply with federal regulations by establishing a comprehensive program of drug and alcohol testing for drivers of school buses and all other school vehicles.

Applicability

Persons subject to this policy include anyone who operates a school vehicle, including anyone who regularly or intermittently drives a school bus, activity bus, or other school-owned vehicle.

Prohibited Acts

No person who is subject to this policy, or any supervisor of such persons, may commit any act prohibited by 49 C.F.R. Part 382. In addition, activity bus drivers and drivers of school-owned vehicles shall not be impaired by alcohol or by any prescription or nonprescription drug while on duty or while operating any motor vehicle. Employees found in violation of this policy or Part 382 will be subject to dismissal.
Procedures

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

Testing

The Administration shall carry out post-accident, random, reasonable suspicion, return to duty, and follow-up testing for drugs and alcohol as required by 49 C.F.R. Part 382. Refusal of any test required pursuant to this policy or Part 382 shall be cause for dismissal.

Union Academy Board of Directors
Approved: 6/4/15

200.8 Reporting Information to Administration and Outside Agencies

It is the policy of the Union Academy Board of Directors in serious matters relating to the safety and welfare of the students and employees that certain actions and information be reported to external agencies as required by law or regulation.

Administrators

All personnel, including, but not limited to, substitute teachers, student teachers, and volunteers, must immediately report to the principal or designee any act of violence in school, on school property, or at school-sponsored events. This includes, but is not limited to, all acts reportable by the principal to law enforcement under this policy.

The principal or designee shall notify the Headmaster or designee in writing or by e-mail regarding any report made to law enforcement involving assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a controlled substance in violation of the law on school property. The Headmaster shall provide the information to the Board of Directors.

Any employee who has reason to believe that another employee is involved in an inappropriate relationship with a student shall report this information to the Headmaster. Any employee who becomes aware of or receives a report of possible sexual harassment of a student or employee shall immediately report this information using the procedure provided in the faculty handbook.

Any employee who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall report the incident: (1) to the principal in the case of a student; or (2) to the immediate supervisor of the
alleged bully or harassing or other appropriate school administration in the case of an employee. Failure to make such a report may subject the employee to disciplinary action.

If the individual to whom a report under this policy is required to be made is the alleged bully or harasser, then the report should be made to that person’s immediate supervisor or other appropriate school official.

**Department of Public Instruction**

Any administrator, including the Headmaster, Human Resources, or Principal, who knows or has substantial reason to believe that a certified employee has engaged in illegal or immoral behavior amounting to physical or sexual abuse of a child, shall report the information to the Superintendent of Public Instruction. Failure to report such information constitutes grounds for certificate revocation or suspension.

For purposes of this requirement, “physical abuse” means the infliction of serious physical injury other than by accidental means or other than self-defense. The term “sexual abuse” means the commission of any sexual act upon a student or causing a student to commit a sexual act regardless of the age of the student and regardless of the presence or absence of consent.

Principals shall provide annual reports to the State Board of Education regarding criminal acts occurring on campus through the State-approved discipline reporting system.

**Law Enforcement**

Any principal who has personal knowledge or actual notice that an act has occurred on school property involving assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm or other weapon in violation of the law, possession of a controlled substance in violation of the law, death by other than natural causes, robbery with or without a dangerous weapon, or assault on a school official, employee or volunteer not resulting in serious injury on school property shall immediately report the act to the appropriate law enforcement agency. Criminal offenses other than those required to be reported by law may be reported to law enforcement at the principal’s discretion. “Immediately” means without undue delay and as soon as possible after the act has occurred.

For purposes of this requirement, “school property” shall include any school building, bus, public school campus, grounds, recreation area, or athletic field in the charge of the principal. Designated crimes that occur on school property shall be reported without regard to whether they occur before, during, or after normal operating hours.

The report must be made without regard to the age of the victim or the perpetrator. Student offenders and victims should be identified by age, grade, sex, race, and educational status (i.e., regular or exceptional education).
The principal and Headmaster shall designate persons who shall report the acts to law enforcement in his/her absence.

If the principal reports a crime committed by a child with a disability, the principal must ensure that copies of the child’s special education and disciplinary records are transmitted to the appropriate authorities for consideration, to the extent that transmission is permitted by the Family Educational Rights and Privacy Act (FERPA). Where necessary to comply with FERPA, the principal shall obtain the written consent of the parent or student (if the student is at least eighteen (18) years of age before transmitting the records. If consent is refused, the records will not be transmitted unless pursuant to a subpoena, court order or as otherwise authorized under FERPA and with proper notice to the parent as may be required by that law.

The principal or designee shall provide prompt notice to the parents or legal guardians of any student alleged to be a victim of any act required to be reported to law enforcement under this policy.

**Department of Social Services**

Any employee who has cause to suspect that a child is abused, neglected, dependent, or has died as a result of suspected maltreatment by the child’s caregiver has a duty to report the situation to the Union County Department of Social Services.

**Department of Health**

Principals or designee shall report suspected cases of reportable communicable diseases or conditions of any person in the school setting to the Union County Health Director for investigation.

Union Academy Board of Directors
Approved: 6/4/15
200.9 Discrimination, Harassment and Bullying

It is the priority of the Union Academy Board of Directors to provide every student and employee in the school with a safe and orderly learning and working environment. To this end, the Board specifically prohibits discrimination, bullying, and harassing behavior as defined below.

Students are expected to comply with the behavior standards established by Board Policy and the Student Code of Conduct. Employees are expected to comply with Board Policy and school regulations. Volunteers and visitors on school property also are expected to comply with Board Policy and established school rules and procedures.

As used in this policy, bullying or harassing behavior is any repeated, systematic pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication that takes place on school property, at any school-sponsored function, or on a school bus, or as otherwise stated in the Student Code of Conduct and that:

1. Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
2. Creates or is certain to create a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities, or benefits. A hostile environment means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior. A hostile environment may be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe.

Bullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

Bullying or harassing behavior is prohibited at all levels: between students, between employees and students, between peers or coworkers, between supervisors and subordinates, or between non-employees and employees and/or students. Any person may report an act of bullying or harassment anonymously. However, formal disciplinary action may not be taken solely on the basis of an anonymous report. In addition, this policy may not be construed to allow school officials to punish student expression or speech based on an undifferentiated fear or apprehension of disturbance or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.

Any student who believes that he or she has been bullied or harassed in violation of this policy should report such behavior immediately to a teacher, counselor or administrator.
Any employee who believes that he or she has been bullied or harassed in violation of this policy should report such behavior to the Executive Director for Human Resources or designee.

A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall report the incident as follows: 1) to the principal in the case of a student; or 2) to the immediate supervisor of the alleged bully or harasser or other appropriate school official in the case of an employee. Failure to make such a report may subject the employee to disciplinary action.

If the individual to whom a report under this policy is required to be made is the alleged bully or harasser, then the report should be made to that person's immediate supervisor or other appropriate school administrator.

The principal or designee shall promptly and thoroughly investigate all complaints of bullying or harassment made by students. The Headmaster or designee shall promptly and thoroughly investigate all complaints of bullying or harassment made by employees. If the individual required to investigate a complaint made under this policy is the alleged bully or harasser, an appropriate school administrator as designated by the Headmaster shall conduct the investigation. If the alleged perpetrator is the Headmaster, the Board attorney shall conduct the investigation. In such cases, whoever receives a complaint of discrimination, harassment, or bullying shall immediately notify the Chief Financial Officer, who shall immediately notify the Board Chair. The Board Chair shall direct the Board Attorney to respond to the complaint and investigate. If the alleged perpetrator is a member of the Board, the Board attorney is the investigator. In such cases, whoever receives a complaint of discrimination, harassment, or bullying shall immediately notify the Headmaster who shall direct the Board Attorney to respond to the complaint and investigate. Unless the Board Chair is the alleged perpetrator, the Headmaster shall also notify the Board Chair of the complaint.

If at any time during the investigation the school official investigating an allegation of harassment or bullying receives information alleging the harassment or bullying was based on sex or gender, the school official shall notify the Title IX Coordinator and any other appropriate person as required by law and policy.

The actions taken in response to evidence of bullying or harassing behavior should be reasonably calculated to end any harassment or bullying, eliminate a hostile environment if one has been created, and prevent harassment from occurring again. Violations of this policy shall be considered misconduct and may include long-term suspension or expulsion in the case of students and disciplinary action up to and including dismissal in the case of employees. In addition to taking disciplinary action as necessary, the principal or other school administrator shall take appropriate remedial action to address the conduct fully.
The Board specifically prohibits reprisal or retaliation against any individual who makes a complaint or reports an incident of bullying or harassing behavior or who participates in an investigation or grievance proceeding initiated under this policy. Reprisal or retaliation against any such individual may result in disciplinary action being taken, up to and including dismissal in the case of employees, or up to and including long-term suspension or expulsion in certain cases for students.

Nothing in this policy precludes the school from taking disciplinary action against a student or employee where the evidence does not establish harassment but the conduct otherwise fails to satisfy the school’s conduct standard.

The Board directs the Headmaster to establish training and other programs that are designed to help eliminate unlawful discrimination, harassment and bullying and to foster an environment of understanding and respect for all members of the school community. Information about this policy must be included in the training plan. As funds are available, the school will provide additional training for students, employees, and volunteers who have significant contact with students regarding the Board’s efforts to address discrimination, harassment, and bullying and will create programs to address those issues.

The Headmaster is authorized to adopt administrative regulations to implement this policy and is responsible for providing effective notice to students, parents and employees of this policy and of the procedures for reporting and investigating complaints of discrimination, harassment and bullying covered by this policy.

200.9.1 Sexual Harassment

Of the various types of harassment, sexual harassment is worthy of special considerations in addition to those applicable under the School’s General Harassment Policy. No employee shall engage in sexual harassment against any student, other employee, or another person in the School community.

Sexual harassment includes any unwelcome sexual advance, request for sexual favors, or sexually suggestive comments when:

- Submission to the conduct is made either explicitly or implicitly a term or condition of an individual’s employment or education.
- Submission to or rejection of such conduct by an individual is used as a basis for student or employment decisions affecting such individual.
- Such conduct has the purpose or effect of interfering with an individual’s academic or work performance or creates an intimidating, hostile, or offensive working or educational environment.
Examples of sexual harassment include, but are not limited to, deliberate, unwelcome touching; suggestions or demands for sexual involvement accompanied by implied or overt promises or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances, or propositions; continued or repeated verbal remarks about an individual’s body; sexually degrading words used toward, or in the presence of, an individual or to describe an individual; or the display of sexually suggestive objects, signals, or pictures.

A hostile environment exists if the conduct of a sexual nature is sufficiently severe, persistent, or pervasive to limit a person’s ability to participate in or benefit from the educational program or creates a hostile or abusive educational or work environment.

Romantic or sexual advances toward students by employees or romantic or sexual relationships between School system employees and students are always prohibited in all circumstances.

School employees are prohibited from engaging in inappropriate relationships with students and are required to report such relationships or reasonable suspicions thereof to the Principal or other appropriate supervisory official. Procedures for reporting suspected harassment or sexual harassment are outlined in the School’s personnel policies.

Union Academy Board of Directors
Approved: 3/1/18

Legal Reference:
200.10 Grievance Procedures for Employees

The Board of Directors encourages employees and their supervisors to work together to informally resolve issues that may arise. Should informal processes fail to satisfy the employee, a person may invoke the grievance process as provided in section C below.

A. General Provisions
1. A grievance is a written complaint by an employee(s) about a final administrative decision that involves: a) an alleged violation of specified state or federal law or regulation, State Board of Education policy, State rule, or School Board policy or b) the terms or conditions of employment or the employment status of the school employee.
2. A grievance does not include any matter for which the method of review is prescribed by law, regulation, or policy, and does not include any matter in which the Board of Directors lacks authority to act. In addition, administrative recommendations and employee performance evaluations are not final administrative decisions and, thus, are not grievable.
3. Any employee who believes a person has been aggrieved by a decision not covered by the definition of grievance in this policy has the right to appeal to the Headmaster/designee by following Steps 1 and 2 of this policy. Following this review, the employee may petition the Board for a hearing, which the Board may grant in its discretion, as outlined in Section 6 of this policy.
4. All proceedings under this policy shall be confidential, except as required by law and this policy.
5. The Board specifically prohibits retaliation against any individual who files a grievance or who participates in an investigation or proceeding initiated under this policy.
6. The grievance and any responses shall be provided in writing.
7. As used in this policy, “days” include workdays and exclude Saturdays, Sundays, and holidays. In counting days, the first day shall be the first full working day following the act after which the designated period of time begins to run.
8. A grievance may be voluntarily withdrawn at any level. Once a grievance is withdrawn, it cannot be reopened. If at any time during the grievance process the school grants the grievant the relief requested, the grievance shall be terminated at that time.
9. If the school fails to comply with the time periods or other procedures outlined in this policy, the grievant may advance the grievance to the next level. If the grievant fails to comply with the time periods or other procedures outlined in this policy, the grievant waives any further rights of appeal and the grievance will be considered resolved.
B. **Time limitations**

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

2. **Time limits:** All time limits herein shall consist of workdays except when a grievance is submitted on or after May 1. On or after May 1, procedures shall be expedited so that the matter may be resolved by the close of the school term or as soon as possible thereafter. The number of days indicated at each level should be considered a maximum, and every effort should be made to expedite the process.

C. **Procedures**

Union Academy seeks to provide and maintain the best possible working conditions for all of its employees. When problems cannot be resolved by free and informal communication, then a grievance may be filed.

The written statement of grievance shall remain the same throughout all steps of the grievance procedure.

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

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

**Step 2:** If the grievance is not resolved at Step 1, then within four (4) days of receipt of the Step 1 decision, the employee(s) may refer the grievance for review by the Headmaster. The Headmaster or his/her designee shall arrange for a meeting with the employee(s) to take place within five (5) days of a person’s receipt of the referral. Each party may have one (1) representative at this meeting. The Headmaster shall provide the aggrieved employee(s) with a written decision within four (4) days after the meeting.
Step 3: If the grievance has not been resolved at Step 2, the grievant may submit a written request for an appeal to the Board. This request must be submitted within ten (10) days of receipt of the Step 2 decision. No new evidence, written or verbal, may be presented without the prior knowledge and consent of all interested parties or upon a majority vote of the Appeals Committee of the Board of Directors. Each party may have one (1) representative at the hearing. The Appeals Committee of the Board of Directors may call other parties to provide additional information. The Appeals Committee shall normally render a decision at the end of the hearing, unless a reasonable extension is necessary. Written confirmation of that decision will follow within forty-eight (48) hours. The full Board of Directors may review and determine to hear the case upon appeal to it after the Appeals Committee decision.

Union Academy Board of Directors
Approved 6/4/15

200.11 Drug-Free Workplace

Purpose and Scope

The Board of Directors must assure its work environments are free of employees who are in possession of illegal drugs or alcohol in their system, or who are abusing prescription drugs. It is the purpose of this policy to ensure that all employees are reasonably free of the presence of these substances, in order to maintain a safe and orderly environment. Actions that obstruct or inhibit the achievement of a drug-free workplace are unacceptable.

This policy shall govern each Union Academy Employee;
• While on any property owned or leased by the Board of Directors
• At any time during which the employee is acting within the course and scope of his/her employment with the Board of Directors.
• At any time that an employee’s violation of the policy might have a direct and adverse effect upon his/her performance.
• At any time the employee performs a “covered duty” as defined by the U.S. Department of Transportation.

It is a condition of employment with Union Academy that each employee fully complies with this policy.
Definitions

“Alcohol:” The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohols.

“Category A Employees” are defined as: Any employee, full or part-time, or temporary, who operates a vehicle on behalf of the school on a regularly assigned basis, including, by way of example and not limitation, driver education teachers and maintenance staff operating vehicles <26,000 lbs. The term “Category A Employees” shall also include, for purposes of drug testing employees of any independent contractor who is being considered for, or who enters into a contract to teach driver education or operate a motor vehicle on behalf of the school.

“Category B Employees:” Any employee or employee of an independent contractor which has contracted services to the Board of Directors who does not fall into the Category A group of employees. This policy shall be deemed to be a part of any independent contractor’s agreement whether specifically referenced or not so referenced.

“Category C Employees:” Any parent, volunteer, or employee, whether full, part-time, or temporary who operates a vehicle requiring a commercial driver’s license (CDL) and/or regulated by the U.S. Department of Transportation, on behalf of the school, by way of the example and not limitation, bus drivers (regular and activity). The term “Category C Employees” shall also include, for purposes of alcohol and drug testing, employees of any independent contractor who operates the above-referenced regulated vehicles.

“Illegal Drugs:” Any controlled substance, as defined in the North Carolina Controlled Substance Act, Chapter 90, Article 5, of the General Statutes of North Carolina which chapter is incorporated herein by reference.

“Impaired:” (1) When an employee’s behavior or performance is affected to an observable extent by alcohol, drugs, or other substances. (2) Without regard to an employee’s behavior or performance, an employee shall be deemed to be impaired when his/her alcohol content level is at or above the level allowed for drivers of commercial vehicles under the Motor Vehicle Laws of North Carolina.

“Positive Alcohol Test:” Identification of an alcohol content level at or above .04% by use of breathalyzer, or laboratory analysis of blood, urine, saliva, or breath sample. DOT Covered Employees are subject to temporary removal from covered duties for a period of 24 hours if their alcohol breath test is .02 or greater but less than .04.

“Positive Drug Test:” Identification of a controlled substance at or above the threshold values designated by the National Institute of Drug Abuse (NIDA) in a urine or blood sample by an immunoassay screening and confirmed by gas chromatography with mass spectrometry. DOT Covered Employees are considered positive when their test is at or above the threshold levels established by the Department of Health and Human Services as required by DOT.
Prohibited Acts

The Board of Directors prohibits the following: unlawful manufacture, distribution, dispensing, possession, or use of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, cocaine, anabolic steroids, alcohol, or any other controlled substance. In addition, no employee or employee of an independent contractor shall be impaired by the excessive use of alcohol or prescription or nonprescription drugs while on school property or while performing duties within the scope of his/her employment with the Board. The Board further prohibits Category A and C employees from driving at any time while under the influence of alcohol or other drugs.

The proper use or possession of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of the policy when the drug is taken by the person from whom the drug was prescribed and according to the use or dosage directed by the physician. An employee using or possessing any drug must, upon request, produce verification of a valid prescription authorizing the medical use of the drug. Category A and C employees taking legal prescription or over the counter medicines that have a warning indicating the medication may impair the user’s performance must report such medication use to their supervisor before performing their job responsibilities.

In addition to any Board of Directors prohibition: DOT Covered Employees are prohibited from any of the following acts:

- Use of alcohol within 4 hours prior to duty
- Use of alcohol within 8 hours following an accident or until the employee has been alcohol and drug tested
- Use of any controlled substances, except as prescribed by a licensed physician with knowledge of the employee’s safety sensitive job function
- A test result of .04 or greater on a DOT drug test
- A confirmed positive test result on a DOT drug test
- Refusal to participate in a DOT alcohol or drug test

Penalties for Noncompliance

Violation of this policy shall subject an individual to disciplinary action by the Board of Directors that could result in termination of employment. Specific acts that could lead to such consequences include the following actions:
A. Conviction of a crime
- Conviction or pleading guilty or no contest to a felony involving selling, distributing, possessing and/or using illegal drugs in violation of state or federal law.
- Any Category A or C employee who is convicted, pleads guilty or no contest to a charge of driving while impaired of alcohol or other drugs growing out of conduct occurring either on or off duty, he/she shall be subject to disciplinary action up to and including dismissal.

B. Possession, distribution and use
- Selling or distributing illegal drugs or alcohol while on duty.
- Use of alcohol/drugs in association with the operation of any Board vehicle will result in dismissal.
- Possession, use or under the influence of illegal drugs or alcohol.
- Abuse of prescription drugs while on duty

C. Independent contractors
- Violation of this policy by an employee of an independent contractor may result in immediate termination of the contract.

D. Second positive alcohol/drug test
- Testing positive for the second time to a drug or alcohol test.

Development of procedures for implementation

The Headmaster shall develop the necessary administrative rules and procedures for the implementation of this policy on a school wide basis.
Drug and Alcohol Testing

A. Testing of all employees based on reasonable suspicion

Any employee or employees of any independent contractor may be required to submit to a drug or alcohol test when there is a reasonable suspicion to believe that the employee or independent contractor is using alcohol or illegal drugs or abusing prescription drugs in the workplace. Examples of what may constitute “reasonable suspicion” include, but are not limited to:

1. Direct observation of drug or alcohol use or possession
2. Direct observation of the physical symptoms of intoxication or drug use
3. A pattern of abnormal conduct or erratic behavior
4. Information provided by a reliable source or which has been independently corroborated
5. Recent arrest or conviction for a drug-related offense, or reliable information that the employee is the focus of a criminal investigation involving a drug offense

B. Motor Vehicle Accident or Violation

If a Union Academy employee is charged with a moving violation or is involved in a motor vehicle accident while driving a Union Academy vehicle the employee will be required to submit a drug or alcohol test.

C. Refusal to submit to test

Any employee who refuses to submit to a drug or alcohol test in accordance with this policy will be subject to disciplinary action up to and/or including dismissal. Independent contractors whose employees refuse to submit to a drug or alcohol test may have their contract for services terminated. Any individual tampering with a sample by substituting or contaminating a specimen will be subject to disciplinary action up to and including dismissal.

Confidentiality

Information obtained through implementation of this policy is intended to be solely for the purpose of protecting the health and safety of students and employees. The confidentiality of all test results will be maintained as required by applicable laws, with only those persons having a need to know being informed of the results. DOT Covered Employees regulated services have been provided. Releases of any statements regarding testing with the school system will only be made upon receipt of a duly authorized written release from the employee, volunteer or former employee.
Notification

A copy of this policy shall be given to all employees upon initial employment. Failure to provide a copy, for whatever cause, does not excuse strict adherence to this policy by all employees and independent contractors.

Contract Provisions

Independent contractors providing services through their employees as set out in this policy will:

• Be furnished a copy of this policy at the time of contracting with the Union Academy Board of Directors by a representative of the school.
• Be included in all such independent contractor contracts by a referral to the Union Academy “Drug-Free Workplace” policy.

Legal Reference

20 USC § 7101 “Safe and Drug Free SchoolsCommunities”
41 USC § 701 “Drug Free Workplace Act of 1988”
NCGS § “Commercial Drivers’ License Act”

Union Academy Board of Directors
Approved: 6/14/15

200.12 Nepotism

Purpose

The purpose of this nepotism policy is to protect the interest of Union Academy when it is contemplating entering into an arrangement with an immediate family member of a member of the Board of Directors (the “Board”) or an employee of Union Academy. This policy is intended to supplement but not replace any applicable state laws governing nepotism applicable to nonprofit and charitable corporations.

Policy

1. Before any immediate family, as defined in G.S. §I ISC-12.2, of any member of the Board or a charter school employee with supervisory authority shall be employed or engage as an employee, independent contractor, or otherwise by the Board in any capacity, such proposed employment of engagement shall be:
   • Disclosed to the Board and
   • Approved by the Board in a duly called open-session meeting

The burden of disclosure of such a conflict of interest shall be on the applicable Board member of employee with supervisory authority. If the requirements of this subsection are complied with, Union Academy may employ the immediate family of any member of the Board or a Union Academy employee with supervisory authority.
2. No teacher of staff member that is immediate family of the chief administrator shall be hired without the Board evaluating their credentials, establishing a structure to prevent conflicts of interest, and notifying the Department, with evidence, that this process has occurred.

The term “immediate family member” means a spouse, parent, child, brother, sister, grandparent or grandchild. The term includes the step, half and in-law relationships.

References
North Carolina G.S. I ISC-12.2, B.S. I ISC-218.15; Section 4.3 Charter Agreement

Union Academy Board of Directors
Approved: 8/9/18

200.13 Conflict of Interest

Conflict of Interest Policy

A person shall not be disqualified from serving as a member of a charter school's board of directors because of the existence of a conflict of interest, so long as the person's actions comply with the school's conflict of interest policy as provided in G.S. 115C-218.15(b)(3) and applicable law. Reference § 115C-218.15.

No voting member of the governing board shall be an employee of a for-profit company that provides substantial services to the charter school for a fee.

SECTION 1. GENERAL PROVISIONS.

Directors shall avoid improper conduct arising from conflicts of interest and shall abide by all legal requirements governing conflicts of interests, including G.S. 55A-8-31. If any Director has or may have a conflict of interest in a matter pending before the Board, such member shall fully disclose to the Board the nature of the conflict or potential conflict. No transaction may be approved if it would constitute self-dealing.

SECTION 2. STATUTORY REQUIREMENTS.

Board practice regarding conflicts of interest shall be governed ultimately by G.S. 55A-8-31, as amended or replaced at any time subsequent to the adoption of this policy. Specific statutory requirements include the following.
Section 200 - Personnel

(a) A conflict of interest transaction is a transaction with the Corporation in which a Director of the Corporation has a direct or indirect interest. A conflict of interest transaction is not voidable by the Corporation solely because of the Director's interest in the transaction if any one of the following is true:

1. The material facts of the transaction and the Director's interest were disclosed or known to the Board of Directors or a committee of the Board and the Board or committee authorized, approved, or ratified the transaction;
2. The material facts of the transaction and the Director's interest were disclosed or known to the members entitled to vote and they authorized, approved, or ratified the transaction; or
3. The transaction was fair to the Corporation.

(b) A Director of the Corporation has an indirect interest in a transaction if:

1. Another entity in which he has a material financial interest or in which he is a general partner is a party to the transaction; or
2. Another entity of which he is a Director, officer, or trustee is a party to the transaction and the transaction is or should be considered by the Board of Directors of the Corporation.

(c) For purposes of subdivision (a)(1) of this section, a conflict of interest transaction is authorized, approved, or ratified if it receives the affirmative vote of a majority of the Directors on the Board of Directors (or on the committee) who have no direct or indirect interest in the transaction, but a transaction shall not be authorized, approved, or ratified under this section by a single Director. If a majority of the Directors who have no direct or indirect interest in the transaction vote to authorize, approve, or ratify the transaction, a quorum is present for the purpose of taking action under this section. The presence of, or a vote cast by, a Director with a direct or indirect interest in the transaction does not affect the validity of any action taken under subdivision (a)(1) of this section if the transaction is otherwise authorized, approved, or ratified as provided in that subdivision.

(d) For purposes of subdivision (a)(2) of this section, a conflict of interest transaction is authorized, approved, or ratified by the members if it receives a majority of the votes entitled to be counted under this subsection. Votes cast by or voted under the control of a Director who has a direct or indirect interest in the transaction, and votes cast by or voted under the control of an entity described in subdivision (b)(1) of this section, shall not be counted in a vote of members to determine whether to authorize, approve, or ratify a conflict of interest transaction under subdivision (a)(2) of this section. The vote of these members, however, is counted in determining whether the transaction is approved under other sections of this Chapter. A majority of the votes, whether or not present, that are entitled to be cast in a vote on the transaction under this subsection constitutes a quorum for the purpose of taking action under this section.

(e) The Articles of Incorporation, Bylaws, or a resolution of the Board may impose additional requirements on conflict of interest transactions.

SECTION 3. DEFINITIONS.

(a) **Interested Person.** Any Director, principal officer, or member of a committee with Board delegated powers, who has a direct or indirect financial interest, as defined below, is an
(b) Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
   1. An ownership or investment interest in any entity with which the Corporation has a transaction or arrangement,
   2. A compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement, or
   3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

SECTION 4. PROCEDURES.

Duty to Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Directors and members of committees with board-delegated powers considering the proposed transaction or arrangement.

Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board or committee members shall decide if a conflict of interest exists.

Procedures for Addressing the Conflict of Interest.
An interested person may make a presentation to the Board of Directors or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest. The Chairman of the Board of Directors, or the chair of the committee if a committee meeting is appropriate, shall appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement. After exercising due diligence, the Board or committee shall determine whether the Corporation can obtain, with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested members whether the transaction or arrangement is in the Corporation’s best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

Violations of the Conflicts of Interest Policy
If the Board of Directors or one of its committees has reasonable cause to believe a member has failed to disclose actual or a foreseeable conflict of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose. If, after hearing the member's response and after making further investigation as
warranted by the circumstances, the Board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary or corrective action.

SECTION 5. RECORDS OF PROCEEDINGS

The minutes of the Board of Directors and all committees with Board-delegated powers shall contain:
The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the decision of the Board or committee as to whether a conflict of interest in fact existed.
The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

SECTION 6. COMPENSATION.

Board members shall receive no compensation for serving on the board and may not receive compensation from the Corporation for any services provided to the Corporation. Board members may be reimbursed for travel, accommodations, and meals when traveling on behalf of the school.

SECTION 7. ANNUAL STATEMENTS.

Each Director, principal officer and member of a committee with Board-delegated powers shall annually sign a statement that affirms such person has received a copy of the conflicts of interest policy, has read and understands the policy, has agreed to comply with the policy, and understands the Corporation is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

SECTION 8. PERIODIC REVIEWS.

To ensure the Corporation operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects: Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

SECTION 9. USE OF OUTSIDE EXPERTS.
When conducting the periodic reviews as provided for in this Article, the Corporation may choose to employ outside experts. If outside experts are used, their use shall not relieve the Board of Directors of its responsibility for ensuring that periodic reviews are conducted.

References:

North Carolina G.S. 55A-8-31, G.S. 115C-218.15; Section 4.3 Charter Agreement

Union Academy Board of Directors
Approved: 8/9/18
300 – STUDENT POLICIES

301.0 INTRODUCTION To Students and Parents

These policies provide direction and information for members of Union Academy, (“the School”). A healthy and effective School depends on established policies and procedures. More importantly, it requires members of the community to understand and implement the policies and procedures for the success and well-being of everyone. All such policies are designed to support the mission of the School.

Mission Statement

Union Academy is a K-12 preparatory school dedicated to educating the whole child, providing challenging, high quality instruction, strong character development in all of its students, and collaborative family and community involvement.

Vision

Union Academy is a pathway by which children mature into confident young adults who are highly prepared and motivated to make positive contributions to their local and global communities.

Values

As a school of challenge, character, and community, Union Academy places great value on:

• high standards and expectations for academic achievement and continuing education;
• high standards and expectations for character and personal integrity;
• school as a community of students, teachers, families, and friends;
• commitment of service to others.

Our Pledge...

“At Union Academy, we do the right thing even when no one is looking.”
Students are expected to show responsibility by behaving honorably. They are expected to follow the character traits in their day-to-day interactions with their peers and school personnel (teachers, coaches and staff).

Our Character Traits…

Compassion, Adaptability, Respect, Responsibility, Optimism, Trustworthiness, Perseverance, Initiative

With everyone’s cooperation, the School will be a thriving community where students succeed in a safe, supportive, and stimulating educational environment.

301.1 Parent-Student Commitment and Expectations

The School cannot succeed in its mission without commitment and effort from the parents/legal guardians (“Parents” or “Parent”) who enroll their children. A strong partnership between Parents and the School is essential.

Parents and families support the School’s mission and fulfill their primary role as teachers of their children when they respect and support the efforts and staff of the School, promote the desire for and pursuit of learning, and model ethical and relational integrity.

Respect for and support of the School’s mission includes the following commitments on the part of every Parent:

• To monitor and support School policies and procedures;
• To ensure prompt arrival to School and to promote their students’ daily attendance to the maximum extent feasible;
• To nourish their students’ physical and emotional health to promote learning;
• To help their students complete assignments and other academic demands and to communicate with staff as necessary to address particular needs;
• To be willing to volunteer and financially support the School’s work as feasible;
• To cooperate with School staff in providing needed information or other support when reasonably requested; and
• To participate responsibly in classroom and School meetings and functions.

301.2 School Calendar

Every year the School will publish a School calendar. The School calendar shall include the beginning and ending dates of the School year, student half days and days off, grading period, and report card distribution. The calendar shall include at least the minimum number of make-up days required by law.
301.3 Legal Compliance, School Charter, and Changes in Policy

The School, by law, is a North Carolina public school, operated by a private, tax-exempt non-profit corporation. As a charter school it is exempt from most state education laws that apply to traditional public schools. The School shall comply with all remaining state laws and applicable federal laws and regulations, including, but not limited to, such laws and regulations governing employment, the environment, disabilities, civil rights, children with special needs, transportation, and student records. The School shall also comply with all applicable health and safety laws and regulations, whether federal, state, or local, which apply to traditional public school systems. The School shall be nonsectarian in its programs, admission policies, employment practices, and all other operations and shall not charge tuition or fees, except that it may charge fees that are charged by the local school district.

The School’s state-approved charter is like a contract. Therefore, the School shall also operate consistent with all provisions in its charter.

302.0 TRANSPORTATION AND ARRIVAL

Transportation and Arrival

By state law, the School may, if it chooses, provide transportation for its students. Regardless, the School shall develop and maintain a transportation plan so that transportation is not a barrier to any student who resides in the local school administrative unit in which the School is located.

Students are required to arrive at the School on time unless they have a legitimate excuse for being tardy or absent. Students and parents should allow adequate time for travel to the School, possible traffic problems or weather conditions, other transition time, and other factors that may affect promptness.

303.0 ACADEMICS AND INSTRUCTION

The School’s academic program is designed to foster an excellent learning environment that meets and exceeds student performance standards adopted by the State Board of Education and the student performance standards contained in its charter. By law, the School shall conduct, at a minimum, student assessments required by the State Board of Education.

303.1 Academic Expression

Controversial issues arising from classroom situations and subject matter may be discussed and explored in classrooms if handled with appropriate discretion and respect and without discriminating based on viewpoints. The age, intelligence, and experience of students are important considerations regarding the appropriateness of materials, ideas, and information presented. Teachers will take into account the relative maturity of their students and the need for guidance in studying and discussing such items.
303.2 Curriculum

303.2.1 Instructional Material Selection

Teachers are not permitted to advocate their or any other particular viewpoint. Teachers will be careful to not inhibit or undermine the dignity, personality, or intellectual expression of students. Statements made or materials used in the classroom must serve a valid educational purpose, and be consistent with the School’s curriculum and curricular goals.

303.2.2 Request for Review of Curriculum Selection

If a parent objects to the use of specific instructional materials, the parent may file a written request with the Principal briefly stating the nature of the objection(s) and/or requesting that the material not be made available to the parent’s child. The following steps apply to a parent request for review:

The Parent must file all objections in writing. This review will involve the following:

• examining the request and pertinent material;
• checking the general acceptance of the material by reading reviews and consulting recommended lists;
• considering any explanation contained in the request form;
• determining the extent to which the material supports the curriculum; and
• considering all other relevant information and attributes of the material, including its overall quality, uniqueness, creativity, authorship, publisher, publication date, and its appropriateness for the age group concerned.

The Principal will make a decision regarding the material and prepare a written recommendation to the Headmaster.

The Headmaster may approve, modify, or overrule the recommendation of the Principal. The Principal or the Parent may request a full Board review of the Headmaster’s decision. Pending the outcome of the review process, a Parent may request of the Headmaster that the material not be used by the Parent’s child pending a final determination. Such a request may be granted in the Headmaster’s discretion.

303.3 Children with Special Needs

The School admits and serves special needs children under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 et seq.), state legislation (G.S. 115C-106 et seq.), and pursuant to the State Board of Education’s rules and policies.
Students with special needs shall receive a free appropriate public education (FAPE) in the least restrictive and appropriate environment. The School will provide every student suspected of having special needs with a multidisciplinary diagnosis and evaluation.

For each student entitled to special education services, the School will:
1. provide testing and evaluation in a nondiscriminatory manner, administered in the child’s native language as necessary;
2. provide to the Parent, in writing, the results, findings, and proposals based upon an evaluation;
3. develop an Individualized Education Plan (IEP) for qualified students;
4. provide special education and related services in the least restrictive appropriate environment to each qualified student based upon the IEP; and
5. provide written notice to the Parent reasonably in advance of when the School proposes to initiate or change the identification, evaluation, or educational placement of a student with special needs. The written notice will give a full explanation of all of the procedural safeguards available to Parents.

A confidential folder shall be maintained for each child evaluated for and/or receiving exceptional student services. Access to such files shall be limited to appropriate personnel and parents in compliance with state and federal law. A handbook on special needs procedures and rights is available to parents of children with special needs.

303.4 Extra-Curricular Activities and Athletics

The School offers and encourages participation in extra-curricular activities as part of a complete education. Such participation, however, is a privilege, not a right. A student’s behavior, attendance, and academic standing may determine eligibility to participate in extra-curricular activities. The advisor or head coach of any activity may set conduct or other academic or performance standards as a condition of initial or continued participation, provided such standards are clearly established and consistent with the School’s mission.

If a student is disciplined for a violation of the student conduct code, his or her participation in an extra-curricular activity may be affected, subject to the discretion of the Principal. The advisor or head coach, in consultation with the Principal as necessary, is normally responsible for decisions relating to disciplinary action associated with the activity.

303.5 Evaluation

All parents will be informed at regular intervals of their students’ academic progress, based on procedures approved by the Principal. The Board also encourages the administration and staff to work together to improve methods for evaluating students’ progress and to develop meaningful ways to report their achievement to parents.
303.6 Testing

The School will conduct standardized testing as required by state and federal law and provide remediation and intervention for students not scoring at required levels. A testing coordinator will monitor compliance with this policy. All licensed testing personnel, teachers, and School administrators are subject to the state Testing Code of Ethics regarding the statewide testing program.

303.7 Field Trips

Field trips are part of the educational program to support and enhance the educational and community experience.

School-sponsored field trips will be well planned and evaluated in terms of their educational and social appropriateness. Field trips will be reasonable in length, activity, and difficulty, considering the age and maturity of students and available resources. Overnight trips require special precautions to assure student well-being and to avoid or minimize, to the extent possible, interference with other class studies and attendance.

303.7.1 Chaperones and Drivers

Chaperones and drivers who volunteer to transport students for field trips must sign and submit to the School any information required by the Principal or designee in advance of a field trip. They must also submit a copy of a valid driver’s license and proof of current insurance on their automobile. Each teacher must gather this information from drivers before leaving on the field trip. Those who cannot provide the information required may not transport students. All overnight chaperones must submit to a background check at least every 2 years.

Students shall only be transported in school approved vehicles.

303.7.2 Guidelines

Appropriate instructional activities will precede and follow each field trip. Before each field trip, the teacher will submit to the Principal a written outline of the instructional objectives of the trip. Procedures for requesting approval for field trips and other related activities may also be established by the Principal and shall be followed.

The activities coordinator will send permission requests to parents indicating the date, time, and purpose of the trip.

Parents may be required to provide special additional written permission for their children to participate in a particular field trip. Parental approval forms must be filed with the Principal before the field trip. Copies of these forms are to be retained for at least the remainder of the School year and longer as circumstances require. If a student has a medical condition, the parent may be required to attend the field trip with their student.
All field trips will normally begin and end at the School. A reasonable number of adult personnel and volunteers shall accompany and supervise students on all field trips. The School, if feasible, will provide an appropriate educational experience and proper supervision for any students whose parents do not wish their children to participate in a field trip.

303.8 Pledge of Allegiance

As required by state law, the School shall (i) display the United States and North Carolina flags in each classroom when available, (ii) call for the recitation of the Pledge of Allegiance on a daily basis, and (iii) provide age-appropriate instruction on the meaning and historical origins of the flag and the Pledge of Allegiance. The School shall not compel any individual student to stand, salute the flag, or recite the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be displayed in each classroom.

303.9 Promotion and Retention Standards

The Board recognizes that some students may benefit by remaining in the same grade for an additional year. The Board supports students being placed at the grade level to which they are best suited and providing additional years of education at the same level as necessary.

The Principal shall be responsible for the final decision regarding the promotion or retention of any student. The Principal’s decision will be based on the best interest of the student. The parent may appeal to the Headmaster.

Factors to be considered in promotion and retention decisions include, but are not limited to, achievement based on test results and informal assessments; physical, social, and emotional maturity, effort, ability, and parental attitude and responsibility.

If a student appears to be a candidate for retention, the student’s teacher or team should, if feasible, notify the Principal and the student’s parents by the end of the first semester of the academic year at the latest. Teachers are to provide additional attention to and remediation for the student to offer reasonable opportunities for the student to achieve promotion.

303.10 Graduation Requirements

Minimum graduation requirements are established by the North Carolina Board of Education. The School will provide students and parents with specific information regarding the standards and credits applicable to graduation eligibility.

303.11 Religion and Free Speech

As a public School, the School will remain neutral on matters of religion, politics, and other personal values and beliefs protected by the United States Constitution, while also protecting the rights of individual students and staff members to exercise their religious and free speech.
rights. Consistent with the School’s academic mission, the School shall promote respect for and civility regarding individuals’ personal beliefs and will also strive to neutrally instruct students about the important role of religion and free expression as part of our heritage.

### 304.0 CODE OF STUDENT CONDUCT

The Student Conduct Code (“Student Code” or “Code”) governs student behavior occurring on School property, at School-sponsored activities, plus all off-campus activity that threatens School safety or property, or that substantially disrupts or is likely to disrupt School operations.

School administrators are authorized to exercise reasonable discretion in implementing the Code and determining appropriate sanctions for violations. They shall strive to do so in a fair and consistent manner, recognizing that circumstances will vary and affect any final disciplinary determination. Attached, as Addendum I, are Disciplinary Guidelines for particular types of behaviors that administrators shall consider when determining appropriate discipline in specific cases.

### 304.1 Harassment and Bullying

The School is committed to providing an environment that is conducive to learning, free from harassment and bullying based on race, religion, gender, ethnicity, national origin, disability, or any other illegal conduct. Other forms of harassment and bullying are also prohibited, including those based on other distinguishing characteristics such as, but not limited to, physical, social, academic or emotional and socio-economic status, or simply based on personal differences or conflicts. All conduct prohibited by this policy includes behavior that occurs directly or indirectly, by personal or electronic communication or action.

North Carolina law (G.S. §115C-218.75(c)) encourages charter schools to adopt a policy against bullying or harassing behavior, including cyber bullying. Charter schools that do so shall, at the beginning of each school year, provide the policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8).

Harassment is an unwelcomed offensive verbal, nonverbal or physical conduct that is sufficiently severe, persistent or pervasive as to significantly affect the conditions of one’s employment or a student’s learning. Harassment includes, but is not limited to, abusive jokes, insults, slurs, name-calling, threats, bullying or intimidation, unwelcome sexual advances, or the exchange of benefits for performance of sexual or other favors.

Harassment is prohibited at all levels: between students, between employees and students, between coworkers, between supervisors and subordinates, between nonemployees and employees and/or students, and between any other School representatives or members of the School community while at the School or involved in School activities.

In addition, no student or staff member shall retaliate against anyone who reports or seeks remedies against harassment or bullying or otherwise aids or supports someone who aids in the enforcement of this policy.
All staff members are required to report instances or reasonable suspicions of harassment and bullying to a supervisor and to aid in investigations under, and the enforcement of, this policy. Any report of alleged harassment or bullying shall be taken seriously and responded to fully and promptly by appropriate School staff. Students are urged to also report and assist in carrying out this policy.

### 304.2 Sexual Harassment

Of the various types of harassment, sexual harassment is worthy of special considerations in addition to those applicable under the School’s General Harassment Policy. No student shall engage in sexual harassment against any student or another person in the School community.

Sexual harassment includes any unwelcome sexual advance, request for sexual favors, or sexually suggestive comments when:

Such conduct has the purpose or effect of interfering with an individual’s academic performance or creates an intimidating, hostile, or offensive educational environment.

Examples of sexual harassment include, but are not limited to, deliberate, unwelcome touching; suggestions or demands for sexual involvement accompanied by implied or overt promises or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances, or propositions; continued or repeated verbal remarks about an individual’s body; sexually degrading words used toward, or in the presence of, an individual or to describe an individual; or the display of sexually suggestive objects, signals, or pictures.

A hostile educational environment exists if the conduct of a sexual nature is sufficiently severe, persistent, or pervasive to limit a person’s ability to participate in or benefit from the educational program or creates a hostile or abusive educational environment.

Romantic or sexual advances toward students by employees or romantic or sexual relationships between School system employees and students are always prohibited in all circumstances. Reports of such relationships or reasonable suspicions thereof are required to be reported to the Principal or other appropriate supervisory official. Procedures for reporting suspected harassment or sexual harassment are outlined in the School’s personnel policies.

### 304.3 Student Searches

To promote safe and orderly operations, School officials may conduct reasonable searches of persons and materials as necessary, in accordance with students’ constitutional rights. A student may be subject to a search either based on reasonable suspicion that the student has violated law or policy, or as a result of reasonable, random searches not requiring individualized suspicion. Reasonable suspicion to search an individual student is not required when a student voluntarily and knowingly consents to such search.

If an authorized School official reasonably suspects that the student has on his or her person or in his or her possession, any item or material that poses a risk of serious harm to persons or property, an authorized School official may perform a more intrusive search of a student’s
person, including a strip search, as necessary to avoid a threat of imminent and serious harm or damage. In such instances, any bodily invasive search shall, to the extent feasible, be conducted in private by an authorized School official of the same sex, with an adult witness of the same sex present.

304.3.1 Locker Searches

Student lockers are School property. Therefore, students have no right to privacy enforceable against the School’s right to open and view the contents of those lockers. Students may not use their lockers to hold any illegal or unauthorized materials. School officials may inspect any student’s locker without a search warrant, for any reason deemed reasonable to maintain safe and orderly operations. A student’s personal items found in a locker, such as clothing, backpacks, gym bags or purses, may be searched based on reasonable suspicion.

304.3.2 Student Automobile Searches

Any opportunity for students to drive and park on School grounds is a privilege, not a right. The School may patrol School parking lots at any time and may search a student’s motor vehicle based on reasonable suspicion that such vehicle contains materials in violation of law or policy.

304.3.3 Use of Dogs to Aid in Searches

School officials may use trained dogs to aid in inspections for materials that may be in violation of law or policy. Thus, without notice, the School may use trained dogs to sniff lockers, student motor vehicles, and other objects. Dogs will not be used, however, in random searches of individual students.

304.4 Disciplinary Policies and Procedures for Serious Offenses

North Carolina state law requires the School to follow specific rules and due process relating to serious disciplinary matters, including the use of reasonable force, short- and long-term suspensions, and expulsions under Article 27 of Chapter 115C of the General Statutes. The School will follow these rules in such instances.

At the date of adoption of these policies, Article 27 is available online at http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_115C/Article_27.html

305.0 EMERGENCY AND SAFETY PROCEDURES

305.1 Building and Grounds

Maintaining safe and attractive School grounds and facilities requires everyone’s support. All students, staff and parents should make every reasonable effort to preserve and protect School property.
305.2 Delayed Openings/Closings

The Headmaster may delay the opening of or close the School when there is a threat or potential safety threat due to inclement weather, mechanical failure, or other circumstance. In such instances, the School will notify members of the School community as promptly as possible via local news media, electronic mail, School voice message system, the School website, or other reasonable means.

305.3 Emergency Preparedness Drills

The Principal will conduct a fire drill during the first week after the opening of School and at least one fire drill each month thereafter. The route of egress and alternate routes will be posted in each classroom in each building. Evacuation, tornado, and lock-down drills will also be conducted routinely. Students and staff will be instructed on the procedures to follow.

306.0 HEALTH AND WELLNESS

306.1 Communicable Diseases or Conditions

The School aims to provide a safe and secure environment free of infection from communicable disease or condition for all students and employees. To balance the need to protect the privacy rights of students and employees and to control the spread of communicable diseases and conditions, decisions concerning necessary action shall be made on a case-by-case basis in accordance with this policy, sound judgment, and applicable legal requirements.

A communicable disease or condition is defined as an illness due to an infectious agent, or its toxic products, which is transmitted directly or indirectly to a person from an infected person or animal.

This policy applies to all legally reportable communicable diseases, including HIV and AIDS, as set forth in state regulations.

In order to prevent the spread of communicable diseases or conditions, universal health and safety precautions, which include regulations regarding the cleanup of all bodily fluids (including blood), shall be distributed by the Principal or his or her designee and shall be followed by all School employees.

In accordance with state law, the Principal or his or her designee shall report suspected cases of reportable communicable diseases or conditions to the county health director for investigation and shall provide available factual information to substantiate the report. Such reports shall remain strictly confidential and may be shared only with other staff members as necessary to prepare and file a report. All staff members who are made aware of any such report shall keep such information confidential. Without releasing any information that would identify the affected student when not required, the Principal or supervisor shall report suspected cases of reportable communicable diseases or conditions to the Board Chairperson.
Any student suffering from a communicable disease or condition shall follow all control measures issued by the county health director and shall take all necessary precautions to prevent the transmission of the disease or condition. Any School employee who has reason to believe that a student is suffering from a reportable communicable disease or condition and failing to follow safe practices shall report this to the Principal, supervisor, or health director. Failure to follow control measures may result in disciplinary action. The Parent(s) of a student suffering from a communicable disease should inform the Principal so that appropriate accommodations and precautions may be put in place.

If the county health director notifies the Principal that a student with a communicable disease or condition may pose a threat to public health, the student and his or her Parents shall cooperate with the health director to eliminate the threat. It is the responsibility of the health director to determine when the School community must be notified of the outbreak of a contagious disease or condition. School officials shall cooperate with the health director in issuing such notification.

It is the responsibility of the county health director to notify the School if a student infected with the HIV is enrolled or scheduled for admission to the School, and if there is a serious risk of transmission of the virus by the student.

### 306.2 Head Lice Policy

The School will take prompt action to eliminate the threat of head lice. Head lice do not represent a disease or infection and can therefore be readily treated. Since lice are transmittable, any student School officials suspect of having head lice will be sent home promptly for treatment.

The student may not return to the School until treatment has been received and the School nurse or other designated School official has determined that no head lice are present. Any member of the School community who knows of a manifestation of head lice should report this to a school nurse.

### 306.3 Illness and Injury

Sick children should not attend School to protect their own health and the health of other members of the School community. A student with the following symptoms should remain home and not return to School until he or she is symptom-free for 24 hours; symptoms include vomiting, diarrhea, or a temperature of 100 degrees Fahrenheit or above.

Any student with any contagious symptoms – such as frequent coughing or sneezing, eye discharge, or cloudy nasal discharge, all of which may involve the spread of illness – should not attend School. If a student with a contagious illness has attended classes, parents should notify the teacher immediately.

When a student is injured or becomes ill at School, the student will normally be sent to the nurse’s office to be assessed by the proper School employee. The student will be treated in
the office and sent back to class if appropriate and if the student does not pose a threat to others or to classroom order. Any student seen by a School nurse or other caregiver may be given documentation explaining the nature of the problem and measures taken. The School office will notify the parent(s) if the child needs further assistance or must leave the School.

No underage student may leave the School unsupervised. Any significant injury or accident occurring during the School day or during a School activity will be reported to a parent. The School will treat minor injuries or contact a parent to take the student for medical attention.

306.4 Immunizations

No child may attend School unless a certificate of immunization is provided to the School indicating that the child has received the immunizations required by state law. If on the first day of attendance the child does not present such a certificate, the child’s parent shall be notified. The parent shall normally have thirty calendar days from the date of first attendance to obtain the required immunizations for the child. If a vaccine reasonably requires more than thirty calendar days to complete, and a suitable physician reliably verifies this fact, a reasonable extension of time may be granted. At the end of the thirty calendar days or extended period, if the student has not received the required immunizations, the School shall release the student from the School.

The School shall maintain, in a separate medical file for each student, the student’s immunization records. These records may be inspected by officials of the county or state health departments upon request and without notification to parents. When a child transfers from or to another School, arrangements will be made to transfer the immunization records. The School will file an immunization report with the Department of Environment, Health and Natural Resources within sixty calendar days after the commencement of a new School year.

306.5 Medications

If a child must be medicated (including over the counter and prescribed medication) during School hours and the parent cannot be at School to administer the medication, only the Principal’s designee may administer the medication in compliance with the parent’s written request accompanied by physician’s signed and dated instructions. The Principal or his or her designee reserves the right to require medical certification by a suitable doctor or to seek advice from a doctor retained by the School to determine the appropriateness of administering any medicine. No teacher may be required to administer medication against his or her wishes.

Authorization forms to give medication on campus and medication records must be retained in the student’s confidential medical file.

Exceptions to Medication Administration. Middle and Upper School students may, upon proper written authorization and approval by the Principal or his or her designee, self-medicate with medications that are labeled and packaged in the original container and are required for a medical condition. Any student with diabetes or asthma, or a student subject to anaphylactic (life threatening) reactions will be allowed to carry and self-administer their
medication if the parent, physician, and student sign a completed medication request form and the student demonstrates appropriate proficiency in delivering the medication. Self-administering privileges will be withdrawn if the student exhibits a lack of responsibility towards self or others in regards to his or her medication. Any student who abuses the privileges described in this section may be subject to discipline.

306.6 Diabetes Plans and Compliance Reports

The School shall implement rules and procedures for students with diabetes in accordance with State Board of Education requirements and G.S. 115C-375.3. This includes making available necessary information and staff development to teachers and school personnel in order to appropriately support and assist students with diabetes in accordance with their individual diabetes care plans.

306.7 Annual Information for Students and Parents

The School shall provide health information at the beginning of each school year regarding the following:

• **To Parents regarding meningococcal meningitis and influenza (and their vaccines).** Such information shall include the causes, symptoms, and how meningococcal meningitis and influenza are spread and the places where Parents may obtain additional information and vaccinations for their children.

• **To Parents regarding cervical cancer, cervical dysplasia, human papillomavirus (and the vaccines available to prevent these diseases).** This information shall be provided to Parents of children entering grades five through twelve. It shall include the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and the places where Parents may obtain additional information and vaccinations for their children.

• **To students (in grades five through 12) regarding lawful abandonment of a child.** This information shall include manner in which a Parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

306.8 Compliance with Other Health Requirements

The School shall regularly determine and comply with any federal, state and local requirements pertaining to other safety threats such as dangerous chemicals and blood-borne pathogens. It shall also comply with all requirements as to food inspections and safety.

306.9 Health Education Program

HEALTH EDUCATION PROGRAM

The Union Academy School Board is committed to a sound health education program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The Board recognizes the primary role of parents in providing for the health and well-being of their children and seeks to involve parents as provided in this policy.
HEALTH EDUCATION PROGRAM FOR GRADES KINDERGARTEN THROUGH SIXTH GRADE

A health education program will be taught to students from kindergarten through sixth grade. This program may include age appropriate instruction in topics including, but not limited to, bicycle safety, nutrition, dental health, environmental health, family living, consumer health, disease control, growth and development, first aid and emergency care, mental and emotional health and drug and alcohol abuse prevention.

HEALTH EDUCATION PROGRAM FOR GRADES SEVEN THROUGH NINE

A health education program will be taught to students in grades seven through nine. As required by law, this program will include age appropriate instruction on the topics referenced above, shall stress the importance and benefits of sexual abstinence as well as reproductive health and safety education including but not limited to, the human reproductive system, preventable risks for preterm birth in subsequent pregnancies, effective contraceptive methods and their use for preventing pregnancy, sexually transmitted infections (STIs), including HIV/AIDS and other communicable diseases. According to North Carolina Law this reproductive health and safety education program shall include the following:

1. Teaches that abstinence from sexual activity outside of marriage is the expected standard for all school-age children.
2. Presents techniques and strategies to deal with peer pressure and offering positive reinforcement.
3. Presents reasons, skills, and strategies for remaining or becoming abstinent from sexual activity.
4. Teaches that abstinence from sexual activity is the only certain means of avoiding out-of-wedlock pregnancy, sexually transmitted infections when transmitted through sexual contact, including HIV/AIDS, and other associated health and emotional problems.
5. Teaches that a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding sexually transmitted diseases, including HIV/AIDS.
6. Teaches the positive benefits of abstinence until marriage and the risks of premarital sexual activity.
7. Provides opportunities that allow for interaction between the parent or legal guardian and the student.
8. Provides factually accurate biological or pathological information that is related to the human reproductive system.
9. Teaches about the preventable risks of preterm birth in subsequent pregnancies, including induced abortion, smoking, alcohol consumption, the use of illegal drugs and inadequate prenatal care.
10. Teaches about sexually transmitted diseases. Instruction shall include how sexually transmitted diseases are and are not transmitted, the effectiveness and safety of all FDA approved methods of reducing the risk of contracting sexually transmitted diseases and information on local resources for testing and medical care for sexually transmitted diseases. Instruction shall include the rates of infection among pre-teens and teens of each known sexually transmitted disease and the effects of contracting each sexually transmitted disease. In particular, the instruction shall include information about the effects of contracting the Human Papilloma virus,
including sterility and cervical cancer.

11. Teaches about the effectiveness and safety of all FDA approved contraceptive methods in preventing pregnancy.

12. Teaches awareness of domestic/relationship abuse, sexual assault, sexual abuse, and risk reduction. The instruction and materials shall:
   a) Focus on relationships that are mentally, physically and emotionally healthy.
   b) Teach students what constitutes domestic/relationship abuse, sexual assault and sexual abuse, the causes of those behaviors, and risk reduction.
   c) Inform students about resources and reporting procedures if they experience assault or abuse.
   d) Examine common misconceptions and stereotypes about assault and abuse.

13. Teaches about sex trafficking prevention and awareness. The school shall:
   a) Collaborate with outside consultants, including law enforcement with expertise in sex trafficking prevention education, to address the threats of sex trafficking.
   b) Collaborate with outside consultants, including law enforcement with expertise in sex trafficking, on a referral protocol for high-risk pupils and minors.

PARENTAL OPPORTUNITIES TO REVIEW MATERIALS AND WITHHOLD

A copy of the program objectives and instructional materials for reproductive health and safety education will be available for review at least 60 days prior to the teaching of the instructional unit.

Consent for participation in the health and sex education program is implied. Before students may participate in any of these programs, the school must notify the parents of the opportunity to review the materials and the right to withhold consent for their student(s) to participate. Parents will be given an opportunity to withhold consent from instructions required under sections 10 through 13 above and/or any and all of these programs through electronic and/or traditional means.

Students whose families elect to withhold consent will be provided with an alternative abstinence until marriage curriculum that is more restrictive in topics addressed.

HEALTH EDUCATION FOR GRADES TEN THROUGH TWELVE

Students in grades ten through twelve may be provided education on relevant topics and issues they may face as they prepare for life after high school and a general refresher on topics previously covered. Parents will be given an opportunity to withhold consent through electronic and/or traditional means.

INFORMATION ON CONTRACEPTIVE AND ABORTION REFERRAL SERVICES

Students may receive information about where to obtain contraceptives and abortion referral services only in accordance with the school’s policy regarding parental consent. Any instruction concerning the use of contraceptives or prophylactics shall provide accurate statistical information on their effectiveness and failure rates for preventing pregnancy and sexually transmitted diseases, including HIV/AIDS, in actual use among adolescent population and shall explain clearly the difference between risk reduction and risk.
elimination through abstinence. The DHHS shall provide the most current available information at the beginning of each school year.

STANDARDS FOR INSTRUCTION

Health education programs will be taught by persons who have received training in methods to effectively teach these programs. Staff development opportunities will be provided, as necessary, to ensure sufficient training.

306.10 Health Nasal Narcan

HEALTH Nasal Narcan

It is the policy of Union Academy that staff who will be administering Nasal Narcan are properly trained in the use of deployment of the Nasal Narcan according to the laws of the State of North Carolina.

Purpose: To establish guidelines and regulations governing utilization of the Nasal Narcan administration by the staff of Union Academy. The objective is to treat Opioid Overdoses and reduce fatal Opioid Overdoses.

Procedure:

A. Union Academy will store the Nasal Narcan Kit in the AED box next to the health room.

B. Nasal Narcan Coordinator: The Nursing Director is designated as the Nasal Narcan Coordinator. The Nasal Narcan Coordinator shall be responsible for the following:
   • Ensuring the Nasal Narcan is current and not expired.
   • Proper and efficient deployment of Nasal Narcan.
   • Replacement of any Nasal Narcan that is either damaged, unusable, expired, or deployed.
   • Ensuring all personnel that will be using Nasal Narcan has received appropriate training in such.
   • Report to the Headmaster and Principal of the use of Nasal Narcan.

C. Nasal Narcan Use
When using the Nasal Narcan Kit, trained staff will maintain universal precautions, perform patient assessment; determine unresponsiveness, absence of breathing and or pulse. Trained staff should update their administration that the patient is in a potential overdose state. Administration or trained staff will then notify the local EMS and Paramedic Unit. Staff shall follow the protocol as outlined in the Nasal Narcan training.

1. Officer Nasal Narcan Deployment Protocol:
   • Identify and assess victim for responsiveness, pulse, and status of breathing.
   • If no pulse, initiate CPR and AED as per normal protocol; notify incoming EMS.
   • If pulse is present and the victim is unconscious, assess breathing status.
   • If breathing is adequate (<8 per minute, no cyanosis) and no signs of trauma, place in the recovery position.
• If breathing is decreased or signs of low oxygen (cyanosis) and overdose is suspected (based on history, evidence on scene, bystander reports, physical examination) then proceed with Narcan administration.
• Retrieve Narcan Kit
• Assemble Kit
• Administer a maximum of 1 mg in each nostril for a total of 2 mg, using the mucosal atomizer device.
• Initiate breathing support with pocket mask, bag-valve-mask and oxygen if available.
• If no response after 3-5 minutes and a second dose of naloxone is available, repeat the administration.
• Continue to monitor breathing and pulse - if breathing increases and there is no evidence of trauma, place in the recovery position.
• If at any time pulses are lost, initiate CPR and AED as per normal protocol.
• Keep responding EMS advised of patient status when able to do so.
• Give full report to EMS when they arrive.
• Complete documentation and internal department procedures for restocking and notification.

NOTE: When a staff member deploys Nasal Narcan and it results in a resuscitation of an overdose victim, that staff member should ensure that person receives appropriate follow-up care. The effects of Narcan only last for a limited period of time and the person may experience another opiate overdose when the effects of the Narcan wear off. Students that receive Narcan will be transported to the hospital. Employees that receive Narcan will be encouraged to be transported to the hospital for additional care. If any person refuses additional care, police should ensure that person is taken to a medical facility by ambulance. Furthermore, the officer should accompany the ambulance personnel for their safety. Local police and EMT procedures should not be otherwise circumvented as a result of this protocol.

D. Maintenance/Replacement
a. An inspection of the Nasal Narcan Kit shall be the responsibility of the personnel assigned the equipment and will be conducted each shift.

b. Missing or damaged Nasal Narcan Kit (s) will be reported directly to the Department’s Nasal Narcan Coordinator.

c. Where any condition that necessitates the Nasal Narcan Kit be taken offline or be submitted for replacement this information shall be directed to the Nasal Narcan Coordinator. It should be noted that Narcan has an expiration date per the manufacturer. If expired, the Department’s Coordinator shall be notified as soon as possible.

d. Replacement: The Department’s Nasal Narcan Coordinator shall be responsible for replacing the Nasal Narcan.

E. Documentation/Nasal Narcan Report:
Upon completing the medical assist, the staff shall document the event detailing the nature of the incident, the care the patient received and the name of the follow up health care facility. This report will be forwarded to the Nasal Narcan Coordinator and school administration.
306.11 Service Animals

The Board of Directors will make reasonable accommodations for qualified persons with disabilities in accordance with state and federal law. An individual with a disability may be accompanied by his or her service animal on school property unless the animal is properly excluded as set forth in section E of this policy. The headmaster shall establish any necessary administrative regulations for the use of service animals on school property.

A. DEFINITION OF “SERVICE ANIMAL”

A “service animal” for purposes of this policy normally is any dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual’s disability or necessary to mitigate a disability. Service animals normally do not include any other species of animal, whether wild or domestic, trained or untrained. Animals whose sole function is to provide emotional support, well-being, comfort, companionship or therapeutic benefits or to act as a crime deterrent are not service animals for the purposes of this policy.

B. USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY STUDENTS AND EMPLOYEES

1. Introduction of a Service Animal

School administrators shall facilitate the introduction of an eligible service animal into the school environment. To promote a successful integration of the service animal into the educational program and to minimize unnecessary disruption, an employee or student with a disability who intends to bring a service animal to school during the school day is encouraged to follow these guidelines.

a. The employee, student or student’s parent should notify the headmaster and the principal of the applicable school in writing at least 10 workdays prior to the date proposed to bring the service animal onto school property.

b. The employee, student or student’s parent should work with school personnel to create a plan addressing the presence of the service animal during the school day. A plan to integrate a service animal into the school environment should include the following:
   1. appropriate training for school personnel and students regarding interaction with the service animal;
   2. any necessary modifications to the educational program so that the employee or student with a disability may be accompanied by the service animal; and
   3. address, when necessary, the presence of a handler other than the employee or student with the disability to control or care for the service animal.

c. The service animal should wear identification to provide adequate notice to students, school personnel and school visitors that the dog is a service animal.

d. The service animal should be free of parasites and otherwise in good health.
2. Presence of a Service Animal on School Property

An employee or student with a disability accompanied by a service animal must meet the following requirements for a service animal to be present on school property.

a. A student or employee who elects to be accompanied by a service animal will be expected to care for and supervise the animal. If a student is not capable of providing adequate care and supervision, the parent will be responsible for providing such care and supervision.

b. If a student requires assistance from a parent or handler to control and care for the service animal while on school property, that individual must submit to a background screening, which may include a criminal history check in accordance with state law and any procedures established by the headmaster.

c. The service animal must be on a leash or other mechanical restraint at all times. If mechanical restraint is not feasible due to a student's disability, the animal must be under other sufficient means of control.

d. The service animal must be housebroken, under the control of its handler, and have received all necessary vaccinations as required by state law.

C. USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY SCHOOL VISITORS

A school visitor who is an individual with a disability may be accompanied by a service animal in accordance with all applicable state and federal laws and regulations. A service animal that is accompanying a school visitor may be properly excluded from school property for a reason(s) set forth in section E of this policy.

D. LIABILITY

The Board may hold the owner or handler of a service animal liable for any property damage caused by the animal to the same extent required by other board policy or administrative rules that impose liability for property damage. In addition, either the owner or handler, or both may be liable for personal injury caused by the animal or related to the presence of the animal on school property.

E. EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY

School personnel shall not ask an individual with a disability about the nature or extent of his or her disability or for proof of a service animal's training as a condition of allowing the animal onto school property. However, when not readily apparent to school personnel, a principal or designee may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform. Such inquiries may be made to confirm that the dog is a service animal and is rightfully present on school property.

A principal or designee may exclude a service animal from school property for the following reasons:
1. The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications.
2. The animal is out of control and the animal’s handler does not take effective action to control it.
3. The animal is not housebroken.
4. The presence or behavior of the animal fundamentally alters the service, program or activity of the school system.

If a principal or designee excludes a dog or service animal from school property, the principal or designee must document the reasons for the exclusion and notify the headmaster. The headmaster or designee will make a determination on whether a service animal will be allowed to return to the school and, if reasonably possible, notify the individual with the disability in writing of the decision within five work days of the initial exclusion.

If the headmaster determines that an animal does not meet the definition of a service animal or that a service animal should be excluded for one or more of the reasons described in this section, the student’s Section 504 or IEP Team shall meet to consider and document whether the animal’s presence is necessary for the child to receive an appropriate education or to have equal access to the educational program and, if not, whether the child needs other aids and services or accommodations.

If a service animal is excluded, an individual with a disability will be provided the opportunity to participate in educational services, programs or activities as required by law without having the service animal on the premises.

**Adoption:**
Union Academy Board of Directors
Approved: 8/9/18


### 307.0 PARENTS AND THE COMMUNITY

#### 307.1 Open Communications

The School recognizes the need for clear and open communication between the Board, staff, and parents concerning issues of mutual interest. Parental suggestions, concerns, and questions regarding School policy and practice are encouraged and are most effectively and efficiently channeled directly through a teacher, the Principal or his or her designee, or any other person or group assigned to receive such information. Parents are urged not to communicate directly with Board members on such matters to preserve the integrity of their policy-making role, the proper channels of administrative response, and Board neutrality.
307.2 Parent Organizations

The Parent Council, booster clubs, and other parent organizations perform a valuable service to the School. The Board supports these organizations and expects and encourages cooperation from the whole School community, including students and employees.

Each parent organization affiliated with the School must establish bylaws setting forth the purpose of the organization and the rules and procedures by which it shall operate. A copy of the bylaws, and any subsequent revisions, shall be given to the Headmaster and a copy shall be kept on file in the School office.

Parent organizations shall secure the advice and approval of the Headmaster prior to planning any function or activity in which students are to participate while under supervision of the School.

Unless otherwise determined by the Headmaster, any item purchased by a parent organization for the School or a School activity becomes the property of the School.

307.3 Visitors

The Headmaster or designee will post instructions to parents and visitors, directing them to the School office to sign-in upon their arrival on campus.

All parents and visitors shall report to the School office upon arrival and are required to sign in with identification card to get a name badge, including the time of their arrival and their destination. Visitors, including parents, are required to wear a nametag identifying them. At their departure, visitors and parents are required to return their nametag to the office and sign out.

The Headmaster or designee is authorized to:

- Limit campus access to persons, including students and Parents, who threaten the safety or well-being of the School community, or whose presence disrupts or is likely to disrupt the School environment;
- Determine if sales personnel may make sales visits to School administrators; and
- Call law enforcement personnel to protect against any threat posed by any person or to remove from the School property any person who refuses to leave after being directed to do so by authorized personnel.

307.4 Volunteers

The School’s viability depends, in large part, on an effective volunteer program. Parents of students attending the School are encouraged to commit time to such volunteer work for the School. Parent volunteer help is especially needed to support field trips, special classroom events, and special School activities. The Headmaster or designee is responsible for volunteer oversight, including selection, recruitment, screening, and assignment. Volunteer services may be controlled or terminated at the Headmaster’s discretion. Volunteers are
subject to applicable Visitor Policies and must report to the School office upon their arrival on campus. Volunteers are bound by the standards of conduct set forth by the School for School employees as described in Section 200.2.

308.0 STUDENT RECORDS

308.1 Regulations

The Federal Family Education Rights and Privacy Act (FERPA) affords parents of students, legal guardians, and emancipated students the right to inspect their own or their child’s records. Furthermore, FERPA prohibits, with limited exception, other persons from accessing such records without the prior consent by a parent or emancipated student.

A parent or eligible student must normally submit a written notification at least five days in advance to the School records office to inspect the student’s file.

The School may disclose appropriately designated “directory information” without written consent, unless the parent or emancipated student has directed the School not to disclose such information. Such information allows the School to publish certain useful information such as an athletic roster or a program bulletin, a yearbook, honor rolls or other recognition lists or graduation programs. The School considers the following information as directory information: a student’s name, address, phone number, activity or athletic photograph, dates of attendance, grade level, participation in activities and sports, and weight and height of sports team members. Each year the School will notify parents of the School’s “directory information” and parents’ right to opt out of such disclosures.

In addition, the School is required to provide military recruiters, upon request, with three directory information categories: names, addresses, and telephone listings of students, unless parents request that the School not provide any such information without their prior written consent. The School will also make parents aware of their rights to withhold this information from military recruiters upon written request.

The Headmaster or designee shall compile and maintain an official record for each student that contains information including a birth certificate, dates of admission and departure, attendance data, standardized test results, and grading and promotion data. Each student’s official record shall also include notice of any suspensions for a period of more than 10 days or of any expulsion. The notice of suspension or expulsion shall be expunged from the record if the student graduates from high school or is not expelled or suspended again during the two-year period commencing on the date of the student’s return to School after the expulsion or suspension.

Official student records shall be permanently maintained. The Headmaster is authorized to order the storage of official student records at a central location.

Student records do not include individual notes and records made by teachers and administrators that are in the sole possession of their maker and that are not accessible or revealed to any other person except a substitute teacher or supervisor.
Section 300 - Student Policies

308.2 Student Record Confidentiality

Student educational records are confidential. Access to the official student record and any other student record shall be strictly limited in conformance with state and federal law and Board policy.

A confidential folder shall be maintained for each child evaluated for or receiving exceptional children’s services.

Apart from directory information, personally identifiable information about a student shall not be released from a student’s record without the prior written consent of the parent, legal guardian, or emancipated student, except to the following persons:

- School employees when a legitimate educational purpose exists for accessing the information, including professionals contracted to provide services for a student;
- Authorized government or educational officials, or others with legitimate reasons for reviewing a student’s records;
- Appropriate persons in connection with an emergency, if the release of the information is necessary to protect the health or safety of the student or other persons;
- Authorized state and local officials with authority to review student information if the disclosure relates to the juvenile justice system’s ability to serve, before adjudication, the student whose records are released. The official must certify in writing that the information will not be disclosed to any other party, except as provided by state law or with prior written consent of the student’s Parent or an emancipated student;
- Officials of other Schools where the student has enrolled or plans to enroll, unless the Parent or an emancipated student has specifically requested in writing that the information not be released to the requesting institution;
- Persons acting under court order or subpoena, as long as the Parent or an emancipated student shall be notified of the request prior to its execution;
- Accrediting organizations, to the extent necessary to enable them to carry out their functions; and
- Financial aid organizations if related to a student’s application for receipt of financial aid.

Prior written consent for any other release of personally identifiable information must be signed and dated by the parent, legal guardian, or an emancipated student and must specify the records that may be disclosed, the purpose of the disclosure, and the party or class of parties to whom the disclosure may be made.

308.3 Transcripts

Parents, a student who is eighteen years of age or older, and other K-12 Schools where a former student has enrolled may request the student’s record. The School may charge for copies of records, including certified copies of transcripts. No fees will be charged for copies of records to be mailed directly to a K-12 School that a student is subsequently applying to or attending.
309.0 GRIEVANCE RIGHTS AND PROCEDURES

Students and Parents are entitled to pursue their grievances according to the *Grievance Process and Appeals of Administrative Decisions Policy* in the 400 Section of these policies.
Addendum I: Student Disciplinary Guidelines

The School strives to teach and enforce principles of civility and proper behavior by students. School officials shall address instances of misbehavior according to the nature and seriousness of such behavior, considering all related contextual factors as well. In all instances, School officials responsible for implementing these policies shall have broad discretion to do so in a reasonable and effective manner. Any consequences identified herein for misbehavior are intended to provide general parameters and expectations; these are subject to reasonable modification and implementation, in the discretion of responsible school officials, based on special factors that apply on a case-by-case basis. The School shall strive to implement these policies in a legal, fair, and consistent manner at all times.

The school disciplinary guidelines shall apply any time while a student is at school in any school building, on any school premises, attending or participating in school sponsored activities or athletic events, on or about any school owned or operated vehicle, off school property at any school sponsored or school approved activity or function and/or during any time when the student’s behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of all students and staff.

The School’s discipline policies are required by state law to conform to due process and related requirements contained in the Chapter 115C, Article 27 of the General Statutes. In case of any inconsistency between these guidelines and Article 27, Article 27 shall govern.

Abbreviated terms used herein include the following:

- **OSS**: Out-of-school suspension
- **STS**: Short-term suspension (OSS of 10 days or less).
- **LTS**: Long-term suspension (OSS of over 10 days
  - **Alternative Education Requirements for LTS**
  - **Duration:**
    - If the offense leading to the long-term suspension occurs before the final quarter of the school year, the exclusion shall be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurs during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.

General requirements and procedures can be found at G.S. §115C-390.

The School reserves the right to permanently expel a student for conduct that, on other occasions may normally warrant an LTS. Expulsions are reserved for the most serious offenses by a student. In such instances, the School shall comply with applicable state laws.

The School reserves the right to administer Reasonable Force against a student in any circumstances that requires it, pursuant to state law.
Law enforcement may be called at any time for any listed offense, or additional offenses not addressed in these policies.

The School Principals and Headmaster have the final say and discretion in administering discipline policies and consequences.
1. **Aggressive Behavior**: The aggressive behaviors listed below may result in school discipline (as indicated), and possibly the involvement of law enforcement.

   **A. Incidents of Minor Aggressive Physical Action (Toward Student):**

   Students shall not engage in aggressive physical actions toward another student or non-adult at school.

   **Consequences:**

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   **B. Incidents of Minor Aggressive Physical Action (Toward Adult):**

   Students shall not engage in aggressive physical actions toward an adult.

   **Consequences:**

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C. Fighting Among Students:

Students shall not fight or attempt to cause bodily harm to another student through physical contact. If a student is attempting to involve another student in a fight, the other student should walk away and report it to a teacher or administrator.

![Consequences Table]

D. Physical Assault or Physical Harm to School Employees and Other Adults:

Students shall not cause or attempt to cause physical or bodily harm to any school employee, contractor, agent, or any other adult at any time. If a student assaults and injures a teacher and, as a result, the student is long-term suspended or reassigned to alternative education services, the student shall not be returned to that teacher’s classroom unless the teacher consents. Under G.S. §20-11 (n1), this violation may result in the loss of one’s driver license.

![Consequences Table]
E. Violent Physical Assault Upon a Student Resulting in Injury:

Students shall not physically attack another student, causing severe or aggravated bodily injury involving, but not limited to, broken bones, loss of teeth, possible internal injuries, severe lacerations and bleeding or loss of consciousness, and/or requiring emergency medical services by trained school personnel or other health professionals (e.g., EMS) and/or hospitalization.

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2. Chronic Disruptive Behavior:

Chronic Disruptive Behavior:

Students who chronically disrupt or repeatedly violate other school rules may be charged with repeated violations of school rules or misbehavior.

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3. Threats:

A. **Written or Verbal Threats Toward or About Students:**

No student shall, through written or oral communication (including electronic), expressly or implied, threaten to cause, attempt to cause, or actually cause harm to any other student on any school property or at any school-sponsored activity.

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B. **Written or Verbal Threats toward or about School Employees or Other Adults:**

No student shall, through written or oral communication (including electronic), expressly or implied, threaten to cause, attempt to cause, or actually cause harm to school employees or other adults on any school property or at any school-sponsored activity.

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### C. Written or Verbal Threats toward or about the School Community:
No student shall, through written or oral communication (including electronic), expressly or implied, threaten to cause, attempt to cause, or actually cause harm to the school community, including but not limited to students, faculty, staff, administrators, parents, or volunteers, on any school property or at any school-sponsored activity.

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### 4. Disrespect/Noncompliance/Searches:

#### 4. Disrespect:
Students shall respect other visitors, school employees and other persons by utilizing appropriate language and behaviors at all times.

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### 5. Noncompliance with Directives from Teachers and Other School Personnel:

Students shall comply with the directions of all school personnel at all times while a
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6. **Noncompliance with Directives from Principals, Headmaster and Other Administration Officials:**

Students shall comply with the directions of all school personnel at all times while a student is on school property or at a school-sponsored activity.

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7. **Refusal to Allow Search:**

In an effort to create and maintain a safe and orderly school environment conducive to learning, the school administration has the right to conduct a search reasonable in scope of a student and/or his/her possessions, if the administration has a reasonable suspicion that the student may be in possession of a weapon, illegal substance, or other items prohibited by law or the Code of Conduct.
a. **Search of an Individual or his/her Possessions:** A student must cooperate with and may not obstruct or interfere with a reasonable search of the student, his/her desk, locker, book bag, purse or other possessions which are present on school property or at a school activity.

b. **Search of a Vehicle:** A student must cooperate with and may not obstruct or interfere with a reasonable search of the student's vehicle and its contents when it is present on school property or at a school activity. Violation of this rule may result in the student losing his/her parking privilege, in addition to other applicable disciplinary action.

c. **Random Search of Student Lockers, Desks and/or Union Academy-issued electronics:** Student lockers, desks and UA-issued electronics are the property of the school and are assigned to the student with the understanding that he/she is responsible for all property placed in the locker or desk. Lockers and desks shall be used only for storage of those items that are reasonably necessary for the student's school activities such as books, gym clothes, coats, school assignments, etc. A student must cooperate with and may not obstruct or interfere with a random search of his/her desk or locker or UA-issued electronics.

d. **Random Law Enforcement Canine Searches:** The school may use law enforcement or law enforcement canines for random searches of lockers, desks, vehicles, and possessions of students, such as bags, which do not require a search of the student. A student must cooperate with and may not obstruct or interfere with law enforcement or a law enforcement canine search conducted in accordance with this provision.

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<td>3rd Offense: 10 days OSS with LTS recommendation</td>
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8. **Hazing:**

No student shall engage in hazing, which, as defined by state criminal law, means “to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group including any society, athletic team, fraternity or sorority, or other similar group.” For purposes of this policy, hazing may
Section 300 - Student Policies

include annoying any student by playing abusive or ridiculous tricks upon him/her, to frighten, scold, beat or harass him/her, or subject him/her to personal indignity.

Per G.S. § 14-35, hazing is illegal on campus and at all off campus school events. In addition to criminal standards, no student shall engage in conduct that fosters, condones, or in any other way supports hazing activity or other activity that unduly pressures another person to gain initiation into a group by use of undue and unreasonable threats of harmful or other inappropriate actions against the person hazed.

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9. Extortion:

No student shall attempt to extort money, personal property, personal services or other property or services.

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10. Fire:

A. *False Fire Alarm/911 Call:*

No student shall set off, attempt to set off, or aid and abet anyone in setting off a fire alarm in a non-emergency. No student shall interfere with or damage any part of a fire alarm, fire detection system, smoke detection system, fire extinguishing system (including discharging a fire extinguishing during a non-emergency), or emergency escape system, or make a call to 911 or other emergency-response number, unless there are reasonable grounds to believe that an actual emergency situation exists.

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### Section 300 - Student Policies

#### B. Use of Fire:

A student will neither set fire nor attempt to set fire to anything on school property, or participate with others (either by presence or action) to damage or destroy school property through the use of fire.

**Consequences:**

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#### 11. Gambling:

No students shall participate in any unauthorized games of chance in which money or items of value may be won or lost.

**Consequences:**

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12. Inappropriate Language and Gestures:

A. **Inappropriate Language and Gestures Toward or About a Student:**

No students shall curse or use vulgar, profane, or obscene language and/or gestures toward or about a student, or otherwise use inappropriate language, written (digital or non-digital) or verbal, or gestures, even if it is not about that student, or is directed toward someone else.

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B. **Inappropriate Language and Gestures Toward or About a Teacher or Other School Employee:**

No student shall curse or use vulgar, profane, or obscene language and/or gestures about or toward a school employee or other adult, or otherwise use inappropriate language, written (digital or non-digital) or verbal, or gestures, even if it is not about the employee or other adult, or is directed toward someone else.

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C. Inappropriate Literature, Illustrations and Images:

No student shall possess or distribute literature, video, audio, illustrations, or other images (including electronically) or materials that substantially disrupt the educational process or that are lewd, vulgar, derogatory, or obscene, including, but not limited to, pictures, video, audio, magazines, CD's, DVDs, video games, explicit or graphically violent materials (i.e., instructions/documentation concerning the creation of or the use of weapons).

** Possession of a substance article may be either actual or constructive. A student has actual possession of a substance or article if the student has it on the person, is aware of its presence, and has the power and intent to control its disposition or use.

A student has constructive possession of a substance or article if the student does not have it on the person but is aware of its presence, and has the power and intent to control its disposition or use. A student's awareness of the presence of the substance or article and the student's power and intent to contosion or use may be shown by direct evidence or may be inferred from the circumstances.

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<th>Consequences – Possession **:</th>
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<td><strong>2nd Offense:</strong> 10 days OSS with LTS recommendation</td>
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D. Inappropriate Use of Computer or Internet

Students must refrain from inappropriate use of school computers or from utilizing the internet without proper authority, per the Union Academy Acceptable Use Technology Policy.

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13. Integrity:

No student shall willfully engage in or attempt to engage in cheating, plagiarism, falsification, violation of a technology use agreement, or violation of computer access requirements. The following actions are examples, without limitation, of the kinds of conduct specifically prohibited:

A. Plagiarism – copying the language, structure, or idea of another and representing it as one’s own work.

B. Cheating – giving or receiving of any unauthorized assistance on academic work.

C. Falsification – verbal or written communication of any untruth of a material point or fact.
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### 14. Property Damage/Vandalism:

No student shall intentionally damage or attempt to damage or deface school property, or personal property.

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### 15. Bullying/Harassment:

No student shall use insulting, abusive, or seriously disrespectful words or acts of touching, gestures, signs, verbal threats, harassment, acts of bullying, cyber-bullying or intimidation, or other acts. Students shall respect other students, visitors, school employees, and other persons by utilizing appropriate language and behaviors at all times. Students who believe they have been subjected to violations of Rule 12 should report the harassment to a teacher, counselor, or school administrator. Refer to the Bullying/Harassment policy in the Family/Student Handbook.
Section 300 - Student Policies

Consequences:

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16. Theft:

No student shall steal, attempt to steal, or be in possession of stolen property.

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17. Tobacco, Alcohol and Drugs (Legal/Illegal/Controlled Substances):

No student shall use, purchase, sell, distribute, be under the influence of or possess any kind of alcoholic beverage or any kind of illegal or controlled substance as defined by State law. This prohibition includes, but is not limited to, tobacco products, anabolic steroids, illegal drugs or controlled substances, counterfeit or imitation controlled substances, and drug paraphernalia.
Section 300 - Student Policies

A. Possession ** of Tobacco Products:

Students shall not possess tobacco products (including, but not limited to, cigarettes, electronic-cigarettes or any type of vaping device or paraphernalia, chewing tobacco or any other product used for “dipping”, lighters, etc.) on any school property or at a school-sponsored event.

** Possession of a substance or article may be either actual or constructive.
A student has actual possession of a substance or article if the student has it on the person, is aware of its presence, and has the power and intent to control its disposition or use.

A student has constructive possession of a substance or article if the student does not have it on the person but is aware of its presence, and has the power and intent to control its disposition or use. A student's awareness of the presence of the substance or article and the student's power and intent to control its disposition or use may be shown by direct evidence or may be inferred from the circumstances.

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B. Use of Tobacco Products:

Students shall not use tobacco products (including, but not limited to, electronic-cigarettes or any type of vaping device or paraphernalia, chewing tobacco or any other product used for “dipping”, lighters, etc.) on any school property or at a school-sponsored event.
### Section 300 - Student Policies

#### Consequences:

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<td><strong>1st Offense:</strong></td>
<td>3 to 7 days OSS</td>
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<td><strong>2nd Offense:</strong></td>
<td>7 to 10 days OSS</td>
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<td><strong>3rd Offense:</strong></td>
<td>10 days OSS with LTS recommendation</td>
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**C. Sale or Distribution of Tobacco Products:**

Students shall not distribute or sell any tobacco products (including, but not limited to, electronic-cigarettes or any type of vaping device or paraphernalia, chewing tobacco or any other product used for “dipping”, lighters, etc.).

#### Consequences:

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**D. Possession ***, Use, Students Under the Influence of Alcohol, or Selling/Distribution of Alcohol:**

No student shall possess any alcoholic beverages in school, on school grounds, to and from school, on school bus or shuttle, or at any school function.

No student shall drink any alcoholic beverage or use any substance containing alcohol, or be under the influence of same, when on school property or at a school-sponsored activity.

No student shall distribute or attempt to distribute any alcoholic beverage on school property or at a school-sponsored activity. Under G.S. §20-11(n1) this violation may result in the loss of a driver license.

**Possession of a substance or article may be either actual or constructive. A student has actual possession of a substance or article if the student has it on the person, is aware of its presence, and has the power and intent to control its disposition or use. A student has constructive possession of a substance or article if the student does not have it on the person but is aware of its presence, and has the power and intent to control its disposition or use. A student's awareness of the presence of the substance or**
article and the student’s power and intent to control its disposition or use may be shown by direct evidence or may be inferred from the circumstances.

**Consequences:**

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**E. Possession ** of Drugs (Illegal or Controlled Substances), Use or Students Under the Influence of Drugs, Possession ** or Attempting to Possess Drugs and/or Drug Paraphernalia, Inhalants, and Sale/Distribution (Attempt or Actual) of Drugs (Illegal or Controlled Substances):**

No student shall possess or attempt to possess any illegal, counterfeit or controlled substance or take any action that contributes to the possession of any illegal or controlled substance. The quantity must be small enough to indicate personal use by only one individual. Under G.S. §20-11(n1) this violation can result in the loss of a driver license.

No student shall use any narcotic, illegal or controlled drug, anabolic steroid or any other illegal substance, on school property or at a school-sponsored activity.

No student shall possess, distribute or use any drug-related paraphernalia.

No student shall possess, distribute or inhale any substance/product (Off-the-shelf, controlled, or illegal) for mind-altering effects.

No student shall distribute or sell any illegal, counterfeit or controlled substance (including prescription medication given or sold to an individual other than the one for whom the prescription was written), attempt to sell or distribute any illegal or controlled substance or any take any action that contributes to the sale or distribution of any illegal or controlled substance, or the giving or offering to give any illegal or controlled substance to another individual. This prohibition includes sale/distribution of tobacco products to underage student(s). Under G.S. §20-11 (n1) this violation can result in the loss of a driver license.

**Possession of a substance or article may be either actual or constructive.**

A student has actual possession of a substance or article if the student has it on the person, is aware of its presence, and has the power and intent to control its disposition or use. A student has constructive possession of a substance or article if the student does not have it on the person but is aware of its presence, and has the power and intent to control its disposition or use. A student's awareness of the presence of the substance or article and the student's power and intent to control its disposition or use may be shown by direct evidence or may be inferred from the circumstances.
18. Inappropriate Sexual Behavior:

A student shall not engage in inappropriate and/or sexual behavior on school property or at a school-sponsored activity. That includes, but is not limited to, any consensual sexual behavior that is not appropriate on school grounds; inappropriate touching of themselves; inappropriate touching that is unwelcome and not consensual; inappropriate sexual activity involving willing participants (consensual); indecent exposure (intentionally engaging in exposure of private parts of one’s body. This provision does not apply to normal instances of exposure; e.g., restrooms, locker rooms, and medical care); and any instance of sexual assault or attempted sexual assault.

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19. Possession of a Firearm, Other Types of Guns, or Other “Look-Alike” Firearms:

Students shall not possess, conceal or transport any gun, air gun, BB gun, pellet gun, firearm, stun-gun, starter pistol, paintball gun, zip gun or any similar weapon that is capable of or causing serious bodily injury or any gun facsimile (an exact or close reproduction or imitation of an actual or real gun) or incidental items relating to firearms use, such as bullets, magazine clips, or other projectile items at any time.

State law requires that in any instance a student who is determined to have brought or been in possession of a firearm or destructive device on educational property, or to a school-sponsored activity, may be subject to a 365-day suspension (G.S. §115C-390.10):

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-390.10.html
A. Possession ** of a Firearm:

Students shall not possess a firearm which is any of the following: a weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver or any such weapon; any firearm muffler or firearm silencer; the term shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol. Under G.S. §20-11 (n1), this violation may result in the loss of one's driver license.

** Possession of a substance or article may be either actual or constructive. A student has actual possession of a substance or article if the student has it on the person, is aware of its presence, and has the power and intent to control its disposition or use.

A student has constructive possession of a substance or article if the student does not have it on the person but is aware of its presence, and has the power and intent to control its disposition or use. A student's awareness of the presence of the substance or article and the student’s power and intent to control its disposition or use may be shown by direct evidence or may be inferred from the circumstances.

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B. Possession ** of Other Types of Guns or Live Incidental Items Related to Firearms:

Students shall not possess or conceal or transport or use any air gun, BB gun, pellet gun, stun-gun, Taser, zip gun or live bullets or loaded magazine clips or any other weapon or other gun facsimile (an exact or close reproduction or imitation of a gun that could be perceived by a reasonable person to be an actual or real gun.

** Possession of a substance or article may be either actual or constructive. A student has actual possession of a substance or article if the student has it on the person, is aware of its presence, and has the power and intent to control its disposition or use.

A student has constructive possession of a substance or article if the student does not have it on the person but is aware of its presence, and has the power and intent to control its disposition or use. A student's awareness of the presence of the substance or article and the student’s power and intent to control its disposition or use may be shown by direct evidence or may be inferred from the circumstances.
C. Possession ** of Other “Look-alike” Firearms or Incidental items relating to firearms:

Students shall not possess any other “look-alike” gun such as a plastic gun, rubber gun, candy gun or water pistol, paintball guns, or incidental items relating to firearms use, such as bullet casings, empty magazine clips, or other projectile items.

** Possession of a substance or article may be either actual or constructive. A student has actual possession of a substance or article if the student has it on the person, is aware of its presence, and has the power and intent to control its disposition or use.

A student has constructive possession of a substance or article if the student does not have it on the person but is aware of its presence, and has the power and intent to control its disposition or use. A student’s awareness of the presence of the substance or article and the student’s power and intent to control its disposition or use may be shown by direct evidence or may be inferred from the circumstances.

D. Possession ** of a Dangerous Weapon or Other Instrument:

Students shall not possess or conceal or transport any weapon, (including but not limited to any of the following: knife, including a pocket knife, bowie knife, switchblade, dirk, dagger or machete; slingshot; leaded cane; blackjack; metal knuckles or numb-chucks; electric shock weapon; icpick; razor or razor blade; or any camouflaged weapons; and any sharp pointed or edged instrument) chemical agent or other instrument that could cause or that is intended to cause bodily injury or other harm to another, or misuse otherwise acceptable objects in a manner intended to cause harm to others, at any time while a student is at school, in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned

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or operated vehicle, off school property at any school-sponsored or school-approved activity or function or during any period of time when students are subject to the authority of school personnel, and at any time when the student’s behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff.

** Possession of a substance or article may be either actual or constructive.
A student has actual possession of a substance or article if the student has it on the person, is aware of its presence, and has the power and intent to control its disposition or use.

A student has constructive possession of a substance or article if the student does not have it on the person but is aware of its presence, and has the power and intent to control its disposition or use. A student's awareness of the presence of the substance or article and the student’s power and intent to control its disposition or use may be shown by direct evidence or may be inferred from the circumstances.

| Consequences: |  |
|----------------|---|---|---|---|
| **Elementary** | **Intermediate** | **Middle** | **High** |
| Each Offense: 10 days OSS with LTS recommendation | Each Offense: 10 days OSS with LTS recommendation | Each Offense: 10 days OSS with LTS recommendation | Each Offense: 10 days OSS with LTS recommendation |
| Confiscate weapon | Confiscate weapon | Confiscate weapon | Confiscate weapon |

**E. Use of Self Defense Sprays and Items:**

Students shall not use chemicals such as Mace or pepper sprays on school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school-approved activity or function or during any period of time when students are subject to the authority of school personnel, in any manner inconsistent with the intended use of said product.

| Consequences: |  |
|----------------|---|---|---|---|
| **Elementary** | **Intermediate** | **Middle** | **High** |
| Each Offense: 10 days OSS with LTS recommendation | Each Offense: 10 days OSS with LTS recommendation | Each Offense: 10 days OSS with LTS recommendation | Each Offense: 10 days OSS with LTS recommendation |
F. Fireworks, Explosives:

Students shall not possess ** firecrackers or small explosive devices including caps and snapper pops; any device containing combustible material and a fuse.

** Possession of a substance or article may be either actual or constructive.
A student has actual possession of a substance or article if the student has it on the person, is aware of its presence, and has the power and intent to control its disposition or use.

A student has constructive possession of a substance or article if the student does not have it on the person but is aware of its presence, and has the power and intent to control its disposition or use. A student's awareness of the presence of the substance or article and the student's power and intent to control its disposition or use may be shown by direct evidence or may be inferred from the circumstances.

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G. Bomb Threat:

Any notification, false or otherwise (verbal or written), indicating the presence of a bomb or explosive on school grounds, school bus or at any school activity.

Consequences:

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H. Destructive Device:

Students shall not possess ** any destructive device. Destructive devices include but are not limited to a bomb, grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, an explosive or poison gas or any device similar to any of the devices listed in this subdivision.

** N.C.G.S. 115C-390(1) requires an automatic suspension of 365 days for any student who brought or was in possession of a destructive device. **
** Possession of a substance or article may be either actual or constructive.
A student has actual possession of a substance or article if the student has it on the
person, is aware of its presence, and has the power and intent to control its disposition or
use.

A student has constructive possession of a substance or article if the student does not
have it on the person but is aware of its presence, and has the power and intent to control
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<td>Each Offense:</td>
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### 17. Breaking and Entering:

A student will not break into school property. This will include any unauthorized entry
into school property with or without destruction to the property.

### Consequences:

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### 18. Robbery:

A student will not take another person’s property by force, or the threat of force or by
using violence.

**Attempted** – Attempting to take property from a person by force, or the threat of force or violence.

**Actual** – Taking property from a person by force, or the threat of force or violence.
## Consequences:

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Union Academy Board of Directors

Approved: 6/13/19
Due Process for Out of School Suspensions and Expulsions:

1. Notice and an opportunity to be heard. Any student who will be involuntarily removed from school as a result of a disciplinary infraction, even if only for a short period of time (such as a few days), is entitled to oral or written notice of the alleged offense.

2. If the student denies the allegation, he must be given an explanation of the evidence the authorities have against him and an opportunity to present his side of the story. For a short-term suspension, which is defined as fewer than ten days, this can be a very informal interchange; no formal hearing is required. In most cases, this informal notice and opportunity to respond should occur prior to the suspension, although if the school authority determines that the continuing presence of the student represents a danger to the other students or staff, the student may be removed immediately. In such a case, the necessary notice and rudimentary hearing must occur as soon as practicable. No judicial appeal is allowed.

3. Hearing. Specific due process rights (i.e., notice and hearing) are contained in Article 27 of Chapter 115C of the General Statutes (noted at the beginning of this policy section). Generally, more formal procedures are due to a student who is facing a long-term suspension or expulsion. The protections cited are:

   a. Written notice to parents and the student of specific statement of charges
   b. A full hearing, after adequate notice, before an impartial tribunal
   c. The right to examine evidence against the student
   d. The right to be represented by counsel, though not at state expense
   e. The right to present evidence
   f. The right to a record of the proceeding
   g. The right to have the decision based on substantial evidence.
Section 400 - Operations

Policies and Procedures

400 – OPERATIONS

401.0 FACILITIES AND EQUIPMENT

401.1 Building and Grounds Regulations

The Headmaster or Designee shall ensure the School complies with federal and state safety rules and regulations applicable to buildings and grounds.

The School shall provide a safe working and learning environment, in part, by establishing appropriate safety procedures to protect students, employees, and visitors to the School. All students, employees, and visitors shall adhere to all safety procedures at all times while on School grounds.

All School personnel shall be immediately required to report to the Principal any occupational injury or illness, safety hazard, unsanitary condition, damage to School property, or needed repair.

401.2 Community Use of School Facilities (Facility Utilization Policy)

The Headmaster and Chief Financial Officer shall mutually be responsible for the administering the following policies and procedures that shall govern the use of School facilities by internal groups conducting special events/programs or external community entities. Rental Use Applications are available from Administrative Assistant, who shall also be responsible for assisting prospective users in the determination of suitable space and any questions regarding the application of this policy. The Business Office will handle all applications, agreements, payments, billings and recordkeeping for facility rentals. All rentals of school facilities shall be approved by the Headmaster and Chief Financial Officer consistent with the following policies and procedures.

Regulations

- All rentals are subject to availability. School related groups will be given priority over external groups. The use of the facilities by external groups shall not conflict with any scheduled activity of the school, its faculty, staff or students.
- While every effort will be made to avoid any scheduling conflict, the school reserves the right to postpone or cancel any scheduled facility use due to weather, facility conditions or the need to use such facility for a priority institutional event. Should such a necessity
arise, reasonable efforts will be made to provide sufficient notice to applicant and an alternate rental may be offered if available.

- Locations available for rental shall include the gym or classrooms at the Professional Center, one of three Main Campus gyms, multi-purpose room, cafeteria or specific classrooms. All approved facility users must restrict their activities and participants to the specific rental space.
- Shower and locker rooms are not available for rental.
- A Union Academy employee trained in emergency medical procedures and knowledgeable of emergency medical and safety procedures within the facility must be present at all events.
- Fire and safety regulation and posted notices shall be observed. Each user will receive a copy of safety and emergency medical, fire and police procedures for the facility.
- Announcements should be made prior to the start of any event regarding emergency evacuation procedures, handling emergencies, following the requests of institutional supervisors and prohibited activities and substances.
- Any and all accidents and injuries must be immediately reported to the designated school representative/ supervisor on site.
- The lease must designate a member of the group to be responsible for monitoring the entrance and exit of all participants.
- Groups of 30 or more will provide “supervision” at a ratio of one adult supervisor for every 30 participants for security within the building and on its surrounding grounds.
- Union Academy shall not be held responsible for loss or damage to personal property owned by the applicant renter, its officers, agents, employees and invitees, nor for any injury sustained by any such person which occurs while the applicant is using the facilities. If the application is accepted and confirmed, the renter agrees to release and forever discharge the school, its respective affiliate employees, representatives, agents, successors and assigns from any and all actions, claims and demands, damages, costs, loss of services, expenses and compensation on account of or in any way arising out of any and all known and unknown personal injuries and property damage resulting or to result from renter’s use of school property and facilities. Renter does agree to indemnify and save harmless the school from all further claims, demands, costs or expenses arising out of its use of School property.
- Food or drink will not be served by any group unless the school has previously approved specific contractual agreements. All concessionaires must be licensed and insured. All persons handling food must meet county and state health requirements and all personnel shall abide by specific policies governing the use of kitchens or concession areas, copies of which are required to be given to the user as part of the use agreement.
- This is a smoke free campus. Additionally, the use of drugs, tobacco, e-cigarettes/vapes and alcoholic beverages is prohibited on the premises of and in all buildings and facilities.
- Written permission is required when the renter wishes to put up decorations or scenery, move furniture, or to display, sell or exhibit items; and they will be responsible for furnishing all equipment and/or supplies unless specific arrangements are made with and agreed to by the Headmaster/Chief Financial Officer.
- Renters requiring special services and/or equipment must request specific arrangements in writing at the time of the application. Additional fees may be incurred according to the Facilities Rental Fee Schedule.
The applicant agrees not to allow any other organization to participate in the use of the described facilities. Rental Use Applications are not transferable to another group once approved. Only facilities specifically named in the contract are available for use, and only for the use set forth in the rental application.

The applicant may not rearrange desks, cabinets, tables or other furnishings without specific prior approval from the Headmaster or Chief Financial Officer. Where approval is given, the applicant is expected to return furnishings to their proper place. All facilities must be left in good order at the close of each event and at the close of the contract period. The security deposit is subject to forfeiture if this condition is not met.

The school will not permit the use of its name in solicitation of funds for support of programs not authorized and sponsored by the school. Use of its facility does not imply general endorsement of the rental organization.

Any event signage to be located in the facility or on the property must be approved by Headmaster or Chief Financial Officer prior to display and must be removed immediately after event.

Weapons are prohibited.

Non-compliance with any of these rules and regulations will result in immediate cancellation of the contract agreement and forfeiture of all deposits.

Renters shall not make any alterations or improvements to any of the facilities, without the express prior written consent of the school, which consent may be granted or withheld in the sole discretion of the school.

Union Academy shall not discriminate on the basis of age, color, gender, national origin, physical impairment, political affiliation, race, religion, or sexual orientation in the consideration of any facility use application.

Union Academy shall deny application for facility use to any group or individual that denies the membership or participation in its activities based on such discriminatory factors or if activities violate any institutional policy or local, state, or federal law.

Procedures

Individuals and organizations seeking to use the facilities of Union Academy must obtain the prior written approval of the Headmaster or designee. Approval may be granted only after completion of the Rental Use Application and may be subject to any special terms or circumstances therein described. Should approval be granted, the applicant will receive a signed rental confirmation form.

At the time the application is submitted, Union Academy requires all non-UA sponsored organizations to provide the school with a Certificate of General Liability Insurance of not less than $1,000,000.00 per occurrence for bodily injury and property damage in the name of the applicant and naming UA as an additional insured. (See Rental Use Application Addendum 2)

All deposits and fees are due two weeks in advance of rental.

401.3 Disposition of School Property

When the Headmaster determines that any School-owned real or personal property is no longer suitable or necessary for School purposes, the Headmaster may dispose of the property as provided by law.
401.4 Equipment Use

Equipment and materials purchased for the School are not to be used for private purposes except at the discretion of the Headmaster when such use primarily serves School purposes or is in conjunction with the rental or use of School facilities under this policy.

401.5 Facility Changes and Construction Alterations

The Headmaster shall approve any substantive alterations to School equipment or facilities, which require changing the existing wiring, carpentry, plumbing, or other structural systems of the School.

Construction

All new School construction shall be completed in accordance with the Americans with Disabilities Act and other accommodation laws to ensure disabled individuals are readily able to access and use the facilities according to their legal rights.

Repair

The Headmaster or their designee shall perform periodic reviews of the School's facilities, services, programs, and activities to ensure accessibility to disabled persons (when each service, program, and activity is examined in its entirety).

Disability Compliance

If the Headmaster determines a facility, service, program, or activity is not legally accessible to disabled persons, it shall take appropriate remedial actions, including altering a building, service, program, or activity, unless such remedial action would result in a fundamental change in the nature of the service, program, or activity, or present the Headmaster with an undue financial burden.

401.6 Fire Prevention

The Headmaster or designee shall ensure compliance with the following fire hazard procedures:

- Ensure that all corridors, halls, and tower stairways used for exiting the building are kept clear of anything that could interfere with the safe and orderly exodus of building occupants. This includes, but is not limited to, restricting the use of the corridors, walls, and tower stairways for storage.
- Ensure that all exit doors are kept in good working condition and that all doors required for the prompt and orderly exodus of building occupants are kept unlocked at all times while the building is in use.
- Prohibit changes in electrical wiring in any School building or structure unless authorized by the Headmaster in accordance with Board policy and performed by a licensed...
electrical contractor.

- Ensure that any combustible materials required for instructional purposes or for the operation of the School be stored in a safe and orderly manner, including providing a well-ventilated place to store any oily rags, mops, or other supplies that present spontaneous combustion risks.

- Inspect all School facilities to ensure the regular removal of all trash, rubbish and other fire hazards from the School building. The inspections shall include cafeterias, gymnasiums, boiler rooms, storage rooms, auditoriums and stage areas, and all classrooms.

- File a report each month during the regular School session detailing the date of the last fire drill, the time required to evacuate each building, that inspections have been made as prescribed by law, and any other information as deemed necessary for fire safety by state and local regulation.

- Cooperate fully with the authorized building inspector, electrical inspector, county fire marshal, and other government officials in making the inspections required by law and notify the Board of the failure of any such inspection.

- Make available to the Board of all recommendations resulting from inspections and the Headmaster make appropriate corrective actions to make the necessary corrections.

401.7 Maintenance

The Headmaster shall be responsible for maintaining and protecting the School’s building and grounds in safe and appropriate condition for use at all times. The Headmaster shall also maintain all appropriate records in connection with this duty.

401.8 Traffic and Parking on School Property

The Headmaster may issue rules and procedures for safe traffic and parking operations. The speed limit on School roads and parking lots shall be ten miles per hour. Traffic calming devices, such as speed bumps, may be installed on School property as the Headmaster deems necessary. The Headmaster shall not be liable or responsible for damage to cars or other vehicles in operation or parked on School property.

Idle free zone - The entire school grounds are an “idle free zone” except in bus and emergency vehicle situations. Failure to comply may lead to disciplinary action.

401.9 Vandalism, Theft and Building Damage

Vandalism is the willful destruction of School property, equipment, or materials. School personnel shall report to the Headmaster in writing any instance of forceful entry onto School property or into any School building. In the event that theft or damage to School property results from forced entry, the Headmaster and other School personnel shall make a determination of the losses.
402  FISCAL OPERATIONS

402.1  Accountability and Fiscal Management

Union Academy is a charter school that is approved by the State and is a public school within the local school administrative unit in which it is located. Union Academy shall be accountable to the State Board for ensuring compliance with applicable laws and the provisions of their charters.

Union Academy shall be operated by a nonprofit corporation that shall maintain a valid federal tax-exempt status.

Union Academy shall operate under the written charter signed by the State Board and the applicant. The School is not required to enter into any other contract. The charter shall incorporate the information provided in the application, as modified during the charter renewal process, and any terms and conditions imposed on the School by the State Board of Education.

The Board of Directors of Union Academy shall ensure that the School is responsive to the values, beliefs and priorities as described in the school’s vision and mission. Authority is granted to the board, not each member individually. Therefore, board members fulfill these responsibilities by working together as a governance team with the Headmaster to make decisions that will best serve all students.

Budget planning and preparation is critical to the development of a budget likely to further the educational goals of the board and to provide for the smooth operation of the school. Budget planning shall be an integral part of program planning so that the budget may effectively express and implement all programs and activities of the school. Reporting requirements to State Board of Education.

- Union Academy is subject to the financial audits, the audit procedures, and the audit requirements adopted by the State Board of Education for charter schools. These audit requirements may include the requirements of the School Budget and Fiscal Control Act.
- Union Academy shall comply with the reporting requirements established by the State Board of Education in the Uniform Education Reporting System.
- Union Academy shall report at least annually to the State Board of Education the information required by the State Board.


402.2  Fiscal Year

The fiscal year shall begin July 1 each year and conclude June 30 of the succeeding calendar year.

402.3  Budget Planning and Adoption

In recognition of the importance of the budget planning process, the budget planning for the

...
Board and administration will include:

- Establishing the priorities of the school, recognizing that improving student success will always be of paramount concern;
- considering long-range facilities plans, goals and objectives as established by the Board and Administration when assessing the needs of the School;
- integrating budget planning into program planning so that the budget may effectively express and implement all programs and activities of the school;
- seeking broad participation by administrators, teachers, other school personnel;
- exploring all practical and legal sources of income;
- continually assessing the needs of the school and the revenues and expenses; and
- identifying the most cost-effective means of meeting the school needs;
- ensuring that the School’s fiscal affairs are conducted in strict compliance with the law.

Through the budget resolution, the board appropriates sums it determines are sufficient and proper for the budget year. The board will provide maximum flexibility to Union Academy in the use of funds to enable the school to accomplish their student performance goals. The school will not expend any monies, regardless of their source, except in accordance with the budget resolution adopted by the board. The board signs this resolution annually with each budget adoption/approval.

402.4 Accounting System and Internal Fiscal Control Policy

The School shall establish and maintain a financial accounting and reporting system designed to track the School’s assets, liabilities, equities, revenues, and expenditures using the modified accrual basis of accounting. The system shall be designed to show appropriations and estimated revenues as established in the budget resolution as originally adopted and subsequently amended.

The School shall maintain a written procedure manual in the internal control procedures. These procedures define the process for the control and disposition of invoices, reimbursements to employees, bank statements, fixed assets, and payroll.

402.5 Depositories

The Board shall designate one or more banks, savings and loan associations, or trust companies in North Carolina as official depositories of the School. No money belonging to the School shall be deposited in any other place, bank, savings and loan, or trust company other than an official depository. All deposits shall be made with the Chief Financial Officer or in an official depository.

402.6 Fiscal Management Standards

In recognition of the trust and responsibility placed with the Board to manage financial resources for Union Academy, the Board establishes the following standards:

- The Board and all employees of the school will manage and use available funds efficiently
and effectively to meet the goals of the board of directors;

- Accounting, financial reporting and management control systems will be designed and maintained (1) to show in detail the school’s assets, liabilities, equities, revenues and expenditures; (2) to show appropriations and estimated revenues as established in the original and amended budgets; (3) to enable the Board and school to have access to accurate, reliable and relevant data; and (4) to permit audits and periodic reports adequate to show that those in charge have handled funds within legal requirements and in accordance with board policy.

- The Headmaster and Chief Financial Officer will keep the Board sufficiently informed regarding the budget through monthly financial statements and any other appropriate means so that the Board can deliberate and evaluate the budget.

- No moneys will be expended, regardless of the source (including moneys derived from federal, State, local or private sources), except in accordance with state law and the board’s budget resolution or amendments to the budget.

- Principals and school improvement teams will be familiar with State and local board requirements related to managing and using fiscal resources and will comply with these requirements in developing and implementing school improvement plans.

These procedures define the process for the control and disposition of invoices, reimbursements to employees, bank statements, and payroll.

### Record Handling Instructions

All financial records generated from the execution of these procedures will be maintained by the School’s business office, in accordance with proper protocols for preparing an annual audit or as otherwise determined necessary by the Board.

### Reports

The Chief Financial Officer will submit Budget Report to the Board at its regularly scheduled meetings. As granted by any School Budget Resolution, the Headmaster shall have the authority to reallocate budgeted amounts as specified in such resolution guidelines.

### 402.7 Purchasing Policy

The Headmaster in accordance with state law and sound purchasing practices shall oversee all purchasing authority and purchasing-related activities. The School finance officer shall ensure that proper records are maintained for all purchases.

#### A. Contracts

All contracts shall also be properly approved and executed by the Chief Financial Officer and must contain the following required State language:

*Pursuant to NC GEN. STAT § 115C-218.105, no indebtedness of any kind incurred or created by the Charter School, Union Academy, shall constitute an indebtedness of the State of North Carolina or its political subdivision, and no indebtedness of the Charter School shall*
B. Authorization of Purchases

No purchases should be made before determining the availability of funds through the Business Office. Proper authorization from the Headmaster (or Chief Financial Officer) is required in advance of any orders or purchases. A Union Academy Purchase Order Request Form must accompany all purchasing requests. Procedures are in place so that no one can initiate orders or purchases without the proper authorization of the Headmaster or Chief Financial Officer.

C. Unauthorized Purchases

Staff members may not make commitments to vendors for the purchase of supplies, services, or equipment. Such commitments are not binding to Union Academy. Invoices submitted for such purchases may not be honored and may become the obligation of the individual who made the unauthorized purchase.

402.8 Credit Card/Bank Draft Security Policy Summary

The Payment Card Industry Data Security Standard (PCI DSS), a set of comprehensive requirements for enhancing payment account data security, was developed by the founding payment brands of the PCI Security Standards Council, including American Express, Discover Financial Services, JCB International, MasterCard Worldwide and Visa Inc. International, to help facilitate the broad adoption of consistent data security measures on a global basis. PCI DSS compliance is mandatory for any organization that collects, processes, or stores credit card information.

Purpose

The purpose of this policy is to establish requirements for collecting, storing, processing and transmitting credit card and bank draft data to facilitate compliance with the PCI DSS requirements.

Groups Covered

This policy applies to all UA staff, volunteers and any other persons who collect, process, transmit or store credit card and bank draft information physically or electronically. Any other entity or individual using UA servers or the UA network must also abide by this policy.

Hereinafter, all applicable persons will be referred to as “Department” for the purposes of this policy. To help protect against exposure and possible theft of sensitive credit card and bank draft data and to comply with the PCI DSS requirements, Departments must follow the...
policies and procedures outlined in this document.

Policy Requirements

UA is required to establish, publish, maintain and disseminate a security policy that addresses all PCI DSS requirements. Each of the 6 goals and 12 requirements as outlined in the PCI DSS are addressed in this document.

Policy Implementation

Build and Maintain a Secure Network

- Requirement 1: Install and maintain a firewall configuration to protect cardholder data. All systems used to transmit cardholder data will implement a firewall to guard against intrusion.
- Requirement 2: Do not use vendor-supplied defaults for system passwords and other security parameters. All system passwords must meet the requirements given in the UA Electronic Information Policy.

Information Security Policy

- Protect Cardholder Data
- Protect stored cardholder data

Web Based Requirements

- In most cases, Departments will be required to use a secure web-based gateway or virtual terminal that is supplied by a PCI compliant service provider.
- Credit card data is not entered into a server on the UA network.
- The contracted service provider transmits and stores the cardholder data. Data is not retained on any server hosted by the UA network.
- Departments will not record or store sensitive cardholder data.
- Sensitive authentication data that is stored on gateway systems or virtual terminals is masked and only select information is viewable to designated UA employees with business need-to-know.
- The maximum cardholder data that may be viewed may include the following:
  - The type of payment card (Visa, MasterCard, Discover, American Express)
  - The first four and the last four digits of the primary account number
  - The expiration date

Hard Copy Requirements

- If a Department must physically collect cardholder data for payment, all documents containing sensitive data must be hand-delivered to the UA office within the same day of collection.
- If hard copy of credit card data is kept by the Department for any length of time before it is delivered to UA, it must be stored in a secure, locked location with restricted access.
- Only UA employees and volunteers with business need-to-know are allowed to access
and/or view the cardholder data.

- Cardholder data will not be stored in the UA office. Departments are not allowed to permanently retain credit card data.
- Once the credit card data is received, the transaction(s) are processed by UA’s third-party processor.
- Any received hard copy of credit card data is stored in a secure and locked location restricted from unauthorized access and is entered, processed, and shredded within 2 business days of receipt.
- No credit card data will be retained for no more than two fiscal years. The data will be kept for the time period specified for the following purposes:
  - To meet the UA’s audit requirements.
  - To validate a charge in the event of a cardholder dispute or notification of fraudulent use.
- To process a credit transaction to the card using the original method of payment. At the close of a Fiscal Year end, UA will dispose of any credit card data stored from the prior Fiscal Year according to UA Data Retention and Disposal procedures.

### 402.9 Insurance and Bond Coverage

The Board shall purchase insurance, as it deems necessary or otherwise required by law. The Headmaster or designee shall be responsible for managing all such insurance-related policies, programs, and services.

The Board shall purchase insurance necessary to reasonably safeguard the School’s real and personal property assets. Insurance policies and policy provisions to be considered include those covering error & omissions, general liability, boiler and machinery, auto liability, workers’ compensation and fidelity bonds for finance and other School officials. When individual employees or volunteers of the School must purchase insurance to carry out their School functions, the School shall compensate them for such insurance relative to the cost of such coverage.

Union Academy should have a current copy of insurance and bonding coverage on file and a copy should be sent to the Office of Charter Schools annually. The school shall obtain and maintain insurance at a minimum in the following amounts:

- Errors and omissions: one million dollars ($1,000,000) per claim
- General Liability: one million dollars ($1,000,000) per claim
- Boiler and machinery: the replacement cost of the building
- Real and personal property: the appraised value of the building and contents
- Fidelity bonds: no less than two hundred fifty thousand dollars ($250,000) to cover employee dishonesty
- Automobile Liability: one million dollars ($1,000,000) per occurrence
- Workers’ Compensation: as specified by Chapter 97 of General Statutes.
402.10 Annual Independent Audit

The Board shall select a qualified accounting and auditing firm certified to perform charter school audits. The audit contract shall be in writing, include all necessary terms and conditions, and shall be submitted to the State Department of Public Instruction for approval concerning its form, terms, and conditions. The terms and conditions of the audit contract shall include the scope of the audit, require the auditor to prepare a printed report containing all financial statements, and be conducted using generally accepted accounting principles.

The auditor shall conduct the audit and report the results directly to the Board as soon as feasible after the close of the fiscal year. A copy of the audit shall also be filed with the State Department of Public Instruction and Department of Revenue. The auditor should also submit all bills or claims for audit fees and costs to the Headmaster for approval.

All officers, employees, and agents of the School having custody of public money or fiscal record-keeping responsibilities shall produce all books, records, and financial information as requested by the auditor. No member of the Board or any other public officer, employee, or agent shall conceal, falsify, or refuse to deliver or divulge any books, records, or information, with intent thereby to mislead the auditor or impede or interfere with the audit.

402.11 Travel

In order to be reimbursed for travel expenses relating to official school business, a Staff Development Request Form, along with a Request for Time Off Form, must be completed at least ten (10) days prior to travel date. The form must be filled out in its entirety in order to avoid delay in processing one’s request. A Travel Expense Report must be completed and turned in within ten (10) days upon return from travel in order to reimburse using the procedures outlined below.

A school employee traveling on official school business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Excess costs, circuitous routes, delays or luxury accommodations and unnecessary services, unjustified, or for the convenience or personal preference of the employee in the performance of official school business are not acceptable under this policy. Employees will be responsible for unauthorized costs and any additional expenses incurred for personal preference or convenience.

Mileage/transportation fees

In the event that it is deemed necessary to travel by air or other means, only the Headmaster’s designee will be given authorization to make those reservations. If any penalties and/or charges are incurred due to the cancellation of airline or other travel reservations, it shall be the school’s obligation to pay if the employee’s travel has been approved in advance and the cancellation or change is made at the direction of and for the convenience of the school. If the cancellation or change is made for the personal benefit of
the employee, it shall be the employee’s obligation to pay any penalties and charges incurred. However, in the event of accidents, serious illness, or death within the employee’s immediate family, or other critical circumstances beyond the control of the employee, the school will pay the penalties and charges.

402.12 Solicitation or Selling

All solicitations for School related activities must be approved by the Chief Financial Officer.

- No employee shall solicit money from students or parents for additional materials or equipment or create impressions with students that such equipment or materials are necessary or required.
- Soliciting outside the school premises for funds for school activities, or sales of products outside the school premises for school activities by the students or staff of the School, in the name of the School, or in behalf of the School, must have the prior written approval of the Chief Financial Officer. All money collected and expended as the result of such activities shall be recorded in the financial accounts of the School and shall be subject to the annual school audit.
- No employee shall set as a precondition of membership or participation in any course any requirement calling for an expenditure of money by a parent, guardian, or student, except with the knowledge and consent of the Headmaster or Chief Financial Officer.
- As a general rule, students, school organizations, teachers and/or other school employees may not sell commercial products during the instruction school day.

Fundraisers shall at no time be in conflict with School’s vision. In addition, all funds from such fundraisers shall adhere to School’s financial internal controls as set forth by UA’s Chief Financial Officer (“CFO”) which shall require that funds be maintained in a Union Academy checking account and shall require certain documentation and/or processes as set forth by CFO.

402.13 Eligible Variable Hour and Seasonal Employee Determination Policy

This Eligible Variable Hour and Seasonal Employee Determination Policy shall be used to determine whether certain employees of Union Academy (School) who work in a variable hour or seasonal employee role shall be eligible for the medical plan with regard to the health benefits provided therein. This Policy is intended to comply with the safe harbor described in Internal Revenue Service (“IRS”) Notice 2012-58 and in proposed regulations published at pages 218 through 253 of Volume 78 of the Federal Register, and this Policy shall be interpreted, construed, and limited in accordance with such intent.

I. Definitions

- Date of Hire means the day on which a New Employee first performs an hour of service for the School.
A. **Eligible Variable Hour Employee** means an employee who has been classified as such based on a determination made pursuant to this Policy.

B. **New Employee** means:
   1. An employee of the School who works in a variable hour role, who began working in such role on **08/01/XX** or later, and who has not yet worked in such role for one complete year; or
   2. An employee or rehired former employee of the School who works in a variable hour role and who, for any reason, has no hours of service for a period of:
      - Twenty-six (26) consecutive weeks; or, if less than twenty-six consecutive weeks, a period equal to the greater of:
         1. Four (4) consecutive weeks; and
         2. A number of consecutive weeks longer than the period of employment immediately preceding the period in which the employee had no hours of service.

   • **New Employee Administrative Period** means the period from the first day of the calendar month in which the one-year anniversary of a New Employee’s Date of Hire occurs to the last day of the first calendar month beginning on or after the one-year anniversary of a New Employee’s Date of Hire.

   A. **New Employee Measurement Period** means the period beginning on the first day of the first calendar month immediately following a New Employee’s Date of Hire, and concluding on the last day of the calendar month immediately prior to the month in which the one-year anniversary of such employee’s Date of Hire occurs.

   B. **New Employee Stability Period** means the twelve (12) month period from the first day of the second calendar month beginning on or after the one-year anniversary of a New Employee’s Date of Hire to the last day of the first calendar month beginning on or after the two-year anniversary of a New Employee’s Date of Hire.

   C. **Ongoing Employee** means an employee of the School who works in a variable hour role, does not meet the criteria for a New Employee as described in Section I(c) (ii), and
      1. Has worked in such a role since before **08/01/XX** or
      2. Has been employed in a variable hour role for the duration of his New Employee Measurement Period and was employed on the first day of the Ongoing Employee Measurement Period which immediately followed the beginning of his New Employee Measurement Period.

   D. **Ongoing Employee Administrative Period** means the period from **08/01/XX** to **08/31/XX** of each calendar year.

   E. **Ongoing Employee Measurement Period** means the **12-month** period from (the first day of the first payroll period beginning on or after) **08/1/XX** to the (last day of the first payroll period ending on or after) **07/31/XX**. Notwithstanding the foregoing, the initial Ongoing Employee Measurement Period will be the period from (the first day of the first payroll period beginning on or after) **08/01/XX** to (last day of the first payroll ending on or after) **07/31/XX**.

   F. **Ongoing Employee Stability Period** means the 12-month period from **09/01/XX** to the next following **08/31/XX**.
G. **Plan** means the *medical insurance*.

H. **Policy** means this Eligible Variable Hour Employee Determination Policy.

I. **Seasonal Employee** means an employee who has been classified as such based on a determination made pursuant to this Policy.

J. **Special Unpaid Leave of Absence** means an unpaid leave of absence taken by a New Employee or an Ongoing Employee on account of jury duty, or pursuant to regulations established by the Family and Medical Leave Act of 1993 or the Uniformed Services Employment and Reemployment Rights Act of 1994.

II. **Determination of Eligibility in the Plan for Ongoing Employees.**

The School will maintain a record of the hours of service of each Ongoing Employee during a given Ongoing Employee Measurement Period. At the end of the Ongoing Employee Measurement Period, the School will calculate whether each Ongoing Employee averaged thirty (30) or more hours of service per week over the duration of the Ongoing Employee Measurement Period. If an Ongoing Employee averaged thirty (30) or more hours of service per week over the duration of the Ongoing Employee Measurement Period, he will be classified as an Eligible Variable Hour Employee for purposes of this Policy for the duration of the next following Ongoing Employee Stability Period. The School will notify the Ongoing Employee of such determination and will allow him to enroll in the Plan no later than the first day after the end of the Ongoing Employee Administrative Period.

If the School classifies an Ongoing Employee as an Eligible Variable Hour Employee, such employee will remain an Eligible Variable Hour Employee for the duration of the Ongoing Employee Stability Period, regardless of the number of hours of service actually worked by the employee during the Ongoing Employee Stability Period, so long as he remains an employee of the School and remains otherwise eligible for coverage.

If an Ongoing Employee did not average thirty (30) or more hours of service per week over the duration of a given Ongoing Employee Measurement Period, then he will not be classified as an Eligible Variable Hour Employee. Accordingly, he will not be eligible to participate in the Plan during the next following Ongoing Employee Stability Period, regardless of the number of hours of service he actually worked during the Ongoing Employee Stability Period.

Notwithstanding the foregoing, if an Ongoing Employee takes a Special Unpaid Leave of Absence during the Ongoing Employee Measurement Period, the School will exclude the period of the Special Unpaid Leave of Absence in calculating the average hours of service per week for the Ongoing Employee. For example, an Ongoing Employee takes a Special Unpaid Leave of Absence for the last four weeks of the Ongoing Employee Measurement Period. During the Special Unpaid Leave of Absence, the Ongoing Employee has no hours of service, but he averages thirty-one (31) hours of service per week during the portion of the Ongoing Employee Measurement Period preceding the Special Unpaid Leave of Absence. Such an employee would be classified as an Eligible Variable Hour Employee under this Policy for the duration of his Ongoing Employee Stability Period.
III. Determination of Eligibility in the Plan for New Employees

The School will maintain a record of the hours of service of each New Employee during his New Employee Measurement Period. At the conclusion of his New Employee Measurement Period, the School will determine whether the employee averaged thirty (30) or more hours of service per week over the duration of the New Employee Measurement Period. Subject to transition rules in Section IV, if he averaged thirty (30) or more hours of service per week over the duration of the New Employee Measurement Period, he will be classified as an Eligible Variable Hour Employee under this Policy for the duration of his or her New Employee Stability Period. The School will notify the New Employee of such determination and will allow him to enroll in the Plan no later than the first day after the end of the New Employee Administrative Period.

Subject to transition rules in Section IV, if the School classifies a New Employee as an Eligible Variable Hour Employee, he will remain an Eligible Variable Hour Employee for the duration of the New Employee Stability Period, regardless of the number of hours of service actually worked by the employee during the New Employee Stability Period, so long as he remains an employee of the School.

Subject to the transition rules in Section IV, if a New Employee did not average thirty (30) or more hours of service per week over the duration of his New Employee Measurement Period, then such employee will not be classified as an Eligible Variable Hour Employee. Accordingly, he will not be eligible to participate in the Plan during his New Employee Stability Period, regardless of the number of hours of service he actually worked during the New Employee Stability Period.

Notwithstanding the foregoing, if a New Employee takes a Special Unpaid Leave of Absence during the New Employee Measurement Period, the School will exclude the period of the Special Unpaid Leave of Absence in calculating the average hours of service per week for the New Employee. For example, a New Employee whose Date of Hire is September 15, 2014 and who has a New Employee Measurement Period of October 1, 2014 through September 30, 2015 takes a Special Unpaid Leave of Absence for the last four weeks of New Employee Measurement Period. During the Special Unpaid Leave of Absence, the New Employee has no hours of service, but he averages thirty-one (31) hours of service per week during the portion of the New Employee Measurement Period preceding the Special Unpaid Leave of Absence. Such an employee would be classified as an Eligible Variable Hour Employee under this Policy for the duration of his New Employee Stability Period.

IV. Transition from New Employee Eligibility Rules to Ongoing Employee Eligibility Rules

If a New Employee has been employed for the duration of his New Employee Measurement Period and for the entirety of the Ongoing Employee Measurement Period which immediately follows the beginning of his New Employee Measurement Period, the School will calculate his average hours of service for both the New Employee Measurement and the Ongoing Employee Measurement Period.
Accordingly, for example, a New Employee whose Date of Hire is **09/15/14** would have a New Employee Measurement Period of **October 1, 2014 through September 30, 2015**. Such New Employee would also be tested under the Ongoing Employee Measurement Period beginning on **October 1, 2014** so long as such New Employee continues in employment for the entirety of the Ongoing Employee Measurement Period.

A New Employee determined to be an Eligible Variable Hour Employee during the New Employee Measurement Period or Ongoing Employee Measurement Period must be treated as an Eligible Variable Hour Employee during the entire associated stability period. This is the case even if the employee is determined to be an Eligible Variable Hour Employee during the New Employee Measurement Period but determined not to be an Eligible Variable Hour Employee during the overlapping or immediately following Ongoing Employee Measurement Period. In that case, the School will treat the employee as not an Eligible Variable Hour Employee only after the end of the New Employee Stability Period associated with the New Employee Measurement Period. Thereafter, the School will determine the employee’s status in the same manner as other Ongoing Employees.

In contrast, if the New Employee is determined not to be an Eligible Variable Hour Employee during the New Employee Measurement Period, but is determined to be an Eligible Variable Hour Employee during the overlapping or immediately following Ongoing Employee Measurement Period, which immediately follows the beginning of his New Employee Measurement Period, the employee must be treated as an Eligible Variable Hour Employee for the entire Ongoing Employee Stability Period that corresponds to that Ongoing Employee Measurement Period (even if that Ongoing Employee Measurement Period begins before the end of the New Employee Stability Period). Thereafter, the School will determine the employee’s status in the same manner as other Ongoing Employees.

V. Change in Employment Status of New Employee

If an employee of the School is initially categorized as a New Employee for purposes of this policy, but he later has a Material Change in Employment Status during his New Employee Measurement Period, he will thereafter be treated as a full-time employee for purposes of the Plan as of the earlier of:

- The first day of the fourth month following the Material Change in Employment Status; or
- The first day of the first month following the end of the New Employee Administrative Period, if the employee averaged more than thirty (30) hours of service per week during the New Employee Measurement Period.

For purposes of this Section V, a material change in employment status exists when:

- The New Employee has a material change in the position of employment or other employment status; and
- Had the New Employee begun employment in the new position or status, he would have been reasonably expected to work at least thirty (30) hours of service per week.
VI. Miscellaneous

- The School reserves the right to amend this Policy in writing, prospectively or retroactively.
  - Any terms used herein in a particular gender shall be construed to include both the male and female gender.

403.0 MISCELLANEOUS

403.1. Awards and Scholarships

Any award or scholarship awarded in the name of the School or associated with the School shall be awarded in a fair and legal manner.

403.2. Distribution of Materials by Non-Students

Except as otherwise provided by School policy, persons who are not students may not distribute any materials at the School or at School activities, except that materials directly related to the subject of a School-sponsored activity may be distributed if approved by the Headmaster or designee.

The Headmaster may allow or develop rules that allow limited distribution to students of materials that address educationally beneficial activities or events for students or which directly promote the School’s mission.

Nothing in this policy shall be construed to create an open or limited open forum that would allow persons other than students access to School property for the purpose of distributing materials or engaging in speech not appropriate in a closed forum.

403.3. Gifts and Bequests

The Board, or the Headmaster on behalf of the Board, may accept any bequest or gift of money or property to be used by the School to further its educational mission. Any restrictive gift or bequest over 1.5% of the annual school budget directing how the gift or bequest shall be used will be subject to approval by the Board and shall not bind the School in any way that would undermine or threaten to violate the School’s mission, policies, charter, or any applicable law or regulation.

403.4. Outside Advertising

Commercial advertisements or other promotional materials shall not be distributed or allowed on campus by any person unless they relate to an approved School promotion, are contained in School-sponsored publications or productions, and are approved by the Headmaster or designee.
403.5. Public Complaints and Concerns

The Board takes all complaints concerning the School, its employees, and operations very seriously. Any member of the School community with a complaint or concern should make a good faith effort to solve the problem by taking the following informal steps as the situation warrants:

1. Complaints involving the performance of an employee should first be discussed with the employee, if practical. If such a discussion does not resolve the matter, the complaint should then be referred to the employee’s immediate supervisor for resolution.
2. Complaints involving the quality of the program/School facilities should first be discussed with the School employee in charge of the program/facility in question.
3. Complaints involving the implementation of Board policy should first be directed toward or discussed with the person responsible for implementing the policy.

If informal action does not remedy the situation, a formal complaint may be filed in accordance with School grievance procedures contained in these policies.

403.6. Public Records Requirements

A public record, as defined by state law, is any record, in any form, whether hardcopy or electronic, “made or received pursuant to law or ordinance in connection with the transaction of public business” of the School unless it is otherwise protected or exempted from public disclosure by Federal or State law, including, but not limited to, student records under the Federal Educational Rights and Privacy Act (FERPA) and the North Carolina public records law (G.S. 132-1 through 132-9).

The Headmaster or designee shall serve as the School’s public records officer to ensure compliance and proper review of all public records policies, practices and requests. Upon proper request, the School shall make such public records available in a reasonable time and manner and at reasonable cost of production. The School is only required to provide access to such records in the form in which the School maintains them.

All public records requests shall be made in writing. Any denial of a records request and the reasons therefore shall also be in writing.

Exempt and Confidential Documents

The School and its employees will protect the confidentiality of all documents that are not available to the public. In instances involving records containing public and confidential information, the School shall redact confidential information from any records made available.

Among the documents specifically exempted under North Carolina’s public records law are the following:

- Documents made within a three-year period pursuant to communications protected by attorney-client privilege.
A. Address Confidentiality Program Information: the actual address and telephone number of a program participant in the Address Confidentiality Program established under Chapter 15C of the General Statutes may not be disclosed except as provided in Chapter 15C of the General Statute
B. Controlled Substances Reporting System Information: Information compiled or maintained in the Controlled Substances Reporting System established under Article 5E of Chapter 90 of the General Statutes
C. Social security information as prescribed by law
D. Confidential student records
E. Confidential employee records
F. Minutes of closed Board sessions, records pertaining to matters as may be discussed in closed Board session, and such other records as may be required to be kept confidential by law or as may be exempt from disclosure

Destruction of Public Records

The School shall comply with all State and Federal record-keeping requirements and any applicable Records Retention and Disposition Schedules issued by the North Carolina Department of Cultural Resources, Division of Archives and History. The Headmaster or designee may establish additional procedures for maintaining and destroying School records in accordance with the approved schedules.

403.7 Sales and Solicitation in School

Except as provided elsewhere by School policy, the distribution of publications and the sale of goods or services are prohibited on School grounds during the School day and at School activities if the materials are unrelated to instruction or a School-sponsored activity. Materials directly related to the subject of a School-sponsored activity may be distributed with prior approval of the Principal.

403.8 School-wide Grievance, Appeals, and Hearing Procedures

The following shall govern grievances, appeals and hearings by any member of the school community, unless otherwise modified by the Board.

403.8.1 Introduction and Objectives

The School seeks to provide a process by which students, parents, and staff can resolve concerns in a timely and effective manner that is balanced with the need for efficient and effective School operations. Toward this end, this policy establishes mechanisms by which grievances should be addressed through informal and, if appropriate, formal means. All references herein to the Headmaster include any person assigned as the Headmaster’s designee.
403.8.2. Informal Grievance Procedure

All concerns should first be addressed directly and informally with the persons involved. This includes reasonably notifying those causing and involved in the grievance, allowing them to reasonably respond, and giving them an opportunity to make good faith efforts toward resolution. If necessary, individuals involved are encouraged to seek the assistance of an objective party to assist with informal resolution.

403.8.3. Formal Grievance Procedure

Persons must seek informal, timely resolution before filing a formal grievance, unless doing so is not reasonably feasible, would be futile, or if formal grievance procedures are legally required. The grievant may then file a formal grievance with the Headmaster within ten school days after the last informal attempt at resolution. If informal resolution is not required, the employee shall file the grievance within ten school days of the last instance causing the grievance.

The formal procedure shall be initiated by submitting to the Headmaster a written request for redress that succinctly states the specific grievance(s), the supporting facts, the basis in Board policy or law (citing specific policies or laws), the requested relief, and the efforts made to resolve the matter informally. The Headmaster may require submission of an approved form for such grievance filing.

The Headmaster shall determine whether informal resolution requirements have been satisfied or are not required. If the Headmaster determines that the grievant is entitled to a formal grievance process, he shall provide a copy of the formal grievance to all other persons implicated by the grievance. The Headmaster shall reasonably investigate and consider the matter (which may include meeting with the parties involved and holding an informal hearing) and issue a decision within ten school days from the date the grievance is filed. Additional time for the Headmaster’s decision shall be allowed when reasonably required by circumstances. All deliberations shall be held in confidence where feasible and involve only persons in a need-to-know position. A decision by the Headmaster under these grievance procedures shall be considered a “final administrative decision.”

403.8.4 Appeals of Right to the School Board

A person has the right to appeal any final administrative decision affecting a constitutional or other legal interest, and/or an interest of the type listed below:

- Suspension or expulsion of a student for more than ten days (per School suspension and expulsion procedures required by Chapter 115C, Article 27 of the North Carolina General Statutes);
A. An alleged violation of a specified Federal or State law, State Board of Education rule, or local board policy;
B. The loss or reduction of salary of a school employee under a specific-term contract who is not employed at will; or
C. Any other decision that, by law, provides for a right of appeal to the school board and for which there is no other statutory appeal procedure.

Any person seeking a hearing under this section may request a Board hearing by submitting to the Board Chairperson a request in writing by certified mail or personal delivery within ten school days after the final administrative decision by the Headmaster. The person making such request shall also promptly deliver a copy of the hearing request to the Headmaster.

403.8.5 Discretionary Appeals to the Board

Any person or party aggrieved by a decision not involving a matter addressed in Section 403.8.4 above may request a Board hearing by submitting to the Board Chairperson a request in writing by certified mail or personal delivery within ten school days after the final administrative decision by the Headmaster. The person or party making such request shall also promptly deliver a copy of the hearing request to the Headmaster or director of human resources. In such cases, the Board has the discretion to deny or grant a hearing.

The Board shall notify the person or party making the request and the Headmaster of its decision, and if a hearing is granted, the time, place, and manner of such hearing.

403.8.6 Board Hearing Procedures

In all appeals to the Board, the Board shall provide adequate notice of hearing rights and procedures to all parties concerned and keep a record of any hearing conducted. All hearings conducted hereunder shall conform to G.S. 115C-44(c).

The Board may designate a hearing officer or panel comprised of one or more Board members to act upon such hearing requests on behalf of the Board. The Board reserves the discretion to determine the manner by which it shall conduct such hearings.

In the case of hearings required by right under Section 403.8.4, all parties have the right to appear before the Board or a designated hearing officer or panel as described above, to be represented by counsel or other representative, to submit documentation, and to reasonably examine and cross-examine witnesses. In the case of an employee grievance concerning a loss or reduction of salary, the employee may request and shall be entitled to receive written notice as to the reasons for the final administrative decision; the notice shall be provided to the employee at a time reasonably in advance of any Board hearing. For further information, please refer to Section 200.

All discretionary hearings allowed under Section 403.8.5 may be based on the written record or, instead, by personal appearance of the parties. The Board may designate a hearing officer or panel comprised of one or more Board members to act upon such hearing requests on
behalf of the Board. The Board reserves the discretion to determine the manner by which it shall conduct such hearings.

Board hearings (by right and by discretion under sections 403.8.4 and 403.8.5, respectively) shall be conducted within ten school days from the date the hearing is requested, unless circumstances reasonably require additional time. A final Board decision shall be rendered and delivered in writing to the respective parties within 5 school days of concluding the hearing. The decision of the Board shall be final.

403.8.7 Non-Retaliation Policy

No employee may be retaliated against for making a complaint or report of discrimination or harassment or for reporting or providing information about suspected unethical or illegal activities or possible violations of federal, state or local laws (including OSHA and HIPAA), rules or regulations or of Union Academy policies. No employee may be retaliated against for filing a charge, truthfully testifying, providing assistance, or participating in an investigation, proceeding, or hearing relating to or arising from any of the foregoing.

Any employee believing that they or someone else has been retaliated against should report it as soon as possible to their supervisor, the Human Resources department or the headmaster. Anyone who acts in retaliation against an individual reporting a concern will be subject to disciplinary action up to and including termination of employment.
Section 500
Technology Policies
Policies and Procedures

500 – Technology Policies

501.0 GENERAL PROVISIONS

501.1 Scope and Purpose

The School provides a wide array of technology resources to improve learning, communication, and organizational effectiveness. The term “Technology Resources” includes, but is not necessarily limited to, School-owned, School-leased, and School-controlled computers, computer networks, computer files, software, electronic communications and research media such as Internet access, web pages, electronic mail (e-mail), personal digital assistants (PDAs), cellular phones, digital cameras, two-way radios, and related forms of electronic communication and electronic data files, storage, and manipulation. Recognizing that Technology Resources are evolving and expanding, this policy encompasses other technologies – present and future – that offer electronic means of communications and data storage and manipulation.

These policies shall govern the use of the School’s Technology Resources and, to the extent allowed by law, the use of personal Technology Resources as they impact the School.

501.2 User Risk

There are many risks – known and unknown – associated with technology use, particularly the use of the Internet, e-mail, and related electronic communications. Such risks include unauthorized access by others of one’s personal information, computer hacking, fraud, defamation, exposure to harmful materials (e.g., those that are pornographic, obscene, threatening, violent, abusive, or otherwise improperly offensive), financial exploitation, and conveying inaccurate, provocative, or false information.

School leaders and teachers will strive to take all reasonable measures to minimize these risks for users and will provide users with instructions and guidelines to assist them. Because Internet filtering controls are imperfect, they cannot block all undesirable content or protect against all risks. Likewise, they may inadvertently block access to educationally appropriate and valuable information. Users, therefore, assume these risks for themselves when they use the School’s Technology Resources.
501.3 Limitations

The availability to users of the School’s Technology Resources, particularly of electronic communications tools like e-mail and the Internet, is intended primarily for furthering the School's educational mission and not for any non-educational personal user benefit.

501.4 Ownership, Monitoring, and Control

All School Technology Resources are owned or leased by the School. Use of the School’s Technology Resources is a privilege, not a right. Any files, documents, communications, etc., generated by using Technology Resources remain the property of the School, which reserves the right to direct, monitor, control, limit, or revoke the use of those resources. The availability of these resources does not confer upon any user a legal expectation of privacy free from such monitoring or control. Authorized officials may, at any time, reasonably review, restrict or otherwise regulate the use of these resources. Furthermore, the School reserves the right to deny or restrict user access to Technology Resources by implementing monitoring and/or blocking devices and software.

501.5 Privacy and Disclosure of Technology Resource Use and Data

The School will strive to fulfill its obligations to protect all legally confidential information. The School’s Technology Resources, however, are not inherently secure or private and may be subject to unauthorized intrusion or hacking. In addition, the School reserves the right to disclose any user's electronic communications or data to School or non-School’s personnel or agencies to the extent permitted or required by law, including disclosure to public safety and social service officials or other legitimate third parties.

Users should be aware that because the primary function of such Technology Resources is to further the School’s public educational mission, many records produced by these resources are subject to the state’s public records laws. Thus, for example, the Internet sites viewed or the e-mails sent by School staff may be public records subject to disclosure. Regardless of whether such uses generate public records, the School has the right to review and monitor ALL uses of its Technology Resources.

501.6 Disclaimer Against Loss or Damage

The School does not offer any warranty against defect or damage to users of its Technology Resources. The School is not responsible for damages or losses suffered by users, including loss of data resulting from delays, disruptions, or other causes. Furthermore, the School provides no assurance regarding the accuracy or quality of information obtained through such resources, particularly via e-mail or the Internet.
501.7 Civil and Criminal Remedies

In addition to administrative actions and sanctions, the School reserves the right to pursue civil and criminal actions against individuals or entities that threaten the safety and security of the School's operations or any member of its community. This includes, but is not limited to, the following claims or actions: illegal harassment; threatening, tampering with, or destroying School property and Technology Resources; cyberstalking, invasion of privacy; identity theft; defamation; copyright, patent and trademark infringement; communication or carrying out of threats of violence; transmitting pornographic, obscene, or other sexually prohibited communications; or conspiracy to engage in any illegal activity. The School also reserves the right, to the extent permitted by law, to collect all damages, attorney fees, and other costs incurred to pursue its rights.

501.8 Procedures

501.8.1 Reporting Misuse or External Threats

Any member of the School community shall promptly report any violation or threat of violation under these policies to an appropriate School official. Specifically, students shall report to their teacher or the administration, and employees shall report to their immediate or higher-level supervisor the following types of abuses of or threats to School property or members:

- Illegal use of the School's Technology Resources and violations of the School's policies or rules by any user;

- Receipt of or access to any electronic information made available from individuals or entities outside the School if the communications of such information is illegal, threatening to the safety or security of persons or property of the School community, or that contains any content that is otherwise prohibited by School policies; or

- Use of Technology Resources that threatens the integrity or security of any School Technology Resources or otherwise undermines the purpose for their use.

501.8.2 Violations of Policy

Misuse of Technology Resources may subject violators to discipline pursuant to School disciplinary policies and procedures. Any violation may also result in the curtailment, suspension, or complete loss of technology privileges.
501.8.3 Exceptions and Appeals

If any user believes an exception to the School’s Technology Resources policies is necessary, the user may seek prior approval for such exception through the general grievance procedures available to students and staff.

501.9 Notice and Familiarity with Technology Policies

The administration and other supervisory staff or their designees shall notify employees and students of all technology resource policies. All users should be familiar and comply with these provisions (Policy 501), General Use for All Users (Policy 502), and such other policies that govern technology resource use for their respective user group (e.g., Policy 503 for student users, Policy 504 for employee users, etc.).

Union Academy Board of Directors
Approved: 8/4/16

502.0 ALL SCHOOL TECHNOLOGY USERS

502.1 Overview

This policy regarding acceptable and prohibited uses of Technology Resources applies, to the extent allowed by law, to all users of the School’s Technology Resources: students, employees, board members, contractors, guests, and other authorized individuals. It shall be enforced in conjunction with all other Technology Resources and general policies, including Policy 501 regarding “General Provisions” and other specific policies governing specific user groups.

502.2 Permissible Uses

The School’s Technology Resources are made available to fulfill the purposes directly related to its educational mission and programs, and in support of users’ roles within the School. Unless otherwise prohibited, personal or incidental use of School Technology Resources is permitted if such use conforms to these policies, is reasonably limited and does not interfere or threaten to interfere with School’s operational or educational mission.

502.3 Prohibited Uses

Users of School Technology Resources shall not intentionally or negligently engage in any of the following.
502.3.1 Unlawful or Generally Prohibited Uses

Users may not use Technology Resources in violation of any local, state, or federal law, or any other School policy or rule.

502.3.2 Harassing, Intimidating, Bullying, and Other Similarly Offensive Uses

Users may not use Technology Resources to engage in conduct involving harassment, intimidation, bullying, discrimination, or similarly offensive or harmful communications. This includes conduct that:

- a reasonable person should know, under the circumstances, will have the effect of harming or humiliating a student or damaging the student’s property or of placing a student in reasonable fear of harm to his person or damage to his property; or
- has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the School.

502.3.3 Disrupting or Damaging Uses

Users may not use School Technology Resources in any way that threatens their safe, secure, and orderly operation. This includes, but is not limited to, creating, installing, or forwarding computer viruses; consuming inordinate and unauthorized electronic storage space; sending “chain letters,” “spam” e-mail, or similar types of communications; or downloading software, media files, or data streams without proper authorization.

502.3.4 Unauthorized Technology Access, Endangerment, or Tampering

Users may not obtain, alter, obstruct access to, or in any other way intrude upon or damage any other user’s computer files, programs, or hardware without proper authorization.

502.3.5 Jeopardizing or Bypassing School Security Measures

Users shall not, without proper authorization, intentionally disclose or aid in the disclosure of computer passwords, codes, or similar information designed to secure the School's computer resources and to protect private or confidential information.

Users also shall not intentionally bypass Internet filters or other devices or measures used by the School to restrict access to School, Internet, or other electronic information. In addition users shall not provide information or other means to allow others users to engage in similar bypassing activity. Thus, for example, using or providing information about Internet proxy sites to bypass School internet filters is prohibited.
502.3.6 Promotional Uses and Advocacy

Users shall not use the School Technology Resources for commercial gain or for political, social, religious, or other personal advocacy except as allowed by right under law and otherwise permitted by the School.

502.3.7 Publishing Personal Information on the Internet

No user shall electronically distribute or post personal information about himself/herself or about any other person associated with the School unless (a) the distribution is legal and properly authorized by School officials, and (b) the distribution does not or is not likely to threaten that person’s or any other person’s privacy or safety.

502.3.8 Downloading or Copying Files or Data

Users, without proper authorization and legal right, may not download programs, files, or other data onto School computers or other technology equipment. This includes downloading or copying entertainment audio or video files and images, software, or other similar data not directly related to School objectives.

502.3.9 Unauthorized Users

Users of School Technology Resources may not permit, without proper authorization, any person to use such resources who is not a member of the School community or not otherwise authorized to have such access. Users are prohibited from using another individual’s computer account or accessing such person’s electronic data without prior permission from an authorized official.

502.3.10 Plagiarism and Related Acts of Academic Dishonesty

Users shall not use Technology Resources to plagiarize or otherwise illegally copy or use another person’s work or to engage in any other form of academic dishonesty.

502.3.11 Copyright and Software Copying

Users shall not use School Technology Resources in violation of state or federal copyright laws. Users shall not, without proper authorization, copy School-owned computer files or software onto any computer. Use of any files, software, or other program or data must be authorized and legally licensed or permitted for such use.
502.3.12 Off-Campus and Personal Technology Use

The School reserves the right, to the maximum extent permitted by law, to discipline or take any other action against persons related to their personal electronic technology use (e.g., communications generated via private computers and/or Internet accounts) when such use poses a substantial threat to others’ safety or to the operations of the School. This includes uses that cause or are likely to cause a substantial disruption or material interference with the School’s educational objectives or operations, or that otherwise injure or threaten to injure persons or property within the School community.

502.3.13 Representation of the School’s Viewpoints and Positions

Views and position statements may be expressed as representing the position of the Board, administration, or staff only with prior approval by the Director or his designee. Otherwise, no user may use any Technology Resources to communicate in a way that indicates or implies that the views or positions expressed are established, supported, or endorsed by the Board, its administrators, or other School officials.

502.3.14 Violating the School’s Trademark, Copyright, and Other Intellectual Property Rights

Users may not copy, mimic, sell, or otherwise use the School’s trademarks, images, documents, or other intellectual property without proper and legal authorization. The School reserves all rights to such intellectual property.

Union Academy Board of Directors
Approved: 8/4/16

503.0 STUDENT USE

503.1 Overview

The School provides students with Technology Resources to support the School’s educational and organizational objectives. This policy establishes proper and improper student uses of these resources in conjunction with other related policies. Specifically, student users shall be familiar with and comply with this policy, the General Provisions (Policy 501), General Use Policy for All Users (Policy 502), and any other applicable policies and rules.

503.2 Enforcement

School officials retain reasonable discretion to apply this and related School policies to determine when a proper or improper use exists and what sanctions, if any, may apply.
503.3 School and Parental Responsibilities

The School and its staff seek to take all reasonable measures to guide, monitor, and protect students in their use of the School’s Technology Resources, consistent with student age and maturity. Parents, however, are primarily responsible for instructing their children in the proper values governing the use of such resources. The School requests that parents, in cooperation with the School, communicate to their children an understanding of responsible and safe use of these resources and to monitor their children’s use of such resources at home or anywhere outside the School’s jurisdiction.

503.4 Permissible Uses

School Technology Resources are to be used for educational, organizational, and communication purposes directly related to the School’s educational mission and program. Unless otherwise prohibited, limited personal or incidental use of School Technology Resources is permitted if such use complies with these policies, is reasonably limited, and does not interfere or threaten to interfere with the School’s operational and educational objectives.

503.5 Prohibited Uses

Students shall not engage in prohibited uses of Technology Resources. Prohibited uses include, but are not necessarily limited to, the following types.

503.5.1 General Prohibited Uses

General prohibited uses include all uses prohibited in the School’s General Use Policy (Policy 502).

503.5.2 Social Networking Sites

A student may not use social networking sites unless such use is explicitly authorized by an appropriate School official, is used for School-related instructional purposes, and such use is consistent with School and individual School policies. In addition, a student may not use Technology Resources, including the Internet and e-mail, to arrange for him/herself or any other student to meet another person.

Social networking sites include, but are not limited to Internet sites like MySpace or Facebook, or Blogs and other Internet sites involving publication or interaction of a personal nature.
503.5.3 Disclosing Personal Identifying Information

In addition to related prohibitions in the General Use Policy (Policy 502) students are prohibited, without proper authorization, from disclosing personal identifying information about themselves or others through the use of the School’s or personal Technology Resources, e.g., Personal Digital Assistants (PDAs), cell phones, pagers or other communications devices, while on School premises or during School functions.

“Personal identifying information” includes, but is not necessarily limited to, a person’s name, phone number, address, e-mail address, social security number, or other information that is reasonably likely to allow a person’s identity to be determined from disclosing such information outside the School community.

503.5.4 Off-Campus and Personal Technology Use

The School reserves the right, to the maximum extent permitted by law, to discipline a student for off-campus or other personal electronic technology use (e.g., communications generated via private computers and/or Internet accounts). This includes uses that cause or are likely to cause a substantial disruption or material interference with the School’s educational objectives or operations, or that otherwise injure or threaten to injure persons or property within the School community. In addition, violators may also be subject to civil or criminal actions and penalties under local, state, and federal laws.

503.5.5 Personal Electronic Devices

No student shall, during regular School hours or while participating in School-sponsored curricular functions, use a personal electronic device in violation of school policy.

“Personal electronic devices” include, but are not necessarily limited to, cellular phones, pagers, two-way radios, CD/DVD/MP3 or other audio/video players, electronic games, PDAs, laser pointers, or any other similar devices not owned, issued or controlled by the School.

Any device used in violation of this policy may be confiscated by the administration or designee at the consistent with other School policies and rules. Similarly, a Director or his designee may determine the terms under which the device may be returned to the student or student’s guardian.

Notwithstanding the prohibited uses identified above, exceptions to such prohibited uses shall apply in the following circumstances:

• when a Director or a Director’s designee permits a student or students, in case-by-case instances, to turn on or use such electronic device(s) if there is a reasonable need to do so, or
• emergency conditions exist which seriously threaten one's safety or property, and such use is a reasonable means of avoiding such threat, or
• when a Director or a Director's designee determines that such use, generally, is otherwise necessary or prudent and is not in violation of any other law or policy.

Personal electronic devices may be used after regular School hours and at extra-curricular School functions when such use is:
• consistent with other student conduct policies;
• does not or is not likely to disrupt any School function or operation; and
• has not otherwise been prohibited by the Director or the Director's designee.

Union Academy Board of Directors
Approved: 8/4/16

504.0 EMPLOYEE USE

504.1 Overview

The School provides employees with Technology Resources to support the School's educational, organizational, and communication objectives. Like any other educational resources, employees are expected to exercise sound judgment when using Technology Resources in their professional roles. This policy establishes proper and improper employee uses of these resources in conjunction with other related policies. Specifically, employees shall comply with this policy, the General Provisions (Policy 501), General Use Policy for All Users (Policy 502) and any other applicable policies.

An "employee," for purposes of this policy is anyone retained to carry out the work of the School including, but not necessarily limited to, paid employees, board of education members, contractors, consultants, temporary staff members, and volunteers when they are carrying out their volunteer responsibilities.

504.2 Enforcement

School supervisory officials retain reasonable discretion to apply this and related School policies to determine when a proper or improper use exists and what sanctions, if any, shall apply.
504.3 Employee Role in Promoting Safe and Effective Student Use

All employees are expected to model and promote proper technology use for and by students. Employees should take all reasonable measures, consistent with their job duties, to guide, instruct, monitor, and protect students in their use of the School's Technology Resources.

504.4 Permissible Uses

The School’s Technology Resources are to be used for educational, organizational, and communication purposes directly related to the School's mission and objectives. Unless otherwise prohibited, personal incidental use of School Technology Resources is permitted if such use is consistent with these policies, is reasonably limited, and does not interfere or threaten to interfere with the School's operations or with the performance of an employee’s duties. Supervisors retain discretion to curtail or prohibit personal use of Technology Resources by any subordinate employee or student.

504.5 Ownership, Public Records, and Record Retention

Employees shall use Technology Resources subject to the following principles and requirements set forth elsewhere, including Policy 506 (Operational Use Policy).

504.5.1 Right to Control, Monitor, and Search All Electronic Files

The School owns and has the right to control, monitor, and search Technology Resources issued to employees as well as any data, files, or other product of such use, to the maximum extent allowed by law.

504.5.2 Electronic Files as Public Records

All records generated by employees in their use of the School's Technology Resources are or may be public records to the extent that such records relate to the conduct of the business of the School. Such records include, but are not limited to, any electronic document such as a memo, letter, spreadsheet, financial compilation, or database; e-mail messages; and Internet usage records (e.g., cookies, Internet logs, data downloads). Therefore, the School may be required to make such records available for public inspection unless such records are otherwise protected from disclosure by law.
504.5.3  Electronic Public Records Subject to Record Retention Rules

All records generated by employees in their use of the School's Technology Resources are or may be public records to the extent that such records relate to the conduct of the business of the School. Such records include, but are not limited to, any electronic document such as a memo, letter, spreadsheet, financial compilation, or database; e-mail messages; and Internet usage records (e.g., cookies, Internet logs, data downloads). Therefore, the School may be required to make such records available for public inspection unless such records are otherwise protected from disclosure by law.

504.5.4  Personal Electronic Data

Personal files, data and other electronic information (“personal electronic data”) generated or stored on Technology Resources or networks owned or issued by the School is subject to control and inspection by appropriate School officials even though such personal electronic data is not a public record.

Employees who generate such personal electronic data, consistent with reasonable personal use rules, shall delete or remove such data from the School’s Technology Resources and networks within a reasonable time. Such deletion and removal must take place immediately if the presence of such data interferes with or is likely to interfere with the safe, efficient, and orderly operations of the School.

504.6  Prohibited Uses

An employee shall not engage in prohibited uses of Technology Resources. Prohibited uses include, but are not necessarily limited to, the following:

General Prohibited Uses. Prohibited uses include all prohibited uses contained in the School's General Use Policy for All Users (Policy 501) and other applicable policies.

Improper Destruction of Public Records. Prohibited uses include all prohibited uses contained in the School’s General Use Policy for All Users (Policy 501) and other applicable policies.

Improper Disclosure of Confidential Information. Employees shall not disclose to unauthorized recipients any electronic file or other information that is protected from such disclosure by law or local policy. This includes but is not limited to protected personnel files, student records, or other organizational data that is exempt from public records rules.

Unauthorized Websites and Other Electronic Postings. Employees shall not, without proper authorization, send or post webpages, e-mail messages, blogs, or other electronic communications that bear the name of, represent, or otherwise imply the sponsorship or
activity of the School. This prohibition includes, but is not limited to, School, class or club related webpages, blog sites, listserv communications, social networking, or other website postings and communications.

**Improper Instructional Uses.** Instructional staff and supervisors shall not engage in instructional uses of Technology Resources that are contrary to policies and rules governing such uses under Policy 505.

**Personal Technology Resources to Conduct School Business.** Unless otherwise authorized or approved by proper supervisory staff, employees shall not use personal electronic devices to create, store, transmit or otherwise process electronic data and communications when such use involves any of the following:
- private, confidential, or otherwise sensitive educational or School-related information;
- School public records when such information is not also contained in appropriate computer or other electronic media owned or controlled by the School; or
- School information when such use otherwise impedes or is intended to impede the ability of the School from complying with all public records, record retention, open meetings, and related laws and rules.
- Examples of such prohibited conduct include, but are not limited to
- Using a personal computer, laptop, or other similar device to view or store confidential student, employee, or other School-related records;
- Using a personal digital camera or cell phone to create, store, or transmit pictures, records, or other information that is otherwise protected from public disclosure;
- Using personal e-mail to conduct School business; or
- Posting or storing protected School or job-related information on a private, non-School website or other technology venue.

### 504.7 Potential Sanctions and Liability

An employee who violates any of these policies may be subject to disciplinary or other legal actions initiated by the School, other government agencies, and/or by aggrieved persons or entities. Such actions may include, but are not limited to, one or more of the following:

- Warning or reprimand;
- Curtailment, suspension, or revocation of technology resource privileges;
- Suspension with or without pay;
- Demotion or loss of salary;
• Termination of employment;
• Licensure sanctions;
• Personal civil liability and damages for conduct within and/or outside the scope of the employee’s duties; or
• Conviction for a criminal offense.

Union Academy Board of Directors
Approved: 8/4/16

505.0 INSTRUCTIONAL USE

505.1 Overview

Like any means of instruction – textbooks, worksheets, whiteboards, etc. - technology is an aid to learning, albeit a remarkable and growing one. It is, however, the ends, objectives, and measures of education, not their means that ultimately determine instructional effectiveness. For this reason, the use of technology as a means of academic achievement should always be measured by how well it facilitates the ends – i.e., the fundamental objectives of education: student learning, critical thinking, and character development. As long as technology offers the best means to foster these educational objectives, the School seeks to promote its safe, legal, and responsible use. Technological advances in society undeniably require the use of technology in education.

The availability of new technological tools challenges educators to consider their use to enhance student instruction. The School recognizes the need to seize the useful opportunities these tools offer. Balancing efficiency and student safety with educational quality and innovation, the School encourages the use of these tools in a way that promotes its mission and academic objectives and is safe, legal, and age- and pedagogically-appropriate.

505.2 General Considerations

505.2.1 Instructional Technology Use and Resources

Instructional technology use (ITU) generally refers to the use of traditional and emerging electronic devices and other means of communication available for teaching, including more recent technologies commonly referred to as “Web 2.0.” These include, but are not limited to: computers, the Internet and worldwide web, e-mail, chat forums, web logs (blogs), listservs, instant messaging, audio or video (A/V) streaming or presentation, teleconferences, use of A/V media such as DVDs, digital images, videotapes, MP3 and other media storage files and formats, online or distance instruction, cellular phones, Personal Digital Assistants.
(PDAs), electronic slide projection (e.g., PowerPoint), and more traditional means such as audio tape and television.

505.2.2 Technology Proficiency

Federal and State Law, including the North Carolina Standard Course of Study, mandate that students be proficient in the use of technology. Teachers and administrators, increasingly, should model such proficiency. Recognizing that the abilities of individual staff members to integrate technology into classroom instruction vary widely; all instructional staff are nevertheless expected to increase their technological proficiency whenever it will reasonably improve their instructional effectiveness.

505.2.3 Legal Considerations

Instructional staff shall be informed of and, to the extent feasible, trained in sound legal and pedagogical ITU. Predominant legal considerations include:

First Amendment

Preserving, except where appropriate, all School-related websites and other electronic forums as “closed forums” and, therefore, not expanding the First Amendment rights of students or other users when using such forums unless otherwise interested and approved.

Understanding that the use of Technology Resources does not convey or involve any constitutional right of academic freedom for instructional staff;

Refraining from limiting student use of otherwise available technology in a way that infringes their free speech rights, either to express or to access information or ideas.

Privacy and Confidentiality. ITU must avoid the disclosure of sensitive, personal, or confidential information in violation of state or federal records and sound ethical considerations.

Defamation and Harassment. ITU must not include communications that allow or foster harassing, defamatory, intimidating or other harmful or potentially harmful expression.

Copyright and Trademark. ITU must avoid the unauthorized use of protected intellectual property without permission or by legal right to do so.

Public Records and Retention. ITU must not involve the illegal production or destruction of electronic records or files that constitute public records and/or that must be stored or archived under state or federal record-keeping requirements.
Local Policies and Procedures. ITU must conform to all other objectives, policies, rules, and practices of the School and its constituent Schools. This includes following all procedures for review and approval of instructional Technology Resources.

505.2.4 Limitations and Caveats

Instructional staff should always be mindful of the limitations and dangers of technology. For example, much information on the Internet is of questionable validity or accuracy. Therefore, a more traditional means of obtaining information or teaching a particular subject may be required. Because the School cannot guarantee the educational value of information accessed electronically, instructional staff is expected to use sound judgment and discretion when planning for ITU.

505.3 Acceptable Instructional Technology Uses and Guidelines

505.3.1 General Acceptable Use

School Technology Resources are to be used for educational, organizational, and communication purposes directly related to the School’s educational mission and program. ITU should always be consistent with principles of effective pedagogy and with all other policies pertaining to proper instruction and technology use. Furthermore, instructional staff shall make reasonable efforts to supervise a student’s use of the Internet and other electronic resources during School-sponsored activities.

505.3.2 Guidelines for Determining Acceptable ITU

The following criteria should guide the consideration and implementation of ITU:

**Educationally Important and Appropriate.** Any ITU in question should be the most or one of the most effective ways of instructing students on a particular matter. It should also account for the age, maturity, and skill levels of student users. If another means of instruction exists that is more effective, it should normally be selected except for other compelling reasons. Technology should not be used as an end in itself; e.g., just because others are using it or because it is readily available or easy to use.

**Administratively Manageable.** ITU should not require an undue consumption of resources (e.g., finances, time, supervision) compared to other traditional means of instruction. Generally, ITU should save time or offer better educational value compared to traditional instruction except when the ITU offers additional compelling benefits. Instructional staff should be sufficiently skilled to implement the ITU effectively.
Operationally Compatible. ITU should not interfere with, obstruct, or otherwise be incompatible with the network, hardware, or software used by the School. Instructional staff should confer and, where necessary, obtain approval for ITU if there is a risk or uncertainty regarding the compatibility of a particular ITU.

Legally Permissible. Instructional staff should be adequately informed of the legal principles applicable to ITU. Instructional staff should ensure that their ITU is legally permissible by confirming its propriety with and obtaining approval from appropriate supervisory staff or legal counsel in accordance with applicable procedural requirements. If uncertainty exists as to the legality of any ITU, instructional staff shall refrain from such use until proper approval is granted.

Locally and Logically Consistent. ITU shall conform to all other School policies, rules, and practices and with general principles of sound pedagogy and prudent judgment.

Publicly Defensible. Instructional staff should consider how any ITU would be viewed in the public eye, especially by the parental community. If reasonable doubt exists as to public perceptions of the ITU, instructional staff shall seek advanced approval from an appropriate supervisor and, when appropriate, from the parents of the students who would experience the ITU.

505.3.3 Creation and Publication of School-Related Webpages and Web Content

Web pages produced, maintained, and/or supervised by instructional staff must conform to any Webpage Development standards and rules approved by the Directors or their designees. Unless otherwise provided, instructional staff members responsible for a School webpage are also responsible for editing and controlling its content. Such editorial control remains subject to review by the Directors or their designees.

505.3.4 Electronic Publication of Student-Authored Materials

Students may not post a webpage within, or linked from, another School webpage unless the student webpage is for instructional or other School-related purposes. Such student pages shall be subject to instructional staff supervision and control and, to the extent the page reveals information about the student or any other person associated with the School, requires advanced approval from a Director or a Director's designee.

505.4 Prohibited Uses

505.4.1 Generally Prohibited Uses

General prohibited uses include those identified in the School Policy 502 and other technology policies.
505.4.2 Unauthorized Use of Personal Technology Resources

Unless otherwise approved by an authorized School official, ITU shall not involve personally-owned electronic communication forums and devices or those owned, created, or operated for personal use. This includes, but is not limited to, the use of personal websites, e-mail addresses or networks, blogs, social networking sites, PDAs, or any other communication forum or technology device. Furthermore, School webpages shall not include links to student or employee personal webpages or other electronic communication forum without advanced approval by appropriate supervisory personnel and assurances that such use furthers an important educational purpose without creating a foreseeable risk of harm or liability.

505.4.3 Non-Approved Uses

Instructional staff shall avoid any ITU that has not received proper advanced review and approval by supervisory staff or other authorized individuals. The School may establish additional procedures for specific types of ITU in line with School policy. In cases when uncertainty or ambiguity exists as to whether advanced approval is required for a particular ITU, instructional staff shall seek approval from appropriate supervisory staff for such use.

505.4.4 Unauthorized Opening of Free Speech Forums

Students do not shed their free speech rights when they are at School. However, their rights are limited because, under First Amendment Law, public Schools are a “closed forum” with a defined purpose of educating students. Therefore, in ordinary circumstances, School officials may reasonably regulate and direct curricular matters and classroom activities (i.e., take actions that are “reasonably related” to any “legitimate” School purpose).

A School’s “closed forum” might become an “open forum” and subject to greater First Amendment scrutiny if School officials or employees do anything that invites students, parents, or other members of the public to express their viewpoints beyond the narrower boundaries of instructional assignments. For instance, a teacher who creates a website for posting student opinions, but does not carefully define the purpose of the site and the rules for expression, might, in that instance, inadvertently “open” or “broaden” the speech forum. The effect of this action could render comments made on the site protected speech. This could be the case even if such speech is objectionable or offensive to some readers.

Thus, instructional staff shall not, without prior supervisory consideration and approval, prepare and implement ITUs such as a class blog site, listserv, chat room, or webpage that invites student expression beyond specific curricular boundaries. If permission for such a site is granted, the instructor shall clearly communicate to students or other users the limited educational or School-related purpose of such forum along with specific instructions and guidelines for conforming to that purpose.
No School electronic forum shall be “opened” or “widened” under the First Amendment without good reason and without careful supervisory deliberation and approval and, where necessary, the advice of legal counsel. Specifically, ITU shall be limited to strictly School-related purposes consistent with the educational objectives and policies of the School. In all cases where reasonably feasible, ITU shall include a clear notice to students and other authorized users of the specific purposes, guidelines, and rules for engaging in the ITU.

505.4.5 Copyright Violations

The School prohibits copyright violations. Instructional staff members are expected to exercise diligent care to ensure their use of ITU and that of their students does not violate this prohibition. The use of others’ materials is appropriate and, in fact, encouraged to accomplish legitimate instructional objectives when such use is properly approved by the property holder, is exempted by the copyright doctrine of fair use, is part of the public domain, or is permitted by other legal means.

Instructional staff should, in advance, consult appropriate supervisors and resources to determine how their planned ITU complies with copyright rules and exceptions. The School and its Directors shall strive to ensure that instructional staff are regularly notified and adequately informed of copyright principles and/or available resources in relation to ITU.

505.4.6 Safety and Confidentiality Threats

Instructional staff shall not engage in ITU that creates an undue risk of disclosure of confidential or sensitive student or other personal information, including but not limited to, disclosing student identifying information such as student names, contact information, grades, or pictures, unless a disclosure involves “directory information” or is otherwise properly approved.

505.4.7 Harmful, Disruptive, or Threatening Off-Duty or Personal Uses

Instructional staff shall not, whether on or off duty, engage in personal communications or other electronic activities (e.g., the use of personal websites or other non-School pages or forums, personal social networking sites, personal blog sites, personal e-mail) when such use causes or is likely to cause harm, substantial disruption, or material interference related to any individual, operation, or property of the School.
505.5 Procedures

505.5.1 Notification, Awareness, and Training

Instructional staff members are expected to be familiar and to comply with these and other policies and procedures related to ITU. The Directors or their designees shall strive to regularly inform and educate instructional staff regarding such policies and procedures.

505.5.2 Review and Approval of ITU

The Director or his designee may develop rules and guidelines for reviewing, recommending, and approving ITU those recommended by the Technology Director or other technology staff.

505.5.3 Waivers and Exceptions

Any instructional staff member may request a waiver or exception to any provision within this Instructional Use Policy pursuant to any employee grievance or other applicable procedure. Any request for a waiver or exception and any decision in response thereto, shall normally be documented in writing and a copy provided to the Director of Technology of the School and/or any other official designated by the Director.

Union Academy Board of Directors
Approved: 8/4/16

506.0 OPERATIONAL USE

506.1 Overview

The backbone of effective technology use involves commitments, policies, and practices to support safe, efficient, and beneficial implementation. The School is committed to providing a sound operational infrastructure through this and related technology policies. This policy shall be interpreted and applied consistently with other technology policies of the School.

506.2 School Control and Personal Computers

All computers and other Technology Resources owned by the School are under the control of the School, including hardware, software, and data and word processing files stored on such computer and related equipment. No personal software, media files or other large data files, are to be kept on the computers without prior approval. Approved personal software or files are not to be used on the computer unless sufficient steps, as defined by the Director or the Director’s designee, have been taken to protect a computer from viruses or any other potential damage.
506.3 Planning, Coordination, and Policy Development

The Director, with assistance from the Technology Director and other staff or panels, shall periodically audit, assess, and strategically plan for effective technology use in the School. Such assessment and planning should occur frequently enough to allow for necessary modifications in policy and practice that reflect changes in technical, instructional, and legal developments.

506.4 Information Management

The School shall strive to implement and maintain an efficient and orderly system of recording, maintaining, protecting, and disposing of electronic records to conform with effective organizational practices and legal requirements, particularly regarding privacy and confidentiality, accessibility for necessary administrative and legal disclosure, public access, and record retention and disposal.

An “Electronic Record” is defined as a record created or reproduced in any medium by means of any system requiring the aid of electronic technology to make the record readable or otherwise comprehensible by ordinary human sensory capabilities.

The state Department of Cultural Resources (DCR) offers guidelines and practices to guide state agencies. These are available at http://www.records.ncdcr.gov/erecords.

In addition, the DCR provides an “Electronic Records Production Control Self-Warranty” to offer agencies a tool with which to assess their record-keeping practices. The Director and technology staff shall strive to remain informed of best practices and legal requirements in order to continually monitor and improve the School electronic data management practices. School officials responsible for record management and disposal should participate in training available to them for such purposes. All School staff should also be trained in proper electronic records management.

506.4.1 Network Monitoring and Privacy

The School shall implement all reasonable measures necessary to protect sensitive and confidential School records from unauthorized or accidental access, manipulation, and disclosure. Technology users who are responsible for preserving the integrity of School records should be trained regularly regarding the measures they are to employ.

Examples of common confidentiality violations to be protected against include:

- mistaken network or website availability or network hacking of personal information such as social security numbers, passwords, student grades, or personnel data;
• posting student identifying information on School webpages;
• sending confidential information via e-mail to improper recipients; and
• leaving confidential information open on computer screens or other equipment and
  available for unauthorized viewing; improperly downloading, storing, or sharing
  confidential information on personal computers or devices.

506.4.2 Public Records Compliance

North Carolina’s public records law establishes the public’s right of access to all government
records except those specifically exempted. Public records include, all documents, papers,
letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic
data-processing records, artifacts, or other documentary material, regardless of physical form
or characteristics, made or received pursuant to law or ordinance in connection with the
transaction of public business by any agency of North Carolina government or its subdivisions.

Particular electronic requirements apply as follows:
• Database Indexes: requires Schools to maintain an index identifying the contents of all
databases.
• Accessible and Reliable Data Storage: requires a determination that an agency network or
  computer system will not impair the public’s right to inspect the records maintained in that
  system.
• Inspection Format: entitles members of the public to receive requested documents “in any
  and all media in which the agency is capable of providing them,” including electronic files.
  (This does not require, however, an agency to put into an electronic medium any document
  not kept in such format.)

Examples of electronic records conveyed or stored on School equipment that may be subject
to public records laws and production requests include: e-mail messages involving the conduct
of School business, internet usage data (including cache files, websites histories, “cookies,”
downloaded documents), and phone and text message records. Staff of the School should
always be mindful to use School Technology Resources as public stewards of such resources
and strive to use them in a way that, if publicly disclosed, would reflect well on the staff and the
School.

The Director, with the assistance of the Technology Director, public records employees, and
other staff, shall ensure that electronic public record files are preserved, accessible, and made
available for public inspection and preservation according to state guidelines.
506.4.3 Indexing of Computer Databases

All computer databases compiled must be indexed as required by law. The form and content of the indexes will conform to the guidelines issued by the North Carolina Division of Archives and History.

Any computer database that is being considered for purchase or lease by the School and that will be subject to the indexing requirements should include the statutorily required index provided by the vendor at no additional cost to the School.

506.4.4 Record Retention

Federal and state law and effective management practices require certain electronic records to be stored and preserved for varying lengths of time depending on their value. State law states that “[e]lectronic data processing records . . . regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business” are public records subject to state records retention requirements. It further directs that “[n]o person may destroy, sell, loan, or otherwise dispose of any public record without the consent of the Department of Cultural Resources” (DCR). Thus, to the extent that electronic records fall into the same categories as their hardcopy counterparts, they are subject to the same general retention requirements unless otherwise directed.

DCR publications and resources offer interpretive guidance and practical recommendations regarding electronic records; these are available on the DCR website and should guide the School in its electronic record retention practices. Specific guidelines and tools are available at, http://www.records.ncdcr.gov/erecords/default.htm#guide.

State law allows local agencies to develop their own retention schedules, subject to approval by the DCR. Therefore, the Director, with input from the Technology Director and public records staffs or panels, should periodically assess whether to develop and maintain a particularized record disposition schedule or whether to follow the rules and guidelines established by the DCR schedule for LEAs.

The enormous number of e-mail messages and constantly developing and changing webpages of the School make compliance with public records and record-retention requirements for these media a difficult challenge. Nevertheless, the School shall work diligently to ensure compliance with retention schedules and to provide adequate backup capabilities, recovery technology, physical and electronic security, and general record integrity. In addition, it shall strive to avoid excessive and unnecessary record retention of files to avoid inefficiencies and waste, and potentially subject the School to additional legal liability. Guidelines and principles governing specific types of electronic records such as e-mail and webpages are described below.
E-mail. Generally, the electronic files, like their hardcopy counterparts, should be catalogued and disposed of or retained, based on their ongoing “value.” Files with no further reference value should be discarded when their reference value ends; messages specifically concerning the School policies, procedures, directives, regulations, rules, or other information that might provide the public with evidence of the organization, functions, and accomplishments of the School. E-mail records should normally be handled in accordance with the following principles:

- Most e-mail documents are minor administrative records having only brief reference value; such records should be destroyed within three months of creation.
- E-mail having significant administrative, legal, research, or other value should not be maintained in an active or dynamic e-mail system, but should be transferred to an off-line digital storage medium and appropriately scheduled for retention and disposition. (Such transfers permit the purging of records from the active e-mail system at regular intervals while also providing a capability for restoring the records to their original condition, without loss of format or informational content.)
- Messages should remain in an e-mail system no longer than one year and preferably no longer than six months.

Examples of e-mail to be filed (as valuable records) include those that involve policy decisions, outline procedures, show agency action, give guidance, are unique, or have an uncertain status.

Examples of e-mail to be discarded (as records of ephemeral value) include reservations for travel, confirmation of appointments, personal messages, transmission of other documents without comment, or junk mail.

Website Records. Webpages are often dynamic, changing frequently. To the extent that each edition of a webpage contains certain unique information concerning the business of the School, each edition, technically, should be archived. This may become practically unfeasible though every reasonable effort should be made to comply with archiving rules. At a minimum, “snapshot” copies of webpages should be taken on a reasonably recurring basis and stored in archives. School staff responsible for records compliance should consult additional DCR and other useful resources for maintaining webpage records.

506.5 Procurement, Maintenance, and Disposal of Technology Resources

The School shall strive to procure, maintain, and dispose of Technology Resources and materials in a legal and cost-effective manner, consistent with the School’s mission.
506.5.1 Guidelines for Procurement

Technology Resources that best promote the School’s educational mission and comply with its policies and governing laws, including state bidding and purchase requirements, shall be purchased and used. Procurement decisions should be guided by prudence, including but not limited to, the following principles and practices:

The resource is necessary to support, directly or indirectly, the educational and/or operational objectives of the School.

The resource is compatible, or can be made compatible, with other Technology Resources, including the School network.

The Technology Director will set minimum standards for Technology Resources that are purchased or donated. Upgrading, hardware conditions, and similar requirements will reflect high performance standards.

Staff training should be offered where necessary to maximize the benefits of Technology Resources.

Sufficient staff and other support exist to adequately evaluate, use and maintain Technology Resources.

506.5.2 Maintenance and Disposal

The Technology Director and staff shall develop procedures for the maintenance, upgrading, replacement, and disposal of Technology Resources. This shall include provision for donations to and from the School. These procedures shall follow state rules and guidelines and prevailing best practices.

506.6 Security

The Director, with the assistance of the Technology Director and staff, shall develop and implement reasonable measures, protocols, and regulations to secure School Technology Resources and data from damage, theft, unintended disclosure, and other measures that threaten technology resource integrity and user safety and rights. Such measures shall conform, to the extent necessary and feasible, with prevailing industry standards, shall comport with applicable laws, and shall be addressed as necessary in all user training to ensure School-wide understanding and compliance. If the School receives federal E-rate funding, the Director shall ensure that the School conforms to the requirements of the Children’s Internet Protection Act (CIPA) and federal E-rate requirements to minimize the risk of harm to students through the use of Internet safety devices and procedures, and to maximize the receipt of federal funding for internet access and other resources.
506.6.1 Passwords and Access

All technology users of the School shall normally be required to identify themselves by using a user identification (ID) and personal password before using the School network or any other major Technology Resources, such as workstations and computers. The Technology Director and staff shall implement and oversee the assignment of user IDs and passwords and other processes to protect against unauthorized user access, damage, and harm. Users who no longer are a part of the School community or otherwise not entitled to use its Technology Resources shall have their access rights terminated or limited promptly.

506.6.2 Vendor and Other Outside User Access

Vendors, consultants, or contractors retained by the School and volunteers, government agents, or other individuals not a regular part of the School community may require access to Technology Resources and to School data, some of which may be confidential including access codes, user records, or other sensitive information. The Director, with the aid of the Technology Director and other staff or committees, shall implement any procedures and rules necessary to minimize the risk of a breach to network and technology security, privacy, or integrity, using as necessary, prevailing practice standards, protocols, and rules. All staff involved in hiring and oversight for such outside users shall be regularly and fully informed of these protocols and rules and trained in their implementation and in security protection.

506.7 E-Copyright

Electronic documents can be reproduced and distributed electronically with great speed, ease, and anonymity. This significantly increases the potential for liability of the School and its agents.

Users may not illegally copy another person’s copyrighted materials, including those available or obtained via electronic sources such as e-mail or the Internet unless (1) the material is in the public domain, (2) the author grants permission to do so, or (3) the use is permitted by some exception in the copyright law, the most common and widely applied being the “fair use” exception to the federal Copyright Act. The fair use exception applies in contexts such as teaching, scholarship, or research and involves consideration of four primary factors:

- purpose and character of the use;
- nature of the copyrighted work;
- amount and substantiality of the portion used in relation to the work as a whole; and
- effect of the use on the potential market for the copyrighted work.
Other helpful guidelines regarding electronic media are available from various sources, including the North Carolina State Board of Education’s webpage on “Copyright for the Electronic Environment” at: http://www.dpi.state.nc.us/copyright1.html.

Union Academy Board of Directors
Approved: 8/4/16

507.0 BOARD USE

507.1 Overview

The use of Technology Resources by members of the Board, due to their unique status and role, is subject to certain special considerations and requirements addressed in this policy. Board members shall comply with these requirements and shall report to the Board chairman or to the entire Board, as the case may require, any abuses thereof by any Board member or employee.

507.2 Permissible Uses

Board members may use School Technology Resources to fulfill their responsibilities in furtherance of the School’s educational mission. Board members shall engage in such use in a responsible and prudent manner. Unless otherwise prohibited, limited personal or incidental use of School Technology Resources is permitted if such use complies with School policies, is reasonably limited and not disruptive, and does not interfere or threaten to interfere with the operational and educational objectives of the School or violate anylaw.

507.3 Prohibited Uses

Board members shall not engage in any prohibited uses of Technology Resources. Prohibited uses include, but are not necessarily limited to, the following uses.

507.3.1 General Prohibited Uses

General prohibited uses include all uses prohibited in the School General Use Policy (Policy 502).

507.3.2 Personal Uses and Gain

Technology Resources shall not be used for inordinate personal use or for personal advancement. Board members shall not allow any other person to use any technology resource, including a School-owned laptop computer issued to the Board member, unless such other use is by a School official and necessary for the Board member to carry out his duties.
507.3.3 Circumvention of Public Records, Confidentiality, or Open Meetings Laws

Technology Resources or personal electronic devices may not be used to communicate or create records that violate the state’s public records and open meetings laws. Board members shall not access or disclose to unauthorized recipients any electronic file or other information that is protected from such access or disclosure by law, local policy, or generally accepted ethical principles. This includes but is not limited to protected personnel files, student records, or other organizational data that is exempt from public records rules.

507.4 Open Meetings

In North Carolina, the public is entitled by law to observe the official meetings of public bodies like School boards, subject to certain exceptions. The state’s open meetings law defines an official meeting as any “meeting, assembly, or gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members of a public body” to conduct its business. The law requires a public body to provide advance notice when it will conduct business through electronic means and must “provide a location and means” by which members of the public may “listen” to the meeting. Although this provision was written primarily with telephone conference meetings in mind, it presumably applies to e-mail, “chat rooms,” “blogs,” and other electronic forums as well. Thus, when a majority of board members communicate via e-mail or other electronic means about School business, the communications are presumably subject to the Open Meetings law, at least to the extent that the communications are deemed to occur “simultaneously.” Board members should be aware of these requirements and should not use e-mail or other electronic devices to circumvent the Open Meetings law.

507.5 Public Records and Public Retention

All records generated by Board members in their use of School Technology Resources are or may be public records to the extent that such records relate to the conduct of the business of the School. Such records include, but are not limited to, any electronic document such as a memo, letter, spreadsheet, financial compilation, or database; e-mail messages; and Internet usage records (e.g., cookies, Internet logs, data downloads). Therefore, the School may be required to make such records available for public inspection unless such records are otherwise protected from disclosure by law or subject to disposal by approved record disposal schedules.

For these reasons, any such records must be created, retained, and stored according to the School record retention policies. They may not be deleted or discarded except as permitted by the School’s record retention policy. Typically, e-mail that has lost its value may be discarded; however, Board members should be cautious to avoid premature or otherwise improper storage and deletion of such records to avoid subjecting themselves and the School to potential liability.
Personal files, data and other similar electronic information (i.e., “personal electronic data”) generated or stored on Technology Resources or networks owned or issued by the School should be kept to a minimum. Such data, though it is not a public record, may be subject to control, monitoring, and inspection by appropriate School officials.

Board members who generate such personal electronic data, consistent with reasonable personal use rules, should delete or remove such data from School Technology Resources and networks within a reasonable time. Such deletion and removal must take place immediately if the presence of such data interferes with or is likely to interfere with safe, efficient, and orderly operations of the School.

507.6 Waivers and Exceptions

Board members may request waivers and exceptions to this policy by submitting such request to the whole Board.

Union Academy Board of Directors
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Revision History (starting in 2019)

100.6 Use of Tobacco Products 2/27/19
200.3 Criminal Records Review - 6/13/19
306.9 Health Education Program - 6/13/19
Section 300 Addendum 1 - 6/13/19
Section 400 6/13/19