



# Education Services for the Deaf and Blind

- Eastern North Carolina School for the Deaf, Wilson
- North Carolina School for the Deaf, Morganton
- The Governor Morehead School, Raleigh

## Policy and Operational Procedures Manual November 2017

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See ESDB policies at SBE Policy Manual- <https://stateboard.ncpublicschools.gov/policy-manual/education-services-for-the-deaf-and-blind-esdb>

## **EDUCATION SERVICES FOR THE DEAF AND BLIND (ESDB) POLICIES APPROVED BY STATE BOARD OF EDUCATION (SBE) ON JUNE 2, 2016**

<b>POLICY NUMBER</b>	<b>NAME OF POLICY</b>
ESDB-001	School Security
ESDB-002	Due Process for Exceptional Children Students
ESDB-003	Human Rights Committee
ESDB-004	Exposure to Infectious Disease Control Plan
ESDB-005	External Research
ESDB-006	Management, Investigation and Report of Abuse, Neglect, and Exploitation of Students
ESDB-007	School Improvement Planning
ESDB-008	Unethical Influence
ESDB-009	Driver's License Record Check
ESDB-010	NC Standard Course of Study, Occupational Course of Study, and Extended Content Standards
ESDB-011	Intramurals, Physical Activities, and Athletics
ESDB-012	Parameters for School Activities
ESDB-013	Use of School Interpreters with Other Agencies
ESDB-014	Placement Procedures
ESDB-015	Prohibition of Corporal Punishment
ESDB-016	Behavior Control
ESDB-017	Emergency Closings
ESDB-018	School Transportation of Students
ESDB-019	Student Attendance
ESDB-020	Student Wellness
ESDB-021	Weapons Prohibited on School Property
ESDB-022	Hardware and Software Procurement, Gifts, and Ethics
ESDB-023	Access to Services
ESDB-024	Online Instruction and Assessment
ESDB-025	Advertising and Commercialism, Solicitation or Selling
ESDB-026	Internet Safety & Ethical Use Including Cyber Bullying and Harassment
ESDB-027	Testing and Accountability

- Education Services for the Deaf and Blind (ESDB) policies are listed under the State Board of Education website at: –<http://stateboard.ncpublicschools.gov/policy-manual/education-services-for-the-deaf-and-blind-esdb>
- Policies are numbered from ESDB-001 to ESDB-027. The operational procedures that support these policies are included under each policy in this Manual.

## ESDB Policy and Operational Procedures (Arranged by Procedures Series)

**NOTE:** Operational procedures are included under most of the 27 State Board of Education–approved policies in the ESDB Policy and Procedures Manual. SBE policies for the schools for the Deaf and school for the Blind are identified by the letters “ESDB” preceding the numbers. “OPER” identifies the procedures that govern ESDB school practices and processes, and school policies. For some of these “OPER” procedures, there are no corresponding State Board of Education policies. Where an operational procedure has a direct link to a specific policy, that is indicated in the “Reference” line at the top of the OPER procedure. The “ESDB” policies below are the policies approved by the State Board of Education. ESDB may add or revise operational procedures to support these policies, as needed, and new policies may be added over time with the approval of the SBE.

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**1000 PROCEDURES SERIES:**

**GOVERNING PRINCIPLES,  
ADMINISTRATIVE SERVICES &  
OPERATIONAL MATTERS**



**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** School Security

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-001

**Policy Date:** 06/02/2016

The North Carolina School for the Deaf, Eastern North Carolina School for the Deaf and the Governor Morehead School, shall develop and implement policies to provide guidance and support to the Education Services for the Deaf and Blind (ESDB) schools in the management of campus security.

## **OPER 1001: OPERATIONAL PROCEDURES FOR POLICY ESDB-001 – SCHOOL SECURITY**

**Effective Date:** November 2, 2017

**Reference:** SBE Policy Number ESDB-001

### **1. Roles and Responsibilities:**

- a) **ESDB Superintendent's Office:** Provide guidance and support to ESDB Schools in the management of campus security to ensure a timely and consistent response to security issues at all ESDB schools.
- b) **ESDB Schools:** Provide a secure school environment, provide guidance and support to the staff, the students and their families. Develop and implement School Security Procedures consistent with ESDB Policy to ensure a timely and consistent response to security issues.
- c) **DPI:** Provide assistance and guidance in all contract security issues. Develop, review and participate in any Security Request for Proposal (RFP) and contract approval process. Provide guidance and support in the management of the ESDB School Security policy.
- d) **School Director:** The School Director shall seek input from and coordinate actions with appropriate school personnel to include the designated School Security Point of Contact. For major problems, the School Director shall report the situation to the ESDB Superintendent and make recommendations for a proposed course of action. The School Director will provide the ESDB Superintendent a written after action review for all major security situations to document the responses and improve future responses.
- e) **School Security Points of Contacts (POC):** Report to the school command or response center to handle communications and coordination of response efforts; make announcements by radio, telephone, PA, visual intercom or TV Bulletin, as is feasible, as information becomes available; coordinate contract security and/or Local Law Enforcement Agency involvement as required and document all actions taken.

*ENCSD Safety Director, 252-237-2450x257; GMS Safety Director, 919-715-4363; NCSD Safety Director, 828-432-5389. In the event a security point of contact is unavailable or the situation calls for immediate police intervention, contact: Wilson Police at 252-399-2323; Morganton Public Safety - 828-432-2676; Capitol Police, Raleigh - 919-606-7885.*

- f) **School Parents/Guardians:** Be an active partner with their school to ensure student compliance with School Security Operational Procedures. Assist the school with providing a secure school environment by supporting their student's education, understanding and implementation of school security policies/procedures.
- g) **Staff/Volunteers:** Follow all ESDB Security Policies and School Policies/Procedures. Provide a safe and secure environment for all students in their care.
- h) **Students:** Follow and abide by all ESDB Security Policies and School Policies/Procedures.

### **2. Campus Security Procedures:**

All ESDB School Directors shall develop Security Procedures which address the following security concerns:

- A. Weapons and Dangerous Instruments:** No one shall possess, handle, or transmit any weapon, facsimile of a weapon, or other object that can reasonably be considered or used as a weapon or dangerous instrument. This does not apply to anyone who finds a weapon or dangerous instrument on school property or receives it from another person on school property and who immediately reports the weapon or dangerous instrument to school or law enforcement authorities.

**Definitions:**

- **Dangerous Instruments:** Any object that is possessed, handled, transmitted, or used for the purpose or intent of causing or attempting to cause physical injury.
- **Educational Property:** Any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any school under the jurisdiction of ESDB
- **Employee:** A person employed by an ESDB School, whether the person is an adult or a minor.
- **Facsimile of a Weapon:** Any copy of a weapon that could reasonably be perceived to be a real weapon.
- **Firearm:** Any gun, rifle, shotgun, pistol, starter pistol, firearm silencer, or part thereof, or any powerful explosive, including dynamite, nitroglycerin, trinitrotoluene, blasting cap, or any firearm or destructive device defined by 18 U.S.C. § 921 or G.S. 14-269.2 (b) and (g). (See 2 A). Anyone who has knowledge that anyone possesses or intends to bring a firearm on any school campus or to any school activity shall report this information to school authorities immediately.
- **Possess:** Having the power or intent to control a prohibited item or substance and shall include, but is not necessarily limited to, the possession of a prohibited item or substance in a student's automobile, locker, book-bag, or desk, dorm room or on a student's person.
- **Probable Cause:** When there are grounds for suspicion that a crime has been committed, and the good of the community requires that the matter be examined, there is probable cause for making a charge against the accused, and searching for evidence in connection with the crime.
- **Reasonable Suspicion:** This is based on a belief that a student/employee is in violation of this policy from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based on, but not limited to, one (1) of the following:
  - Direct observations of unacceptable conduct or erratic behavior by student/employee which may pose a threat to safety or health.
  - A report of observed policy violation provided by a reliable and credible source.
  - An on-campus occurrence where there is evidence to indicate the occurrence, in whole or in part, may have been the result of violation of this policy.
  - Physical evidence that a student/employee is in violation of this policy.
  - Reasonable suspicion is required to search school property (classrooms, lockers, desks) and a student's person.
- **School:** NC School for the Deaf, Eastern NC School for the Deaf, and Governor Morehead School.
- **School Administrator:** School Director, School Principal, or their designee.
- **Student:** A person enrolled in a school or a person who has been suspended or expelled within the last five years from a school, whether the person is an adult or a minor.

- **Switchblade Knife:** A knife containing a blade that opens automatically by the release of a spring or a similar contrivance.
- **Use:** The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.
- **Weapon:** Any firearm, BB gun, stun gun, mace/pepper spray, air rifle, air pistol, ammunition, power loads, fireworks, knife, slingshot, leaded cane, blackjack, metallic knuckles, straight razors, razors, razor blades (except cartridge razors used solely for personal shaving), box cutter and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance. (See 2 A).

This section shall not apply to:

- A weapon used solely for educational or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority;
- A person exempted by the provisions of G.S. 14-269(b);
- Firefighters, emergency service personnel, North Carolina Forest Service personnel, and any private police or sheriff employed by an educational institution, when acting in the discharge of their official duties; or
- The person comes into possession of a weapon by taking or receiving the weapon from another person or by finding the weapon.
- The person delivers the weapon, directly or indirectly, as soon as practical to law enforcement authorities.

#### **B. Drugs (Students):**

Students shall not possess, use, distribute, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, inhalant or other controlled substance, any alcoholic beverage, malt beverage, fortified wine, other intoxicating liquor, drug paraphernalia, counterfeit substance, any unauthorized prescription drug, or any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior.

#### **C. Prescription Medication:**

All prescribed medications must be accounted for and administered in accordance with school procedures and practices. The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed.

#### **D. Vandalism: (Also, see school's Student Code of Conduct)**

Vandalism is defined as any malicious attempt to harm or destroy any school or state property, equipment, computer programs, and/or data of anyone connected to the server and/or the Internet. This includes, but is not limited to, the uploading, creating, or transmitting of computer viruses.

Vandalism will result in cancellation of privileges and possible compensation for damages incurred due to disruption of services or equipment, and may result in expulsion or suspension from the school and criminal prosecution.

### 3. Penalties

See school's Student Code of Conduct.

#### E. Motor Vehicles:

- Driving vehicles on campus is a privilege, not a right. Residential and day students must have annual approval by the Director to have a vehicle on campus. Parent/guardian must complete and sign a vehicle permission form and submit it to the Principal and Director of Residential Life for their approval before submitting to the School Director. Once permission approval is granted, the following rules apply:
- Only students/staff with an operator's license will be permitted to have a motor vehicle on campus. The motor vehicles of residential students will remain on campus and be used as transportation to and from school on weekends, holidays, or special home-goings per the Principal and/or Residential Life Director's written approval.
- The motor vehicle of day students will be used only for transportation to and from school and special school activities per the Principal and/or Residential Life Director's written approval. Under special circumstances, certain students may be permitted to drive their motor vehicles to and from the mainstream program or to and from an off-campus Occupational Course of Study work site with written permission from the Principal and with written parental consent.
- Under unique circumstances, certain students may request written permission from the Principal or Director of Residential Life to leave campus for reasons other than listed in this section. Such reasons may include medical appointments, going home due to illness or death in the family, etc. Driving off campus to eat a meal, attend an away game, to socialize, go shopping, etc. is not permitted. Any student who drives off campus without administrative authorization will immediately have his/her on-campus driving privileges revoked for the remainder of the school year.
- Residential students will come to the campus, park, and lock the motor vehicle in the designated area and will depart the school grounds immediately at the end of the school week.
- Day students will come to the campus, park, and lock the motor vehicle in the designated area and will depart the school grounds immediately at the end of the school day.
- Any student driving at any time in an irresponsible manner will have his/her motor vehicle privileges revoked for the remainder of the school year.
- The school will not be responsible for any damage to a motor vehicle while it is on campus.
- Permission to have a motor vehicle on campus for students is good for one (1) school year only. This permission must be requested each year.
- A student with a previously revoked permission to have a motor vehicle on campus may submit a written request to the Director to have the permission restored at the beginning of the following school year. The student's behavior, suspensions, grades, maturity, and other factors shall be considered by the Director in determining whether to restore on-campus driving privileges.

#### **4. ESDB Staff Response for Security Issues During School Hours:**

The reporting employee shall immediately notify their supervisor. The supervisor notifies the School Director.

##### **School Director:**

The School Director responds as required by the time available and the potential hazard to student and staff. The School Director shall seek input from and coordinate actions with appropriate school personnel to include the School Security Point of Contact to develop a course of action. The School Director may report the situation to the ESDB Superintendent prior to any actions other than immediate emergency responses required and make recommendations for a proposed course of action. The School Director will provide the ESDB Superintendent a written after action review for all major security situations to document the responses and improve future responses.

The School Director shall administer any immediate responses required, meet with the student(s), implement any disciplinary action required, and implement any guidance that comes from the ESDB Superintendent.

#### **5. After School Hours:**

If an incident occurs after school hours during Administrative Watch, the person on Administrative Watch shall ensure the School Director is notified using the school's normal notification process.

##### **School Director:**

The School Director responds as required by the time available and the potential hazard to student and staff. The School Director shall seek input from and coordinate actions with appropriate school personnel to include the School Security Point of Contact to develop a course of action. The School Director may report the situation to the ESDB Superintendent prior to any actions other than immediate emergency responses required and make recommendations for a proposed course of action. The School Director will provide the ESDB Superintendent a written after action review for all major security situations to document the responses and improve future responses.

The School Director shall administer any immediate responses required, meet with the student (s), implement any disciplinary action required, and implement any guidance that comes from the ESDB Superintendent.

In cases of major security concerns, the ESDB School Superintendent will contact the Security Point of Contact in the DPI Safe and Healthy Schools Support Division - the Chief Financial Officer for Operations. (2017- Dr. Ben Matthews, Phone: 919-807-3500).

#### **6. Staff Issues:**

Staff issues/alleged incidents are immediately reported to the employee's direct supervisor and the supervisor reports to the School Director.

The School Director responds as required by the time available and the potential hazard to student and staff. The School Director shall seek input from and coordinate actions with

appropriate school personnel to include the School Security Point of Contact to develop a course of action. The School Director shall administer any immediate responses required, meet with the employee (s), implement any disciplinary action required, and implement any guidance that comes from the ESDB Superintendent or the DPI HR Office.

Disciplinary actions against employees subject to GS 115C-325 shall be administered pursuant to “Disciplinary Action and Grievance Procedures for DPI Educators.”

Disciplinary actions against employees subject to the State Personnel Act shall be administered pursuant to Section 7 of the Office of State Human Resources Manual and DPI Disciplinary Action Guidelines.

The ESDB School Superintendent will contact the Security Point of Contact in the DPI Health and Safety Division. For information security matters, please contact KC Hunt, NC DPI’s Information Security Officer, Technology Services, [KC.Hunt@dpi.nc.gov](mailto:KC.Hunt@dpi.nc.gov), (919) 807-4068.

## **7. Search and Seizure Procedures:**

To maintain order, security, and discipline in the schools and on school campuses, school authorities may search a student or staff, student and staff lockers, student and staff automobiles, or school computers under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search. The use of hand-held or walk-through metal detectors to check a student’s person or personal effects is permitted.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission, or process of the school, or any item described as unauthorized in school rules available beforehand to the student.

A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

- **Student Searches:** Upon establishment of reasonable suspicion by school administrators, the search shall be conducted by a school administrator of the same sex, with an adult witness and shall only consist of the student emptying their pockets, along with a pat down. Search authority shall be limited to the School Director, School Principal, or their designee.
- **Student Residential Rooms:** Upon establishment of probable cause by school administrators, a student’s residential room may be searched. Search authority shall be limited to the School Director, School Principal, or their designee. the student has a right to be present when the search is taking place.
- **Student Lockers:** Upon establishment of reasonable suspicion, school administrators have the right to search a student locker with prior approval of the School Director and approval from the ESDB Superintendent. Search authority shall be limited to the School Director, School Principal, or their designee. This action should be witnessed by another school administrator. In the case of a single locker search the student should be present.
- **Automobile Searches:** Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student

parking lots and inspections of the exteriors of student automobiles on school property. The interior of any vehicle may be inspected whenever a school administrator has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant, by school administrators.

- **School Computers:** School computers and any data they contain remain under control of the school and are subject to inspection at any time.
- **Metal Detector:** School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; on every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals. If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a metal detector check of the student's person and personal effects.
- **Seizure of Illegal Materials:** If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.
- **Drug/Explosives Detection Dog:** Probable Cause and Reasonable Suspicion are not required to do a complete inspection of all lockers or to conduct a random locker inspection. If deemed necessary, a drug/explosives detection dog may be brought in to inspect lockers.  
Drug/Explosives Detection Dogs can be taken into the classroom if warranted. Consideration shall be made to student removal during this process to prohibit student exposure to the dog for safety and health concerns.
- **Contract Security:** Contract Security will respond as defined in current contract and Quick Response Cards. Contract Security's primary role is to observe and report, any other use shall have prior discussions and approval with the school director, the security contractor and the ESDB Security Point of Contact.

#### **8. Local Law Enforcement Agencies: (LLEA)**

LLEA (i.e. Wilson City Police, Broughton Hospital Police, Capitol Police) shall be contacted for any immediate responses required in an emergency or as directed in written school emergency response procedures.

#### **9. Additional School Required Procedures:**

All ESDB School Directors shall develop and implement response procedures for the subjects listed below. This list is not an all-inclusive list and should be supplemented as necessary for each individual school's needs.

#### **Provided Procedures:**

(Procedure items shall not be deleted; however, steps may be added to any procedure to modify it for a school's need.)

- Runaway/Missing Student - Staff Response Procedures
- Weapons/Drugs found on Campus
- Campus Disturbance/Observed Acts of Violence
- Bomb Threat Procedures



- Internal and External Evacuation Procedures
- Severe Weather Procedures
- Shelter in Place Procedures
- Fire Evacuation Procedures
- Search Procedures

Required School Developed Procedures:

- Immediate Campus-Wide Notification to Staff, Students and Visitors
- Campus Access to Visitors/Vehicles
  - Unauthorized Vehicles Response Procedures
  - Unauthorized Persons Response Procedures
  - Large Scale Events
- Overall Campus Accessibility
- Recurring Periodic Campus Lighting Surveys

### **Missing Student Staff Response Procedures**

The staff responsible for missing student notifies one of the following:

- The School Director's Office, School Safety Office, or School Principal's Office, with a description of student, the last known location and any possible destination.
- Ask other students for possible ideas as to the missing student's location.
- Begins to search for student

### **School Director's Office:**

1. Set up a command/response center where all communication goes (Dir. Off, Safety Office, etc.)
2. School Director- Reports to the command/response center and coordinates overall response. Contacts ESDB Superintendent, and Local Law Enforcement Agency (LLEA), parents, etc., as required.
3. Command/response center handles and acts as a clearinghouse to pass information to all involved in the search via available communication systems. All notifications to ESDB Superintendent, Local Law Enforcement agency, will be at the direction of the School Director.
4. Communicate to the campus the description of student last known location and possible destination if possible.
5. Identify the amount of time and steps taken locally prior to notification of ESDB Superintendent and LLEA, based on a reasonable amount of time for a complete campus search.

### **School Security Point of Contact (POC)**

Report to command/response, assist school director with coordination of search efforts and maintain a log of all actions.

### **Interpreter:**

Reports to command/response center and is ready to assist with a staff person familiar with the student's specific needs, to facilitate communications with outside agencies or other personnel not familiar with the student communications needs when the student is located. A vehicle should be available to take interpreter to location of student once located.

**School Principal:**

Coordinates search of school buildings.

**All Other School Staff:**

All maintenance vehicles with radios will survey campus; all other staff will survey their respective areas of responsibility; any pertinent information shall be provided to command/response center.

**Student Missing/Unauthorized Absence**

**STUDENT MISSING OR UNAUTHORIZED ABSENCE – IMMEDIATE RESPONSE**

1. Notify immediate supervisor
2. Search immediate area
3. Search likely places student might go
4. Contact School Director’s Office

**IF NOT FOUND WITHIN 15 MINUTES**

1. Advise School Director of current status
2. Request assistance from adjoining buildings
3. Request a thorough campus wide search

**IF NOT FOUND DURING THOROUGH SEARCH**

Refer to School Procedures for “Missing or Lost Students, additional procedures to initiate”

**FOLLOW-UP ACTION**

1. Notification and Documentation - Refer to Schools ESDB Policy/Procedures.
2. Weapons/Drugs Found on Campus
3. Weapons/Drugs/Tobacco Found on Campus
4. Immediate confiscation
5. Immediate notification to Supervisor
6. Immediate notification to School Director

**The School Director Shall:**

1. Activate school lockdown/shelter in place procedures as necessary.
2. Follow ESDB Security Policy procedures
3. Campus Disturbance/Observed Acts of Violence
4. Campus Disturbance / Violence / Danger
5. Campus Lockdown Procedures
6. Staff Observes - internal demonstrations / disruptive staff / unauthorized individuals

**STAFF WILL:**

Notify the School Director’s Office

Give the following information

- a. Your name

- b. Your location (building name)
- c. Situation that exists
- d. If there are any injuries -
  - Contact 911 and the Admin Watch of your school as required;
  - No attempt should be made to use physical restraint with person committing the violent act;
  - Students, staff & visitors remain in immediate area with the doors locked;
  - In a hostage situation, under no circumstances will anyone offer themselves in exchange for a hostage.

Law enforcement will assume command upon arrival.

All Staff and Students Remain in their area until an “ALL CLEAR” is given.

### **Bomb Threat**

Person receiving the call:

1. Note time of call.
2. Remain calm.

### **Identity and location of the caller:**

1. Background noise – traffic – machinery – music – etc.
2. Tone of voice – loud – high – deep.
3. Speech – fast – slow – nasal – slurred – stutter – etc.
4. Manners – calm – angry – emotional – etc.
5. Sex – Male – Female
6. Language – good – fair – poor – accent – etc.

### **After caller hangs up:**

1. Notify School Director’s Office with the exact situation.
2. Activate Building Evacuation Procedures as required by situation.

### **Evacuate building immediately**

1. Do not shut doors, windows, etc.
2. Account for staff/students by roll call and head count.

### **Do not return to area until “ALL CLEAR” is given**

Internal and External Evacuation

### **Severe Thunderstorm / Tornado**

#### **A. Severe Thunderstorm WATCH:**

(Thunderstorms are expected to develop)

1. Inform employees in your area concerning the “Watch.”
2. Designate someone to monitor the telephone.
3. Conduct a roll-call and head count of staff and students.
4. Continue on-campus activities with students/staff safety in mind.

#### **B. Severe Thunderstorm WARNING: (Thunderstorms developing in area)**

1. Move all students to inside of building.

2. Stay clear of open doors, windows, metal, electricity, etc.
3. Prepare to move to designated areas if Tornado occurs.
4. Remain in designated area until “All Clear” is given.

### **C. Tornado WATCH:**

(Tornados are expected to develop)

1. Inform employees in your area concerning the “Watch.”
2. Designate someone to monitor the telephone.
3. Conduct a roll call and head count of staff and students.
4. Continue on-campus activities with students/staff safety in mind.

### **D. Tornado WARNING:**

(Tornados are developing in immediate area)

1. Move all students to designated areas in building.
  2. Close all doors, drapes, curtains, etc.
  3. Seat students on floor where possible with back to wall.
  4. Use blankets, coats, etc. to cover body.
- Remain in designated area until an “All Clear” is given.

### **E. Fire Evacuation**

*Fire Discovered with No Alarm -*

#### **Immediate Response**

1. Pull nearest fire alarm device.
2. Communicate to coworkers the nature and location of fire.
3. Begin evacuation.
4. Check all rooms and close all doors and windows if possible.
5. Evacuate to designated area outside.
6. Account for staff and students by head count and roll call.
7. Extinguish fire if possible or call 911 or your school’s security office.
8. Give the following information -
  - a. Your name.
  - b. Your location (building name).
  - c. Situation that exists.
  - d. If there are any injuries.

Do not return to area until “ALL CLEAR” is given.

### **F. Fire Evacuation**

*Fire Alarm Received -*

#### **Immediate Response**

1. Check fire alarm panel (where applicable) for fire location.
2. Begin evacuation.
3. Check all rooms and close all doors and windows if possible.
4. Evacuate to designated area outside of building.
5. Account for staff & students by head count & roll call.
6. If fire or smoke wasn’t visible during evacuation
  - A. Staff member re-enter building and look for fire/smoke.
  - B. If no fire/smoke is found, reset alarm and return to area.

7. If fire or smoke is present – Extinguish fire if possible or call 911 or your school’s security office.

8. Give the following information
- a. Your name.
  - b. Your location (building name).
  - c. Situation that exists.
  - d. If there are any injuries.

Do not return to area until “ALL CLEAR” is given

## **G. Shelter in Place**

1. Shelter in Place  
Campus-Wide Event Notification  
School Director’s Office shall:  
-Notify Campus to Activate Shelter in Place Procedures
2. Localized Event:  
Staff shall contact School Director -  
Give the following information:
  - a. Your name.
  - b. Your location (building name).
  - c. Situation that exists.
  - d. If there are any injuries.

Activate Shelter in Place Procedures.

- No attempt should be made to exit the Building
- Students, staff & visitors remain in your immediate area with the doors locked
- Local Emergency Management Authorities will assume command upon arrival
- Remain in your area until an “ALL CLEAR” is given

## **Search Procedures**

School Search Procedures (Weapons/Drugs/Tobacco)

1. Staff Response; Observation in Plain Sight:
  - a. Immediate confiscation
  - b. Immediate notification to Supervisor
  - c. Immediate notification to School Director
2. The School Director Shall:
  - a. Follow ESDB Security Policy procedures prior to contact with local law enforcement agencies.
  - b. Follow ESDB Security Policy for any disciplinary actions required.
3. Staff Response; Reasonable Suspicion or Probable Cause:
  - a. Reasonable Suspicion is required to search school property, (Classrooms, lockers, desks) a student’s person and belongings outside of their living areas.
  - b. Probable Cause is required to obtain a search warrant. A search warrant is required to search student living areas and personal belongings therein.
4. Immediate notification to Supervisor
5. Immediate notification to School Director
6. The School Director Shall:
  - a. obtaining a search warrant when probable cause exists.

- b. coordinate drug/explosives detection dog inspections.
- 7. Ensure that the student is present when searching an individual student's locker, personal belongings or personal living space.
- 8. Ensure that the appropriate school administrative staff is present for observation prior to the search of an individual student.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Weapons Prohibited on School Property

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-021

**Policy Date:** 06/02/2016

**Statutory Reference:** G.S. 14-269; G.S. 14-269.2

All Education Services for the Deaf and Blind (ESDB) schools and places of employment within ESDB shall be free of all unauthorized weapons. No employee or other person shall carry, or engage another person to carry, whether openly or concealed, an unauthorized weapon as defined below, on to school property at any time.

Weapon is defined as any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine or other powerful explosive, BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife (a knife containing a blade that opens automatically by the release of a spring or a similar contrivance), blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework, and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on school property.

School property is defined as any building, bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by the Education Services for the Deaf and the Blind.

Exceptions Include:

A weapon used solely for educational or school-sanctioned ceremonial purposes, or used in a school approved program conducted under the supervision of an adult whose supervision has been approved by the school director;

Firefighters, emergency service personal, North Carolina Forest Service Personnel, and any private police employed by the Education Service for the Deaf and the Blind when acting in the discharge of their official duties, law enforcement officers, or any of those persons specifically exempted by G.S. 14-269 (b).

Any employee who is aware that an unauthorized weapon has been carried onto school property must immediately notify the school director. Violation of this policy may subject the employee to disciplinary action up to and including dismissal.

The principal shall immediately report violations of this policy to law enforcement.

**OPER 1002: PROCEDURES FOR ESDB-021: WEAPONS PROHIBITED ON SCHOOL PROPERTY**

**Reference:** SBE Policy Number ESDB-021; G.S. 14-269; G.S. 14-269.2,

**Purpose:** To promote a safe and orderly environment for staff, students and visitors.

Any employee who is aware that an unauthorized weapon has been carried onto school property must immediately notify the school director.

- Violation of this policy may subject the employee to disciplinary action up to and including dismissal.
- The principal shall immediately report violations of this policy to law enforcement.



## **OPER 1003: FIRE PREVENTION AND FIRE DRILL**

**Effective Date:** November 2, 2017

**References:** Occupational Safety and Health Act (OSHA) standards, adopted by North Carolina's Occupational Safety and Health Administration; North Carolina Fire Code as adopted by the NC Building Code Council on September 14, 2010 to be effective September 1, 2011 (See Office of the State Fire Marshall, NC Department of Insurance, <https://codes.iccsafe.org/public/collections/North%20Carolina/2012>). The link directly to the North Carolina Fire Prevention Code: [https://codes.iccsafe.org/public/getpdf/2012\\_NC\\_Fire.pdf](https://codes.iccsafe.org/public/getpdf/2012_NC_Fire.pdf)

**Effective Date:** November 2, 2017

**Purpose:** To establish a Fire Prevention Plan and procedures regarding fire emergencies and to establish General Provisions for Fire Prevention; to provide for Fire Exit/Evacuation Drills; to establish requirements for fire protection and prevention equipment; to provide for periodic testing, maintenance and inspection of fire extinguishers; to establish requirements for employee training; to establish requirements for testing of emergency lighting and to establish requirements for the storage of flammable and combustible liquids within DPI owned/leased building space.

### **Procedures:**

School Directors/Administrators shall ensure all Education Services for the Deaf and Blind (ESDB) employees receive fire prevention information and training as required by Joint Commission, 2012 NC Fire Prevention Code and OSHA 29 CFR 1910/29 CFR 1926 Industry and Construction Standards.

### **Implementation:**

General Provisions for Fire Prevention:

- A. ESDB Residential Schools operate a Smoke Free Campus. Employees shall not be allowed to smoke in State Vehicles or state owned, leased or controlled buildings.
- B. Employees shall not smoke or use other open flame devices within 100 feet of any flammable storage area or where an accumulation of flammable or combustible materials may pose a fire hazard.
- C. Employees shall not smoke or use open flame devices within 100 feet of any vehicle refueling or servicing area where there may be a flammability hazard.
- D. Employees shall never use open flames (candles, burners, warmers, incense, lighters) in Business/Office/Building occupancies; except as provided for in the NC Fire Code for religious ceremonial purposes and where a permit has been issued by the fire agency having regulatory jurisdiction over the building.

- E. It shall be unlawful for any employee or student to give, signal, or transmit a false fire alarm.
- F. It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or limit the mobility of, or block the path of a fire department emergency vehicle in any way, or to hamper any fire department operation.
- G. Employees are prohibited from tampering with provided fire extinguishing equipment except for use of the equipment for its intended purpose or as required during normal and periodic servicing and inspections.
- H. All fires shall be reported to the ESDB School's Safety Officer/Safety Manager or Facilities/Maintenance Manager and DPI Safety Manager by the end of the same business day.
- I. Employees shall not use extension cords as a substitute for permanent wiring.
  - 1. Where extension cords are used on a limited basis (not more than 30 days); they shall not be attached to anchor points by any means (staple, tack, zip tie), run through partitions, door openings, over walls, above drop ceilings, under carpets or by any other means to cause an obscuration along the entire length of the cord.
  - 2. Additionally, extension cords shall be serviceable along their entire length without cuts or defects, shall not be repaired by means of wrapping tape, shall be provided with appropriate strain relief and shall have serviceable three-prong grounding supply and feed ends.
  - 3. Two prong, non-grounding, extension cords are prohibited.
- J. Surge protectors type power strips shall only be used to provide power to Data Sensitive Devices (DSD) which includes:
  - 1. Computer Processing Unit (to include laptop computers)
  - 2. Monitors
  - 3. Computer Docking Stations
  - 4. Items connected to a computer by means of a cord or other interface device, but provided operating power by other means (speakers, peripherals, external drives, imaging devices, etc.)
  - 5. Accountant's Calculator
  - 6. Facsimile Machines
  - 7. Copiers
  - 8. Printers
  - 9. Other items identified as a DSD and approved by the Safety & Health Director.
- K. Surge protector power strips shall be plugged directly into a power providing permanently affixed wall outlet; except for strictly temporary use, when powering DSD's during a briefing or audio-visual presentation.

- L. Temporary extension cords shall be disconnected by unplugging or other means when not in use.
- M. Surge protector power strips shall not be “daisy-chained” (plugged one into another) to increase the number of available outlets.
- N. The following items (except where use is specifically prohibited by division/facility/school policy) shall be plugged directly into a power providing permanently affixed wall outlet:
  - 1. Microwave ovens
  - 2. Toaster ovens
  - 3. Coffee pots
  - 4. Refrigerators, freezers and coolers
  - 5. Heaters (only as authorized under DPI Heater Guidelines for a medically related condition)
  - 6. Window air conditioning units with cord provided power supply.
  - 7. Any item which may cause an overload condition due to high wattage (greater than 1000 watts) requirements for compressor, motor, or element operation.
- O. Power consuming items shall be used in accordance with their listing and labeling as provided by a national recognized testing institute (e.g. Underwriters Laboratories [UL]) in a manner consistent with the same testing. Power consuming items without listing and labeling from a nationally recognized testing institute shall be prohibited.
- P. Stairwell landings, treads and collection areas shall not be used to store items and shall remain free from obstruction always.
- Q. Heating pads, electric blankets and other electrically powered heat producing personal comfort items shall be prohibited except upon the requirement of the employee’s medical physician and as approved by the division/facility/School Director/Administrator through applicable approval procedures.
- R. Space heaters are prohibited. School Director/Administrators may approve exceptions on a case-by-case basis when the employee provides a physician’s note stating the specific medical condition and that supplemental heat is required or when it is impossible to maintain a suitable working environment (68-76 degrees), as documented by the HVAC supervisor or other qualified person. The School Director/Administrator or his/her designated representative (Supervisor, etc.) may authorize the use of space heaters in adherence to the following guidance.
  - 1. Contact School Maintenance Department to correct any operating deficiencies in the HVAC system,
  - 2. Install weather stripping or control other sources of cold and or drafts.
  - 3. Verification by a certified electrician that the electrical service and circuit to be used at the work site is suitable to safely supply the current required for a space heater.
  - 4. For medical conditions requiring supplemental space heating in an otherwise suitable working environment (68-76 degrees F), proper medical documentation from a Licensed Practicing Physician stating the nature of the medical condition and that supplemental heat is required prior to placement of the space heater.

5. The space heater must contain fully enclosed heating surfaces, be provided with a thermostat, tip over safety shut off and be listed by an approved listing agency such as Underwriter Laboratories or Factory Mutual.
6. The space heater must plug directly into an appropriately rated power providing permanently affixed wall outlet. Space heaters shall not be plugged into surge protector power strips or extension cords.
7. Procedures shall be established to ensure the space heater is disconnected from service at the close of business and or shift change.
8. Space heater exceptions shall be reviewed annually to determine whether or not continued use is warranted.
9. School Director/Administrators shall ensure that the above items are monitored on a routine basis through development and implementation of a quarterly safety inspection process. Inspections shall at a minimum address the compliance issues of the DPI Monthly Workplace Safety Inspection Checklists.

**Fire Exit/External Evacuation Drills**

Drills shall be conducted by occupancy type, on a schedule as defined by NFPA 101, the Life Safety Code(LSC) and or the NC Fire Code as appropriate for each building or as otherwise noted by this ESDB procedure:

**I. Educational Groups**

Education group occupants shall comply with the following requirements:

A. First emergency evacuation drill	The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes.
B. Time of day	Emergency evacuation drills shall be conducted randomly and unannounced at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or athletic periods, or during other times to avoid distinction between drills and actual fires.
C. Frequency	One time per month, per shift.
D. Procedure	Emergency evacuation drills shall involve the actual evacuation of all staff, students, and visitors to a selected assembly point and shall provide staff, students, and visitors with experience in exiting through all required exits. All required exits shall be used during emergency evacuation drills. Exception: Actual exiting from windows shall not be required. Opening the window and signaling for help shall be an acceptable alternative.
E. Assembly points	Outdoor assembly areas shall be designated and shall be located a minimum of 500 feet from the building evacuated to avoid interference with fire department operations. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals. Alternate assembly areas during severe weather must be identified and included in emergency evacuation plans.
F. Emergency Evacuation Plans	Must be revised annually and must follow the format as outlined in DPI policy. Each School’s plan must include special staff actions,

	including fire protection procedures necessary for staff and students. Plans must also indicate drills and reporting procedures.
G. Staff and student training	Employees only must be trained in fire prevention safety and fire extinguisher training annually. Employees and students must be trained annually on the School's Emergency Evacuation Plan
H. The Emergency Evacuation Coordinator (EEC), Safety & Health Director, or Designated Safety Representative should be notified in advance of any drill. Personnel conducting drills and tests shall make proper coordination with emergency response personnel and their Fire Department (or other reporting agency) as necessary to ensure emergency services are aware of the drill. Employees should not have prior notification of Fire Exit/Evacuation Drills.	
I. Drills should be conducted in a manner which periodically requires employees to exit by secondary exit routes. Drills should be conducted at different times of the day; however, drills should be scheduled during times when a majority of the employees are available to respond to the drill. The exception to this rule would be in the case of shift work where it is necessary to determine the actions of employees on a particular shift.	

## II. Business and Institutional Groups

Business and Institutional group occupants shall comply with the following requirements:

A. First emergency evacuation drill	The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes.
B. Time of day	Emergency evacuation drills shall be conducted at different hours of the day or evening.
C. Frequency	Six times per year and twice on each shift, per year.
D. Procedure	Emergency evacuation drills shall involve the actual evacuation of all staff, students, and visitors to a selected assembly point and shall provide staff, students, and visitors with experience in exiting through all required exits. All required exits shall be used during emergency evacuation drills. Exception: Actual exiting from windows shall not be required. Opening the window and signaling for help shall be an acceptable alternative.
E. Assembly points	Outdoor assembly areas shall be designated and shall be located a minimum of 500 feet from the building evacuated to avoid interference with fire department operations. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals. Alternate assembly areas during severe weather must be identified and included in emergency evacuation plans.
F. Emergency Evacuation Plans	Must be revised annually and must follow the format as outlined in DPI policy. Each School's plan must include special staff actions, including fire protection procedures necessary for staff and students. Plans must also indicate drills and reporting procedures.

G. Staff and student training	Employees and students must be trained in fire prevention safety and fire extinguisher training annually. Employees and students must be trained annually on the School's Emergency Evacuation Plan
H. The Emergency Evacuation Coordinator (EEC), Safety & Health Director, or Designated Safety Representative should be notified in advance of any drill. Personnel conducting drills and tests shall make proper coordination with emergency response personnel and their Fire Department (or other reporting agency) as necessary to ensure emergency services are aware of the drill. Employees should not have prior notification of Fire Exit/Evacuation Drills.	
I. Drills should be conducted in a manner which periodically requires employees to exit by secondary exit routes. Drills should be conducted at different times of the day; however, drills should be scheduled during times when a majority of the employees are available to respond to the drill. The exception to this rule would be in the case of shift work where it is necessary to determine the actions of employees on a particular shift.	

<b>Fire and Evacuation Drill Frequency and Participation Occupancy Group</b>	<b>Frequency</b>	<b>Participation</b>
Educational Group	Monthly per shift	All Occupants
Business and Institutional Groups	6 Times Per Year, 2 Times Per Shift	All Occupants

### III. Additional Requirements

- A. An Area of Refuge shall be predetermined for all building evacuation scenarios.
1. Upon completion of the accounting for all building occupants and the determination that returning to the building from the Primary and or Secondary Collection Point will not be possible, building evacuees shall be immediately relocated to the designated Area of Refuge.
  2. The collection point(s) shall be located appropriately to protect the evacuees from the hazard(s) requiring evacuation and shall not create an obstruction or delay to the emergency response personnel.
  3. The external evacuation collection point shall be at least 500 feet from the building or located in Area of Refuge that protects the evacuees from any hazards associated with the evacuation-causing event. The secondary area of refuge shall not be within the building being evacuated.
- B. Malfunctions of the alarm system resulting in the initiation of the alarm and the evacuation of the building may be counted as a required fire exit drill.
- C. ESDB Residential Schools with residential board (NC Fire Code I-1 Occupancies): all "Emergency evacuation drills shall involve the actual evacuation of all residents to a selected assembly point" (NC Fire Code, Table 405.2, Group I)

- D. The Emergency Evacuation Coordinator (EEC), Safety & Health Director, Safety Representative, or other designated responsible individual shall ensure the drill is documented to include the following items:
  - 1. Identity of the person conducting the drill
  - 2. Date and time of the drill
  - 3. Notification method used
  - 4. Staff members on duty and participating
  - 5. Number of occupants evacuated
  - 6. Special conditions simulated
  - 7. Problems encountered
  - 8. Weather conditions where occupants were evacuated
  - 9. Time required to accomplish complete evacuation
  
- E. The EEC shall ensure a review of the fire drill is conducted with the floor monitors and include any lessons learned or problems encountered during the drill.
  
- F. The EEC shall forward a copy of the completed report to the Safety & Health Director or Designated Safety Representative and management for appropriate actions
  
- G. The Safety & Health Director or Designated Safety Representative shall maintain a copy of the reports for a one-year period following the month of the report. The reports will be available for inspection and review by authorized personnel.

### **In-Building Evacuation Drill**

- A. One in-building evacuation drill shall be held each year. The in-building evacuation drill should be held during National Severe Weather Week.
  
- B. Employees may have prior notification of the in-building evacuation drill.
  
- C. The Emergency Evacuation Coordinator (EEC), Safety & Health Director, Safety Representative, or other designated responsible individual shall ensure the drill is documented to include the following items:
  - 1. Identity of the person conducting the drill
  - 2. Date and time of the drill
  - 3. Notification method used
  - 4. Staff members on duty and participating
  - 5. Number of occupants evacuated
  - 6. Special conditions simulated
  - 7. Problems encountered
  - 8. Weather conditions where occupants were evacuated
  - 9. Time required to accomplish complete evacuation
  
- D. The EEC shall ensure a review of the evacuation drill is conducted with the floor monitors and include any lessons learned or problems encountered during the drill

- E. The EEC shall forward a copy of the completed report to the Safety & Health Director or Designated Safety Representative and management for appropriate actions.
- F. The EEC shall maintain a copy of the reports for a period of year following the year of the report. The reports will be available for inspection and review by authorized personnel.
- G. Horizontal evacuations are allowed and shall satisfy the requirements of external and internal evacuations as required by the needs of the facility

## **Portable Fire Extinguishers**

### **Types of Extinguishers**

1. Unless otherwise authorized by the Safety & Health Director, ABC type portable fire extinguishers shall be used in all buildings.
2. Type ABC portable fire extinguishers may be installed in State-owned or leased vehicles
  - a. Size
    - i. The minimum size of portable fire extinguishers in buildings should be five (5) pounds.
    - ii. The minimum size of portable fire extinguishers in vehicles should be two and one half (2.5) pounds.
  - b. Distribution
  - c. Portable fire extinguishers shall be placed within each building to ensure that:
    - i. The travel distance from any portion of the building to an extinguisher is no greater than seventy-five (75) feet, measured along the path of travel.
    - ii. There is one extinguisher for each 6000 square feet of occupied floor space.
    - iii. Portable fire extinguishers shall be installed in kitchens and other locations where flammable or combustible liquids are stored or used so that the travel distance from any portion of the area and the extinguisher is no greater than fifty (50) feet, measured along the path of travel. Additionally, a fire extinguisher shall be installed no more than thirty (30) feet away from commercial type cooking equipment. Cooking equipment involving vegetable or animal oils and fats shall be protected by a Class K rated portable fire extinguisher.
3. Where a commercial cooking hood system is required by section 609 of the North Carolina Fire Protection Code, the hood shall be protected with an approved automatic fire extinguishing system installed in accordance with Section 904 of the North Carolina Fire Prevention Code. Testing, servicing, and inspection of these automatic fire suppression systems will also be in accordance with section 904.4 of the North Carolina Fire Protection Code for the type of hood system installed.
4. Mounting of Extinguishers
  - a. Extinguishers shall be either wall mounted or recessed, no higher than five (5) feet measured from the floor to the highest point of the extinguisher, and no lower than four (4) inches from the floor to the base of the extinguisher.



- b. Extinguishers should be mounted along exit routes as near to exits from the building or portion as practical, to prevent employees from moving away from an exit in an attempt to retrieve an extinguisher.

## **Inspection, Maintenance and Testing of Fire Extinguishers**

### **Monthly Visual Inspections**

1. All fire extinguishers shall have a visual inspection performed once each month by the Safety & Health Director, Designated Safety Representative or other designated properly trained personnel.
  2. Checks on the extinguisher shall include:  
the proper range of the gauges, the locking pin and plastic tamper indicator; the annual inspection tag to ensure it has not been removed; the hoses, nozzle or openings; the cylinder body to ensure that no visual damage, rust, or corrosion has occurred. Check the weight and balance of the cylinder (by hefting). Invert and shake the extinguisher to loosen compacted agent. Check the annual, breakdown, and hydrostatic test dates to ensure they are current and the appropriate inspection, maintenance, and tests have been performed on schedule.
- A. The following items concerning the mounting of the extinguisher shall be checked:
    - i. Check that the extinguisher is in its proper location.
    - ii. Check to ensure operating instructions are facing outward.
    - iii. Check to ensure the extinguisher is free from obstructions and allowed access to the extinguisher within 36 inches.
  - B. The inspector shall certify the monthly inspection by placing his or her initials in the appropriate block indicating the month of the inspection.
  - C. Any extinguisher found in an unsafe condition shall be immediately tagged out of service until maintenance action can be performed on the extinguisher. A temporary replacement extinguisher of the same class and type as required shall be installed to provide adequate protection.

### **Maintenance of Fire Extinguishers**

- A. Each extinguisher shall have an Annual inspection.
  - i. Breakdown test - every six (6) years.
  - ii. Hydrostatic testing - Each extinguisher shall be subjected to periodic hydrostatic tests; normally by an independent vendor contractor. Hydrostatic tests will be in accordance with 29CFR1910.157(f) as outlined below:
- B. Stored pressure dry chemical extinguishers - every twelve (12) years.
- C. All others - every five (5) years.
- D. Following any direct exposure to a fire.
- E. Whenever pitting from corrosion or structural damage to the shell is observed.
- F. Tests shall meet the requirements outlined in the most current edition of NFPA 10, Portable Fire Extinguishers.
- G. The vendor/maintenance personnel shall certify that the tests were successfully completed by installing tags or markings on the extinguisher, as required by the applicable standards.

## **Fire Safety Training**

- A. Within one week of entering employment, the supervisor/manager shall ensure the employee receives an orientation regarding the Emergency Evacuation Plan for their Office/School work area; to include training or educational materials describing the purpose and proper method of using fire extinguishers, types of fire extinguishers, and the definition and description of an incipient stage fire.
- B. Employees shall receive Annual training on Fire Safety including the types of fire extinguishers, locations of fire extinguishers, how to use a fire extinguisher, and the purposes for fire extinguisher usage.

## **Use of Extinguishers**

- A. The primary purpose of the extinguisher is to provide employees a means to extinguish a fire blocking an egress route, in order to evacuate to the exterior of the building.
- B. The secondary purpose of the extinguisher is to provide a means for trained employees to extinguish a fire only in its initial stage, such as a smoldering fire or one the size of a trash can.
- C. Employees should not attempt to extinguish a structural fire or a fire burning from multiple sources.
- D. Upon becoming aware there is a fire, employees shall activate the alarm system (thereby activating the Emergency Evacuation Plan), exit the building and should not reenter the building to attempt a rescue.

## **Emergency Lights**

- A. Emergency Egress Lights shall be provided in each building where required by the North Carolina Fire Prevention Code and NFPA 101 (Life Safety Code) 2000 edition.
- B. Emergency Egress lights, where required, shall be located in each stairwell, hallway, ramp, corridor, and passageway leading to an exit.

## **Inspection and Testing**

- A. The Safety & Health Director or Designated Safety Representative will ensure the lights are tested according to the following schedule:
  - i. Monthly, each emergency light in the building utilizing an internal battery backup system shall be tested for 30 seconds. Testing will be documented on the Monthly/Quarterly Safety Inspection Report.
  - ii. Annually, each emergency light in the building shall be tested for 90 minutes. Testing will be documented on the Monthly Safety Inspection Report during the month completed. Documentation provided by other agencies responsible for this testing will be maintained by the Safety & Health Director or Designated Safety Representative.
- B. Inspection Reports shall be maintained by the Safety & Health Director or the Designated Safety Representative for one year following the year of inspection.

## **Fire Alarm Systems**

- A. A fire alarm system shall be provided in each building where required by the North Carolina Fire Protection Code and/or NFPA 101 (Life Safety Code) 2000 edition.
- B. In buildings which do not meet the above criteria, either a fire alarm system shall be installed or an employee alarm system shall be developed by the Safety & Health Director or the Designated Safety Representative.
- C. Fire alarm maintenance and testing schedules and procedures shall be in accordance with Chapter 9, Section 907.20 of the North Carolina Building Code: Fire Code and Chapter 7, NFPA 72. Additionally, manufacturer's approved testing requirements shall be followed.
- D. The building owner shall be responsible for ensuring the fire and life safety systems are maintained in an operational condition always. Additionally, service personnel shall meet the qualification requirements of NFPA 72 for maintaining, inspecting and testing systems.
- E. A written record of fire alarm tests shall be maintained and shall be made available to the fire code official and/or other duly authorized inspectors upon request.

## **Storage of Flammable and Combustible Liquids**

- A. All flammable or combustible liquids of any quantity shall be stored in approved plastic, metal, or safety containers, in compliance with the requirements of 29 CFR 1910.106(d).
- B. Only one container of flammable or combustible liquids should be stored in open storage, and only if that container is necessary to current operations. The Safety & Health Director may allow a variance to this procedure if deemed necessary due to operating procedures.
- C. All remaining flammable and/or combustible liquids should be stored in an approved safety cabinet, an inside storage room, or an outside storage room or warehouse.
  - i. Storage in a safety cabinet shall be limited to 120 gallons of Class III liquids, 60 gallons of Class I or Class II liquids, or 60 gallons if any mixture of classes. Only one approved cabinet is permitted per occupied portion of a building, unless approved by the Safety & Health Director.
  - ii. Storage Rooms and Buildings shall meet the applicable requirements of the Occupational Safety and Health Standards for General Industry and the North Carolina State Building Code, and shall be approved by the Safety and Health Director prior to use.

## **Applicability**

- A. These procedures shall apply to all Schools/Programs unless replaced by specific procedures which retain mandatory statements.
- B. The Safety Program Manager shall develop general operating procedures to guide Schools in developing their specific procedures.
- C. Employees shall adhere to the requirements of this policy and its associated procedures.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Exposure to Infectious Disease Control Plan

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-004

**Policy Date:** 06/02/2016

**Statutory Reference:** OSHA 29 CFR: Part 1910.1030

The North Carolina School for the Deaf, Eastern North Carolina School for the Deaf and the Governor Morehead School shall establish a comprehensive plan to prevent employee exposure to bloodborne pathogens and or other potentially infectious materials and to provide guidelines to staff following occupational exposure.

The Education Services for the Deaf and Blind (ESDB) schools shall provide a safe working environment for all employees. Policies shall be developed and enforced which decrease the potential for occupational exposure to bloodborne pathogens. These practices are to comply with OSHA 29 CFR Part 1910.1030- Occupational Exposure to Bloodborne Pathogens.

ESDB schools shall develop an Exposure Control Plan. The Plan will be reviewed and updated at least annually and whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. The review and update of such plans shall also:

1. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens; and
2. Document annually consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

Input shall be solicited from non-managerial employees, such as Student Health Center staff, which are responsible for direct client care and who are potentially exposed to injuries from contaminated sharps in the identification, evaluation, and selection of effective engineering and work practice controls and shall document the solicitation in the appropriate file.

## **OPER 1004: Operational Procedures for Policy ESDB-004: Exposure to Infectious Disease Control Plan**

**Reference:** Regulations (Standards - 29 CFR), Occupational Safety and Health Administration; Compliance with the OSHA Bloodborne Pathogens Standard, 29 CFR 1910.1030; SBE Policy ESDB-004.

### **Definitions:**

For purposes of this Plan, the following shall apply:

1. *Blood* means human blood, human blood components, and products made from human blood.
2. *Bloodborne pathogens* means pathogenic microorganisms that are present in human blood, and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B virus (HBV) and Human Immunodeficiency Virus (HIV).
3. *Contaminated* means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.
4. *Contaminated laundry* means laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.
5. *Contaminated sharps* mean any contaminated object that can penetrate the skin including, but not limited to needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.
6. *Decontamination* means the use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point they are no longer capable of transmitting infectious particles and the surface or items is rendered safe for handling, use or disposal.
7. *Engineering Controls* means controls (i.e. sharps disposal containers, self-sheathing needles) that isolate or remove the bloodborne pathogens hazard from the workplace.
8. *Exposure Incident* means a specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties.
9. *Hand washing facility* means a facility providing an adequate supply of running water, soap and single use towels or hot air drying machines.
10. *Licensed healthcare professional* is a person whose legally permitted scope of practice allows him or her to independently perform the activities required by Section V Hepatitis Vaccination and Post exposure Evaluation and Follow-up.
11. *HBV* means Hepatitis B Virus.
12. *HIV* means Human Immunodeficiency Virus.
13. *Occupational Exposure* means reasonably anticipated skin, eye, mucous membrane, parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.
14. *Personal Protective Equipment* means specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (i.e. uniform, pants shirts or blouses) not intended to function as protection against a hazard is not considered to be personal protective equipment.
15. *Standard Precautions* is an approach to infection control, wherein all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV and other bloodborne pathogens.

- a. Fluids to which Standard Precautions Apply: blood, body fluids with visible blood and tissue (*semen, vaginal secretions, cerebral spinal fluid, fluids from the lung, around the heart, in joints and amniotic fluid.*)
  - b. Fluids to which Standard Precautions Do Not Apply Unless Contaminated with Blood: *feces, nasal, sputum (phlegm), sweat, tears, urine, emesis (vomit), saliva and breast milk.*
16. *Work Practice Controls* means controls that reduce the likelihood of exposure by altering the manner in which a task is performed (i.e. prohibiting recapping of needles by two-handed technique).
17. *Source Individual* means any individual whose blood or other potentially infectious materials may be a source of occupational exposure to the employee.
18. *Regulated Waste* means waste containing liquid or semi-liquid blood and other potentially infectious materials, including items caked with these materials if the items would release liquids when compressed. It includes contaminated sharps.
19. *Mucous Membranes* mean the membranes lining passages and cavities which communicate with the exterior, as well as ducts and receptacles of secretion, and habitually secretes mucus (examples: mouth, nose, and eyes).

### **Exposure Determination**

1. All job classifications in ESDB are defined as having occupational exposure.
2. Examples of tasks and procedures performed which might result in occupational exposure: transporting students/clients, cleaning procedures, laundry, using and disposing of sharps, assisting students with personal hygiene, and managing student activities and interacting with students.

### **Methods of Compliance**

Standard precautions, engineering controls and workplace practice controls shall be used to protect employees from exposure to blood and other potentially infectious materials. All procedures involving blood or other potentially infectious materials shall be performed in such a manner as to minimize splashing, spraying, spattering, and generation of droplets of these substances.

The container for storage, transport, or shipping shall be labeled or color coded according to OSHA regulations and closed prior to being stored, transported, or shipped. When a facility utilizes Universal Precautions in the handling of all specimens, the labeling/color-coding of specimens is not necessary provided containers are recognizable as containing specimens.

This exemption only applies while such specimens/containers remain within the facility. Labeling or color-coding in accordance with OSHA regulations is required when such specimens/containers leave the facility. If outside contamination of the primary container occurs, the primary container shall be placed within a second container which prevents leakage during handling, processing, storage, transport, or shipping and is labeled or color-coded according to the requirements of this standard. If the specimen could puncture the primary container, the primary container shall be placed within a secondary container which is puncture-resistant in addition to the above characteristics.

### **Engineering and workplace practice controls**

Engineering controls shall be examined and maintained or replaced on a regular schedule to ensure their effectiveness.

**Hand washing:** hand-washing facilities shall be readily accessible to all employees. When providing hand-washing facilities is not feasible, an appropriate antiseptic hand cleanser will be provided. When antiseptic hand cleansers are used, hands shall be washed with soap and running water as soon as feasible. After removal of gloves or other personal protective equipment, hands are to be washed immediately. If there is contact with potentially infectious materials hands must be washed.

**Sharps:** contaminated needles and other contaminated sharps shall not be bent or recapped (unless a mechanical device or one handed technique is used). Immediately or as soon as possible after use, contaminated reusable sharps (i.e. scissors) shall be placed in appropriate containers until properly reprocessed. These sharps shall be placed in a container which is puncture resistant, labeled as contaminated, leak proof on sides and bottom and allows retrieval without reaching into the container. Contaminated disposable sharps (needles, razors, etc.) shall be discarded immediately or as soon as feasible in a designated sharps container. These containers are to be accessible to the staff through the Student Health Center. They are to remain upright at all times and not allowed to overfill. If there is reason to believe leakage might occur from the sharp container during transport, it shall be placed inside a leak proof container prior to transport.

**Laundry:** when handling contaminated laundry, employees are to practice standard precautions, including wearing gloves. Contaminated laundry is to be handled as little as possible, with minimum agitation. Contaminated laundry must be placed in red plastic bags or biohazard-labeled leak proof containers wherever it is generated. It is not to be sorted or rinsed.

**Cleaning/servicing equipment:** employees are required to clean equipment, environmental and work surfaces and decontaminate them immediately after contact with blood or other body fluids using OSHA approved disinfectant. Because of the potential for transmission for HBV from contaminated surfaces, eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas where there is reasonable likelihood for occupational exposure. Hand cream is permitted provided hands are thoroughly washed immediately prior to application. Food and drink shall not be kept in refrigerators, freezers, shelves or cabinets or on countertops where blood or other potentially infectious materials are present.

Equipment which may become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated as necessary, unless the employer can demonstrate that decontamination of such equipment or portions of such equipment is not feasible. A readily observable label in accordance OSHA regulations shall be attached to the equipment stating which portions remain contaminated. This information is to be conveyed to all affected employees, the servicing representative, and/or the manufacturer, as appropriate, and prior to handling, servicing, or shipping so that appropriate precautions will be taken.

Protective coverings, such as plastic wrap, aluminum foil, or imperviously-backed absorbent paper used to cover equipment and environmental surfaces, shall be removed and replaced as soon as feasible when they become overtly contaminated or at the end of the work shift if they may have become contaminated during the shift.

**Personal protective equipment:** Where there is a possibility of occupational exposure, personal protective equipment shall be provided such as, but not limited to gloves, gowns, face shields or masks, eye protection, resuscitation bags, pocket masks or other ventilation devices. All protective equipment shall be readily accessible at the work site or issued to employees. Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives shall be readily accessible to those employees who are allergic to the gloves normally provided. All protective equipment shall be removed prior to leaving the work area and placed in an appropriately designated area or container for decontamination or disposal.

Personal protective equipment shall be cleaned, repaired replaced, or disposed of as needed to maintain its effectiveness, at no cost to the employee.

**Gloves** - shall be worn when it is reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes and non-intact skin; when performing venipuncture and when handling or touching contaminated items or surfaces. Disposable gloves shall not be washed and reused. If they are torn, punctured or when their ability to function as a barrier is compromised, they are to be replaced as soon as practical.

**Masks** - in combination with eye protection devices, such as goggles or glasses with solid side shields shall be worn whenever splashes, spray, splatter or droplet of blood or other potentially infectious material may be generated, and eye, nose or mouth contamination may be reasonably anticipated.

**Gowns, aprons, and other protective body clothing** - appropriate clothing such as, but not limited to gowns, aprons, or similar outer garments shall be worn in occupational exposure situations. The type and characteristics will depend upon the task and degree of exposure anticipated. If a garment(s) is penetrated by blood or other potentially infectious materials, the garment(s) shall be removed immediately or as soon as feasible.

**Housekeeping** - The worksite shall be maintained in a clean and all bins, pails, cans, and similar receptacles intended for reuse which have a reasonable likelihood for becoming contaminated with blood or other potentially infectious materials shall be inspected and decontaminated on a regularly scheduled basis and cleaned and decontaminated immediately or as soon as feasible upon visible contamination.

**Other Regulated Waste Containment** - regulated waste shall be placed in containers which are: closable; constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping; labeled or color-coded in accordance with current OSHA regulations; and closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.



If outside contamination of the regulated waste container occurs, it shall be placed in a second container. The second container shall be: closable; constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping; labeled or color-coded in accordance with OSHA regulations; and closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.

### **Hepatitis B Vaccination and Post Exposure Evaluation and Follow-up**

In accordance with [29 CFR 1910.1030 (f) (2) (i)-(v)], the Hepatitis Vaccination shall be made available to all affected employees, at a reasonable time and place, within ten (10) working days of initial assignment at no cost to the employee. If the employee has previously received the complete hepatitis vaccination series, antibody testing has revealed that the employee is immune or the vaccine is contraindicated for medical reasons, then a statement of such should be made, signed by the employee and filed in the employee medical file in Human Resources. If there is a question regarding hepatitis status, appropriate hepatitis studies may be ordered by the agency physician to determine the need for vaccination. This will only be done with the employee's consent. Participation in the prescreening program shall not be a prerequisite for receiving hepatitis vaccination. If an employee initially declines hepatitis vaccination but later decides to accept the vaccination, the employer shall make available the Hepatitis B vaccination at that time. All staff that receive Hepatitis B vaccine should be tested 1-2 months after completion of the 3-dose vaccination series for anti-HBs. Persons that do not respond to the primary vaccine series (i.e., anti- HBs <10mIU/mL) should complete a second 3-dose vaccine series or be evaluated to determine if they are HBsAG-positive. Revaccinated persons should be retested at the completion of the second vaccine series. Testing of the vaccine's efficacy as indicated above is recommended for all staff, but it is required for Student Health Center (SHC) staff after each instance of completing the Hepatitis B vaccination series. All affected employees upon each incident of exposure who decline to accept Hepatitis B vaccination shall sign a declination (refusal form) and it shall be filed in the employee medical file in Human Resources. If a routine booster dose (s) of Hepatitis B vaccine is recommended by the US Public Health Service at a future date, such a booster dose (s) shall be made available.

### **Post-Exposure Follow-up**

If an employee is involved in an incident where exposure to bloodborne pathogens may have occurred, an Incident Report (FORM 19 - Employer's Report of Employee's Injury or Occupational Disease to the Industrial Commission) is to be completed and filed with Human Resources. There shall be an investigation of the circumstances surrounding the exposure incident and the employee shall receive medical consultation and treatment (if required) as expeditiously as possible. If medical treatment is administered to the exposed employee, record the exposure as an injury, not an illness on the OSHA 300 Log, with Human Resources. The OSHA 300 Log is the record maintained of recordable injuries and illnesses that occur on the job. The full log contains the department and job of the worker, a description of the injury or illness, and the number of lost days or restricted days that occurred as a result of the injury or illness. The OSHA 300 Log must be maintained for five years.

The Safety Director investigates every exposure incident that occurs. This investigation is initiated within twenty-four (24) hours after the incident occurs and involves gathering the following information.

- When the incident occurred (date and time)
- Where the incident occurred (location)
- What potentially infectious materials were involved in the incident (type of material, blood amniotic fluid etc.)
- Source of material
- Under what circumstances the incident occurred (type of work being performed)
- How the incident occurred (accident, unusual circumstances, i.e. equipment malfunction power outages etc.)
- Personal protective equipment being used at the time of the incident
- Actions taken as result of the incident
- Employee decontamination
- Clean-up
- Notifications made

### **Post Exposure Evaluation**

Following an exposure incident, Human Resources, or the Supervisor/On-Site Supervisor shall make a referral for a confidential medical evaluation and follow-up available immediately as specified by protocol. This evaluation and follow-up will be provided by/or under the supervision of a licensed physician or by another licensed healthcare professional designated by the agency at no cost to the employee within twenty-four (24) hours of the exposure. It shall be provided according to the US Public Health Service recommendations current at the time of evaluation. If there is exposure to a potential bloodborne pathogen, OSHA requires a post exposure evaluation and follow-up which is to include at a minimum, the following components: route exposure, circumstances of exposure; identification and documentation of source; collection and testing of blood for HBV and HIV serological status; post exposure prophylaxis when medically indicated; counseling; evaluation of reported illnesses within 12 weeks after exposure, and retest for HIV and HBV at six (6) weeks, twelve (12) weeks and six (6) months.

Every effort will be made to obtain consent for testing of the source individual, according to the current laws and regulations (10A NCAC 41A (.0202) (.0203) – Control Measures, HIV). If the source individual is already known to be infected with HBV or HIV, testing for the source individual's known infectious status need not be repeated. The results of the source individual's testing shall be made available to the exposed employee. The employer does not have the right to know the test results of the exposed employee unless such is necessary in employee claim filing for damages. Exposed employees shall be informed of applicable laws and regulations concerning disclosure of identity and infectious status of the source individual. The designated physician shall make available to exposed employees' collection and testing of blood for HBV and HIV serological status. Blood is to be collected as soon as feasible after an exposure and tested after consent is obtained. Since post exposure testing and prophylaxis is a rapidly changing and developing field, it will be provided according to recommendations of the US Public Health Services current at the time of exposure. Testing will only be conducted after informed consent is obtained. Informed consent shall include:

1. nature of test to be performed
2. benefits and risks of testing
3. alternatives to testing

#### 4. exact limits of confidentiality

If employee consents to baseline blood collection, but does not consent at time for HIV serologic testing, the sample shall be preserved for 90 days and the physician drawing the blood shall be notified. Post exposure prophylaxis shall be made immediately available to the exposed employee as recommended by United States Public Health Service. Counseling shall also be made available and coordinated by Human Resources through the Employee Assistance Program, concerning infection status, including results of and interpretation of all tests. This counseling will assist the employee in understanding the risk of infection and in making decisions regarding the protection of personal contacts.

All findings or diagnoses shall remain confidential and will only be available to the healthcare providers. Information provided to the Healthcare Professional- the healthcare professional responsible for the employee's Hepatitis B vaccination is to be provided a copy of this Exposure Control Plan.

The healthcare professional evaluating an employee after an exposure incident shall be provided the following information:

1. A copy of this Exposure Control Plan;
2. A description of the exposed employee's duties as they relate to the exposure incident;
3. Documentation of the route(s) of exposure and circumstances under which exposure occurred;
4. Results of the source individual's blood testing, if available; and
5. All medical records relevant to the appropriate treatment of the employee including vaccination status which are the employer's responsibility to maintain.

Healthcare Professional's Written Opinion - a copy of the evaluating healthcare professional's written opinion shall be provided to the employee, and maintained in the employee's Medical/ADA file, within 15 days of the completion of the evaluation. The healthcare professional's written opinion for Hepatitis B vaccination shall be limited to whether Hepatitis B vaccination is indicated for an employee, and if the employee has received such vaccination.

The healthcare professional's written opinion for post exposure evaluation and follow-up shall be limited to the following information:

1. That the employee has been informed of the results of the evaluation; and
2. That the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

All other findings or diagnoses shall remain confidential and shall not be included in the written report.

Medical Recordkeeping- medical records required by this standard shall be maintained in accordance with OSHA regulations.

## **Communications of Hazards to Employees**

### **Labels and Signs**

Warning labels shall be affixed to containers of regulated waste and containers used to store, transport or ship blood or other potentially infectious materials.

1. Labels required shall either contain the biohazard legend or be a solid red round sticker (2 inches in diameter).
2. Red bags or red containers may be substituted for labels.

### **Information and training**

1. All affected staff shall be given information on exposure control and the Hepatitis B vaccine program within the first 10 days of entry on duty.
2. All employees shall attend a session on bloodborne pathogens training during New-hire Orientation (NHO) within thirty days (30) of entry on duty. Contact the Student Health Center if you have not been scheduled for NHO within this timeframe.
3. Additional training shall be provided annually and at such times that modification of tasks or new procedures affect the employee's risk of occupational exposure.
4. The training shall include:
  - a. General explanation of the modes of transmission of bloodborne pathogens
  - b. General explanation of the epidemiology and symptoms of bloodborne diseases
  - c. An explanation of the employer's exposure control plan and the means by which the employee can obtain a copy
  - d. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials
  - e. An explanation of the use and limitation of methods that will prevent or reduce exposure including appropriate engineering controls, work practices and personal protective equipment
  - f. Information on the types, proper use location, removal, handling and disposal of personal protective equipment
  - g. An explanation on basis of selection of personal protective equipment
  - h. Information on the hepatitis vaccine including information on its effectiveness, safety, method of administration, the benefits of being vaccinated, and that the vaccine is offered free of charge
  - i. Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials
  - j. An explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the incident and the medical follow-up that will be made available
  - k. Information on the post exposure evaluation and follow-up the employer is required to provide for the employee following an exposure incident
    - l. Explanation of signs and labels
  - m. Opportunity for interactive questions during the training session
  - n. An accessible copy of the regulatory text of this standard and an explanation of its contents
  - o. The person conducting the training shall be knowledgeable in the subject matter covered by the elements contained in the training program as it relates to the workplace.

## **Recordkeeping**

Medical Records- shall establish and maintain an accurate record for each employee with occupational exposure, in accordance with 29 CFR 1910.1020.

This record shall include:

1. The name and social security number of the employee
2. A copy of the employee's hepatitis B vaccination status including the dates of all the Hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination as required by OSHA regulations
3. A copy of all results of examinations, medical testing, and follow-up procedures as required by OSHA regulations
4. The employer's copy of the healthcare professional's written opinion as required by OSHA regulations

A copy of the information provided to the healthcare professional as required by OSHA regulations Confidentiality- employee medical records shall be kept confidential; and not disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by OSHA regulations or as may be required by law. These records shall be maintained for at least the duration of employment plus 30 years in accordance with 29 CFR 1910.1020 - Access to employee exposure and medical records.

Training Records - shall be maintained for 3 years from the date on which the training occurred, and shall include the following information:

1. The dates of the training sessions
2. The contents or a summary of the training sessions
3. The names and qualifications of persons conducting the training

The names and job titles of all persons attending the training sessions All records required to be maintained by this Plan shall be made available upon request for examination and copying. Employee training records required by this Plan shall be provided upon request for examination and copying to employees, to the Superintendent, and to the DPI HR Department. Employee medical records required by this Plan shall be provided upon request for examination and copying to the subject employee, to anyone having written consent of the subject employee, to the Superintendent, and to the DPI-HR in accordance with 29 CFR 1910.1020 - Access to employee exposure and medical records.

Transfer of Records - shall transfer records in compliance with the requirements involving transfer of records set forth in 29 CFR 1910.1020(h). If the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the Superintendent, at least three months prior to their disposal and transmit them to the Superintendent, if required by the Superintendent to do so, within that three-month period.

Sharps Injury Log - shall establish and maintain a sharps injury log for the recording of percutaneous injuries from contaminated sharps. The information in the sharps injury log shall be recorded and maintained in such manner as to protect the confidentiality of the injured employee. The sharps injury log shall contain, at a minimum:

1. The type and brand of device involved in the incident

2. The department or work area where the exposure incident occurred
3. An explanation of how the incident occurred. The requirement to establish and maintain a sharps injury log shall apply to any employer who is required to maintain a log of occupational injuries and illnesses under 29 CFR 1904. The sharps injury log shall be maintained for the period required by 29 CFR 1904.6

## **Training**

The Nurses will provide training to all new hires on Bloodborne Pathogens, Exposure Control policy, process for completing the Tuberculosis screen, and process for completing the Hepatitis B vaccination series during New Hire Orientation, and for existing staff and new-hires during annual training at the opening of the school year.

Staff found to have handled a bloodborne pathogen and other infectious materials spill incorrectly are required to immediately reread the Exposure Control Plan, and will be directed by their supervisor to attend an additional Bloodborne Pathogen and Exposure Control Plan training session during a New Hire Orientation.

## **BLOODBORNE PATHOGEN OR OTHER POTENTIALLY INFECTIOUS MATERIAL POST EXPOSURE PROCESS PROTOCOL:**

Process to be completed upon an employee exposure to a bloodborne pathogen or other potentially infectious material.

### **STEPS:**

1. Employee should remove any contaminated personal protective equipment as applicable, and place in a biohazard bag.
2. Employee should wash the affected area(s) with soap and water, flush exposed mucus membranes with water, and if eyes are exposed, employee should go to the nearest first aid station and flush eyes with large amounts of water and/or eye solution.
3. Employee should immediately report incident to his/her immediate supervisor, Administrative Watch on duty (2nd and 3rd shifts only), and Human Resources (as soon as time and availability permit).

*Please note: information reported to the parties referenced above shall only be shared with the employee's management chain-of-command and the HR chain-of-command, and shall otherwise be kept confidential.*

4. Employee is encouraged to seek medical evaluation when first aid is needed, signs or symptoms of infection occur, and/or if employee has concerns.
  - 1st Shift Staff- Obtain forms from your school's/DPI Human Resources, and go to treatment facility identified by Human Resources. Employees must complete an "Employee Report of Accident/Injury Form," which is obtained from the supervisor. Once this form is submitted, HR completes Form 19 (Employer's Report of Employee's Injury or Occupational Disease to the Industrial Commission). This form is submitted to the DPI vendor for Worker's Comp Claims - Sedgwick Claims Management Services, Inc.

- Depending upon the severity of the incident, proceed immediately to a hospital emergency room via an ambulance, or be transported by the supervisor or his/her designee.
  - 2nd and 3rd Shift Staff- if Human Resources is unavailable, and/or depending upon the severity of the incident, proceed immediately to a hospital emergency room via an ambulance, or be transported by the supervisor or his/her designee.
  - Employees are strongly encouraged to follow instructions received by the treating physician for post treatment follow-up.
5. If there is a bloodborne pathogen or other potentially infectious material spill, the supervisor shall immediately arrange for decontamination of the affected area with an OSHA approved disinfectant.
    - In the case of a spill related to a potential “Reporting Abuse, Neglect and Exploitation” incident, the supervisor shall secure the scene and notify his/her chain-of-command and/or Administrative Watch (2nd and 3rd shifts only).
  6. Employee and immediate supervisor shall work together to complete the Workers’ Compensation “*Form 19/Employer’s Report of Employee’s Injury or Occupational Disease to the Industrial Commission.*”
  7. Human Resources shall record the exposure on the OSHA 300 Log as an injury not an illness.
  8. Supervisor completes the Incident *Investigation Report* form, and attaches a written/signed statement from the employee providing a description of the incident.
  9. School Safety Director initiates an investigation within 24 hours of the incident, and files a report with the School Director, ESDB Safety Officer, and Human Resources Manager. At a minimum, the report shall include the following information:
    - a. When the incident occurred (date and time)
    - b. Where the incident occurred (location and specific place)
    - c. What potentially infectious materials were involved in the incident (type of material, blood, amniotic fluid, etc....)
    - d. Source of material
    - e. Circumstances involved in the incident (type of work being done)
    - f. How the incident occurred (accident, equipment malfunction, bite, bodily fluid cleanup, etc....)
    - g. Personal protective equipment used at the time of the incident
    - h. Actions taken as a result of the incident
    - i. Employee decontamination
  10. Clean-up
  11. Notifications made

## **OPER 1005: TOBACCO-FREE CAMPUS**

**Effective Date:** November 2, 2017

The ESDB supports state laws that prohibit the selling or distribution of tobacco products to minors and federal laws prohibiting smoking in all school buildings. "Tobacco Product" is defined as including regular cigarettes, e-cigarettes, cigars, blunts, biddies, 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. In support of ESDB commitment and state and federal law, all students are prohibited from using or possessing any tobacco products or tobacco paraphernalia such as lighters or matches. Students may not possess, display, or use any tobacco products at any time on school premises, including school vehicles, or while participating in school-related events, both indoor and outdoor and both on and off school property.

### **Definition of Tobacco Products and Tobacco Use**

For the purposes of this procedure, "tobacco product" is defined to include regular cigarettes, e-cigarettes, cigars, blunts, 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.

### **Signage**

Signs will be posted in a manner and location that adequately notify students, staff and visitors of about the 100 % tobacco-free schools procedure.

### **Compliance for Students**

Consequences for students engaging in the prohibited behavior will be provided in accordance with the school's code of conduct guidelines. Students who violate the tobacco-use policy will be referred to the guidance counselor, a school nurse, or other health or counseling services for all offenses for health information, counseling and referral. The administration will consult with appropriate health organizations to provide student violators with access to an Alternative to Suspension (ATS) program. The ATS program will provide up-to-date information on the many consequences of tobacco use, offer techniques that students can use to stop tobacco use at school, and provide referrals to local youth tobacco cessation programs. Parents/guardians will be notified of all violations and actions taken by the school. Repeated violations will result in suspension from school.

### **Compliance for Staff and Visitors**

Consequences for employees who violate the tobacco use policy will be in accordance with personnel policies and may include verbal warning, written reprimand, or termination. Visitors using tobacco products will be asked to refrain while on school property. Law enforcement officers may be contacted to escort the person off the premises or cite the person for trespassing if the person refuses to leave the school property.



**Opportunities for Cessation**

The school director or designee will consult with the county health department and other appropriate health organizations to provide students and employees with information and access to support systems, programs and services to encourage them to abstain from the use of tobacco products.

**Prevention Education**

The school director or designee will consult with appropriate health organizations to identify and provide programs or opportunities for students to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean and inviting school environment. Per G.S. 115C-81.a3.11, the administration will insure that the North Carolina Healthful Living Education Standard Course of Study for grades K-9 be taught using sequential, age appropriate, current, accurate, evidenced based curricula and a skills based approach (involving students in active "hands-on" learning experiences).

**Procedures for Implementation**

The school director or designee will develop a plan for communicating the procedure to staff, students, parents and the public. A compliance protocol, which identifies procedures for reminding adults of the policy and outlines consequences for students, staff and visitors who repeatedly violate the policy, will be created and communicated to all students, staff, parents and the public.

A designated smoking area, not on the campus proper, shall be made available by the Director, or his/her designee. The designated area shall be at least 20 feet from any main building entrance, and this outside designated area must have signs clearly posted and shall be available for staff to use during their break or lunch period.

## **OPER 1006: EQUAL EMPLOYMENT OPPORTUNITY**

**Effective Date:** November 2, 2017

**Purpose:** To ensure equal employment opportunity for all staff and applicants.

**Procedure:**

It is the policy and procedure of the Department of Public Instruction and the Education Services for the Deaf and the Blind-that neither race, religion, color, creed, national origin, sex, age, political affiliation, nor handicapping condition is to be considered in the:

Recruitment and selection of new employees of the ESDB schools, and selection of employees for promotion, training, career development, transfer, demotion for fiscal purposes, and/or reduction-in-force, administration of rates of pay, including the awarding of salary adjustments and/or salary increases.

All programs within the Education Services for the Deaf and the Blind shall comply with the Equal Employment Opportunity Policy of the North Carolina Office of State Human Resources.

## **OPER 1007: PROTECTION AGAINST SEX DISCRIMINATION**

**Effective Date:** November 2, 2017

**Reference:** Title IX of the Educational Amendments of 1972, as amended, 20 U.S.C. 1681, et seq.; 34 C. F.R. 106.8; 34 C.F.R. 106.9.

**Purpose:** To ensure compliance with relevant federal and state statutes and regulations and to solidify the commitment of ESDB to nondiscrimination.

### **Procedure:**

The Education Services for the Deaf and the Blind within the North Carolina Department of Public Instruction will not discriminate against anyone on the basis of gender in its educational programs or activities or in admission to its educational programs or activities in accordance with Title IX of the Educational Amendments of 1972. Inquiries regarding compliance with Title IX may be directed to the Title IX Coordinator, North Carolina Department of Public Instruction, Raleigh, NC.

**OPER 1008: RESPONSIBILITY FOR COMPLIANCE WITH POLICY**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-47

**Purpose:** To further define the responsibilities of ESDB staff

**Procedure:**

All staff of the Education Services for the Deaf and the Blind shall be held responsible for familiarizing themselves with printed policies of the Department of Public Instruction, the Office of State Human Resources, and the Education Services for the Deaf and the Blind.

Consult the school's Human Resources Manager, school's website, OSHR's website or other related printed materials.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** External Research

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-005

**Policy Date:** 06/02/2016

**Statutory Reference:** G.S. 115C-288, FERPA

In accordance with State Board of Education (SBE) policy, researchers should secure permission before beginning research in Education Service for the Deaf and Blind (ESDB) schools. Researchers shall follow the procedures approved by the SBE policy, regarding external request for education data.

The ESDB Superintendent shall review requests from individuals and/or agencies for any research project and shall document each instance in which approval of a research study is granted.

## **OPER 1009 - Operational Procedures for Policy ESDB-005: External Research**

### **How is research defined?**

**Research:** The systematic investigation or study of materials, structures, or strategies to establish facts and reach new conclusions.

Research permission must be secured if new data are to be collected from or about ESDB students or staff, or existing data are to be analyzed that is not publicly available.

Outside or external researchers include those who are not part of the ESDB staff or staff who are using the data for purposes other than improving their instruction alone. The most common examples for ESDB staff research are studies undertaken to meet major requirements of masters or doctoral programs.

The following activities are not considered research and do not need approval:

1. Observations, class visitations by university classes or by individuals in such classes where no data collection are involved. Contacts regarding these visits should be made with the school principal.
2. Piloting of ESDB's materials or techniques where no data collection for external purposes occurs. Contact the office of the Principal in this case.
3. Reflecting on your own practice or that of a Professional Learning Community (PLC) by a review of data typically available to you for the purpose of improving instruction (within ESDB's guidelines).

### **The following types of projects are more likely to be approved:**

1. Projects in which costs (in student/staff time) are low and benefits to ESDB seem high (in terms of potential insights and impact on practice).
2. Projects that address critical research needs of the ESDB schools. We are also always interested in research on achievement for visual impaired students in reading, math, science, and other subjects, and assistive technology.
3. Competitive, grant-funded projects with dedicated staff.
4. Projects with sound research designs which directly address the questions posed.
5. Projects conducted by an employee of ESDB as part of fulfilling requirements for an advanced degree or certification, if the research is otherwise sound.
6. Action research projects if the researcher is an ESDB staff member enrolled in a North Carolina college that requires such a project. Proposals for action research are reviewed through a different process.

### **We will not approve the following types of projects:**

1. Action research in which a teacher studies his/her own students except as described above.
2. Projects in which individuals are provided stipends or other incentives for participation. Gifts to the school or to the school district are permissible and must be reported to the

ESDB.

3. New data collection for a university class project. Class projects should not require new data collection. Acceptable class projects, which would not require permission, include self-reflection, review of trends in existing data for the teachers' own students or trends within their Professional Learning Community (PLC), or analysis of publicly available data.
4. Research that would require a large amount of teacher and/or student time or a loss of instructional time.
5. Projects which require data collection between April 15 and July 30.
6. Data collection that includes requests for personal information about students or their families. For example, projects dealing with self-esteem, family problems, personal values, sexual behavior or orientation, illegal alcohol and/or drug use on the part of students or their parents, whether students have engaged in or witnessed other illegal activities.
7. Applications indicating passive rather than active consent by parents (or students as applicable).
8. Research that involves any form of biomedical or neurological investigation, including both invasive and non-invasive methods.
9. Research involving physical or physiological measurements.

### **What are the steps to apply to conduct research in ESDB Schools?**

Review the ESDB's External Research Policy.

1. Submit electronically the standard application form (Word document) **or** the university application packet for action research projects. Most applicants will use the standard application form.
2. Provide Institutional Review Board (IRB/OMB) Permission notice.
3. The action research application applies if you are an ESDB staff member in a graduate program requiring an action research project (university group application). The professor must submit these applications for each class.
4. Once ESDB grants approval for the research project, provide parent and student consent forms before commencing all study protocols.

### **For outside research, who should be my first contact?**

Submit the application to the Principal or Director's Office first. There are two exceptions. In the case of piloting curricular materials, see section above. If you want to do research within your own school for the purposes of completing graduate degree requirements, contact your principal first. You can then complete the appropriate application. If you have questions about the process, feel free to contact the ESDB School Director or the ESDB Superintendent at: Barbria.bacon@esdb.dpi.nc.gov; Call (919) 733-6382.

### **Who makes the decisions on accepting applications?**

At each school, the ESDB Research Review Committee of at least 2 people will determine whether the application should be accepted or denied. Professional staff members and administrators within the ESDB serve on the committee; all are knowledgeable about the research process.

- If the application is approved or denied, the review committee will notify the applicant by email.
- If it appears that the project could be approved with minimal changes, the applicant may be

advised to revise the application accordingly.

### **What happens after the ESDB's Research Review Committee approval?**

The researcher:

1. is notified by email and is provided with a letter to share with potential participating schools or departments.
2. contacts potential participants to determine interest (providing a copy of the approval letter from ESDB). ESDB approval does not constitute approval for the study to be conducted in any specific school or department. The school or department contact makes the decision of whether to participate.
3. schedules meetings, interviews, and the administration of instruments, and other data collection far enough in advance to allow for adequate planning and flexibility at the schools involved.
4. provides school(s) with sufficient copies of the parental consent forms if required. The principal or her/his designee will be responsible for disseminating forms to the students and obtaining parental consent; one copy should be placed in students' files and another should be maintained by the researcher.

### **What are the requirements while the project is being conducted?**

1. Confidentiality of student records must be observed, and the privacy and rights of the individuals and schools must be respected. Data with student names or identities must be destroyed when they are no longer needed.
2. While conducting research studies in the schools, individuals should abide by ESDB's standards of professional conduct and dress. Failure to do so will be sufficient cause for termination of the research study. As one example, researchers should check in at the office of each location visited.
3. Researchers should be as flexible as possible with scheduling interviews and other data collection to meet participant needs. Specific details should be worked out on a case-by-case basis with the schools or departments involved.
4. Any violation of procedures noted by teachers or other participants in the study should be reported to the school principal. The principal should then, if indicated, discuss such infractions with the ESDB Research Review Committee coordinator.

### **Researchers must:**

1. Provide an abstract and a 1-3 page summary of the results to ESDB upon completion of the study, including reference information for the full study. An electronic copy of the full report is also appreciated but is not required.
2. Submit a short summary of status by August of each school year for any study extending beyond a given school year.
3. Agree to release the report for use or publication by ESDB without remuneration.
4. Acknowledge or reference the data received from ESDB appropriately if the study is later reported in a more complete form (e.g. book, dissertation, journal article, etc.). The researcher must also provide ESDB with an electronic copy and/or a hard copy of the completed work product.



Please submit annual or final summaries by email to [barbria.bacon@esdb.dpi.nc.gov](mailto:barbria.bacon@esdb.dpi.nc.gov)

## **HUMAN SUBJECTS AND INSTITUTIONAL REVIEW BOARD (IRB)/OMB APPROVAL**

Title 34, Code of Federal regulations, Part 97, Protection of Human Subjects defines a human subject as a living individual about whom an investigator (whether professional or student) conducting research obtains data through intervention or interaction with the individual or obtains private information.

Most of the requests to conduct research in the ESDB Schools utilize information obtained from or about human subjects and are required to show that human subjects are protected. Most the requests come from colleges and universities, which have Institutional Review Boards (IRBs) in place to review all research involving the use of human subjects; however, some requestors do not have convenient and/or free access to such boards. If requestors do not have access to an IRB, there are independent IRBs, which can review the research project for a fee.

The IRB/OMB component of the application packet is crucial; thus, a copy of IRB/OMB approval must be submitted at the time of application. No applications will be reviewed without an approved IRB.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Management, Investigation and Report of Abuse, Neglect and Exploitation of Students

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-006

**Policy Date:** 06/02/2016

**Statutory Reference:** G.S. 143B-10

The North Carolina School for the Deaf, Eastern North Carolina School for the Deaf and the Governor Morehead School shall provide a framework for the consistent investigation of reports and allegations of abuse, neglect, and or exploitation of students attending residential schools and or enrolled in programs under the supervision of the Education Services for the Deaf and Blind (ESDB).

Any employee (permanent and temporary), contractor or volunteer assigned to or working in any school or program under the supervision of the ESDB, with knowledge of any incident or alleged incident related to the abuse, neglect or exploitation of any student, must report such incidents as set forth in the procedures of each school.

**OPER 1010 - OPERATIONAL PROCEDURES FOR POLICY ESDB-006: THE MANAGEMENT, INVESTIGATION AND REPORT OF ABUSE, NEGLECT AND EXPLOITATION OF STUDENTS**

All allegations of abuse, neglect and/or exploitation of students shall be reported to the Department of Social Services. Any employee (permanent, temporary, contractual) or volunteer assigned to/or working in any school/program under the supervision of the ESDB, with knowledge of any incident or alleged incident related to the abuse, neglect and/or exploitation of any student, must report such incidents to their immediate supervisor who then informs the School Social Worker. If a school does not have a Social Worker, the School Director/Administrator will designate someone to fulfill this function. The School Social Worker/designated school official will inform the School Director/Administrator.

Upon receiving a report, the School Director/Administrator or designee will authorize and supervise an investigation of the incident. In special cases (such as incidents involving a School Director) authorization and supervision of the process will be assumed/undertaken by the Superintendent of the ESDB.

The School Director/Administrator or his/her designee shall contact and inform the parent(s) or guardian of the student(s) involved in a report of abuse, neglect or exploitation unless the report involves the parent or guardian. However, care must be taken to protect and ensure confidentiality, maintain safety, and protect the rights of both student(s) and staff.

**Management Investigative Team (MIT) and Management Investigative Inquiry Processes Defined**

Reports and/or allegations of abuse, neglect and/or exploitation of students by caregivers are referred to the Management Investigative Team. Failure by School Director/Administrator or designee to investigate reports and/or allegation of abuse, neglect and/or exploitation of a student may result in disciplinary action.

**Assignment of Staff Members to the MIT**

1. An impartial fact-finding panel shall conduct the investigation of reports of allegations involving abuse, neglect and/or exploitation of students. None of the staff member potentially involved in the alleged abuse, neglect or exploitation under investigation may conduct or participate as a member of the MIT for that incident.
2. Any staff member selected to serve on an MIT must complete training arranged by the ESDB before serving on the panel. The training shall consist of the following components and will be repeated biannually:
  - a. MIT process
  - b. Responsibilities of team members
  - c. Timeline for conducting the investigation
  - d. Acceptable data gathering and interviewing techniques
  - e. Standard of evidence
  - f. Report writing
  - g. Confidentiality

3. Team membership will include three to five members, unless some members are otherwise prohibited from participating in the investigation. The School Social Worker is the only permanent MIT member and will have the responsibility for either leading the team or designating a team leader. In the event the School Social Worker is prohibited from participating, the School Director/Administrator will lead the team or designate a team leader. Each panel shall consist of equitable representation among all demographic groups of the school staff. The School Director/Administrator shall assure that the team is made up of persons who represent diverse groups to the greatest extent possible.

### **Investigative Process**

The MIT Investigative Procedure is a multi-step process designed to gather data related to the investigation of allegations of abuse, neglect and/or exploitation of students. During the process, care must be taken to ensure student safety, maintain confidentiality and protect the rights of both students and staff. The following steps are to be taken in complying with the process:

1. The employee to whom the allegation is first known immediately reports the allegation to their immediate supervisor, who ensures the safety of the student.
2. During school hours, the allegation is then immediately reported to the School Social Worker who informs the School Director/Administrator or designee.
3. If the alleged incident occurs during non-school hours, the reporting employee immediately notifies his/her supervisor. The supervisor safeguards the student as necessary and notifies the School Social Worker and/or Administrative Watch. Administrative Watch (coming to campus if necessary) gathers baseline data (student name, age, disability, basic allegation, staff involved, staff and student witnesses) to share with the School Social Worker the following morning. If the designated Administrative Watch person is unable to go to campus, it is his/her responsibility to contact the School Director/Administrator.
4. The School Social Worker contacts the Department of Social Services. When the report is being made to DSS, the initial reporter of the alleged offence should be present with the Social Worker when the report is being made. All allegations must be reported to DSS. The School Social Worker may not exercise discretion in deciding whether to report or in deciding whether the allegation could constitute abuse/neglect/exploitation.
5. As appropriate, the School Director/Administrator and the School Social Worker will determine if North Carolina General Statute (NCGS) 143B-146.15 is applicable to specific allegations. If so,
  - School Social Worker will provide the School Director/Administrator with baseline information regarding each alleged incident immediately.
  - The School Social Worker informs the Superintendent of the ESDB of the allegation.
  - The School Director/Administrator will contact law enforcement authorities.
  - School Director/Administrator will initiate an investigation into the allegation.

6. The School Director/Administrator determines if the alleged incident warrants removal of employee (s) from the worksite. If warranted, with the approval of DPI/ESDB Human Resources Officer, the Director/Administrator or designee communicates to the employee in a conference (with a witness – optional) that he/she is being placed on investigatory leave with pay (SPA) or investigatory suspension (115C). Other options for SPA employees include the reassignment of duties, shift and/or work responsibilities.
7. Within two business days, the School Director/Administrator will notify any employee, placed on investigation (up to 30 days for SPA employees) or investigatory suspension (up to 90 days for 115C employees), of that fact in writing.
8. The School Social Worker provides the School Director/Administrator with preliminary findings. If the reported incident has been accepted by the Department of Social Services, the MIT investigative process will be delayed until DSS has completed its investigation. If the reported incident is not being accepted by DSS, the MIT process will continue.
9. Identified Team members establish a timeline for the investigation and share it with the School Director/Administrator.
  - Complete the investigation according to the timeline and submit a chronological report of events to the School Director/Administrator within 5 business days of initiating the investigation.
  - The School Director/Administrator must be notified in advance and in writing when completed reports cannot be submitted within 5 days of the initiation of an investigation. When this happens, the School Director/Administrator must immediately inform all parties of the difficulties preventing the timelines from being met. The investigation may be extended another 5 days, and if difficult circumstances prevent completion of the investigation, the MIT must inform all parties immediately, and give an indication of an intent to complete timeline.
  - Reports are not to include recommendations for employee(s) disciplinary action(s), but to render an opinion, satisfactory to the Team, as to the likelihood of the occurrence of the allegation. The standard of evidence for this determination is by a preponderance of the evidence (more likely than not).
  - The School Social Worker will share investigative findings with the ESDB Superintendent and the School's Human Resources officer. The School Social Worker will also report on a summary of the investigative data at the next school's Human Rights Committee, if there is an HRC at that school.
10. The Team signs Confidentiality Statement as part of the investigation process.
  - All persons (students and staff) involved in any aspect of the investigation are required to sign the confidentiality statement and be aware of the disciplinary process related to confidentiality violations.
11. The School Director/Administrator makes recommendations regarding appropriate personnel action to the ESDB Superintendent.
  - The School Director/Administrator determines whether or not disciplinary action is merited.

- The School Director/Administrator meets with the employee and administers SPA action/communicates GS 115C actions.
- Other than written warnings, letters regarding GS 115C disciplinary actions are issued by the ESDB Superintendent.

### **Employee Appeal Process**

Employees subject to the State Personnel Act (SPA) and those subject to the Public School Laws of North Carolina (115C) have certain appeal rights related to an unfavorable employment action.

#### **SPA Appeal Process**

- Dismissal appeals are initially filed to the Office of State Human Resources;
- Disciplinary suspensions with or without pay, demotions, and written warning appeals are initially filed to the School Director/Administrator, then to the ESDB Superintendent.

#### **GS 115C Appeal Process**

- ESDB Superintendent gives employee written notice of intent to recommend dismissal, disciplinary suspension with or without pay or demotion;
- Employee selects option (hearing, resign, no response)
- ESDB Superintendent makes recommendation to State Superintendent, if applicable;
- Written warnings cannot be appealed, but a response from the employee can be attached to the warning and placed in his/her personnel file.

## **OPER 1011: PROHIBITED CONDUCT ON SCHOOL PROPERTY AND AT SCHOOL-SPONSORED EVENTS**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-47(18)

**Purpose:** To promote safe and orderly schools and work environments

### **Procedure:**

The following conduct is prohibited on any property of ESDB, including parking lots, buildings, grounds, athletic fields, and vehicles:

1. Profane, lewd, obscene or offensive conduct, including the use of profane, lewd, obscene or offensive language;
2. Conduct that creates a material or substantial disruption of any school-sponsored activity, the operation of the school, or the rights of students;
3. Rude or riotous noise or conduct;
4. Disorderly or assaultive conduct;
5. Defacing public property;
6. Commission of any nuisance;
7. Threatening the health and safety of others; and
8. Any conduct that violates any applicable laws or policies of the Department of Public Instruction and/or ESDB.

Staff or other individuals who engage in such conduct are subject to immediate removal from school property or a school-sponsored activity. Individuals are subject to disciplinary action and, where appropriate, such individuals may be subject to arrest and prosecution.

Use of school property for school events is expressly reserved to benefit the character and education of students. During the time that school property is used for school-sponsored events, school property is deemed to be a nonpublic forum.

The school director or designee shall have reasonable authority to implement this procedure, including invoking no trespassing laws.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** School Improvement Planning

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-007

**Policy Date:** 06/02/2016

**Statutory Reference:** G.S. 143B-145.12

The North Carolina School for the Deaf, Eastern North Carolina School for the Deaf and the Governor Morehead School shall establish uniform practices for the development and implementation of School Improvement Plans at each residential school which support the 24-hour, five-day week education for residential and day students.

The strategic School Improvement Plan is developed by a School Improvement Team and they will develop a document that guides each school for a three-year period. All stakeholders (instructional staff, residential staff, support services staff, parents, and community members) shall have a voice on the School Improvement Team. The School Improvement Plan should address all aspects of the school community which enable every child to master basic skills and knowledge which are the foundation for lifelong learning.



## **OPER 1012 - PROCEDURE FOR ESDB-007: SCHOOL IMPROVEMENT PLANNING**

**References:** Session Law 2012-142, House Bill 950

### **The School Improvement Team Membership**

The School Improvement Team (SIT) shall consist of the following representatives who must be elected by secret ballot by their peers. Schools may adjust the recommended numbers of representatives on the team based on school size and availability of staff.

- 4 teachers representing Pre-K-5, 6-8, and 9-12
- 1 teacher assistant
- 1 student services professional (counselor, audiologist, psychologist, nurse, etc.)
- 2 student life staff (preferably from second and third shifts)
- 5 parents (no more than one of whom can be a parent and an employee of the school)
- 1 staff member from auxiliary services (such as business, child nutrition services)
- 2 members of the community

These members will form the voting group of the School Improvement Team. Members will be elected for one, two, and three-year terms so that the voting membership will refresh itself automatically each year by infusing new members onto the team. Each school shall decide, before elections are held, which positions will be one year terms, two year terms, and three year terms. This will create an on-going process that allows for the inclusion of new members while at the same time ensuring continuity of members with longer terms. If one of the members leaves the school or decides to step down before his/her term ends, then an election shall be held in that area to choose a new representative.

This team will guide the entire school community in the development, implementation, and revision of the School Improvement Plan. The following shall be ex-officio, non-voting members of the School Improvement Team; none of these members may be elected as chair or co-chair of the Team. However, it is critical that they attend School Improvement Team meetings because they bring the whole school perspective and may have expertise in areas that some of the school staff do not. They can also share information regarding the actions of the SIT and/or content of the plan in Administrative Team meetings.

- School Director
- Principal
- Student Life Director
- School Safety Officer
- School Business Officer
- ESDB Education Consultant

The SIT will need a secretary who is not a member of the team. The School Director shall appoint a clerical staff member from the school to serve in this capacity. The secretary will take notes and post them for access by the school community.

### **Election of a Chair and Co-chair; Terms**

The School Improvement Team shall elect a chair and co-chair from within its numbers. Whoever is chair during the third year of the plan will act as an advisor to the new team chair once the new plan cycle begins.

### **School Improvement Committees**

Each member of the school staff shall participate on at least one (1) School Improvement Committee. It is the duty of the committees to develop the strategies, outcome measures, resources, data, persons responsible, and deadlines for the goal areas of the School Improvement Plan. Committees should report to the School Improvement Team regularly to share progress in their goal areas, make revisions as students' needs change, and to take direction from the SIT on information from other areas that may affect them. Each school will decide how often its committees will meet as well as how often each committee will report to the SIT.

### **Parent Participation**

Each school, to the extent possible, should have a minimum of five parents on the School Improvement Team. No more than two of the parents can be employees of the school. The General Assembly recognizes and affirms the importance of parent participation in the School Improvement process. SIT meetings should be held at times when parents can attend. Parents who are not employees of the school can be reimbursed for travel and subsistence so that they can attend School Improvement Team meetings.

### **Development of the School Improvement Plan**

The School Improvement Team will involve all stakeholders in the development of the School Improvement Plan. The plan shall be comprehensive and shall address goals and strategies in each school's strategic plan and the following goal areas which align with the goals of Education Services for the Deaf and the Blind.

- Student Safety
- Curriculum, Instruction, and Assessment to Support Student Success, particularly in reading and math
- Parent Involvement
- Transition
- Compliance

Embedded in these should be extensive planning to develop professional staff in all areas of the school community as well as a focus on the use of technology to support student learning. Each goal should be achieved through a number of objectives which would be accomplished through specific strategies. Each strategy should be defined by specific outcomes, resources, data, persons responsible, and deadlines. It is critical for the School Improvement Team and its committees to gather interpret, and use data collected over time as the basis for its decisions related to students' academic, social, emotional, and vocational needs. In compliance with Session Law 2012-142, House Bill 950, all school improvement plans shall be, to the greatest extent possible, data driven.

School Improvement Teams shall use the Education Value Added Assessment System (EVAAS) if schools are part of the EVAAS system.

### **Approval of the School Improvement Plan**

Once the entire school staff has had an opportunity to review the completed Plan, it must be approved by a vote by the stakeholders of 50% plus one. If the Plan is approved, then the School Director would submit it to the ESDB Superintendent. The ESDB Superintendent will review the Plan and forward it to the designated DPI Administrator, DPI, for approval as the local board. If the Superintendent does not approve the Plan, it will be returned to the School Director for the School Improvement Team to make revisions, and the process starts again.

If the designated DPI Administrator does not approve the Plan, then it is returned to the school for revisions and resubmission to the ESDB Superintendent and then the DPI Administrator within 60 days.

### **Availability of the School Improvement Plan**

Each school shall make arrangements for its SIP to be available to staff, students, parents, and community members in formats accessible to these stakeholders.

## **OPER 1013: PROFESSIONAL DEVELOPMENT PLANNING**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C

**Purpose:** To ensure consistent planning for professional development activities.

**Target Group:** All Education Services for the Deaf and Blind (ESDB) School Educators

### **Procedures:**

When staff of the ESDB propose to plan, develop, or present a professional development activity for ESDB staff, the individual responsible for the activity shall be responsible for requesting approval of the activity from the School Director. Requests for approval may be obtained by completing and submitting the required information to the professional development director at least four weeks prior to the proposed activity. Approval will be granted or denied based on how well the activity supports identified staff needs, program or school improvement goals, ESDB goals and the goals of the State Board of Education.

The person responsible for administering the activity must sign-off on the training forms and ensure that each participant has signed the sign-in sheet to receive credit.

### **Renewal Credit**

1. When calculating renewal credit, adhere to the following guidelines:
  - a) Credit is calculated based on 10 contact hours per unit of renewal credit over a minimum of 2 days.
  - b) The maximum number of contact hours in a day is 8.
  - c) The minimum amount of credit that can be awarded is .5 units.
  - d) Professional development activities may include lab hours, but lab hours cannot exceed the contact hours (except for independent study proposals).
  - e) Lab hours are counted at 1/2 the contact hour rate (e.g., 20 lab hours' equal 1 renewal credit; 10 contact hours equal 1 renewal credit).
2. Renewal credit can also be gained through two other processes:
  - a) Participation in classes offered by colleges, universities, or community colleges if the individual gets prior approval from the Principal or Director or designated Professional Development Coordinator. The individual should fill out the Prior Approval Form.
  - b) Participation in an independent study program. The individual should fill out the Prior Approval Form.
3. Credit is granted based on 100% attendance and successful achievement of training goals and objectives.

### **Approval Process for a School Professional Development Activity**

1. A description of the proposed conference or training session must be developed in writing and approved by the School Director.

2. The approval proposal and estimated budget information must be forwarded to the ESDB Superintendent for approval to proceed with the planning process for a conference or training session.
3. Following completion of planning and the required paperwork, the completed Conference/Training Authorization form and required attachments, including an approved Personal Services Contract, if appropriate, must be forwarded to the ESDB Superintendent for final approval.
4. Notification of the conference or training session may be distributed only after final approval from the ESDB Superintendent.
5. Final conference costs shall not exceed the amount that was approved.
6. Adequate planning and approval times must be allowed for all conferences and training sessions. Three to twelve months should be a good rule, depending upon the size and complexity of the function.

### **Documentation of ESDB Professional Development**

Management shall keep attendance rosters of all meetings, training, and other activities where professional development and knowledge is disseminated. This will ensure documentation of employee participation in mandatory and voluntary training is available when requested by the School Director, the School Administrator(s), and/or any members of ESDB. Any mandatory and/or voluntary training whether done in a classroom or online will be submitted to HR to place in the employee's personnel file.

The Professional Development Specialist or School HR-on each campus shall maintain these rosters and copies shall be made available upon request to the School Director, the School Administrator(s), and/or ESDB.

## **OPER 1014: SUPERVISION OF STUDENTS WHO HAVE PERMISSION TO WALK TOGETHER OFF CAMPUS**

**Effective Date:** November 2, 2017

**Constant supervision** means that, during students' waking hours, staff must be able to see the students always and is required for students under the age of nine and for students whose IEP requires constant supervision.

**Close supervision** means that, during students' waking hours, the students may be in a defined area and out of the vision of staff for no more than 15 minutes and is required for students between the ages of nine and thirteen years of age and students whose IEP requires close supervision.

**Standard supervision** means that, during students' waking hours, the students may be out of the vision of assigned staff, but on the school campus:

- if the staff knows the whereabouts of the students
- if there is staff supervision in that location,
- if students have received permission from their Orientation and Mobility Instructor to travel independently
- if students who have shown maturity, honesty and integrity in reporting their whereabouts.

Standard supervision may be provided for students over the age of thirteen and must be provided for students whose IEP requires it.

Note: Regardless of the kind of supervision required, students may only be permitted to go to the bathroom without supervision, if there is no other student present.

The above definitions apply on campus and during field trips. When students leave campus for a field trip, staff chaperoning the trip must leave a list of the names of students participating in the activity with the Principal and/or Administrative Assistant and also take a copy of the list. The list of students must be checked when students leave the bus for the activity and when students return to the bus for the trip to campus.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Unethical Influence

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-008

**Policy Date:** 06/02/2016

**Statutory Reference:** G.S. 115C-36 and 115C-47

The North Carolina School for the Deaf, Eastern North Carolina School for the Deaf and the Governor Morehead School shall help protect the safety and welfare of students.

All school employees shall refrain from the use of their positions or assignments in ways that could be construed to unfairly or unduly influence students in matters such as:

- a) Recruiting students to participate in private business-type activities operated by the employee apart and separate from the school system.
- b) Advising participation in activities or events which require more than nominal costs for such activities as lunches, dinners, admissions, transportation, and entertainment.
- c) Receiving fees or other consideration for the recruitment, enlistment, or chaperoning of students for private promotions.
- d) Participating in religious activities.
- e) Any other standards of conduct prohibited in State Board Policy, SBOP 004, Policy regarding Standards of Conduct for the North Carolina Department of Instruction.

**OPER 1015 – OPERATIONAL PROCEDURE FOR ESDB-008: UNETHICAL INFLUENCE**

**Effective Date:** November 2, 2017

All supporting procedures must help to ensure that there is no conflict of interest in our behaviors.

See SBE Manual: SBOP 004 - Standards of Conduct for the North Carolina Department of Public Instruction



## **OPER 1016: SOLICITATION OR SELLING**

**Effective Date:** November 2, 2017

**Reference:** G.S. 14-238, G.S. 115C-36 and G.S. 115C-47

**Purpose:** To help protect the instructional day

### **Procedure:**

There shall be no soliciting from or selling to students or staff on school premises without prior approval of the school director or designee.

When solicitation of funds is conducted in the name of or on behalf of any school, the prior written approval of the school director is required for:

1. Soliciting outside school premises for funds to support school activities
2. The sale of products outside school premises by the students or staff of any school to support school activities

All money collected and expended as the result of such activities shall be recorded in the accounts of the school by the business manager and shall be subject to an annual school audit.

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

This procedure does not prohibit staff from requesting that parents pay the annual student activity fee and provide funds for field trips.

## **OPER 1017: GIFTS TO EMPLOYEES**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-36 and G.S. 115C-47; Standards of Conduct for the North Carolina Department of Instruction - SBOP-004 (See <http://stateboard.ncpublicschools.gov/policy-manual/sbe-dpi-operation/standards-of-conduct-for-the-north-carolina-department-of-instruction>)

**Purpose:** To help protect the integrity of school programs and to ensure and understanding that ESDB employees must make every effort to avoid even the appearance of a conflict of interest or perception that the giver would be gaining or attempting to gain some unfair advantage or influence.

An ESDB employee shall not knowingly use his or her position in any manner which will result in financial benefit, direct or indirect, with any manufacturer, merchant, dealer, publisher, business, or any other individual with which the ESBD is associated, conducts business with or provides services to (direct or indirect). Nor shall an ESDB employee, directly or indirectly, accept, receive, or agree to receive anything of value for himself or herself or for another person in return for being influenced in the discharge of his or her job duties. Finally, an ESDB employee shall not receive personal financial gain, other than that received from the State for acting in his or her official capacity, for advice or assistance given while carrying out the employees' job duties.

## **OPER 1018: PUBLIC SPEAKING**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-47(18)

**Purpose:** To promote effective communication between ESDB and other organizations.

### **Procedure:**

The Education Services for the Deaf and the Blind (ESDB) encourages staff to engage in public speaking before both professional and non-professional organizations when such participation results in the sharing of ideas and knowledge about the improvement of programs and services for students, growth in professional, and/or ethical understanding, improved knowledge of subjects and/or teaching techniques, and improvement in the teaching profession.

In instances where staff request to speak as representatives of ESDB or a program under the supervision of ESDB, written approval must be obtained from their direct supervisor and the School Director. It is the responsibility of the employee to obtain approval prior to making the presentation. Written request must be submitted, along with presentation materials at least two weeks in advance.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Driver's License Record Check

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-009

**Policy Date:** 06/02/2016

A driver's license and record check shall be conducted on current Education Services for the Deaf and the Blind (ESDB) employees, applicants and contractors engaged in student transportation. Driving record convictions and dispositions may have an impact upon this mission and will be considered in employment decisions.

## **OPER 1019 - PROCEDURES FOR ESDB-009: DRIVER'S LICENSE RECORD CHECK**

**Reference:** NC Motor Vehicles Act

### **Procedures:**

Accordingly, a driver records check will be conducted by Human Resources on current ESDB Transportation Safety Assistants (TSAs), as defined above, and applicants for employment, contractor, and volunteers who will be engaged in student transportation.

1. ESDB applicants, current employees, contractors, and volunteers, as defined above, will be required to complete a Transit's Driver Disclosure Form, granting ESDB access to personal information regarding their driving history.
2. If an applicant is hired prior to the completion of the driver records check, the employment shall be considered conditional pending a review of the results of the check and a decision regarding continued employment by management.
3. Applicants are required to answer completely and accurately questions on their application about previous criminal history, including driving convictions, offenses, violations, and dispositions. Failure to do so may subject the applicant to not being hired or subject an employee to being dismissed.
4. The applicant or conditional employee may be rejected for or terminated from employment if the driving record check and supporting records reveal a criminal driving history, defined as a driving conviction, driving offense, and/or repeated violations, that indicates the employee (a) poses a threat to the physical safety of students or personnel, or (b) has demonstrated through repeated offenses and violations that he or she does not have the integrity or honesty to fulfill his or her duties as an ESDB employee. Driving convictions, repeated violations and offenses, as used in this policy, includes the entry of (a) a plea of guilty; (b) a verdict or finding of guilty in a court of law or military tribunal; (c) repeated traffic violations, incidents, and offenses; (d) and a prayer for judgment or plea of nolo contendere.
5. ESDB TSAs may be subject to disciplinary action up to and including dismissal if the driving record check and supporting records reveal a criminal driving history, defined as a driving conviction, driving offense, and/or repeated violations, that indicates the employee (a) poses a threat to the physical safety of students or personnel, or (b) has demonstrated through repeated offenses and violations that he or she does not have the integrity or honesty to fulfill his or her duties as an ESDB employee. Driving convictions, repeated violations and offenses, as used in this policy, includes the entry

of (a) a plea of guilty; (b) a verdict or finding of guilty in a court of law or military tribunal; (c) repeated traffic violations, incidents, and offenses; (d) and a prayer for judgment or plea of nolo contendere.

6. Contractor's failure to complete a Transit's Driver Disclosure Form may result in the termination of contracted services.
7. Contracts may be terminated if the driving record check and supporting records of individuals providing transportation to students reveal a criminal driving history, defined as a driving conviction, driving offense, and/or repeated violations, that indicates the employee (a) poses a threat to the physical safety of students or personnel, or (b) has demonstrated through repeated offenses and violations that he or she does not have the integrity or honesty to fulfill his or her duties as an ESDB employee. Conviction of crime, repeated violations and offenses, as used in this policy, includes the entry of (a) a plea of guilty; (b) a verdict or finding of guilty in a court of law or military tribunal; (c) repeated traffic violation, incidents, and offenses; (d) and a prayer for judgment or plea of nolo contendere.
8. To help ensure the safe operation of school vehicles, all ESDB drivers transporting students shall maintain clean driving records with the Department of Motor Vehicles. Any employee who operates a vehicle assigned to the Education Services for the Deaf and the Blind shall have a current, valid North Carolina driver's license. Employees who operate ESDB vehicles must submit a photocopy of their current, properly issued driver's license each school year to the School's Transportation Coordinator. *Violations:* ESDB employees are responsible for reporting expired driver's licenses and any driving infractions (such as suspensions, revocations etc.) to the Transportation Coordinator and their supervisor. Employees with repeat infractions may be prohibited from operating ESDB vehicles. Failure to report any violations may result in disciplinary action, up to and including dismissal.
9. The following standards and qualifications will define a "clean" driving record for ESDB drivers, applicants, volunteers, and contractors:
  - 9.1 Must be 18 years old;
  - 9.2 Must possess a valid North Carolina's driver's license;
  - 9.3 Must have had a valid driver's license for a minimum of two years;
  - 9.4 With 2-4 years total driving experience; no more than one ticket or at-fault accident during that period;
  - 9.5 With 5-9 years total driving experience; no more than two tickets and two at-fault accidents and one ticket during that period;
  - 9.6 No convictions of DWI in the last 10 years and not more than one DWI conviction ever;
  - 9.7 No convictions of reckless driving;
  - 9.8 No suspensions of driving privileges in the last 10 years due to a moving (a violation suspension for failure to appear does not count);

- 9.9 Any prospective driver who has had a license in another state within the last five years must provide a driving record from that state as well as possess a valid North Carolina driver's license at the applicant's expense;
  - 9.10 Not more than one conviction for a moving violation within the past 12 months and not more than 3 such convictions within the past 5 years;
  - 9.11 ESDB drivers who transport students must initially satisfactorily complete the behind wheel training, including skills tests, and classroom instruction, under the instruction of DMV trainers and Transportation Directors. These drivers will be required to complete annual refreshers at the beginning of the school year.
10. Each school's Transportation Director will serve as the security administrator in charge of granting access to the Division of Motor Vehicles' driving license database. Driving Records Checks will be conducted by the school's Human Resources offices.
11. All motor vehicle records are subject to the Federal Driver's Privacy Protection Act (FDPPA) and General Statute (GS) 20-43.1. The FDPPA and GS 20-43.1 require that information in the Division of Motor Vehicle Records (MVR) be closed to the public. Personal information from these records may be released to individuals or organizations that qualify under one or more of the below exceptions.

These exceptions are summarized statements of permissible use.

- 11.1 For use by any governmental agency, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.
- 11.2 For use in matters of motor vehicle or driver safety and theft, motor vehicle permissions, motor vehicle product alterations, recalls or advisories, performance monitoring of motor vehicles, motor vehicle parts and dealers, motor vehicle market research activities, including survey research, and removal of non-owner records from original owner records of motor vehicle manufacturers.
- 11.3 For use in the normal course of business by a legitimate business, but only:
  - a. To verify accuracy of personal information.
  - b. To obtain correct information, but only for purposes of:
    - i. Preventing fraud by the individual
    - ii. Pursuing legal remedies against the individual
    - iii. Recovering on a debt or security interest against the individual
- 11.4 For use in connection with any civil, criminal, administrative, or arbitrate proceeding in any Federal, State, or local court or agency (includes the execution or enforcement of judgments and orders or court orders)
- 11.5 For use in research activities and statistical reports
  - a. Personal information must not be:
    - i. Published
    - ii. Rediscovered
    - iii. Used to contact individuals

- 11.6 For use by insurance companies in connection with claims investigation antifraud activities, rating or underwriting.
- 11.7 For use in providing notice to owners of towed or impounded vehicles.
- 11.8 For use by private investigators or licensed security service.
- 11.9 For use by employer to verify information regarding CDL.
- 11.10 For use in connection with private toll facilities.
- 11.11 For any other use if person has opportunity to refuse disclosure on DMV forms (Prohibited by NC General Statute 20-43.1).
- 11.12 For bulk surveys, marketing or solicitations (Disclosure must be in accordance with NC General Statute 20-43.1).
- 11.13 For use by any requester that has obtained written consent of the individual to whom the information pertains.
12. For any use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety.
13. Applicants, current employees, contractors, and volunteers must notify ESDB Transportation Director within 48 hours and/or prior to transporting students if they are charged with or convicted of a criminal charge or traffic offense including a plea of guilty, nolo contendere, and a prayer for judgment continued.
14. Information obtained through the implementation of this policy shall be kept confidential as provided in the North Carolina General Statutes and regulations. Records shall be kept in a secure place, separate from the individual's personnel file. Procedures for implementing this policy, including a list of individuals entitled to access driving records, may be developed and administered by the Superintendent.



## **OPER 1020: DRUG AND ALCOHOL TESTING OF SCHOOL MOTOR VEHICLE OPERATORS**

**Effective Date:** November 2, 2017

**Reference:** 49 U.S.C. App. 2717 49 C.F.R. parts 40 and 382; and American Trucking Association, Inc. v. FHWA, 51 F.3d 405 (4<sup>th</sup> Cir. 1995)

**Purpose:** To help ensure safe operation of school vehicles and to comply with federal law and regulations by establishing a comprehensive program of drug and alcohol testing for school bus drivers and all other commercial motor vehicle operators, and drivers of cars and minivans who are employed by the Educational Services for the Deaf and Blind (ESDB).

### **Procedures:**

**Applicability:** Persons subject to this policy include any employee, volunteer, or independent contractor who operates a motor vehicle in the course of duties for ESDB, including anyone who regularly or intermittently drives a school bus, activity bus, or other vehicle designed to transport sixteen or more people, including the driver.

**Prohibited Acts:** Commercial motor vehicle operators, or those employed by ESDB, shall not be impaired by alcohol or by prescription or nonprescription drugs while on duty or while operating any motor vehicle. For the purposes of this policy, a driver will be considered impaired by alcohol in all cases when testing reveals a blood alcohol content. Further, no driver will be permitted to perform safety sensitive functions if evidence exists of alcohol consumption. In addition, motor vehicle operators, and anyone who supervises commercial motor vehicle operators, shall not commit any act prohibited by Controlled Substance and Alcohol Use Testing (49 C.F.R. part 382) or by this policy.

**Testing:** ESDB shall carry out pre-employment testing for drugs, and post-accident, random, reasonable suspicion, return-to-duty- and follow-up testing for drugs and alcohol as required by 49 C.F.R. part 382. School bus drivers and others employed by ESDB for the primary purpose of operating a commercial motor vehicle shall undergo pre-employment testing. Employees whose duties include occasional driving will not be subject to pre-employment testing but must undergo all other testing required by 49 C.F.R. part 382. Volunteer drivers who are not employees will be initially tested prior to operating a school or activity bus and tested on a random basis thereafter.

Refusal of any test required pursuant to this policy or 49 C.F.R. part 382 shall be cause for dismissal.

**Pre-employment Inquiry:** All applicants who would be subject to this policy if employed shall consent in writing to the release of any information gathered pursuant to 49 C.F.R. part 382 by any of the applicant's previous employers.

Before employing any applicant covered by this policy or part 382, ESDB shall obtain, pursuant to written consent, all records maintained by the applicant's previous employer of prohibited acts by the applicant that have taken place in the two years prior to the inquiry date.

**Training and Education:** Each commercial motor vehicle operator and supervisory employee, including the director and principal, shall be provided with educational materials that inform the employees of drug testing procedures, prohibited acts, consequences, and other aspects of 49 C.F.R. part 382, this policy, and any attached regulations. The information also shall identify an ESDB employee who will be responsible for providing information on substance abuse. Each employee shall sign a statement certifying receipt of these materials.

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

**Referrals:** Each motor vehicle operator who violates acts prohibited by 49 C.F.R. part 382, other than provisions governing pre-employment testing, shall be provided with information concerning resources available for evaluating and resolving drug or alcohol misuse. This information shall include names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

**Procedures:** The Superintendent shall implement appropriate regulations and procedures to ensure compliance with the collection and testing procedures outlined in the Federal Highway Administration's "Procedures for Transportation Workplace Drug Testing Programs" (49 C.F.R. part 40), and to ensure compliance with testing.

**Penalties:** Employees who violate this policy or applicable laws or regulations will be disciplined and may be dismissed.

Non-employees who refuse to be tested or who test positive will be prohibited from driving students in the future.

## **OPER 1021: HOME VISITATION SAFETY**

**Effective Date:** November 2, 2017

**Purpose:** To ensure that ESDB staff are knowledgeable and competent in matters of home visitation safety.

**Target Group:** All ESDB staff.

### **Procedures:**

The decision to make a home visit to a student's house must be authorized by the school's director or principal, upon recommendation by the IEP team or social worker/counselor. The following are guidelines when making home visits.

Wear agency identification badge always.

Limit valuables or money on your person when visiting students' homes. Please secure credit cards and keep your wallet out of sight. Before leaving the office, secure personal belongings in the trunk of the vehicle, or under seats, or on the floorboard, if the vehicle is a van. Secure GPSs under the seat or in the glove box while parked at a visit.

Be aware of your "audience" when placing items inside your vehicle trunk, or under the seats, or on the floorboard.

Maintain appropriate appearance and grooming to project an image of cleanliness, dress, and neatness. Keep jewelry to a minimum.

Lock your vehicle when traveling and when you return to it after a visit. Check inside and under your vehicle before entering it. Carry vehicle keys in your hand for accessibility as well as a means of protecting yourself.

Enter a home only after an adult gives you permission to do so.

Carefully consider your safety before entering a home.

Where there is suspicion of weapons, illicit drugs, or alcohol present, the home visit is not to be made.

Plan your route to visit and know your destination. Inform supervisory staff if you change your schedule. Supervisors and Office Assistants should have your weekly schedule at the beginning of each workweek with destinations and times clearly noted.

Take whatever immediate steps are reasonably necessary for personal safety. If you believe your safety is threatened, remove yourself immediately from the situation. Document in your records what happened in the situation. Inform your supervisor immediately.

If on a home visit and a threat to safety occurs, the employee should terminate the visit and immediately leave the scene. After ensuring the safe exit from the area the employee is to contact the necessary people. If the threat is to personal safety local law enforcement is to be called immediately followed with a call to inform supervisor of the need to contact law enforcement. Inform your supervisor immediately if the threat level does not require law enforcement involvement but was such that the visit needed to be aborted.

When necessary and deemed an appropriate safety measure, two (2) staff members shall be assigned to make a home visit. Or, arrange joint visits with staff from other agencies.

Staff is not permitted to carry concealed weapons in State vehicles.

Staff may request that family members keep animals chained during home visits. If animals are not adequately restrained or if the family member refuses to do so, the home visit is not to be made.

When a visit is not made due to safety concerns, staff shall consult with their immediate supervisor to schedule an alternative meeting place.

When accommodating parents and scheduling visits after normal business hours (5:00 PM), staff is expected to inform someone of the scheduled meeting and make contact with that person upon completion of the visit. Staff must receive permission from their immediate supervisor when scheduling any home visit after normal business hours. However, every effort should be made to schedule all visits between 8:00 AM and 5:00 PM.

Staff shall carry a cell phone on all home visits. If using a personal cell phone or agency cell phone that has not been assigned to the particular staff member, the cell phone number shall be recorded with the supervisor prior to leaving the office. Cell phones shall be set to vibrate and shall not be answered during a visit, unless it is an emergency.

Staff should check with others who have visited the child's home for potential safety issues prior to home visits.

After the visit, a report must be made to the school principal or director.

As a part of new employee orientation, all new employees will review this procedure, as well as DPI's Workplace Violence Prevention Policy.

## **OPER 1022: INCLEMENT WEATHER - SCHOOL DAY**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-47

**Purpose:** To set minimum standards for the instructional day during inclement weather

**Procedure:**

When inclement weather puts into question the safety of students, the following shall apply:

1. The decision to cancel an instructional day shall be made by the school director in cooperation with the school transportation coordinator and the principal. A minimum of three hours of instructional time is required to count a school day as an instructional day.
3. When a residential school cannot safely provide transportation for day students, the school shall develop a plan that outlines how instructional time missed by day students will be made up. In addition, the plan shall include, but is not limited to, the names of students who missed instruction, the number hours of instructional time missed, the dates and time when the missed instructional time will be made up, the name of the instructor(s) who will provide the instruction, and a copy of the letter sent to parents informing them of these procedures.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

Policy Title: Emergency Closings

Policy Category: Education Services for the Deaf and Blind

Policy ID Number: ESDB-017

Policy Date: 06/02/2016

The Superintendent of Public Instruction or designee shall be responsible for making provisions and administering procedures for the temporary closing of the residential school(s) because of emergency conditions which are determined to be hazardous to life or safety of students and staff. In making such provisions, the Superintendent or designee shall confer with the Education Services for the Deaf and Blind (ESDB) Superintendent, School Director and/or emergency/public safety officials.

**OPER 1023 – OPERATIONAL PROCEDURES FOR ESDB-017 - EMERGENCY CLOSINGS**

**Reference:** G.S. 115C-47

**Purpose:** To promote the safety and well-being of staff and students

**Procedure:** The school director shall be responsible for making provisions for and administering procedures for the temporary closing of the school because of any emergency or inclement weather or other unforeseen occurrence that presents a threat to the safety of students, staff or property. In making such provisions, the school director shall confer with the Superintendent of the Education Services for the Deaf and the Blind. (See OPER 4001, Adverse Weather - Mandatory Operations and Non-Mandatory Operations).

## **OPER 1024: STAFF USE OF CAMPUS EXERCISE FACILITIES**

**Effective Date:** November 2, 2017

**Purpose:** To establish procedures for staff to have regular access to outdoor and indoor exercise facilities, including showers and lockers, in support of ESDB's wellness policy.

### **Procedures:**

Outdoor and indoor exercise areas and exercise equipment at residential schools are primarily intended for the use of students and should be available as needed to meet their needs. It is, however, important that ESDB employees be provided regular daily access to outdoor and indoor exercise facilities at times that will not interfere with students' access. During these designated times, staff should be able to use facilities on an individual basis. Additional staff access to outdoor and indoor facilities may also be provided if scheduled in advance with the Wellness Committee Chair for group activities such as organized exercise classes and team sports.

Individual staff will have access to outdoor and indoor exercise facilities (including showers and lockers) at the following times:

- First shift employees: before and after work hours and/or during the work period, provided the employee uses their designated meal period for up to 1 hour.
- Second shift employees: after work hours and/or during the work period provided, the employee uses their designated meal period for up to 1 hour.
- Third shift employees: before and after work hours and/or during the work period, provided the employee uses their designated meal period for up to 1 hour.

**NOTE:** Employees injured while utilizing school outdoor and/or indoor exercise areas or equipment are not eligible for workers' compensation benefits unless their participation was in the course and scope of their job duties and employment. Employees assume all risks involved for any non-job duty related injury/incidents. Schools may have staff taking advantage of this privilege to sign a waiver of liability.

ESDB encourages employees who utilize outdoor or indoor exercise areas or equipment, or who intend to participate in a Wellness Program activity involving physical exertion or exercise consult with a physician before beginning physical activity.



## **OPER 1025: USE OF EMPLOYEE MAILBOXES RESTRICTED**

**Effective Date:** November 2, 2017

**Purpose:** To protect the use of state services and equipment

**Procedure:**

Employee mailboxes are intended to enhance the educational program provided to students by facilitating communication among school staff for school-related purposes. Mailboxes may not be used for the distribution of political solicitations or endorsements.

If you are unsure about the materials you want to distribute through the school's mailboxes, please consult your School Director or Principal.

## **OPER 1026: SCHOOL VOLUNTEERS**

**Effective Date:** November 2, 2017

**Reference:** General Statute 115C Articles 13; NC Motor Fleet Management Regulations Manual, page 16 (<https://ncadmin.nc.gov/government-agencies/motor-fleet-vehicles/regulations-manual>)

**Purpose:** To provide regulations and safeguards regarding volunteers on campus.

**Target Group:** Approved school volunteer applicants

### **Definition:**

Volunteers are defined as individuals (to include parents) who provide services to the residential schools without expectation of compensation and with the understanding that the residential schools are under no obligation to continue accepting those services or to compensate the volunteer for them.

### **Procedures:**

All volunteer applicants shall complete an application, a criminal background check, and sex offender registry before beginning volunteer services in a school. Management shall be responsible for determining the need for volunteers and the approval process by each individual school. Volunteer applicants with a criminal history does not preclude them from volunteering. Volunteers with a negative criminal history will be reviewed on a case by case basis. Human Resources will consider the passage of time and the severity, frequency, and nature of the conviction, as well as its relationship to the position in question. Other factors may include a written explanation to the incident or the candidate's full disclosure of the conviction during the application process. School HR may also consult with DPI HR and other appropriate staff as part of that review.

Each volunteer will be provided orientation training appropriate to their designated role. Training provided will include sign-in procedures, pertinent issues such as school wide discipline, safety procedure issues regarding confidentiality and critical health policies such as universal precautions. Documentation of the training provided will remain on file with management.

Volunteers are bound by the standards of conduct for school employees.

Volunteers will work under the direct supervision of school personnel. Management will keep a record of the number of volunteers and their time spent assisting at the school. A volunteer may be removed from services at the school director's discretion at any time based on the best interest of the school. Volunteers may not operate Motor Fleet Management-owned vehicles. However, volunteers may accompany state employees driving state-owned vehicles when they have an interest in the purpose of the trip, or when the school requires their service at an activity, or their presence is related to the school's business or program, and the school principal or director approves.

## **OPER 1027: SCHOOL CALENDAR**

**Effective Date:** November 2, 2017

**Reference(s):** NC OSHR Personnel Manual, Section 5, Leave, Holidays; G.S. 143B-146.11 School Calendar; G.S. 126-4(5) Powers and duties of State Human Resources Commission; G.S. 126-5(c3) Employees subject to Chapter/exemptions

**Purpose:** To establish a uniform policy for the ESDB residential school staff who are assigned to follow the standardized ESDB school calendar and desire to work on designated annual leave days.

**Employees Covered Under this Policy:** Permanent, probationary, trainee, and time-limited appointment residential school staff, who are subject to General Statute 126 (non-certified staff) or subject to General Statute 115C-325 (certified educators), and who are assigned to follow the standardized ESDB school calendar.

### **Procedure:**

ESDB residential school staff are assigned to follow either the State holiday schedule or the standardized ESDB school calendar. This policy is designed to primarily address new employees who follow the school calendar but do not have sufficient leave to cover the designated annual leave days.

With approval of their supervisor, staff assigned to follow the school calendar may request and work on days designated as annual leave days. Supervisors must be able to establish that the employee has accomplished the work assigned, and must ensure the safety and security of staff working in isolated campus work areas. Supervisors are required to secure the School Director's approval for any employee requesting to work on a designated annual leave day on the School campus or at the employee's home.

Advancing leave through the end of the school year is another option available to managers and supervisors in addressing new employees who do not have sufficient leave to cover annual leave days. Requests from staff, who have been employed with ESDB longer than two (2) years, to work on a designated annual leave day will be considered on an exception basis only and also requires the School Director's approval.

**2000 PROCEDURES SERIES:**

**EDUCATIONAL PROGRAMS**

## **OPER 2001: SCHOOL ACCREDITATION**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-36 and G.S. 115C-47

**Purpose:** To help support a strong educational program for students

### **Procedure:**

Education Services for the Deaf and the Blind endorses the validation of educational planning and programming of the school system by encouraging its staff to work toward attaining and continuing accreditation of each school by the AdvancED, and other accrediting organizations as appropriate.

ESDB schools will participate in the cycles of accreditation for AdvancED. NCSD and ENCSD will also participate in the accreditation process of the Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD).

A year ahead of the set date for the accreditation visits, the School Director will organize the staff in special focus teams aligned with the Accreditation Standards. The teams will meet for an initial orientation to the accreditation process, gather data, write narratives, and be involved in this schoolwide process.

After the accreditation visit, the Director will assign responsibilities to the principal and staff pertaining to taking remedial action, follow up, and meeting all compliances and program quality.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Due Process for Exceptional Children Students

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-002

**Policy Date:** 06/02/2016

Education Services for the Deaf and Blind (ESDB) schools shall follow the *North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014*

**OPER 2002 - Operational Procedures for ESDB-002 (Due Process for Exceptional Children Students)**

**Purpose:**

To comply with relevant current federal and state statutes and regulations and protect the rights of students.

The operational procedures will be based on the manuals for the North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014 are found at: <http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities/policies-children-disabilities.pdf> (Amended July 2014; Effective July 10, 2014; and <http://ec.ncpublicschools.gov/2020PolicyAddendum.pdf> (SLD Policy Addendum approved 2/4/16 and effective July 1, 2020).

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

Policy Title: Placement Procedures

Policy Category: Education Services for the Deaf and Blind

Policy ID Number: ESDB-014

Policy Date: 06/02/2016

Statutory Reference: NC Policies Governing Services for Children with Disabilities,  
Amended July 2014

Establish uniform procedures for referral, screening, and placement of Deaf, Hard of Hearing, Blind, Deaf-Blind and Visually Impaired students in the state operated residential programs in Education Services for the Deaf and Blind (ESDB).

Each ESDB school shall name a school representative who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of the child. The individual must hold a current license as a special education teacher, administrator in North Carolina, or speech/language pathologist. In addition, the individual shall be knowledgeable about the North Carolina Standard Course of Study; Occupational Course of Study (OCS) and Extended Content Standards (ECS); and knowledgeable of the available resources of the school. It is important that the school representative has the authority to commit school resources and ensure that whatever services are described in the Individualized Education Plan (IEP) will be provided.

The school representative will contact the local special education director, (not a school, unless directed by the local Exceptional Children director) and arrange to observe the student referred in multiple settings, including the student's classroom, cafeteria and a non-structured setting. All contact concerning possible admission to a residential school must be initiated by the LEA. Inquiries from parents and others shall be directed to the appropriate LEA.

The school representative will review forms and consider information used in making the recommendation for placement. (Schools should consider the present status and needs of the student, reason for referral, and services presently and previously provided, and results of screening and assessment.) All state-adopted forms must be completed and signed.

The school representative will participate in discussions about the least restrictive environment for student.

If the IEP team decides that residential school placement is the least restrictive environment for the referred student, the ESDB school representative should take a copy of properly completed and signed forms back to the appropriate ESDB school, discuss with staff and plan for the student's transition.



**OPER 2003 – OPERATIONAL PROCEDURES FOR POLICY ESDB-014:  
PLACEMENT PROCEDURES**

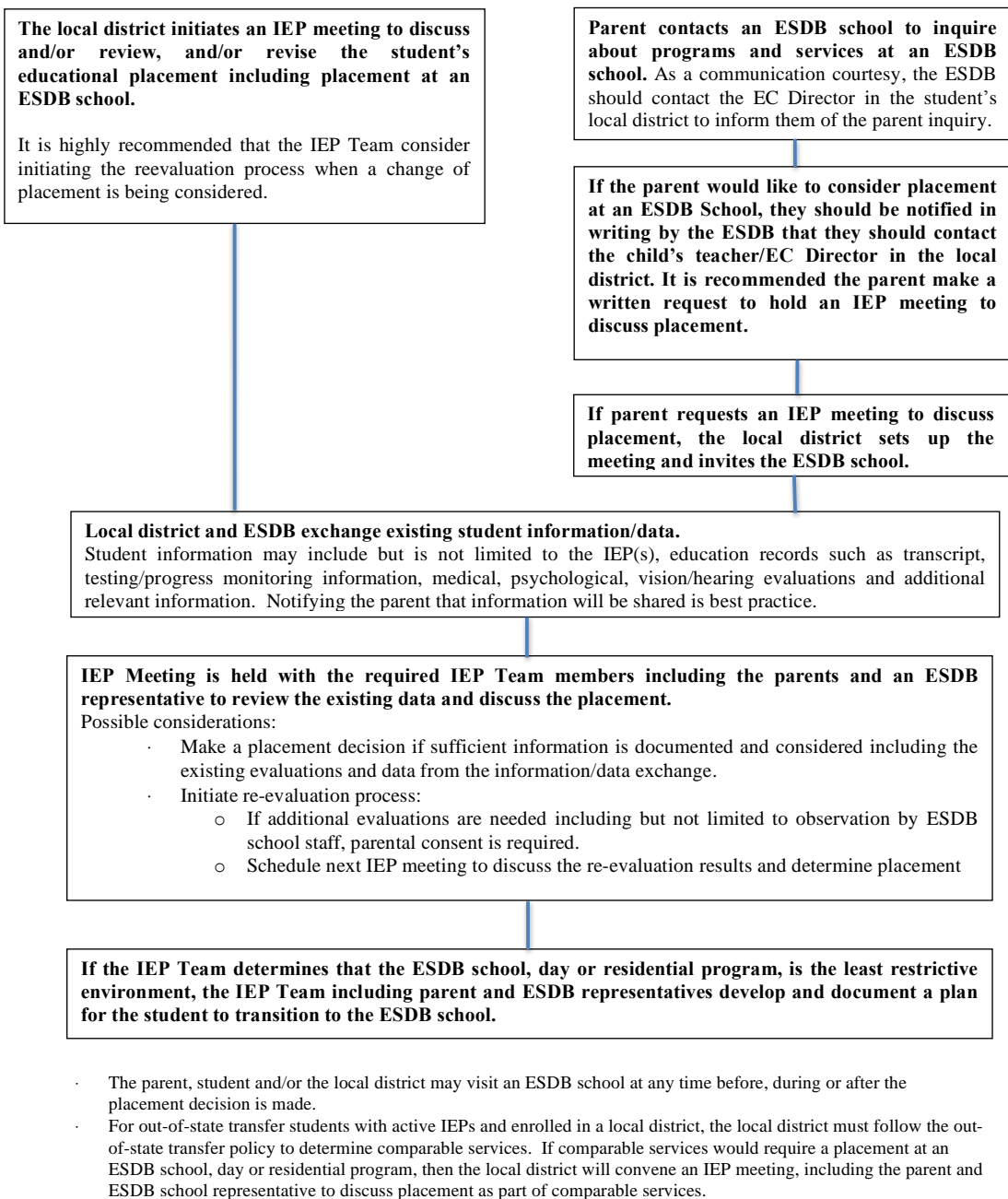
**Reference:** North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014

**Procedure:**

See North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014 found at: <http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities/policies-children-disabilities.pdf> (Amended July 2014; Effective July 10, 2014).

Also, see below the Placement Flowchart “Day or Residential Placement at an Education Services for the Deaf and Blind (ESDB) School” and document “Considerations for Student Placement at an Education Services for the Deaf and Blind (ESDB) School.”

## Day or Residential Placement at an Education Services for the Deaf and Blind (ESDB) School



## **Considerations for student placement at an Education Services for the Deaf and Blind (ESDB) School**

The purpose of this document is provide guidance to IEP Teams who are considering an ESDB school as a placement for students with a hearing or vision impairment. This document is for guidance and support purposes only and does not negate the team's responsibility to follow the North Carolina Policies Governing Students with Disabilities and IDEA.

Placement decisions are based on multiple data sources as well as input from the student, parent, teachers and related service providers. Below is a list of potential data sources to use when considering an ESDB school as a placement for a student; however, there may be additional data sources unique to the student not outlined in this document. Teams should always consider any data that provides information on the student's current academic and functional present levels and unique needs.

**\*\*Reminder:** Any formal evaluation needed, including observations of the student, requires initiating the re-evaluation process and parental consent\*\*

### **Potential data sources to consider specific for students with visual impairments:**

- Functional vision assessment
- Learning media assessment
- Orientation and Mobility assessment
- Medical evaluation: current eye doctor report, any diagnosis, stable or progressive
- Low vision report
- History of placements and effectiveness
- Use of Braille and effectiveness
- Type and intensity of current services
- Accommodations/modifications use and effectiveness in current placement
- Progress on IEP goals and general education curriculum
- Use and effectiveness of assistive technology devices
- Behavior data
- Data related to need within categories of the Expanded Core Curriculum
- Consideration of other disabilities that may affect the student's ability to be able to generalize skills
- Cognitive abilities
- Observational data

### **Potential data sources to consider for students with hearing loss:**

- Most recent audiological results
- Functional listening assessment
- History of use of various communication modes and their effectiveness
- History of placements and effectiveness
- Communication used in the home
- Use of amplification
- Type of and intensity of current services
- Accommodations/modifications use and effectiveness in current placement
- Progress on IEP goals and general curriculum
- Medical evaluation

September 2016

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## **OPER 2004: IEP DEVELOPMENT AND IMPLEMENTATION**

**Effective Date:** November 2, 2017

**Reference:** North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014

**Purpose:** To ensure the IEP Team for each student with a disability and those responsible for implementing the IEP developed based on the student's unique needs and implements the IEP as it is written.

**Target Group:** All ESDB employees

### **Procedure:**

For operational procedures, please refer to the North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014. (**See:** <https://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>), and 2016 Policies Governing Services for Children with Disabilities Addendum (**See:** <https://ec.ncpublicschools.gov/2020PolicyAddendum.pdf>)

## **OPER 2005: IEP TEAMS**

**Effective Date:** November 2, 2017

**Reference:** North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014

**Purpose:** To ensure the required IEP members are identified and involved in the development, review and revision, of the student's IEP at each IEP meeting.

**Target Group:** All ESDB employees

### **Procedure:**

For operational procedures, please refer to the North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014. (**See:** <https://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>), and 2016 Policies Governing Services for Children with Disabilities Addendum (**See:** <https://ec.ncpublicschools.gov/2020PolicyAddendum.pdf>)

## **OPER 2006: REEVALUATION OF STUDENTS**

**Effective Date:** November 2, 2017

**Reference:** North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014, at: <http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>

**Purpose:** To ensure that timely evaluations for student with a disability is conducted in accordance with NC 1503-2.4 through NC 1503-3.5. [NC 1503-2.4(a)]

**Target Group:** All ESDB employees

### **Procedure:**

For operational procedures, please refer to the North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014 (**See:** <https://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>), and 2016 Policies Governing Services for Children with Disabilities Addendum (**See:** <https://ec.ncpublicschools.gov/2020PolicyAddendum.pdf>)

## **OPER 2007: TRANSITION COMPLIANCE CHECKLIST**

**Effective Date:** November 2, 2017

**Reference:** North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014

For operational procedures, please refer to the North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014 (**See:** <https://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>), and 2016 Policies Governing Services for Children with Disabilities Addendum (**See:** <https://ec.ncpublicschools.gov/2020PolicyAddendum.pdf>)

## **OPER 2008: PROGRAM COMPLIANCE REVIEW AND CORRECTIVE ACTION PROCEDURES**

**Effective Date:** November 2, 2017

**Reference:** North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014

**Purpose:** To establish procedures to ensure compliance with appropriate local policies, state laws, federal laws and North Carolina State Board of Education Procedures Governing Programs and Services for Children with Disabilities.

**Target Group:** All ESDB employees

### **Procedure:**

For operational procedures, please refer to the North Carolina Policies Governing Services for Children with Disabilities, Amended July 2014 (**See:** <https://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>), and 2016 Policies Governing Services for Children with Disabilities Addendum (**See:** <https://ec.ncpublicschools.gov/2020PolicyAddendum.pdf>)



**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Human Rights Committee

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-003

**Policy Date:** 06/02/2016

**Statutory Reference:** G. S. 122C

Each Education Services for the Deaf and Blind (ESDB) school, unless otherwise provided by law, may establish and maintain a Human Rights Committee.

Each ESDB school may establish guidelines for the composition and operation of Human Rights Committees when choosing to have such a committee.

## **OPER 2009 - Operational Procedures for Policy ESDB-003: Human Rights Committee**

An ESDB residential school with a Human Rights Committee shall implement procedures which encompasses the following guidelines:

1. The Committee shall have the following duties:
  - a) Reviewing, assessing and recommending procedures for protecting the rights of students.
  - b) Serving as an independent review body to hear and make recommendations concerning alleged violations of students' rights, whether as individuals or as a group.
  - c) Reviewing data of cases of alleged abuse, neglect, exploitation, or human rights violations arising from actions or policies of the school or its staff.
  - d) Reviewing issues of concern brought to the committee by the Director of the school, ESDB, DPI, or students.
  - e) Submitting to the Advisory Council, through the Superintendent of ESDB, an annual report on a school year basis, of the committee's activities, accomplishments and recommendations.
  - f) Other duties as may be assigned by the school, DPI, or ESDB.
2. The duties of the Committee shall not be interpreted to allow members of the Human Rights Committees to concern themselves with management or administrative matters of the school except where there is an issue of violation of students' rights. The Committee shall have no management authority or investigative authority.
3. The composition of the Committee shall be established by the school with due regard to the needs and characteristics of the student population. No members shall be currently employed by the Office of the Attorney General, nor employed by the specific institution for which the Committee serves. In determining the composition of the Committee, the school shall consider the following:
  - a. If feasible and appropriate, the members should include:
    - i. Parents or relatives of students
    - ii. Present or former students
    - iii. In case of a school serving students with specific impairments or disabilities, individuals with those impairments or disabilities
    - iv. An attorney, preferably with a background in educational issues and/or human rights issues
    - v. A psychologist or psychiatrist
    - vi. A representative of the community at large including the private and public sectors
  - b. Appointments shall be made with due consideration to the Committee's composition with respect to race, age, sex and residential proximity to the school.
  - c. Appointees shall be subject to criminal background checks procedures applicable to volunteers at the school.

- d. Schools shall establish defined terms of office for members, but not to exceed three years with staggered schedules. However, no member shall serve more than two consecutive terms.
  - e. Appointments shall be made by the Director of the school. The Director shall compile a list of possible appointees to fill expired terms three months prior to the expiration of the member's term of office.
  - f. The Director shall make the final selection and notify appointees.
  - g. In the event of a vacancy due to death, resignation or disqualification, the same nomination and appointment procedures will be followed to appoint a new member to complete the unexpired term.
  - h. Committee members whose terms have expired may continue to serve on the Committee until notified that another appointment has been made.
  - i. The Director may disqualify members for good cause, including nonattendance.
4. Each Committee shall adopt by-laws for conducting business.
  5. Each Committee shall meet as often as required, but not less frequently than once per quarter.
  6. Committee meeting shall be subject to the State Open Meeting laws. Due to the nature of the deliberations of human rights committees, it is probable that some of the issue would be discussed in executive sessions in accordance with G.S. 143-318.11(A)(7) and (a)(12) but Committees shall attempt the conduct business as much as possible in a manner that does not require executive sessions.
  7. Committees shall adhere to confidentiality requirements and policy, especially with respect to protection of students and family rights. Each appointed member must sign an ESDB approved confidentiality form that complies with all confidentiality restrictions mandated by federal and/or state law before the members can function as a committee.
  8. Each school shall provide necessary clerical and support services to the Human Rights Committees.
  9. Each School shall develop and provide training for all its members.
  10. Each school shall be responsible for the reimbursement of mileage expenses for members of the Committee who request financial assistance to attend regularly scheduled meetings.
  11. Nothing in this Policy shall be interpreted to supersede or limit any requirements that may be imposed on Human Rights Committees by statute, rule, executive order, or other higher authority.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** NC Standard Course of Study, Occupational Course of Study and Extended Content Standards

**Policy Category:** Education Services for the Deaf and the Blind

**Policy ID Number:** ESDB-010

**Policy Date:** 06/02/2016

Education Services for the Deaf and Blind (ESDB) shall follow the requirements of the NC Standard Course of Study, Occupational Course of Study, and Extended Content Standards, for each subject for which a standard is provided.

**OPER 2010 - PROCEDURE FOR ESDB-010: NC STANDARD COURSE OF STUDY,  
OCCUPATIONAL COURSE OF STUDY AND EXTENDED CONTENT STANDARDS**

The student's course of study is determined by their IEP Team as part of the transition component.

Please see curriculum procedures and description at the NC Department of Public Instruction website under "K-12 STANDARDS, CURRICULUM AND INSTRUCTION," at: <http://www.dpi.state.nc.us/curriculum/>

**OPER 2011: STUDENT ENROLLMENT IN THE OCCUPATIONAL COURSE OF STUDY, STATEMENT OF UNDERSTANDING FOR ENROLLMENT IN THE OCS, AND PLACEMENT FORM**

**Effective Date:** November 2, 2017

**Reference:** K-12 STANDARDS, CURRICULUM AND INSTRUCTION  
NCDPI, Graduation Course Requirements, 2012-2013 and later  
(<http://www.dpi.state.nc.us/curriculum/graduation/>); GRAD-004: State Graduation Requirements

**Purpose:** To provide for enrollment in the Occupational Course of Study

**Target Group:** ESDB Students and Parents

**Procedure:** See the NCDPI website at:  
<http://www.dpi.state.nc.us/docs/curriculum/home/graduationrequirements.pdf>

The Occupational Course of Study (OCS), available only for students with an IEP, is a program that focuses on the acquisition of functional academic work readiness skills. It is a separate diploma pathway leading to a high school diploma. Successful completion of the OCS requirements, which includes school and community-based training as well as competitive employment, results in graduation with a North Carolina Diploma.

The IEP team must consider enrollment of students into the OCS on a case-by-case basis. Students should not be recommended based solely on their disability classification. However, all members of the IEP team should recognize that the curriculum objectives were designed for students who are unable to be successful in the Standard Course of Study.

In most cases, the decision to enroll a student into the OCS will be made when the student is in the 8th grade. Students who enroll during their 9th or 10th grade year may have to spend an extra year in high school to complete all the requirements.

- The school will maintain a list of students who are enrolled in OCS.

**Special Note(s):** See below page 1 of the “Occupational Course of Study (OCS) Pathway Considerations Form.” (Pages 2-5 are found at - <https://ec.ncpublicschools.gov/disability-resources/intellectual-disabilities/occupational-course-of-study>)

## **The Occupational Course of Study (OCS) Pathway Consideration Form**

### **Characteristics of students on the OCS Pathway**

The OCS Pathway is intended for students who function significantly below age and grade level expectations. The primary characteristics include a documented history that the student requires at least three of the following:

- Intensive, explicit instruction throughout the school day and on a daily basis in order to address significant deficits in reading and math
- Multiple and varied strategies to address significant deficits in language processing and/or communication
- Direct instruction and repeated practice to address significant deficits in adaptive behavior skills (age-appropriate behaviors necessary to live independently and to function safely and appropriately in daily life), with at least one deficit noted within the following areas: social/interpersonal, self-care, home-living, use of community resources, self-direction, functional academics, work, leisure, safety and communication)
- Multiple repetitions and opportunities for hands on instruction to address significant deficits in attention & short-term memory

Students may also require the following:

- Direct instruction in self-determination (such as decision making, goal setting , and self-advocacy)
- Repetition and hands on instruction for skill development beyond that of typically developing peers
- Explicit instruction to generalize skills taught across settings
- Explicit and/or applied instruction to make relevant connections with classroom instruction
- Accommodations for additional disabilities presenting in conjunction with a cognitive disability

## **OPER 2012: HEALTHFUL LIVING EDUCATION**

**Effective Date:** November 2, 2017

**Reference:** GS 115C-81 (e1) (N.C.G.S.), 130a 130A-152 (N.C.G.S.) 130A 153-155

### **Procedure:**

See the NC Department of Public Instruction's website, NC Healthy Schools, **HEALTHY RESPONSIBLE STUDENTS**, at: <http://www.nchealthyschools.org/healthfulliving>

The Education Services for the Deaf and Blind is committed to a sound, comprehensive healthful living program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The Education Services for the Deaf and Blind recognizes the primary role of parents in providing for the health and well-being of their children and seeks to involve parents in the schools as provided by this policy. The healthful living program provided at the residential schools operating under the supervision of the Education Services for the Deaf and Blind will meet all legal requirements.

A comprehensive healthful living program will be taught to all students from kindergarten through ninth grade. As required by policy of the North Carolina State Board of Education, this program will include instruction on the reproductive health and safety, benefits of sexual abstinence until marriage, and the prevention of sexually transmitted diseases including HIV/AIDS and the avoidance of intravenous drug use.

A copy of all program objectives and instructional materials for teaching sexual abstinence until marriage, avoidance of out-of-wedlock pregnancy, sexually transmitted diseases including HIV/AIDS and the avoidance of intravenous drug use shall be available for review at each school. Requests to review these materials must be made through each school's principal.

Before students may participate in the healthful living program, each school must notify parents of the opportunity to review the materials. Also, each school must notify parents of their right to withhold consent for their child to participate in all or any part of the instruction to be provided as outlined by this policy. In such cases, students will be provided with an alternative assignment related to the healthful living program. Parents wishing to withhold consent must do so in writing to the principal of their child's school. The Education Services for the Deaf and Blind and each school shall continually evaluate and improve the effectiveness of the healthful living program. This process shall include input from parents, school administrators, guidance counselors, student health clinic professionals, other health professionals, social workers, students and other members of the school staff and community as deemed appropriate.

### **Standards for Instruction:**

Only persons who have received sufficient training to effectively provide instruction related to healthful living shall provide instruction to students. Instructors are expected to follow the program objectives established for the healthful living program as related to the teaching of



sexual abstinence until marriage, avoidance of out-of-wedlock pregnancy, sexually transmitted diseases including HIV/AIDS and the avoidance of intravenous drug use. The only materials to be used in providing instruction in these areas are those adopted for such purposes. A determination of what is appropriate instruction in each of the healthful living components referenced in this policy for each student is to be made in accordance with each student's individualized education plan.

**Limitations:**

No employee of the Education Services for the Deaf and Blind, except appropriately authorized health care professionals, shall privately counsel a student about obtaining contraceptives and/or pregnancy related referral services.

**NORTH CAROLINA STATE BOARD OF EDUCATION  
Policy Manual**

**Policy Title:** Intramurals, Physical Activities and Athletics

**Policy Category:** Education Services for the Deaf Blind

**Policy ID Number:** ESDB-011

**Policy Date:** 06/02/2016

**Statutory Reference:** G.S. 143B-10

Each Education Services for the Deaf and Blind (ESDB) school may participate in an athletic association or group of its own choice and follow all procedures pertaining to eligibility requirements, regulations, and guidelines for students, school leadership, and coaches involved in organized athletics.

## **OPER 2113 – OPERATIONAL PROCEDURE FOR ESDB-011: INTRAMURALS, PHYSICAL ACTIVITIES AND ATHLETICS**

### *Student Eligibility for Athletics*

Students must meet current eligibility requirements prescribed by the North Carolina High School Athletic Association or the Eastern Athletic Association for the Blind, not limited to, but including the following:

- All students, regardless of the sport, must be certified as eligible prior to dressing or participating in any sporting contest.
- Eligibility lists for all student athletes must be filed with the Director and/or his/her designee one week prior to the beginning of the athletic sport.
- No student can be approved for an athletic contest unless he/she is a regularly enrolled member of middle and high school grades 6-12.
- Must be enrolled as a full-time student in a school supervised by the Education Services for the Deaf and the Blind.
- A student must have been in attendance for at least 85 percent of the previous semester.
- At the end of each semester, any participant who has failed to attend school 85 percent of that semester is immediately ineligible for participation in any organized team sport the following semester. For a regular 90-day semester, a student may not miss more than 13 days and be in compliance with the 85 percent rule.
- A student must meet promotion requirements for the year. Students promoted with focused intervention are eligible for athletics.
- A student must have passed a minimum load of work during the preceding semester to be eligible at any time during the present semester. The semester is considered half of the academic year. A minimum load is defined as five courses in the traditional school schedule (7 periods) and three courses for schools on the “block” format (4 periods). For schools in a hybrid schedule (2 blocks, 3 traditional), use seven traditional as the basis (block equals two); must pass equivalent of five traditional classes. Students, including seniors, must pass that minimum load, even if they need fewer for graduation.
- A student must receive a medical examination at least once every 365 days by his/her duly licensed physician.
- All student athlete physicals must be submitted to the school’s Nurse Supervisors and must be filed in the school’s Student Health Center.
- No student may participate at the high school level for a period lasting longer than 8 consecutive semesters beginning with the student’s first entry into grade 9 or participation on a high school team, whichever occurs first. Exceptions may be made by the Principal or Director for Occupational Course of Study students who may be at a school for an extra year or more.
- No student may be approved for any athletic contest if his/her 19th birthday comes on or before August 31 of the school year. Exceptions may be made for students older than 19 who may have been held back earlier in school, or may have missed significant time due to serious medical condition, etc.
- No student may be approved for a high school contest if he/she has taken part in contests during four (4) separate seasons in that sport (one season per year, whether the sport is played in North Carolina or not).

- Any student who is (1) convicted of a crime classified as a felony under North Carolina or federal laws, or (2) is adjudicated delinquent for an offense that would be a felony if committed by an adult, is not eligible to participate in sports programs.
- Students must sign and follow the school's Student Code of Conduct.

### **Coaching Requirements and School Guidelines**

- All coaches are to sign and follow the code of conduct for coaches established by the NCHSAA.
- All coaches are required to know and follow the current NCHSAA rules and regulations which apply to his/her sport.
- All coaches will be required to attend a pre-season meeting, conducted by the Athletic Director and/or school Principal.
- All coaches must certify student eligibility and submit lists of eligibility to the Athletic Director and/or school Principal, and Education Services for the Deaf and the Blind.
- All coaches shall first be approved by the school's Principal, Athletic Director, and School Director at least one month prior to the beginning of the sports season.
- All coaches must be certified as first responders by meeting and maintaining the following:
  1. CPR Certification
  2. First Aid Certification

Note: CPR and First Aid Certification must be approved and/or certified by the school's Nurse Supervisors.

3. Injury Prevention Management I
  4. Injury Prevention Management II
  5. Two CEU's (20 hours) in injury prevention, sports medicine, or training related instruction each school year.
- Coaches do not allow a player to dress for a game, scrimmage, or sit on the bench when he/she is not eligible to participate in the game.
  - Ineligible players are not allowed to participate in practice, either in season or during out-of-season workouts. This does not apply to summer workouts.
  - All coaches must know and follow game and sport administration as outlined in the current NCHSAA Handbook.
  - As required by state law, a licensed athletic trainer or sports medicine first responder is required to be at all football practices and organized home athletic games.
  - First responders must be present at all school sponsored home athletic events, which would involve a number of teams and a significant amount of time, i.e. all day as opposed to 2-3 hours (volleyball invitational, wrestling tournaments, track invitational, basketball, cheerleading etc.).
  - A coach will not serve as the first responder for the team he/she is coaching. However, it is deemed to be in the best interest of the schools and students, that coaches have first responder training.
  - All school nurses are strongly encouraged to obtain 20 hours per year in sports injury prevention training. Nurse Supervisors have the discretion to require additional training for nurses in sports injury prevention as determined by the school's needs.

- Written policies, i.e. Emergency Action Plan, must be developed to outline procedures for accident prevention, management of injury situations, reporting, and emergency notification and shall be updated annual. In addition to the school's Emergency Action Plan, drills must be conducted at least once for each organized athletic sport. The drill should occur prior to the beginning of each organized athletic sport and should be documented in the Athletic Director's office.
- If a student athlete misses class time due to a sporting event, School Principals must plan for the student to make up the assignments as well as make up the hours missed, to comply with the State Board of Education requirements regarding instructional hours.

### **Guidelines for After School Physical Activities and Intramural Sport Programs Goals**

- Voluntary participation in sport and physical activities without regard for high performance skill or ability.
- Activities designed in a safe and professionally supervised environment.
- Nurtures healthy competition, physical wellness, enjoyment, fair play, and teamwork.
- Student centered.
- Enhances social interaction and conflict resolution.
- Provides opportunities for co-ed physical activity participation.

### **Guidelines for Intramural and Physical Activity Programs**

- Designed for all students, Elementary through Grade Twelve.
- Designed as an enhancement of the school's physical education curriculum and student wellness plans.
- Designed based on age appropriate activities as well as skill and maturity level.
- Directed by professional educators and leadership who understand cognitive, psychosocial, and motor development of youth.
- Directed by professional educators and leadership who possess knowledge of sport, including rules and officiating, and safety requirements and first aid.
- Develop student leadership in selecting activities and promoting participation.
- Program of activities include competitions in various sports, clubs, self-directed activities, open gym, special events, field trips, and instructional practices and opportunities.
- Provides for co-educational participation.
- All participants should have medical clearance by the school's Nurse Supervisor to participate.
- Structured to ensure that safety requirements are met and maintained, including regular inspections on equipment and/or facilities.
- Parents/Guardians must provide informed consent.
- Immediate first aid available when program is in progress.
- Modest recognition and awards may be appropriate with the primary focus being participation.
- Programming is subject to continuous evaluation, including reviews of objectives, programming, facilities, equipment, safety, organization, administration, and student response.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Parameters for School Activities

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-012

**Policy Date:** 06/02/2016

Education Services for the Deaf and the Blind (ESDB) encourages students and staff to celebrate school tradition; however, in matters related to religion, schools must remain neutral. The effect of any activity must neither advance nor inhibit religion.

**OPER 2014 - PROCEDURES FOR ESDB-012: PARAMETERS FOR SCHOOL ACTIVITIES**

When involved in school-sponsored performances and celebrations, school staff, parents and students should consult with the School Principal or Director for guidance if they are unsure if their selected cultural items, songs, etc. fall under the category of “advancing” religion. The decision of the Director or Principal is final in such matters.

## **OPER 2015: ACCOUNTABILITY STANDARDS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-12(9c); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5 Eff. December 1, 1999; see NC1500-2.20 and NC 1500-2.23, Native Language, p. 14 of EC Policies Governing Services for Children with Disabilities, July 2014. U.S. Department of Education, Office of English Language Acquisition. (2016). *English Learner Tool Kit* (Rev. ed.). Washington, DC: Author. This report is available on the Department’s website at: [http://www2.ed.gov/about/of\\_ces/list/oela/english-learner-toolkit/index.html](http://www2.ed.gov/about/of_ces/list/oela/english-learner-toolkit/index.html)

### **Purpose:**

Students of limited English proficiency or English Language Learners, now referred to as “English learners” (ELs) meet the same standards as all students. However, in accordance with federal law, English language proficiency cannot be the factor that determines that a student has not met performance standards at each gateway.

### **Procedure:**

See: K-12 STANDARDS, CURRICULUM AND INSTRUCTION, Standard Course of Study, English as a Second Language, at <http://www.ncpublicschools.org/curriculum/esl/scos>, and NC English Language Development (ELD) Wiki at: <http://eldnces.ncdpi.wikispaces.net/Home+%28English+Language+Development-ELD%29>

The Home Language survey will be administered or provided to parents. Based on the results, ESDB schools shall use the following guidelines:

A. To be identified as limited English proficient, students must be assessed using the state English language proficiency identification test at initial enrollment. Thereafter, all students identified as limited English proficient must be annually assessed using the state English language proficiency test administered to satisfy the NCLB Title III requirements during the state-designated testing window.

The WIDA (World-Class Instructional Design and Assessment) is a

B. ACCESS Placement Test, also known as the W-APT, is the state-designated English language proficiency identification test.

C. Per State Board of Education (SBE) policy - all students identified as ELs must participate in the statewide testing program (i.e., standard test administration or standard test administration with accommodations) except for students identified as ELs who score below Level 4.0 Expanding on the reading subtest of the W-APT™ and are in their first year in United States (U.S.) schools. These students are exempt from being assessed on the Beginning of-Grade 3 English Language Arts/Reading Test, the EOG English Language Arts/Reading Assessment, the EOC Assessment of English II, or any associated alternate assessments that measure reading comprehension. For purposes of determining participation for English language arts/reading, the annual administration of the ACCESS for ELs 2.0 reading subtest will be used for the students identified in this section.

D. To be eligible to participate in the state-designated alternate assessment, the student must score below Level 4 on the reading tests. State-approved accommodations are allowable on



each of the following state tests: end-of-grade tests, end-of-course tests, and NC Final Exams.

- E. Expanding on the reading subtest of the W-APT and also meet the requirement for length of enrollment in U.S. schools. The student's length of enrollment must be less than 24 months from date of initial enrollment in U.S. schools.
- F. If the student scores Level 5 Bridging or above on the reading subtest of the W-APT at any time, the student must participate in all State-mandated tests without accommodations.
- G. To be eligible to participate in the state-designated alternate assessment, the student must score below Level 5 Bridging on the writing subtest of the WAPT and also meet the requirement for length of enrollment in U.S. schools. The student's length of enrollment must be less than 24 months from date of initial enrollment in U.S. schools.
- H. The Alternate ACCESS for ELs is an option to the administration of the ACCESS for ELs 2.0 test to students in grades 1–12 who are classified as ELs and have significant cognitive disabilities that prevent their meaningful participation in the ACCESS for ELs 2.0 assessment. The Alternate ACCESS for ELs is designed for only a small population of ELs who meet the eligibility criteria specified in NC Testing Guidelines.

### **Availability of Alternative Formats**

Requests for documents in alternative formats such as Braille or large print should be submitted to the Alternate Format Center by calling 202-260-0852 or by contacting the 504 coordinator via email at [om\\_eeos@ed.gov](mailto:om_eeos@ed.gov).

### **Waivers for Promotion**

If a student scores below advanced in reading or writing on the state English language proficiency assessment, the student may be eligible for a waiver from the test standard for promotion through no more than two consecutive gateways.

- a. A local teacher or administrator or the student's parent or legal guardian must request the waiver. The person making the request for a waiver must submit evidence of student work to a local committee of teachers and administrators to determine if:
- b. the student's English language proficiency is the cause of the student's inability to perform at grade level on the required tests;
- c. documentation indicates that the student is making adequate progress in all academic areas to be promoted to the next level

### **High School Graduation Requirements**

Limited English proficient students shall meet the same standards as all students from high school graduation. School districts shall provide focused intervention for these students until they have met statewide promotion standards and high school graduation requirements (up to age 22). This intervention shall involve extended, supplemental instructional opportunities that include assistance in the development of English language proficiency. These students shall have personalized education plans with the following components: diagnostic evaluation, intervention strategies, and monitoring strategies.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Testing and Accountability

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-027

**Policy Date:** 06/02/2016

**Statutory Reference:** G.S.115C-12(9) c; G.S.§115C-81(b)(4); G.S.§115C-105.35; NC Constitution Article IX

This rule establishes the testing and accountability policy and procedures for the Education Services for the Deaf and Blind (ESDB) regional schools.

**I. Testing**

A. State Board of Education (SBE) policy, the North Carolina *Testing Code of Ethics*, applies to all EDSB school employees who are involved with the state testing program.

B. ESDB schools must designate one or more persons to serve as the EDSB testing and accountability coordinator who will assist in the administrations, reporting, and interpretation of tests and other accountability measures.

1. Coordinators shall attend training sessions provided by the department about proper test administration and required processing of test materials.

2. Coordinators shall then conduct similar sessions within the ESDB schools for test administrators and proctors.

3. Coordinators shall arrange for the scanning, scoring, and reporting of results from tests adopted by the SBE.

C. ESDB schools shall follow SBE policy regarding protocol and implement assessments at grades K, 1, and 2 that include documented, on-going individualized assessments throughout the year and a summative evaluation at the end of the year.

D. Per SBE policy, ESDB schools shall participate in the statewide testing program adopted by the SBE.

1. ESDB schools shall assure all eligible students in membership at grades 3–8 and high school participate with or without accommodations in either the standard administration or the alternate assessment of the end-of-grade and/or end-of-course assessments in English language arts/reading, mathematics, and science.

a. ESDB schools shall follow SBE policy for the use of end-of-course tests for accountability.

b. ESDB may adopt policies to use results from end-of-grade assessments in grades 3–8 as part of the student’s final grade.

2. ESDB students at grade 11 shall participate in either the standard administration of the ACT or its alternate assessment.

3. ESDB students who are identified as Career and Technical Education (CTE) Concentrators shall participate in the ACT WorkKeys administration.

E. ESDB schools shall require all K–12 students identified as language minority through the Home Language Survey process upon initial enrollment be assessed for limited English language proficiency using the SBE-adopted instrument for identification of English learners (ELs).

1. All students identified as an EL must be administered the SBE-adopted test of English language proficiency during the annual English language proficiency testing window.

F. SBE policies regarding rules, guidelines, and procedures governing test administrations shall apply to ESDB regional schools.

## **II. Accountability**

A. Per SBE policy, ESDB regional schools shall participate in the state's accountability program.

1. For an indicator to be included in the calculation, it must meet the minimum number of students required for reporting.

2. If an indicator does not have the minimum cell size to protect the privacy of students in reporting aggregate data, it is not reported or included in the total achievement score. Schools are not penalized for not having an indicator; the school performance grade is calculated on the available indicators.

3. The North Carolina Department of Public Instruction (NCDPI) will mask results to protect the privacy of students in reporting data for small cells in compliance with the *Family Educational Rights and Privacy Act* (FERPA) guidelines and agency standards for public distribution of data.

## **III. Teacher Evaluation Process**

A. Effective with the 2016–17 school year, ESDB regional schools shall participate in the North Carolina Teacher Evaluation Process as outlined in SBE policy.

## **OPER 2016: GRADING POLICY**

**Effective Date:** November 2, 2017

**Purpose:** To establish a uniform grading policy for the residential K-12 schools in the Education Services for the Deaf and Blind

**Target Group:** Students in grades K-12

### **Procedure:**

It is essential that all students, teachers, and parents/guardians are aware of the grading policies used by the schools which comprise the Education Services for the Deaf and Blind. Without clearly understanding those policies, students and their parents/ guardians are not able to monitor grades and understand the meaning of those grades.

**A.** Teachers need to be aware of the policies, the reasoning behind them, and how their classroom grades align to those policies. Teachers should strive to make their grading of student work as transparent as possible; they should also show students how their grades are determined, allowing students to take more ownership for their grades and how they earn them as they mature and matriculate through the grades.

### **B. Teachers Grading**

All students will receive grades based on a 9-week quarter grading period.

- Middle school students (grades 6-8) will receive quarterly grades, first and second semester averages, and a final grade for the year.
- High school (grades 9-12) students in the block schedule format will receive two quarterly grades and a final grade. High school students in yearlong classes will receive four quarterly grades, two semester averages, and one final grade for each yearlong course.

All grades for students in grades three through twelve shall be numeric using the ten-point system approved by the State Board of Education Policy - GRAD-009 (Electronically generated high school transcript standards): (A=100-90; B=89-80; C=79-70; D=69-60; F=59 or less).

- C.** Students in grades K-2 shall receive grades that accurately reflect their performance but are not numeric. Those grades are S (Satisfactory), N (Needs Improvement), U (Unsatisfactory)
- D.** Students shall receive report cards from their school within 10 days of the end of the quarter/semester/year.
- E.** Teachers shall enter all their grades into PowerSchool, which will compute averages. Teachers should manage all grades within that system.

To ensure that students retain the ability to pass a course, the teacher shall average a failing grade as a 50. Students should see the actual grade they received, understand the computation of that grade, and determine the deficits in their work. Additionally, students should receive

work which will improve their skills or understanding of various concepts in order that they receive a grade of 50. This process should occur in a period of no less than two weeks from the time that the student earned the failing grade.

The only work which can be made up from an unexcused absence is a test or exam. Again, the student would have twice the number of days missed to take the test or exam.

Work done outside the classroom (not daily homework) such as projects or papers may be turned in late; a penalty for late work (a specific number of points) should be assessed for each day those assignments are late. In each school, these penalties should be uniform in the grade ranges (3-5, 6-8, 9-12) and should be developed by the teachers and the principal. This information should be shared with students and their parents/guardians no later than the 10th day of the school year through multiple formats such as a teacher letter and the school web site. In addition, the school procedure should be shared with the Director of each school no later than the 10th day of the school year.

The following categories of student work may be used by teachers in the calculation of their grades. None of these components can be weighted as more than 25% of the total grade.

- Classwork
- Notebook
- Lab
- Test
- Quiz
- Accelerated Reader and Accelerated Math
- Exam
- Project
- Paper
- Journal
- Participation (only for physical education or OccuPrep courses)
- Job Performance (only for Occupational Course of Study courses)

Homework cannot be weighted as more than 10% of the total grade for a class. For more details regarding homework, see the Education Services for the Deaf and Blind Homework Procedure OPER 2018 - Homework.

Per State Board of Education Policy, Public Schools shall use results from all course-specific operational assessments as a minimum of twenty percent (20%) of the student's final grade for each respective course. This requirement does not apply to end-of-year assessments in grades 3-8.

Student behavior may not be a factor in determining a grade for any class/course.

Students with an A average in a high school course and perfect attendance may be exempt from teacher-made final exams for courses. However, these students cannot be exempt from required End of Course assessments.

## **OPER 2017: LESSON PLANS**

**Effective Date:** November 2, 2017

**Reference:** NCGS 115C-307 (d)

**Target Group:** All teachers in the Residential Schools

**Purpose:** To establish a uniform procedure for preparation of daily lesson plans and substitute lesson plans.

**Procedure:**

### **Lesson Plans**

Each teacher is required to complete weekly lesson plans, either by paper plans or electronic submissions, as preferred by each school. Lesson plans should include goals and objectives for each student. Lesson plans shall reflect the appropriate curriculum of study and high expectations for all students. The supervisor shall establish a schedule for submission of the lesson plans for review and feedback.

### **Substitute Plans**

Each teacher is required to have emergency plans that are readily accessible to their supervisor. These plans should include well-written plans for instruction, a list of students that the teacher is responsible for each period, the daily time schedule, related service schedules of students, necessary emergency information (medical, evacuation, etc.) and current behavior plans. Each school's supervisor shall establish the process for submission of these plans.

## **OPER 2018: HOMEWORK**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-36, G.S. 115C-47, G.S. 115C-276, G.S. 115C-288, G.S. 115C-307

**Purpose:** To define the purpose and parameters for homework as an integral part of the educational experience

**Target Group:** Students and teachers in ESDB schools

### **Procedure:**

Homework is an important part of the educational program for students in the ESDB residential schools. Homework is defined as purposeful assignments which are designed to support, reinforce, and extend classroom experiences; to encourage students' individual skill development, and to teach students to be independent, responsible, and self-directed learners.

All students should be assigned homework, to the extent practicable, reasonable and appropriate (such as for students in the Occupational Course of Study). Homework should be developmentally appropriate, relevant to classroom instruction, and purposeful.

While homework is an integral part of independent practice, it cannot be weighted as more than 10% of the total grade for a course. Homework should not be graded in a punitive manner but rather students should be recognized for trying the work and making the effort to complete the assignment.

Other work done outside the classroom such as projects or papers may be turned in late; a penalty for late work (a specific number of points) may be assessed for each day those assignments are late. These penalties should be uniform in the grade ranges (3-5, 6-8, 9-12) and should be developed by the teachers and the principal. This information should be shared with students and their parents/guardians no later than the 10th day of the school year through multiple formats such as a teacher letter and the school web site.

The principal and the residential life coordinator shall develop a plan for homework success for students. This plan should include designated homework times and locations, access to computers, licensed staff who will assist students after hours with homework questions, and communication between K-12 staff and the residential life staff regarding homework. This plan should be completed no later than the 10th day of school and submitted to the Director of each ESDB School. The school should inform parents/guardians and students of plan(s) for ensuring student homework success and follow-up for home intervention.



## **OPER 2019: HIGH SCHOOL TRANSCRIPTS**

**Effective Date:** November 2, 2017

**Reference:** State Board of Education policy “GRAD-009 –Electronically Generated High School Transcript Standards.”

**Purpose:** To ensure schools within the Educational Services for the Deaf and Blind comply with state regulations related to high school transcripts.

**Target Group:** ESDB high school students

**Procedure:**

Schools within the Educational Services for the Deaf and Blind will enter all the necessary information into the state’s student database management system to create a valid electronic transcript for each high school student in accordance with State Board of Education policy “GRAD-009 –Electronically Generated High School Transcript Standards.”

Each high school student attending a school within the Educational Services for the Deaf and Blind is entitled to one free copy of his/her school transcript upon completion of course work or graduation.

## **OPER 2020: STUDENT WORK AND COMPENSATION**

**Effective Date:** November 2, 2017

**Reference:** See NCDPI website; SBE Policy CTED-003: Academic Credit for Work-Based Learning Career and Technical Education (CTED)

**Purpose:** To establish system-wide guidelines for students' eligibility for compensation

**Target Group:** All high school students in the OCS pathway

### **Definitions of Terminology:**

- **Stipend or Incentive:** money used as a means to encourage, motivate, and reward students who are working in School or Community Based Training positions. It is not a wage, and therefore, it is not subject to the minimum wage laws.
- **Wage:** minimum wage or above paid to students by employers in the community.
- **School Based Training (SBT):** 150 hours which must be earned by students in the Occupation Course of Study. These work activities are assigned to students on campus which simulate work tasks performed for pay in the community. The focus is on training with specific teaching objectives targeting deficient work skills or social behaviors. Students are scheduled for SBT on a regular basis, during and/or after school. Students must be supervised by a North Carolina Department of Public Instruction (NCDPI) employee.
- **Community Based Training (CBT):** 225 hours which must be earned by students in the Occupational Course of Study. These work activities are assigned to students off campus. The focus is on training with specific teaching objectives targeting deficient work skills or social behaviors. Students are scheduled for CBT on a regular basis, during and/or after school. Students must be supervised by an employee of the business and a NCDPI employee.
- **Paid Employment:** 225 hours which must be earned by students in the Occupational Course of Study who are working independently in the community under the supervision of an employer in the community and possibly NCDPI personnel.
- **Vocational Training:** any on campus or off campus site where the student is placed for training purposes and is not considered an employee at that training site.

Students working in School Based Training and in Community Based Training will be eligible to receive a stipend of up to \$40 per month. The amount of the stipend is to be determined by each school as well as the specifications that outline how much of the stipend a student will receive for designated, positive workplace behaviors. In any case, the stipend shall not exceed

\$40 per training site. The residential school staff and their students are required to follow policies set forth by the business office at their schools to account for hours worked.

Students working in Competitive Employment are eligible to receive the wage deemed appropriate by and paid by the employer. Otherwise, students may only earn stipends for work completed as part of course requirements.

In all cases where students are receiving a stipend, incentive, or wage, it is the responsibility of the school to follow the parameters of local, state, and federal labor laws.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Use of School Interpreters with Other Agencies

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-013

**Policy Date:** 06/02/2016

**Statutory Reference:** G.S. 115C-47(18)

To avoid the appearance of conflict of interest and bias and to protect both students and staff, the following guidelines govern the use of interpreters employed and contracted by schools in the Education Services for the Deaf and Blind (ESDB):

**School interpreters may:**

1. Interpret for the student to inform him or her of the events that are taking place.
2. Interpret when an agency is gathering information that could lead to the receipt of financial or other benefit by the student.
3. The agency conducting the investigation shall be responsible for ensuring that the student(s) involved has appropriate access to the proceedings.

**School interpreters may not:**

1. Be used as interpreters in situations that could potentially lead to action against the school or any school staff.
2. Participate in the collection of information that will be used by the agency conducting the investigation, i.e., Department of Social Services, law enforcement agencies, etc.
3. Interpret for the student in such situations when action by school staff are being investigated.

## **OPER 2021: CORRESPONDENCE TO PARENTS**

**Effective Date:** November 2, 2017

**Purpose:** To facilitate communication between the parents/guardians and the school

### **Procedures:**

Communication between home and school is very important in providing a total education program for each student. Parental contact must be established and maintained on a regular basis. The means of contacting the parents may vary; however, whether the contact is by phone, text messaging, email or other electronic communication, newsletters or home visits, it is the responsibility of the teacher and dormitory director to establish and maintain communication with the parent/guardian of those students for whom he/she is responsible. Parents/guardians shall be informed of the progress of their child in meeting academic and residential life goals in a manner consistent with the Individuals with Disabilities Act. Communication between the home and school should be realistic and positive, whenever possible.

## **OPER 2022: MINIMIZING CLASSROOM INTERRUPTIONS**

**Effective Date:** November 2, 2017

The Education Services for the Deaf and Blind encourages classroom activities that will maximize the learning experiences for students. Therefore:

1. Principals are urged to use the school public address system sparingly. Except in emergency situations, announcements must be scheduled so as not to interfere with time allotted for academic endeavors. Interruptions for emergencies shall be determined by the principal or designee and used sparingly.
2. School and central-level personnel, parents, and visitors shall schedule conferences/appointments with teachers at times that will not interfere with instructional time.
3. Except for emergencies, parents or legal guardians must make prior arrangements with the principal or designee for early dismissal of their children based on limited and valid reasons.
4. Salespeople, solicitors, or others shall not be allowed to interrupt teachers during the school day.
5. Each school director should develop specific guidelines as to how this policy is to be implemented in the school. Guidelines should include, for example, how teachers will receive advance notification about:
  - A. Students leaving for doctors' appointments, etc.
  - B. Parents, newcomers, or other guests who arrange with the school to visit a classroom.
  - C. A photographer/videographer filming in the classroom.
  - D. News media representatives in the classroom.

Each school should inform parents at the beginning of each year about this policy and how it is being implemented in the school.

Except for emergencies, staff shall refrain from using personal communication devices, e.g. cell phones, during the work day.

## **OPER 2023: WHAT TO DO WHEN A STUDENT MAKES SUICIDAL THREATS OR ATTEMPTS SUICIDE**

**Effective Date:** November 2, 2017

If a student has mentioned thoughts, or made attempts (harmed themselves) of suicide (or homicide), immediately make sure the student is safe.

### **During school hours (7:45 AM-3:45 PM):**

- Notify the Lead Nurse, School Social Worker, the School Counselor and your immediate supervisor.
- A staff member must accompany the student to the Lead Nurse or the School Social Worker.
- The Lead Nurse or Social Worker will contact the student's parent(s).
- The student will be assessed by the Lead Nurse and/or School Social Worker. The School Psychologist and/or Psychiatrist will be contacted, as needed.
- The team (mentioned above) will decide on the next course of action and notify the student's parent(s), School Principal, Student Life/Residential Life Director, and School Director.

**-If the student is deemed safe** to return to their normal activities, the Lead Nurse or School Social Worker will notify staff of any necessary precautions and specific recommendations.

**-If the student is taken to Crisis and Assessment** (or the hospital), K12 staff will stay with the student and be relieved by Student Life/Residential Life Staff when second shift starts.

-If the student is admitted, staff are permitted to leave as the student will be in the care of hospital or mental health staff.

-The School Social Worker will maintain contact with the mental health providers while the student is in their care.

-Once the student is released, the School Social Worker will notify staff of any necessary precautions and specific recommendations and follow-up with the student's parent(s).

### **After school hours (3:45 PM-7:45 AM):**

-Notify the Lead Nurse, School Social Worker and your immediate supervisor.

-A staff member must accompany the student to the nurse on duty.

-The nurse will contact the student's parent(s).

-The student will be assessed by the nurse. The Lead Nurse, School Psychologist and/or Psychiatrist will be contacted, as needed.

-The nurse will decide on the next course of action and notify the student's parent(s), School Principal, Student Life/Residential Life Director, and School Director.

**-If the student is deemed safe** to return to their normal activities, the nurse will notify staff of any necessary precautions and specific recommendations.

**-If the student is taken to Crisis and Assessment** (or the hospital), Student Life/Residential Life Staff will stay with the student and be relieved by K12 Staff when first shift starts.

-If the student is admitted, staff are permitted to leave as the student will be in the care of hospital or mental health staff.

-The School Social Worker will maintain contact with the mental health providers while the student is in their care.

-Once the student is released, the School Social Worker will notify staff of any necessary precautions and specific recommendations and follow-up with the student's parent(s).

**Other important points:**

-Maintain confidentiality. Only discuss the incident when necessary with the appropriate staff.

-When the threat is initially made and after the student's assessment, please do not probe the student; do not ask them additional questions.

-Document the threat; write up a Student Incident Report Form.

-If the student has a weapon, you feel the situation is dangerous or the student is in imminent danger, immediately call 911 and contact your immediate supervisor.

Nurse's Cell Phone- xxx-xxx-xxxx

School Social Worker's Cell Phone- xxx-xxx-xxxx



**OPER 2024: SCHOOL-BASED MENTAL HEALTH POLICY (SBE POLICY SHLT-003)**

**Effective Date:** November 2, 2017

**Purpose:**

The State Board of Education's new School-Based Mental Health Initiative policy SHLT-003 is to help address mental health concerns in local schools and districts. The new policy was developed after a report and recommendations were presented to the Board by the NC School Mental Health Initiative, a multi-disciplinary interagency partnership with broad representation from education, mental health service providers, lawyers, advocates, university faculty and parents.

The new policy focuses on universal prevention of mental health concerns; early intervention; processes for referral, treatment and re-entry; and stakeholder engagement. Policies and activities to promote a socially and emotionally healthy school environment for all students and staff, as well as improved access and connections to community-based services for students and their families, are key components of this new policy.

In preparation to begin to implement this policy whenever it becomes effective, in 2017-18, ESDB schools will develop a plan for assessing and improving the effectiveness of existing supports for mental health and substance use supports for students. This could include staff training.

**3000 PROCEDURES SERIES:  
STUDENTS**

**(RELATED TO STUDENTS AND STUDENT ISSUES)**

## **OPER 3001: AMPLIFICATION**

Effective Date: November 2, 2017

**Purpose:** To provide procedures for the use of amplification for students enrolled in the ESDB's residential Schools for the Deaf.

**Target Group:** Students with amplification needs as determined by the IEP team.

### **Procedure:**

The determination of appropriate amplification is a determination made by each child's IEP team, which includes input from the audiologist, parents, instructional staff, and child (when appropriate).

Classroom teachers are responsible for listening checks every morning. The results of the checks will be recorded daily. Each child should have a separate amplification check sheet. This document becomes a part of the student's file. If amplification is not functioning appropriately, the teacher is responsible for notifying the school audiologist so that needed adjustments, repairs and/or replacements can be made. If the classroom teacher would choose to have a teacher assistant monitor the equipment, it is the responsibility of the audiologist and teacher to train the assistant and oversee the daily documentation.

Children owning personal hearing aids are to wear their devices during dormitory hours. Dorm supervisors, dorm/house attendants or designees will be responsible for monitoring hearing aid use by utilizing the hearing aid checklist for dorm students.

Prior to children leaving the school to go home, teachers (or designees) will check to make sure that personal hearing aids go home with them.

## **OPER 3002: COMMUNICABLE DISEASES**

**Effective Date:** November 2, 2017

**Reference:** NC General Statutes 130A, Article 6-136, 134-145 Administrative Code 10A NCAC 41A.0202 Control Measures-HIV and 10A NCAC 41A .0101 Control Measures-Hepatitis B Infection.

**Purpose:** To establish a policy that will comply with state laws.

### **Procedures:**

Pursuant to 10A NCAC 41A.0101, the ESDB shall report all diseases listed and required to be reported.

If the Nursing Supervisor learns that a student has HIV/AIDS or Hepatitis B, the Nursing Supervisor will contact the local Health Department in the student's county of residence. When the local health director notifies the School Director that a student with AIDS or HIV infection may pose a significant risk for transmission, the School Director in consultation with the local health director, shall convene an interdisciplinary committee in accordance with state health regulations and procedures established by the Education Services for the Deaf and the Blind. The committee is to consult with the local health director regarding the risk of transmission and advise the School Director regarding the placement of the student. The committee shall include appropriate school system personnel, medical personnel and the student's parent or guardian and may include legal counsel. The parent may request additional participants as necessary to appropriately evaluate the risk. The health director shall be responsible for determining whether to add additional members that may be requested by the parents.

- A. If a committee is convened, the student's clinical history will be reviewed to date by the committee and a determination will be made if the child is well enough to participate in classroom and residential life responsibilities. It will also be determined if the child poses any risk to other persons at the school.
- B. The interdisciplinary committee will review each case individually in consultation with the local health director to determine (1) the degree to which the student's conduct or presence in school exposes others to possible transmission or other harm, and (2) what risk the school environment may pose to the infected student. If the local health director concludes that a significant risk of transmission exists in the student's current placement, the committee must determine whether an appropriate adjustment can be made to the student's school program to eliminate this risk. If that is not possible, the student shall be provided instruction in an appropriate alternative educational setting which incorporates protective measures required by the local health director.

- C. If the decision is made that the student poses no risk, he/she will be allowed to attend school with no restrictions and medical confidentiality will be maintained. If the decision is made that the student exhibits possible risk factors for the transmission (such as biting behaviors, lack of control of bodily secretions, scratching), the following shall occur:
- i. The committee will determine whether accommodations can be made to the student's classroom and or residential programs to eliminate significant risks of transmission.
  - ii. Alternative educational settings will be considered and the most appropriate option consistent with public protection will be selected. In such a case, the Superintendent of the student's local education agency in the student's home county will be informed with consent of the student's parent/guardian or with the consent of the student who is 18 years of age or older of the student's identity and will oversee arrangements for the student's education.
  - iii. If it is determined that a residential school is the appropriate option consistent with public protection, the committee will determine which personnel directly involved with the student need to be informed of the HIV/AIDS/Hepatitis B infection to prevent transmission; will inform those persons with the consent of the parent/guardian or the student who is 18 years of age or older, and sign the Confidentiality Agreement. The School Director, with parental consent, will notify the Superintendent of the ESDB.
  - iv. The School Director will contact the local health director annually who will determine whether the committee will meet to review its earlier decision at the beginning of the academic school year. The local health director along with the attending physician in consultation with the school physician and the local health director will reconvene the committee to consider the suitability of the student's continuing placement at a residential school when any significant change in the student's condition occurs.
  - v. There are no special procedures/restriction required for a child who tests Hepatitis B surface antigen or HIV antibody negative REGARDLESS of the status of any of his/her family members.
  - vi. If there is a situation at the school involving a student who is HIV positive and there is a question as to whether or not there is a risk of transmission of bodily fluids the school nurse should be contacted immediately. The nurse on duty will contact the nursing supervisor who will determine whether or not there was a risk of transmission. If determined risk of transmission possible, the student will be immediately transported by a Student Health Center staff to the nearest emergency room for evaluation and treatment. The nurse will notify the School Director.

- vii. Employees are required to follow the school system's Bloodborne Pathogens Exposure Control Plan and training that contains universal precautions and specific work practice controls related to handling, disposal, and cleanup of blood and other potentially infectious material. Staff should use universal precautions in working with all students always.

## **OPER 3003: PEDICULOSIS MANAGEMENT**

**Effective Date:** November 2, 2017

**Purpose:** Provide guidelines for prevention and management of pediculosis (Head lice) infestation in the academic and residential settings.

### **Definition:**

Pediculosis Capitis (head lice) is a wingless insect that lives on the human scalp where it feeds and breeds. The head louse is about 2-3 mm long and has six legs with powerful claws designed to cling to the hair shaft. Nits or eggs are found on the base of the hair shaft. Nits are teardrop shaped, smooth, and tiny ranging from 0.5-0.8mm. The life cycle of lice is 23 – 30 days, but they cannot survive longer than 2 days if separated from the host.

### **Procedure:**

Screenings will be performed based on need, as determined by the lead school nurse at each school. Those students with suspected infestation should be sent to the Student Health Center (SHC) for screening by the nursing staff. Common symptoms of infestation include:

- Pruritus (itching)
- “Crawling sensation in hair”
- Presence of lice or nits
- Inattention, restlessness, or irritability of otherwise well-behaved child
- Sleeplessness (lice prefer dark and are more active at night)

Once a student has been found to be infested, the Student Health Center staff will proceed with treatment based on whether the student has an acute or chronic infestation.

Notification will be sent to the parent(s)/guardian regarding findings for every child who is evaluated for suspected infestation or who has been found to have an infestation. (See attached form.)

### ***Acute Infestation:***

An acute infestation exists when a student is infested less than two times in a school year, and there is less than three months between infestations.

### ***Treatment***

- Parent/Guardian will be notified and given instructions for the home environment.
- Students will be treated in the Student Health Center, per standing orders of the school physician, upon diagnosis and re-treated in 7 days, if infestation persists.
- Only pediculicides ordered by the school physician will be used.
- Students’ hair will be combed using disposable lice combs. (Daily combing and manual removal of nits is not required.)

- Housekeeping/Environmental Services will be notified for treatment to academic and residential areas, e.g. vacuuming carpet and upholstered furniture.
- Appropriate personnel will be notified so that the student's washable items can be washed and non-washable items can be sealed in a plastic bag and sent home for two weeks.
- For seven days, students will return to the Student Health Center daily for re-screening. At the end of that time, if there are no further signs of infestation, the student will be cleared. If there continues to be signs and symptoms of infestation, a second treatment will be given.

### **Chronic Infestation:**

A chronic infestation exists when a student is infested more than two times in a school year and there is less than three months between infestations.

### ***Treatment***

- Parent/Guardian will be notified immediately, requested to remove the student from school, and given instructions for the home environment.
- Student will be excluded from the academic and residential settings. The principal **MUST** be notified and **MUST** arrange for the continuation of IEP services.
- A referral will be made to the student's primary physician/DSS (if re-occurring and no parent follow-through)/ local health department for treatment and follow-up.
- The student will be readmitted to school through the Student Health Center within 48 hours with a written clearance from the primary physician. (STUDENT MUST BE ACCOMPANIED BY PARENT/GUARDIAN FOR READMITTANCE).

**Special Considerations:** Shared rooms are a common occurrence in the dorm at all schools. When students who are found to be infested are sharing a room with other students the following will occur:

- Both students will be sent to Student Health Center for evaluation.
- Both students will have their belongings washed or bagged, unless otherwise determined by the Student Health Center staff.
- Follow procedures for each student based on their status of acute or chronic, as defined above.

### **Facts to Consider**

- Lice cannot fly, jump, or hop from one person to another.
- You are not more likely to get lice if you have long hair, however, the combing process takes longer.
- Lice are not more common on people who are sick, have poor personal hygiene, or live in dirty houses.
- You cannot get lice from your dog, cat, gerbil, or other furry pet.
- Lice do not carry germs that cause illness.
- People cannot feel lice bite their scalps.
- Lice bites do not cause redness and rashes of the scalp. If a rash does occur, it is probably due to abrasions from scratching and bacteria on/under fingernails.
- Finding nits on the head does not mean the child is still infested.



## **OPER 3004: CONDUCT OF EMPLOYEES TOWARD STUDENTS**

**Effective Date:** November 2, 2017

**Reference:** Title IX of the Education Amendments of 1972; G.S. 115C-47(18); G.S. 14-202.4; AND G.S. 14-27.7

**Purpose:** To promote a safe environment for students and staff

### **Procedures:**

All employees of the Education Services for the Deaf and Blind, student teachers, and contractors hired to perform instructional or professional services are prohibited from dating, courting, or entering into a romantic or sexual relationship with any student enrolled in a school supervised by the Education Services for the Deaf and Blind, regardless of the student's age. Employees engaging in such inappropriate behavior shall be subject to disciplinary action, up to and including dismissal.

Any employee who knows or has reason to believe that another employee is inappropriately involved with a student, as described above, shall report this information to the School Director or Superintendent. An employee who fails to follow this directive may be subject to disciplinary action.

For purposes of this policy, "employee" does not include part-time employees who are current students in a school supervised by the Education Services for the Deaf and Blind.

## **OPER 3005: DAY STUDENTS**

**Effective Date:** November 2, 2017

**Purpose:** To establish parameters concerning the supervision of students who are not a part of the residential program.

**Procedure:** Day students are students enrolled in a state-operated program and for whom the residential program is not a part of their educational program. At no time shall day students be allowed to remain beyond the academic day without pre-planning for the educational benefit of the student between parents and the school administration. The school director shall ensure that necessary accommodations are made, when students remain on campus to participate in activities after the close of the academic day. The school director shall develop written procedures for implementation when day students remain on campus after the close of the academic day. At a minimum, these procedures must include:

1. Procedures for notifying the appropriate school authorities that the student is remaining on campus
2. Procedures for ensuring the safety and supervision of the student
3. Procedures for obtaining any necessary parental permissions
4. Procedures for implementation when the student remains on campus overnight

Day students who remain on campus at the end of the academic day are subject to the same rules as residential students.

## **OPER 3006: HIGH SCHOOL GRADUATION AND GRADUATION COURSE REQUIREMENTS**

**Effective Date:** November 2, 2017

**Reference:** State Board of Education Policy GRAD-004: State Graduation Requirements; GRAD-007: High School Diploma Endorsements, GRAD-009: Electronically Generated High School Transcript Standards; GRAD-010: Graduation Certificates and Participation for Students with Disabilities

In order to be promoted to the next grade, students must pass at least six classes one of which must be English on block schedule or four classes one of which must be English on a traditional schedule.

Effective for freshmen entering High School: In order to graduate and receive a high school diploma, students entering ninth grade shall pass as defined in the State Board of Education Policy - GRAD-009 (Electronically Generated High School Transcript) the Future-Ready Core course of study, meet proficiency standards defined in State Board of Education Policy. Note: The Occupational Course of Study is available for those students with disabilities who are specifically identified for this program.

Effective for freshmen entering High School: The graduating class will follow all the SBE graduation requirements related to demonstrating proficiency on the End-of-Course tests designed by the SBE.

ESDB will follow all rules prescribed by the SBE for these requirements in GRAD-004 (State Graduation Requirements) and GRAD-007 (High School Diploma Endorsements).

### **Academic Advising in the High Schools**

In order to promote familiarity with the pathways as well as teachers as academic advisors to students, all teachers in grades 9-12 will have a homeroom of students assigned to them which they will follow for 4 years or until those students graduate. These homeroom teachers will meet with students no less than 4 times per year to discuss their graduation pathways and provide academic counseling in addition to that of the high school counselor.

The high school counselor will continue to maintain the official transcripts and records of the students; compile official information regarding pathways and high school graduation for the school and assure students are provided information appropriate to the post-graduation planning.

### **See Occupational Course of Study Considerations Document at:**

<https://ec.ncpublicschools.gov/disability-resources/intellectual-disabilities/occupational-course-of-study>

### **Certificates**

Special needs students as defined by NCGS 115C-109, excluding gifted and pregnant, who do not meet the requirements for a high school diploma shall receive a Graduation Certificate and shall be allowed to participate in graduation exercises if they meet the following criteria:

1. Successful completion of 20 course units by general subject area (4 English, 3 math, 3 science, 3 social studies, 1 health and physical education, and 6 local electives). These students are not required to pass the specifically designed courses such as Algebra I, Biology, or United States History.
2. Completion of all IEP requirements. Students who satisfy all state and local graduation requirements but who fail the competency tests shall receive a Certificate of Achievement and transcript and shall be allowed by the LEA to participate in graduation exercises.

### **See High School Graduation Requirements Charts at:**

<http://www.ncpublicschools.org/docs/curriculum/home/graduationrequirements.pdf>

## **OPER 3007: STUDENT PROMOTION, RETENTION AND INTERVENTION**

**Effective Date:** November 2, 2017

**Reference:** North Carolina Administrative Code 2E.0103; State Board of Education Policy Reference and ID No.1A108; State Board of Education Policies KNEC-002 and -003; G.S. 115C-288, -105.41, -45(c); G.S. 115C-83.1G-1I; G.S. 115C-83.2(b); House Bill 950/S.L. 2012-142, Section 7A.

**Purpose:** To establish a policy regarding promotion standards, intervention, and retention as it relates to graduation requirements at ESDB schools. The promotion standards will ensure that students are working at grade level in reading, writing, mathematics, science, and social studies. For high school graduation, students, other than those following the OCS Curriculum, need to have received required course credits, and meet the exit standards for graduation.

**Target Group:** Students in grades K-12

### **Procedures:**

The ESDB acknowledges the need for thoughtful decisions in the matter of retaining students. This policy recognizes the statutory authority of the principal to make promotion and retention decisions, except as noted in GS 115C-83 for Grade 3. Local retention decisions in grades K - 8 shall be made by the principal with input from the IEP Team, the MTSS (Multi-Tiered System of Support) team, the teachers, and the parents.

**Grades K-8:** In grades K-8, each student shall be placed at a grade level by the principal in consultation with the school review committee. Placement shall be based upon the mastery of critical knowledge and skills including reading, writing, and mathematics and in consideration of social, emotional, and physical needs. The educational program shall provide for the continuous progress of students.

When making student promotion decisions, the principal shall consider such factors as classroom work, grades, scores on standardized tests and the best educational interest of the students. Students who do not meet the established requirements will receive timely intervention services.

Teachers in grades K-12 are responsible for the early identification of any student considered at risk. Students identified for possible retention in grades K - 8 should receive an “at-risk” letter for possible retention at the close of the first semester. Likewise, parents in Grades K-3 shall be notified in writing if a student is demonstrating difficulty with reading development. Such notification will include a description of proposed reading interventions that will be provided to the student to remediate identified areas of reading deficiency.

### **Students with Disabilities**

This applies to all students attending an ESDB school.

## **Students with Limited English Proficiency**

Refer to Guidelines for Testing Students with Limited English Proficiency.

### **Pre-K - 8 Promotion and Intervention Procedures**

There are grade level proficiency standards which must be met for promotion to the next grade in grades K - 8 or to receive course credit in grades 9 - 12. Students must meet standards for promotion or to receive credit for a high school course.

Grade K-8 students are given continuous, 6 week or 9 week, and end-of-year grade level assessments to document student progress. At the end of the academic year, students demonstrating grade level proficiency are eligible for promotion to the next grade.

The standards will be based, in part, upon proficiency in reading {See G.S. 115C-83.2(b)}. The standards and process must provide multiple criteria for assessing a student's readiness to progress to the next level of study, such as standardized test scores, formative and diagnostic assessments, grades, a portfolio or anthology of the student's work and, when appropriate, accepted standards for assessing developmental growth.

The standards and process will incorporate all state law and State Board of Education policy requirements, including those for the assessment and promotion of third grade students as described in G.S. 115C-83.6 et seq. and State Board of Education Policies KNEC-002 and -003, House Bill 950/S.L. 2012-142, Section 7A. The law outlines that if a third-grade student is not reading at grade level by the end of third grade, they must either repeat the third grade or attend a free, school-sponsored reading camp.

1. In grades K-8, interim reports will be issued at the midpoint of each reporting period.
2. Parent notification will be given no later than February 1 when students are at risk of not meeting promotion requirements.
3. Assessment documents for grade K-8 students scoring below end-of-year proficiency will be reviewed by a review committee to make a placement recommendation to the principal.
4. Options for placement for students scoring below end-of-year proficiency are:
  - A. Promotion with focused intervention, and
  - B. Retention with focused intervention.

### **K-8 Review and Waiver Procedures**

1. Promotion shall be based upon the mastery of critical knowledge and skills including reading, writing, and mathematics and in consideration of social, emotional, and physical needs.

2. When students do not meet grade-level proficiency standards for promotion, decisions for grade placement must be made by the principal. A review of student performance shall be conducted by the IEP team to guide the principal's decision to retain with intervention or to promote with intervention.
3. Ongoing assessment is vital to the development of appropriate instructional plans. Intervention strategies may include, but are not limited to, alternative learning models, modified homework, smaller classes, tutorial sessions, extended school day, modified instructional programs, parental involvement, and/or summer school/interventions.

### **Grades K-8, EOG**

At grades 3, 5, and 8 the review process requires retesting and outside committee review opportunities. The procedural steps for monitoring the progress of students who do not demonstrate grade level proficiency are:

1. Parents must be notified of the danger of non-promotion no later than February 1.
2. An additional parent conference must be held in conjunction with the third quarter progress report.
3. Teachers or parents may request a waiver from the promotion standards for students scoring below Level III on an EOG test.
4. A committee shall be appointed to review student waiver requests. This committee composed of teachers and principals from other schools or the central office staff shall make recommendations to the particular principal concerning whether students should be promoted to the next grade. Such recommendation is based upon documentation presented by teachers on behalf of the student. Documentation may include:
  - Student work samples,
  - Other assessment data,
  - Information supplied by parents, teachers, and/or principals,
  - Progress on IEP and other information in the IEP,
  - Other information that verifies that a student is at grade level. (Students with disabilities shall be at grade level or making adequate progress to meet requirements at upper elementary levels.) Parents of any student being presented for review shall have the right to be a non-voting participant and further shall have the right to speak on behalf of their child.
5. The principal's decision, based upon a review of existing student performance documentation and the recommendation of the review committee, is final.

### **9-12 Promotion and Intervention Procedures**

1. **Grades 9-12:** In grades 9-12, students shall be required to meet statewide standards for graduation from high school that include demonstrated competencies on statewide tests. Local promotion requirements are based on units of credit, which may be earned by successful completion of specific courses. Timely parental notification is required when students are at risk of not meeting promotion standards. Intervention strategies may include, but are not limited to, alternative learning models, modified homework, smaller

classes, tutorial sessions, extended school day, modified instructional programs, parental involvement, and/or summer school/ interventions.

In addition to student performance in the classroom, the awarding of credit for high school courses is affected by attendance. High school teachers should provide written notification to parents and students by or before mid-term of the semester if the student is at risk of failing a course for any reason.

Parents will be notified of the danger of non-promotion by February 1.

2. For any student who does not score at Level III or above on the EOCs required-for meeting the exit standards (i.e., Algebra I, Biology, Civics and Economics, English I, U.S. History), review procedures will apply to ensure students meet the Accountability Standards for High School. Prior to the review committee, it can be determined that the student will benefit from additional intervention. There will be a review committee procedure after fall and spring semester to discuss students for promotion.
3. In grade 12, students who have completed all course requirements for graduation but have not passed the required statewide tests must receive short-term focused intervention over the summer to receive a high school diploma.



## **OPER 3008: PARTICIPATION IN GRADUATION CEREMONIES**

**Effective Date:** November 2, 2017

**Purpose:** To establish consistent requirements for seniors in the residential schools for the deaf and blind related to participation in graduation ceremonies

### **Procedure:**

Graduation from high school is a once in a lifetime event that is the culmination of years of hard work for students and sacrifice for their families. To honor the solemnity of this event as well as to show respect for our students and their families, it is essential that the schools use the same guidelines for participation in the graduation ceremony.

Students at the schools may only participate in the graduation ceremony as a graduate one time. Students who have chosen to continue their education in a transition program at a residential school may participate in graduation as a member of their class but may not participate through wearing a cap and gown and will not receive a diploma until they complete the transition goals as stated in the IEP. Additionally, these students are not eligible to receive awards and/or scholarships that they would be required to use in the next school year.

**OPER 3009: MEDICAL DOCUMENTATION - INDIVIDUALIZED HEALTHCARE PLAN (IHP)**

**Effective Date:** November 2, 2017

**Reference:** S.B. 911; 2001/2002

**Purpose:** To provide a format for summarizing key health information, synthesizing a problem statement or nursing diagnosis, and formulating goals and a plan for action.

**Procedure:**

The IHP is for any student whose health problem could be a deterrent to learning and who could benefit from special interventions either from school health services or other school personnel.

1. IHPs will be reviewed during the IEP process.
2. The components of the IHP are Date, Nursing Diagnosis, Goal(s), Desired Outcomes(s), Intervention Strategies and Evaluations.
3. All students that are diabetic, per Senate Bill 911, are required to have an IHP.

## **OPER 3010: MEDICAL DOCUMENTATION FOR NEW STUDENTS**

**Effective Date:** November 2, 2017

**Reference:** N.C.G.S., 130a 130A-152; (N.C.G.S.) 130a 153-155

**Purpose:** To ensure that the medical documentation required by the Student Health Services of the Schools for the Deaf and the Blind, (ESDB), is secured to provide safe, efficient, and adequate Health Services for students accepted for placement.

### **Procedure:**

The Student Health Services will receive all medical information on new students accepted for admission. The following information should be included and presented to the Student Health Services PRIOR to the first day of school.

1. A comprehensive medical history, complete physical examination by the student's personal physician or a physician other than the school physician. The physical examination shall include a current (within the past six months) skin test for tuberculosis, with the results recorded. The skin test should be an IPPD; Mantoux type skin test.
2. A current up to date immunization record must be on file in the academic and student record prior to first day of school.
3. A current (within 1 year) ophthalmologic exam is required for the School for the Blind and an audiological screening is recommended. The Schools for the Deaf require an audiological exam. A vision screening and/or an ophthalmological exam. A current dental exam is recommended for all schools.
4. Written physician orders for medication/treatment completed and signed by the student's personal physician. Medication shall be provided in the original pharmacy container with the original pharmacy labeling directions.
5. Consent for treatment forms (medical consent) and medical permission forms must be completed and signed by the parent/guardian.

In addition, copies of relevant medical records that support the medical history will be requested by the Student Health Services in advance of the student's start date. Release forms will be obtained by the Student Health Services and will remain on file in the Student Health Center. A copy of private insurance/Medicaid card is required for the Student Health Center. Insurance forms will be completed and filled out properly.

## **OPER 3011: MEDICAL DOCUMENTATION FOR RETURNING STUDENTS**

**Effective Date:** November 2, 2017

**Purpose:** To ensure that necessary medical documentation is secured to provide safe, efficient and adequate Health Services to returning students at the (ESDB) Schools.

### **Procedure:**

The Student Health Services will review all medical information of returning students. The following information must be completed and returned to the Student Health Services prior to Registration Day to provide for adequate review by the Health Services Staff.

1. Physical Examination Form-completed /signed by the student's personal physician is requested annually. A physical examination is required for all students participating in team sports by their personal physician or any other physician other than the school physician. A student will not be able to participate in team sports including all practices/games/matches if the physical is not completed and on file.
2. Annual Health Update/Medical history-must be completed and signed by the student's parent/guardian annually. Consent for treatment forms must be completed for all treatments/medications and signed by the parent/guardian. Written physician orders must be completed and signed by the student's personal physician. Medication shall be provided in the original pharmacy container, with the original pharmacy labeling directions.
3. The School for the Blind requires an ophthalmologic (eye) examination form to be on file in the student's medical file. (Parents are responsible for all follow up care as recommended by the ophthalmologist).
4. Parents are required to pay for all prescription medications, not covered by insurance, if prescription is needed during the school week.
5. All students must have certification of immunizations on file. Copies of updated immunizations **MUST** be provided.

## **OPER 3012: REQUEST FOR MEDICAL EXEMPTION FROM TESTING**

**Effective Date:** November 2, 2017

**References:** NCDPI Division of Accountability Services/North Carolina Testing Program, August 1, 2013; <http://www.ncpublicschools.org/docs/accountability/memos/medexcept13.pdf>.

**Purpose:** To exempt students from testing due to medical emergencies and or conditions

**Target Group:** ESDB Students

### **Procedure:**

The Education Services for the Deaf and the Blind will work within the annual guidelines of the North Carolina Department of Public Instruction (NCDPI) in addressing requests for testing exceptions based on significant medical emergencies and conditions. There may be some rare circumstances when a student cannot take one or more assessments during the regular testing window, including makeup dates, due to a significant medical emergency or condition.

The North Carolina Department of Public Instruction, on an annual-basis, provides guidance to LEAs regarding how to address emergencies related to requests for testing exceptions based on significant medical emergencies and conditions. As applicable, guidelines provided by the NCDPI will be shared with appropriate school-based personnel and monitored for compliance.

## **OPER 3013: PREGNANT STUDENT**

**Effective Date:** November 2, 2017

**Purpose:** To ensure that pregnant students have access to a free appropriate public education

### **Procedure:**

Education Services for the Deaf and the Blind will provide continuing educational opportunities for a pregnant student. The following shall be implemented:

1. Upon notification that a student is pregnant, the school, through the IEP process, shall assess the need for changes in the student's program on an individual basis.
2. Any decision to modify the student's program shall be made only after consultation with the student, parent or guardian, student health center, and medical consultant, as appropriate.
3. A pregnant student shall not be denied access to any educational program or extra-curricular activity where reasonable modifications can be made to accommodate her pregnancy.
4. The school shall make referrals for services to community agencies in situations judged to be beneficial to the student.
5. Any service available to a student who is temporarily disabled for any medical and/or physical reason shall not be denied to a pregnant student.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** School Transportation of Students

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-018

**Policy Date:** 06/02/2016

**Statutory Reference:** IDEA, G.S. 115C, Article 9

Education Services for the Deaf and Blind (ESDB) guidelines regarding the provision of school transportation for K-12 residential and day students served by ESDB shall be consistent with the IEP's team decision for each student.

ESDB staff shall not take a student from campus unless it is within the normal scope of their responsibility as a school employee. At no time shall a student be transported in the personal vehicle of a staff member when the staff member is acting within the scope of his or her responsibilities as an employee of ESDB. Violation of this policy may result in the disciplinary action up to and including dismissal.

## **OPER 3014 – OPERATIONAL PROCEDURES FOR ESDB-018 - SCHOOL TRANSPORTATION OF STUDENTS**

### **References:**

The Individuals with Disabilities Education Act 1997 (IDEA); GS 115C, Article 9; OPER 5001, OPER 5007; OPER 5008

**Target Group:** All ESDB Employees, Legal Guardians, and Students

**Purpose:** To establish uniform procedures and guidelines regarding the provision of school transportation for K-12 residential and day students served by Education Services for the Deaf and the Blind (ESDB).

### **Mission Statement:**

Education Services for the Deaf and the Blind is committed to promoting independence and educational opportunities for special needs students through positive, safe, and efficient transportation experiences. Equal educational opportunities to Pre-K to secondary school age special needs students are achieved by providing a free and appropriate public education to each student, regardless of the nature or severity of the student's disability. An essential part of the student's free and appropriate public education is transportation services.

### **Definition:**

In this procedure, the term "legal guardian" refers to parents, family members, foster care parents, surrogate parents, or designees of legal guardians who have the authority to transport students. Transportation is considered a related service and must be determined by the IEP, as appropriate. [NC 1500-2.28(a)(c)(16)] (page 15 and 18)

### **Procedure:**

1. Student transportation is a school and system wide function and responsibility involving multiple professional disciplines and multiple levels of staff involvement, as well as collaboration among schools when possible.
2. Appropriate transportation shall be provided for all ESDB students.
3. The student's IEP Team is responsible for determining if transportation is needed as a related service for the student to access their special education services.
4. Residential students will be provided transportation on a weekly basis at no cost.
5. Day students will be provided appropriate daily transportation prior to and at the conclusion of the school day.
6. Day transportation is designated for students within the county of the residential school's location (Burke for NCSd, Wilson for ENCSD, and Wake for GMS).
7. Students who are eligible for day transportation are residents of the county where the school is located (either Wake, Wilson or Burke) that have public separate indicated on their IEP OR Residents of counties outside of Wake, Wilson or Burke and transportation as a related service is indicated on their IEP.
8. The Transportation Coordinator will establish bus routes and designated pick up and drop off locations minimizing legal guardian travel to the extent possible.



9. Schools will ensure communication to legal guardians regarding transportation routes and schedules including meeting times. Also, schools will provide provisions for enroute communications to staff.
10. Legal guardians must be present to pick up or deliver students at pre-arranged bus stops at the designated time. Unless extenuating circumstances are involved, parents are responsible for providing transportation to and from school when pre-arranged times and designated stops are missed.
11. Day students will be offered residential services during the time they are involved in extracurricular activities requiring extended hours on the school grounds. If residential services are declined, legal guardians are responsible for transportation after school hours, including costs.
12. Transportation in and around school requires the use of an approved ESDB school vehicle and requires staff members, approved and designated by the Transportation Coordinator, to provide transportation. The off campus use of 15 passenger vans for student transportation is prohibited.
13. Student transportation requires a minimum of two adults always, unless there exists an emergency and/or extreme need for flexibility requiring only a driver. Outside of an emergency, exceptions require the prior written approval of the Transportation Director and/or School Director.
14. Student transportation does not include providing transportation to and from medical appointments, unless the medical need is an emergency. Schools/ Programs are encouraged to establish guidelines and processes in collaboration with parents/guardians and provide resource information to parents/guardians to ensure medical appointments requiring off campus and/or out of county transportation are scheduled with a minimum impact on instruction.
15. When individual student needs require a one to one monitor during transport, the Transportation Coordinator and School Director will ensure appropriate staffing and safety measures.
16. The use of ESDB staff personal vehicles to transport students is prohibited.
17. The use of a mobile phone or additional technology while operating a vehicle transporting students is strictly prohibited, unless it is an emergency such as medical concerns, unsafe road conditions, matters of public safety, or mechanical problems that create a risk of harm for the operator or passengers of a vehicle transporting students.
18. Vehicles used for transporting students shall meet all requirements of Department of Motor Vehicles and the Department of Public Instruction, safety regulations and shall have current safety inspection stickers.
19. Trained monitors and drivers shall be assigned to vehicles by the schools based on the needs of the students, number of students, and/or length of time/distance of the commute. Training is required of any driver and monitor. Training will include:
  - a. Confidentiality
  - b. OSHA precautions
  - c. Medical issues
  - d. Behavioral management
  - e. Evacuation procedures
  - f. Reporting protocols

- g. Record maintenance including attendance sheets
  - h. Discipline and incident reporting (See School's Student Code of Conduct)
  - i. Phone usage
  - j. Communication skills
  - k. Best practices
  - l. Assistance in loading and unloading
  - m. Transportation policies
  - n. Child Passenger Safety Restraints
20. The behavior management, discipline, and safety of all ESDB students are the responsibility of any ESDB staff member while accompanying students being transported. This responsibility is also extended to incident reporting while transportation is being conducted and/or upon the conclusion of a transportation trip. Therefore, Schools should ensure proper seating arrangements and/or staffing assignments prior to transportation. The ESDB Schools' Student Code of Conduct Policy is enforced during transporting of students.
  21. Staff sleeping and/or napping, reading books other than related transportation materials, playing hand held games, or wearing headsets for CDs or the like during transportation is prohibited.
  22. The school's Transportation Coordinator or a designee will maintain documentation of driver and monitor training records.
  23. Staff transporting students shall meet all the requirements and safety regulations of the Department of Motor Vehicles and the Department of Public Instruction
  24. The school's Transportation Coordinator will ensure this information is maintained at the school.
  25. Schools will insure that a designated adult on each vehicle be knowledgeable of any special medical or behavioral needs of students.
  26. Students who are provided transportation are expected to follow appropriate codes of conduct with safety as a priority.
  27. Unless specified otherwise, this policy will pertain to admissions that follow the effective date of this policy.
  28. This policy will be in effect for all ESDB students and legal guardians.

**OPER 3015: RELEASE OF STUDENTS TO THE CARE AND CUSTODY OF NON-GUARDIAN ADULTS**

**Effective Date:** November 2, 2017

**Purpose:**

To ensure proper procedures for the release of students to the care of non-guardian adults.

**Procedure:**

Students may be released to the care of a non-guardian adult if the said person is named on school records as having the permission of the parent or guardian to assume this care. A Student Release form shall be completed by the parent/guardian annually. The school director or designee shall require proper identification of persons prior to the release of a student to the care of individuals.

In no case shall a person other than an authorized parent or guardian be permitted to supervise or take a student away at a bus stop, from school or any school sponsored activity until the school director or designee is satisfied that such person has the approval of the authorized parent or guardian.

## **OPER 3016: STUDENT-STAFF VISITATIONS**

**Effective Date:** November 2, 2017

**Purpose:** To establish parameters concerning the relationship between staff and students

**Procedure:**

Staff shall not take a student from campus unless it is within the normal scope of their responsibility as a school employee. At no time shall a student be transported in the personal vehicle of a staff member when the staff member is acting within the scope of his/her responsibilities as an employee of the Education Services for the Deaf and the Blind. Violation of this policy may result in disciplinary action up to and including dismissal.

## **OPER 3017: STUDENT VISITATIONS TO OTHER STUDENTS' HOMES**

**Effective Date:** November 2, 2017

**Purpose:** To help ensure the safety of students and further define the role of staff of the Education Services for the Deaf and the Blind with respect to student-student visitations.

**Procedure:**

Visitation by a student to another student's residence is not permitted without written permission of all parents/guardians involved in the visit. Arrangements to acquire such permission must be made by the parents and without involvement of school staff. However, at least one week written parental permission from all involved parents/guardians must be given to the school director or designee.

If the proposed visitation between students requires the use of school-sponsored transportation, written parental/guardian permission and request for transportation must be given to the school director or designee three days in advance of the travel. The school director or designee must approve the use of school-sponsored transportation. Space limitations, supervision, and/or behavioral issues may be reasons for denial. School directors have the authority to limit the use of state-sponsored transportation to accommodate student-student visitation.

School staff shall not coordinate student-student visitations. The school assumes no responsibility or liability related to student-student visitations.

The school director shall develop forms to implement this policy.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

Policy Title: Student Attendance

Policy Category: Education Services for the Deaf and Blind

Policy ID Number: ESDB-019

Policy Date: 06/02/2016

Statutory Reference: G.S. 115C-378, G.S. 115C-380-84

Education Services for the Deaf and Blind (ESDB) shall develop administrative regulations governing the attendance of residential and day students at all ESDB schools to ensure that all students meet the requirements of the compulsory attendance laws.

All students shall follow North Carolina Laws pertaining to Compulsory Attendance and in accordance with their IEP.

## **OPER 3018 - PROCEDURES FOR ESDB-019: STUDENT ATTENDANCE**

**Reference:** North Carolina Administrative Code 2D.0404, NCGS 115C-378, 115C-380, 115C-381, 115C-382, 115C-383, and 115C-384.

### ***Reporting of Attendance by School Personnel***

1. All teachers are required to report attendance daily and maintain accurate attendance records using Home Base / Power School. Absences should be reported to the school secretary daily.
2. A student attendance report will be sent to the ESDB Director monthly.
3. The school must maintain a file of all notes from parents/guardians regarding absences.
4. Report cards will accurately reflect the student's attendance record.
5. Parents/guardians of all students at the residential schools are responsible for keeping the school informed of their student's absences.
6. Parents/guardians are responsible for returning their child to school after an absence, whether excused or unexcused.
7. Parents/guardians shall contact the school secretary no later than 9:00 am on the day of the absence for day and residential students.
8. Parents/guardians of residential students should contact the Dormitory Director after 8:30 pm on Sunday evening. The Dormitory Director will notify the school secretary in writing by 8:30 am on Monday.
9. Parents/guardians are also responsible for contacting the Transportation Director and/or Designee when students will not attend school.
10. A student with a chronic health problem will not be held accountable to the attendance policy if absences are excused. Written documentation of chronic health problems must be provided to the School Principal in writing.
11. Failure of School Personnel to report and/or maintain attendance accurately may result in disciplinary action, up to and including dismissal.
12. School Directors shall ensure complete School compliance with this policy.

### ***Reporting Unexcused Absences***

After the third unexcused absence during the school year:

- The principal or his/her designee must contact the parent/guardian by phone.
- The principal or his/her designee, if unable to contact the parent/guardian, must contact the School Social Worker for further investigation.
- The School Social Worker will document his/her findings and report in writing his/her findings to the School Principal and School Director.
- All copies will be placed in the student's file.

### ***After 6 unexcused absences during the school year***

- The principal must notify the parent/guardian in writing (of any student between the ages of 7 and 16) by certified mail that s/he may be in violation of the Compulsory Attendance Law and may be prosecuted if the absences cannot be justified under the established attendance policy and regulations.
- Once the parents/guardians are notified, the Guidance Counselor and/or School Social

Worker must work with the student and the parents/guardians to analyze the causes of the absences and determine steps to eliminate the problem and improve attendance.

- The Guidance Counselor and/or School Social Worker will in writing report his/her findings and plans to the School Principal and School Director.
- After 6 accumulated unexcused absences, the IEP Team, including the parent will reconvene to review, and revise, as appropriate the student's IEP.
- All copies will be placed in the student's file.

***After 10 accumulated unexcused absences during the school year***

- The principal must review all absences and plans developed to determine if the parents/guardians have made a good faith effort to comply with the Compulsory Attendance Law. If not, a complaint may be filed with social services.
- The Principal must notify the School Director, School Social Worker, and ESDB Ombudsman after a student has accumulated 10 unexcused absences.
- The School Social Worker will contact local social services and provide a written report concerning the student's violation of Compulsory Attendance Laws and file a report with the Local District Attorney's Office that the student is in violation of Compulsory Attendance Laws.
- After 10 accumulated unexcused absences, the IEP Team, including the parent will reconvene to review, and revise, as appropriate the student's IEP.

***Letter of Notice to Parents***

The Compulsory Attendance Law prescribes written notice to parents/guardians in cases of excessive absences from school.

***Make-up Work***

1. School Personnel must establish and communicate to students and parents/guardians written procedures for making up work following an excused or unexcused absence.
2. High School students must make up instructional time, including seat hours.
3. School Personnel must establish written procedures to accurately document make up work.
4. Make up work will be graded at a standard consistent with the original work.
5. Students must have an opportunity to make up work or tests missed during an excused absence.
6. It is the responsibility of the student to contact the teacher(s) about the assignments and instruction missed.
7. Most make-up work and tests must be completed within 5 school days of the return to school. The school principal, in cooperation with the teacher(s), may extend this timeframe in cases of extended absences or emergency situations.
8. School Principals shall ensure complete school compliance for make-up work.

***Grade Retention***

1. Excessive absences have serious academic consequences and will result in class or grade level failure.



2. Excessive absences require reconvening the IEP team and possibly referring a student back to their home LEA for educational services.
3. The School Director and School Principal will have the authority to waive the decision to convene an IEP meeting based on an individual review of the student's excessive absences.
4. At the elementary and middle grade levels (K-8), excused and unexcused absences above thirty (30) days are excessive. Elementary students who exceed thirty (30) absences will be retained. The School Director and School Principal will have the authority to waive that decision based on an individual review of the student's excessive absences.
5. At the secondary level (9-12), excused and unexcused absences above ten (10) days in a block course or twenty (20) in a full year are excessive. Secondary students who exceed ten (10) days in a block course or twenty (20) absences in a full year will be retained. The School Director and School Principal will have the authority to waive that decision based on an individual review of the student's excessive absences.
6. All Schools must develop a written plan by October 1 each year to improve student attendance. As part of this plan, Schools should develop incentives for students to have good attendance. As part of this plan, each school will establish written procedures to develop and implement interventions and disciplinary actions for unexcused absences. Plans must be approved by the School Director.

### ***Excused Absences***

The following shall constitute valid excuses for the temporary non-attendance of a student from school. Satisfactory evidence of these excuses must be provided in writing to the appropriate school official upon the student's return to school.

1. Illness or injury which makes the student physically unable to attend school.
2. Quarantine or isolation ordered by the State Board of Health or local County Health Department.
3. Death in the immediate family.
4. Medical, dental appointments or other appointments with a health care provider approved in advance by the School Principal.
5. Student who is called to court under subpoena or court order is to receive an excused absence. Religious observances approved in advance by the School Principal.
6. Participation in an educational opportunity with prior approval from the School Principal. Principals have the latitude to determine when the cumulative effect of such absences is of such duration as to interfere with the educational needs of the student.

### **Note:**

Absences not classified as excused are unexcused. The student is responsible for submitting a note signed by the parent/guardian citing the reason for an absence to the School Principal within (2) two days of the student's return to school. Failure to comply will result in the absence being unexcused.

### **Definition of Terms:**

- Truancy: The willful absence of a student without the knowledge or consent of the parent/guardian.

- Unlawful Absence: The absence of a student without cause and without the knowledge of the parent/guardian.
- Unexcused Absence: All instances of truancy and unlawful absences are unexcused absences but not all unexcused absences are necessarily unlawful (for example, absence due to suspension is unexcused but not unlawful).
- Absence Due to Suspension: Absences resulting from suspension for misconduct are unexcused absences. However, students may not be denied the opportunity to take quarterly, semester, or other grading period examinations missed during the period of suspension, or be denied access to all assignments and textbooks. Absence due to suspension is not unlawful as the student is prohibited from attending school during the period of suspension.

## **OPER 3019: STUDENT SPENDING**

**Effective Date:** November 2, 2017

**Purpose:** To establish operational procedures for administering student personal spending money.

### **Procedure:**

Parents are responsible for providing personal spending money for students who reside in school dormitories. Any funds provided by parents must be in cash only. No personal checks will be accepted by the school staff from parents for student personal spending money. Parents are further required to designate in writing whether their student is capable of managing his/her own spending money; or whether the school is requested to manage their student's spending money. (See student personal spending money parent/student statement).

A student may request in writing that the school safeguard his/her own personal spending funds. In such instances, the procedures outlined in this policy must be followed.

These funds are for the exclusive benefit of the individual student and are not to be used for any other purpose.

Although the Student Life/Residential Life Director is ultimately responsible for safekeeping of student personal spending money, he/she may delegate specific responsibilities to other staff members. Such delegations must be documented in writing and forwarded to the Business Office.

The school is not responsible for safekeeping of funds for those students deemed capable of managing their own money. However, for those students deemed incapable of managing their own money, or for those students who themselves request that the school safeguard and manage their money, such funds shall be maintained by the school until needed by the student. The Residential Life Director or designee shall maintain accounts up to \$25 per student in the residence.

Individual student funds exceeding \$25 shall be transferred by the Student Life/Residential Life Director or to the Business Office designee for safekeeping. Individual student accounts will be maintained by the Business Office. Withdrawals from student accounts must be at the request of the Student Life/Residential Life Director or designee.

Proper documentation of all transactions must be maintained in a Record of Student Personal Spending Money. Monies and accounting paperwork must be kept in a locked area always, and maintained as state property.

### **Process:**

#### **A. Receipt of Money in Student Life/Residential Life**

1. Each school's Student Life/Residential Life Director shall designate one or more persons in the Student Life/Residential Life Program, who are authorized to accept student personal spending money.

2. All chaperones who accompany students to and from school shall be authorized to accept and account for student personal spending money in the form of cash. **NO PERSONAL CHECKS MAY BE ACCEPTED** by school staff.
3. It should be noted that any monies received from parents for payment of student fees after registration, or other items payable to the school must be in the form of cash or money order, and must be receipted when accepted and forwarded to the Business Office within one business day.
4. The Business Office shall provide the Student Life/Residential Life Director or designee with a pre-numbered receipt book, which must be returned to the Business Office at the end of the year or whenever the book is full.
5. Receipt of money shall be recorded in duplicate and disbursed as follows:
  - a. Original receipt to parent/payer
  - b. One copy to remain in receipt book
6. An individual financial envelope that also serves as a ledger for all transactions shall be maintained for each student for whom the school is administering his/her personal spending funds.
7. A Record of Student Personal Spending Money shall be maintained for each student. All monies received by school staff shall be placed into the individual student's financial envelope and the transaction shall be recorded on the envelope ledger.
8. When noting the cash receipt on each student's financial envelope ledger, the following information is required:
  - a. Date received
  - b. Amount received
  - c. Receipt book number
  - d. Updated balance of funds

Monies up to \$25 per student shall be secured in individual student financial envelopes, placed in a locked box and maintained by the Student Life/Residential Life Director or designee.

#### **B. Receipt of Money in the Business Office**

1. Monies over \$25 per student must be transported by the Student Life/Residential Life Director or designee to the Business Office.
2. Individual accounts must be maintained for each student and deposited in the schools safe.

#### **C. Disbursement of Money in Student/Residential Life**

1. Each school's Student Life/Residential Life Director shall designate one or more persons in the Student Life/Residential Life Program who are authorized to disburse student personal spending money.
2. The Student Life/Residential Life Director or designee shall maintain a Record of Student Personal Spending Money on the ledger located on the financial envelope. All disbursements are to be recorded.
3. The Student Life/Residential Life Director or designee shall approve the amount of cash to be disbursed from individual student personal spending accounts.

4. Because all students are minors, a staff person, other than the designated staff person dispensing the funds, must also sign the envelope ledger verifying the student's receipt of money.
5. The Record of Student Personal Spending Money on the financial envelope must be updated when each transaction is made. The following information is required:
  - a. Date funds disbursed
  - b. Amount disbursed
  - c. Reason for need of funds
  - d. Updated balance of funds
  - e. Signature of staff verifying the transaction
6. Receipts received, based upon disbursements, must be kept in the envelope with the Record of Student Personal Spending Money.

Any unspent cash should be returned to the individual student's envelope as soon as possible. Receipt procedures for money returned follow the same procedures as the initial receipt of student funds.

**D. Disbursement of Money in the Business Office**

1. The Business Office shall maintain an individual account for each student, for whom money is deposited.
2. Student funds may be withdrawn at the request of the Student Life/Residential Life Director or designee. Student funds MAY NOT be disbursed from the Business Office at the request of a student.
3. A receipt, which specifies the student's name, withdrawal amount and name of person withdrawing any student funds, must be maintained in the Business Office.

**E. Auditing of Student Personal Spending Money Accounts**

1. The Business Office staff shall be responsible for auditing the Record of Student Personal Spending Money and cash on hand maintained by Student Life/Residential Life staff, on a quarterly basis.
2. Any discrepancies found must be reported to the Student Life/Residential Life Director immediately.
3. Appropriate disciplinary or legal action must be taken with any employee who is found to have misused student funds.

**End of School Year**

1. The Business Office will be furnished a copy of each individual student's spending record; and each parent will be furnished a copy of his/her student's spending record, showing all receipts and disbursements, including what the money was spent for, during the current school year.
2. Any student personal spending money remaining at the end of the school year (or at the time of transfer or dismissal) shall be forwarded to the Business Office for deposit into the student's personal account.
3. The Business Office must deposit the funds into the "Student Fund Operations" account.

4. After processing the deposit, the Business Office will generate a check request for a check to be written to the student's parent for the remaining amount of personal spending money. The check will be mailed directly to each parent.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

Policy Title: Prohibition of Corporal Punishment

Policy Category: Education Services for the Deaf and the Blind

Policy ID Number: ESDB-015

Policy Date: 06/02/2016

Education Services for the Deaf and Blind (ESDB) prohibits the use of corporal punishment to discipline any student. No employee, volunteer or any individual who is charged with the care and custody of any student enrolled in or participating in a program sponsored by the NC Department of Public Instruction shall use corporal punishment. Corporal punishment is defined as all forms of physical punishment including, but not limited to, spanking, paddling or slapping.

**OPER 3020 – OPERATIONAL PROCEDURES FOR ESDB-015: PROHIBITION OF CORPORAL PUNISHMENT**

While corporal punishment is prohibited, school personnel trained in Nonviolent Crisis Intervention techniques may intervene to control behavior or to remove a person from the scene in those situations when necessary:

School staff must employ strategies to corporal punishment that involves rewards, sanctions, and positive behavior support alternatives, including family and community networks.



**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

Policy Title: Behavior Control

Policy Category: Education Services for the Deaf and Blind

Policy ID Number: ESDB-016

Policy Date: 06/02/2016

Education Service for the Deaf and Blind (ESDB) school personnel trained in Nonviolent Crisis Intervention techniques may intervene to control behavior or to remove a person from the scene in those situations when necessary:

1. To quell a disturbance threatening injury to others;
2. To obtain possession of weapons or other dangerous objects on the person, or within the control of the student;
3. For self-defense;
4. For the protection of persons or property; or
5. To maintain order on school property, in the classroom, or at a school-related activity on or off school property.

**OPER 3021 – OPERATIONAL PROCEDURES FOR ESDB-016: BEHAVIOR CONTROL**

The Director or Principal shall ensure that all new staff are initially trained upon employment, and undergo a refresher training annually in nonviolent intervention techniques.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Student Wellness

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-020

**Policy Date:** 06/02/2016

**Statutory Reference:** G.S. 115C-264

The Education Services for the Deaf and Blind (ESDB) shall establish a policy to enhance the healthy eating and activity patterns essential for students to achieve their full academic potential, full physical and mental growth, and lifelong health and well-being at the Education Services for the Deaf and Blind residential schools.

**I. School Health Advisory Councils (SHAC)**

ESDB shall establish, coordinate and maintain a local School Health Advisory Council (SHAC) at each school to support the education services for the deaf and blind's commitment to provide sound nutritional meals, physical activities, and a comprehensive health educational program to its students. The SHAC will lead implementation of the State Board of Education's Coordinated School Health Program which includes representation from the following eight areas:

1. Health Education
2. Physical Education
3. Health Services
4. Nutrition Services
5. Healthy School Environment
6. School Counseling, Psychological and Social Services
7. Staff Wellness
8. Family/Community Involvement in Schools

The Council will serve as an advisory committee regarding student health issues.

The Council will provide periodic reports to the Superintendent or his/her designee regarding the status of work. In addition, the council will assist the Superintendent in creating an annual report which includes the minutes of physical activity and the minutes of physical education and/or healthful living education received by students in the Education Services for the Deaf and Blind's programs, and any other information required by the State Board of Education.

**II. Nutrition**

ESDB shall promote a food service program to ensure ALL students have access to the varied and nutritious food needed to stay healthy and strengthen their learning ability. This food services shall provide breakfast, lunch, dinner and snacks while adhering to the USDA National School Lunch and Breakfast Program. The Education Services for the Deaf and Blind shall ensure nutrition education within the Healthful Living Standard Course of Study and Grade Level Competencies adopted by the State Board of Education. The nutrition education shall be designed to help students learn nutritional knowledge including but not limited to principles of

healthy weight management and the benefits of healthy eating reducing childhood obesity. The nutrition education shall be integrated and extended in the residential program.

### **III. Physical Activity and a Healthy School Environment**

ESDB shall support the development of programs for students enrolled in kindergarten through eighth grades to participate as a part of the school's physical education curriculum which will address such issues as overweight, obesity, cardiovascular disease and Type II diabetes. This program will strive to provide opportunities for age and developmentally appropriate physical activity during the day and incorporated within the residential program. Such activity may be achieved through a regular physical education class, recess, dance, classroom curriculum, as well as after school/residential life programs. The program should consider the benefits of having 150 minutes per week for elementary students and 225 minutes for middle school student's physical activity. This includes a minimum of every other day of physical education throughout the 180 days of school year. The Education Services for the Deaf and the Blind schools will provide information to families to help them incorporate physical activity in to their student's lives and encourage the community to institute programs that support physical activity. Education Services for the Deaf and the Blind schools shall develop a program to include physical activity in the residential programs. These programs shall provide a physical environment that includes a safe and enjoyable activity for ALL students including those who are not athletically gifted.

### **IV. School Counseling, Psychological and Social Services**

"ESDB shall provide services that include individual and group prevention activities, assessments, interventions, and referrals designed to prevent and address problems early and enhance healthy social/emotional and psychological development. These services are to be reflective of state and national best practices and professional standards."

### **V. Other School – Based Activities**

- Administrators, teachers, food service personnel, students, parents/guardians and community members will be encouraged to serve as positive role models and promote student wellness.
- Schools will provide a clean and safe meal environment.
- Drinking water will be available at all meal periods and throughout the school and residential program.
- Professional development will be provided for all nutritional staff, academic and residential staff.
- Food will not be used in the schools as reward or punishment.
- Schools will not deny student participation in recess or other physical activities as a form of discipline or for classroom make-up time.
- As appropriate, the goals of this student wellness policy will be considered in planning all school-based activities.

## **OPER 3022 – OPERATIONAL PROCEDURES FOR ESDB-020: STUDENT WELLNESS**

**References:** Public Law 108: Section 204, NC General Status I 15C-264, US Code of Federal Regulation Sec. 210.11, and US Code of Federal Regulation Sec. 220.12

**Purpose:** To establish procedures and programs to enhance the healthy eating and activity patterns essential for students to achieve their full academic potential, full physical and mental growth, and lifelong health and well-being.

Annual reports go to the Section Chief, School Nutrition Services, NCDPI.

**4000 PROCEDURES SERIES:**  
**PERSONNEL / HUMAN RESOURCES**

## **OPER 4001: ADVERSE WEATHER (MANDATORY AND NON-MANDATORY OPERATIONS)**

**Effective Date:** November 2, 2017

**Reference(s):** NC Office of State Human Resources Manual, Leave, Adverse Weather, Section 5

**Purpose:** It is the procedure of the Education Services for the Deaf and Blind that all employees working within the division shall be knowledgeable of and comply with regulations governing the options and responsibilities of employees of the State of North Carolina during adverse weather conditions, as issued by the Office of State Human Resources.

This procedure applies to all permanent, probationary or time-limited employees in the Residential schools. The Education Services for the Deaf and Blind residential schools are twenty-four (24) hour facilities and must maintain at least a minimum level of care and services for students while on campus. The adverse weather procedures vary depending upon whether or not students are on campus. When students are on campus, mandatory operations are in effect and all mandatory employees must report to work. When students are not on campus, the non-mandatory Adverse Weather Policies will apply.

### **Mandatory Operations Defined**

Mandatory operations are in effect when students are on campus. All mandatory employees are required to report to work, and may not leave until relieved of duty by their supervisor. Adverse weather leave cannot be used during mandatory operations. A mandatory employee's failure to report to work or remain at work may result in disciplinary action and/or requiring the hours missed to be charged to leave with or without pay, as appropriate, as determined by management.

### **Mandatory Employees Defined**

Employees who are required to work during adverse weather conditions because their positions have been designated by as essential to school operations.

### **Non-Mandatory Operations Defined**

Non-mandatory operations are in effect when students are not on campus. All employees can make individual determinations regarding their ability to report to work, or the need to leave early, due to adverse weather conditions. Employees are required to communicate with their supervisor per the normal call-in policy regarding their decision to report to work, or the need to leave work early, due to adverse weather. However, the decision to use adverse weather leave is at the discretion of management and is based on operational needs, as discussed in further detail below.

### **Non-Mandatory Employees Defined**

Employees who may be approved for a leave of absence during adverse weather conditions because their positions have been designated as non-essential to school operations.

### **Adverse Weather Conditions**

Adverse weather can be the result of different weather situations. Examples of adverse weather conditions are:

- Floods
- Hurricanes
- Tornadoes
- Snow/Ice

and other weather events that cause a variety of safety risks to employees and impede the ability to travel to or from work.

### **Declaration**

Considering the varied geographic locations, each School Director (or designee) shall communicate, in writing, the adverse weather plan to employees, to include whether mandatory operations or non-mandatory operations apply. School Directors will communicate the adverse weather plan using an appropriate alert notification system (may include email, text, recorded messages etc.). During a declared weather emergency, there shall be an Incident Commander on-site always. The School Director or designee shall serve as the Incident Commander for the duration of the weather emergency until normal operations return.

### **Staffing During Mandatory Operations**

All mandatory employees are expected to report to duty. Employees are expected to maintain readiness to report to work in adverse weather conditions by use of personal vehicles or have a plan for alternative transportation, including carpooling. The School may provide transportation at the request of the School Director (or designee). The employee's name badge will provide proper identification when traveling to and from work if a curfew has been imposed by the local authorities

Employees who are unable to report to their regularly assigned shift due to adverse weather shall charge time lost to vacation/bonus leave or leave without pay, and may not charge time lost to adverse weather leave.

Employees in direct care positions that are scheduled off duty will serve as backup or alternatives for those on duty and may be called into work to help provide minimum coverage. Employees shall remain on duty until replacement coverage arrives.

Employees on pre-arranged vacation or sick leave, who do not report to work, will be charged leave with no provision for make-up time.

Travel time to and from the work site will not be counted as time worked.

### **Lodging and Food**

Housing will be provided, if possible, for employees who may be stranded at the School or who elect to remain to meet staffing needs. Management will be informed of areas that have been set up to accommodate employees. Persons requiring housing accommodations on-site shall contact management for those arrangements.



Meals will be available for employees staying overnight and those who must remain for extended periods of time.

### **Employee Information**

All employees are responsible for updating their address and contact information in the HR-Payroll System (BEACON). Failure to do so may result in disciplinary action. This employee information will be kept confidential, and will only be accessed by Human Resources and the employee's chain of command.

### **Adverse Weather Policy**

This policy sets forth guidelines for the closing of offices and accounting for leave time.

### **Staffing During Non-Mandatory Operations**

Under non-mandatory operations, both mandatory and non-mandatory employees have the discretion to determine their ability to report to work or to leave early. When an employee does not to report to work, reports to work late, or leaves work early during adverse weather conditions, or when it has been determined that non-mandatory operations will be suspended due to adverse weather conditions, time lost from work shall be charged to accrued compensatory time (i.e., holiday, overtime, gap hours, callback, on-call, travel, or emergency closing comp time). If the employee does not have accrued compensatory time or have sufficient compensatory time to cover the entire period of absence, then the employee has the following options to account for time lost from work:

- use vacation leave,
- use bonus leave, or
- record leave without pay (LWOP).

### **Using Adverse Weather Leave**

Where operational needs allow, and the supervisor approves, an employee may be allowed to use adverse weather leave. Make-up time is not an employee entitlement. In all cases, make-up time must be supported by an operational need, and not the individual employee's desire to make up time lost due to adverse weather rather than taking vacation or bonus leave or leave without pay.

Adverse weather leave make-up time shall only be approved by the supervisor in lieu of vacation leave, bonus leave or LWOP. Employees with sufficient accrued compensatory time to cover the adverse weather absence shall not be eligible to use adverse weather leave.

Employees who are on prearranged vacation leave or sick leave will charge leave to the appropriate account with no provision for make-up time.

The adverse weather procedure does not cover child or elder care issues resulting from school/day care center closing decisions that may occur in advance or after adverse weather warnings are issued and expire. For such situations, vacation/bonus leave is the appropriate category to account for such absences, or an employee with insufficient leave balance may request permission to take leave without pay.

If management approves adverse weather leave, the supervisor shall be responsible for scheduling make-up time within the same pay period as the adverse weather event, if possible. If make-up time cannot be scheduled within the same pay period, management shall schedule the make-up time within 90 days of the adverse weather absence. Management may schedule make-up time in a workweek which results in overtime, if there is a bona-fide operational need to schedule overtime work. The supervisor shall notify the employee when make-up time is approved and scheduled. Upon notice of approval, the employee is expected to report to work and perform the make-up work as scheduled. Management and employees shall cooperate in making reasonable efforts to arrange schedules and identify operational needs for overtime work to enable an employee to be given the opportunity to make-up time not worked, rather than charging it to leave.

Employees who volunteer to make up time on a holiday will not receive Holiday Premium Pay or equal time off with pay. Supervisors must approve working on a holiday to make up adverse weather time.

Time lost to adverse weather must be made up within 90 days from the occurrence of the absence. If it is not made up within 90 days, vacation or bonus leave shall be charged. If there is not sufficient vacation or bonus leave to cover the absence, payment for the time originally paid as adverse weather leave shall be deducted from the employee's next paycheck.

If an employee has an outstanding adverse weather leave liability (balance of leave approved for make-up), all additional time worked after the adverse weather absence shall be credited toward resolving the adverse weather liability. This includes compensatory time earned for holidays, overtime, gap hours, callback, on-call, travel or emergency closings.

### **Extended Leave of Absence**

If an employee requests an extended leave of absence with or without pay (including absences due to Family Medical Leave, Short-Term Disability and Worker's Compensation), the liability owed for time not worked during an adverse weather event shall be resolved through use of vacation or bonus leave. If there is not sufficient vacation or bonus leave to cover the adverse weather liability, the amount paid for adverse weather leave shall be deducted from the employee's paycheck prior to the start of the extended leave of absence. An "extended leave of absence" is an absence in excess of one half of the regularly scheduled workdays and holidays in the month or in the pay period, whichever is applicable.

### **Transfer to Another State Agency**

If the employee transfers to another State agency before the time is made up, the time allowed for adverse weather leave shall be charged to vacation or bonus leave. If there is not sufficient vacation or bonus leave to cover the adverse weather liability, the payment for time charged to adverse weather leave shall be deducted from the employee's paycheck by the releasing agency.

### **Separation**

If an employee separates from State government before adverse weather leave is made up, it must be charged to vacation or bonus leave or deducted from the final paycheck, if there is not sufficient leave to cover the adverse weather leave payment.

**OPER 4002: COMPENSATORY TIME POLICY FOR EXEMPT EMPLOYEES:  
EXECUTIVE, ADMINISTRATIVE, AND PROFESSIONAL EMPLOYEES,  
INCLUDING CERTIFIED EDUCATORS**

**Effective Date:** November 2, 2017

**Reference:** DPI HR Policy, NC Office of State Human Resources Manual

**Purpose:** The purpose of this document is to establish procedures for providing Compensatory Time for Education Services for the Deaf and Blind (ESDB) employees that are designated as Executive, Administrative, and Professional employees, including Certified Educators, and are exempt from the Fair Labor Standards Act (FLSA).

This procedure is an extension of the Compensatory Leave Policy approved by the State Personnel Commission and found in the Office of State Human Resources Manual. This provision allows agency management the discretion to grant these employees comp time for hours worked in excess of 40 hours.

**Procedure:**

Employees who are exempt from FLSA, which includes Certified Educators, are expected to work over 40 hours from time to time to effectively perform the work assigned to the position. This expectation is considered when the position is assigned to a salary grade and when salary schedules are established for exempt positions

An Exempt employee is not entitled to earn Compensatory Time Leave. An Exempt employee will not be paid for any time worked over 40 hours in a week nor will the employee be paid for any accumulated Compensatory Time.

It is the ESDB philosophy that compensatory time for Executive, Administrative, and Professional employees, including Certified Educators, is a privilege rather than a right and should be administered accordingly. Compensatory time should be earned only with the direct approval of the School Director, and taken only when the supervisor determines that the employee's absence will not interfere with normal operations. It is ESDB's intention to recognize extraordinary efforts that require overtime. It is not ESDB's intention to provide comp time for routine efforts that could or should be handled as part of a professional's regular job.

**Guidelines:**

- A. Management staff whose positions are designated as Exempt Policy Making or Management Exempt, such as the School Directors, are ineligible for comp time.
- B. Approval to earn compensatory time shall be granted in advance by the School Director. Approval to take compensatory time off must be granted in advance by the immediate supervisor and School Director.
- C. Compensatory time can only be earned after 40 hours of actual time worked and only if it results in at least one full hour of time worked over 40 hours (i.e., comp time begins at 41 hours).

1. Leave offset: Employees must account for a 40-hour work week through time worked and/or some type of leave. If an employee takes vacation leave or sick leave during the work week and his/her time worked combined with the leave exceeds 40 hours, then the leave taken should be adjusted so that the combined time worked and leave taken is no more than 40 hours. When the actual time worked in a work week equals or exceeds 40 hours, then the employee does not exhaust any leave even when time off is taken during that work week.

Example: Employee, Dill E. Gent, normally works 8-5 Monday through Friday. On Tuesday, she works until 7:00 pm meeting with a parent. Ms. Gent catches a cold from the parent and must take Friday off, using sick leave. Since she has already worked 34 hours by the end of the business day on Thursday, she only needs to exhaust 6 hours of sick leave on Friday.

2. Flexing Time: If an employee performs work beyond the regular daily schedule, the supervisor can adjust the employee's work schedule, *during the same work week*, to provide the employee time off equal to the extra hours worked (if this is reasonable considering School or Office needs). The employee's additional work is thereby recognized without earning compensatory time that would need to be taken later. To reduce paperwork and allow employees to take time off as soon as possible, supervisors are encouraged to adjust the work week schedule to avoid having employees earn compensatory time unnecessarily.

Example: Employee, Dill E. Gent, normally works 8-5 Monday through Friday. On Tuesday, she works until 7:00 pm meeting with a parent. Since she has already worked 34 hours by the end of the business day on Thursday, her supervisor approves her to leave 2 hours early on Friday of the same work week.

- D. Compensatory Time will be approved in advance for such assignments as referenced below, and can be earned only when the total hours worked in a work week exceeds 40 hours by at least one full hour: (list not all inclusive)

1. Special projects as assigned by supervisors
2. Time sensitive requests, applications, grants, etc. (where notification of such deadlines is within a short timeframe)
3. Assigned committee work where the commitment is time-intensive
4. Emergencies

- E. Compensatory time will NOT be earned for:

1. Time spent on paperwork at home or in the office after a normal workday, on weekends, or on holidays
2. Travel and meeting time for conferences, workshops or other meetings where the primary purpose for attending is professional development or continuing education
3. Work performed during lunch
4. Standby at home

- F. Compensatory time must be used within the calendar year it is accumulated, January 1 to December 31. Employees following a school calendar year have from July 1 to June 30 to

use their compensatory time. Compensatory time not taken during the times specified will be lost.

- G. Compensatory time CANNOT be converted to any other type of leave or transferred to another Agency. Compensatory time not taken during the times specified cannot be carried forward.
- H. Compensatory time is lost when an employee separates from the Education Services for the Deaf and Blind. An employee's separation date may not be scheduled to allow for use of compensatory time.
- I. Procedures for earning compensatory time:

All compensatory time requested, approved and earned will be monitored and tracked manually by the Supervisor. Compensatory time should not be recorded in the HR-Payroll system.

- J. Procedures for using compensatory time:
  - 1. Procedures for requesting use of compensatory time are like those used for requesting vacation leave, the supervisor's approval is required in advance Compensatory time earned must be exhausted in the following order of priority:
    - a. to cover any outstanding adverse weather balances,
    - b. prior to exhausting any vacation leave or sick leave
  - 2. Compensatory time cannot be used to account for leave previously taken (i.e., compensatory time must be earned before the date it is used).

## **OPER 4003: HOURS WORKED DURING OVERNIGHT AND WEEKEND TRAVEL**

**Effective Date:** November 2, 2017

**Reference(s):** NC State Human Resources Manual, Salary Administration, Section 4; NC State Human Resources Manual, Section 3; Code of Federal Regulations (CFR), Title 29, Part 785.16-Off Duty; 29 CFR 785.21-Less Than 24-Hour Duty; 29 CFR 785.22-Duty of 24 Hours or More; 29 CFR 785.39-Travel Away From Home Community; 29 CFR 785.41-Work Performed While Traveling.

**Purpose:** To establish a uniform process and procedure for counting hours worked during overnight and/or weekend travel.

**Employees Covered Under this Procedure:** Employees who are responsible for the care, health, safety, welfare, and/or instruction of students and/or who perform work during overnight and/or weekend travel.

### **Definitions:**

#### ***Travel Away from Home Community***

Travel that keeps an employee away from home overnight is travel. Travel away from home is clearly worktime when it cuts across the employee's workday. The employee is simply substituting travel for other duties. The time is not only hours worked on regular working days during normal working hours but also during the corresponding hours on non-working days. Example: If an employee regularly works from 9am to 5pm, Monday through Friday the travel time during these hours is worktime on Saturday and Sunday as well as on other days. Regular meal periods and sleep periods is not counted. Normal travel from home to work is not work time.

#### ***On Duty***

Any work which an employee is required to perform while traveling must, be counted as hours worked. An employee who drives a truck, bus, automobile or airplane, or an employee who is required to ride therein as an assistant or helper, is working while riding, except during bona fide meal periods or when he/she is permitted to sleep in adequate facilities furnished by the employer.

#### ***Off Duty***

Employees are considered "off duty" when they are completely relieved from duty and are not responsible for the care, health safety and welfare of students. This off duty period must be long enough to enable the employee to use the time effectively for his/her own purposes. He/she is not completely relieved from duty and cannot use the time effectively for his/her own purposes unless he/she is told in advance that he/she may leave the job (relieved of duty) and that he/she will not have to commence work until a specified hour has arrived.

#### ***Sleep Period***

A sleeping period is defined as a period of at least five (5) hours of sleep, in an adequate sleeping facility, during which time employees are completely relieved from duty and are not responsible

for the care, health, safety, and welfare of students/children. Interruptions to periods of sleep to perform duties are considered hours worked.

***Meal Period***

A bona fide meal period is a span of at least 30 consecutive minutes during which an employee is completely relieved of duty. It is not counted as hours worked. A so-called “meal period” of less than 30 consecutive minutes must be considered as hours worked for employees who are non-exempt as defined by the Fair Labor Standards Act.

**Method of Recording Keeping**

Time worked during overnight and weekend travel should be recorded in the HR payroll system of record. If the assignment falls during a month in which the employee would not normally work, such time worked should be recorded using the Dual Employment Timesheet method. Time worked as described herein should be recorded as Time Code 9500/Time worked.

**NOTE:** Any hours worked in excess of 40 will be handled in accordance with the policies regarding Hours of Work and Overtime Compensation referenced in the NC Office of State Human Resources Manual.

## **OPER 4004: LEAVE ON DIRECT STUDENT CONTACT DAYS AND MANDATORY WORK DAYS**

**Effective Date:** November 2, 2017

**References(s):** NC Office of State Human Resources Manual, Leave, Section 5; General Statutes 126-5(c3)(c7) and 126-4(5).

**Purpose:** To establish a uniform procedure regarding use of leave on direct student contact days and mandatory work days. Staff should plan the use of vacation/ bonus/ compensatory and sick leave on optional work days, mandatory (annual leave days) and or summer months off.

**Target Group:** Residential Schools for the Deaf and Blind

### **Employees Covered Under this Procedure:**

Employees who follow the school calendar, and are assigned 50% or more of their work schedule as direct student contact in the positions listed below:

Occupational Therapist	Audiologist
Behavioral Programming Technician	School Principal
Community Employment Prog Specialist	Professional Nurse
Psychologist (Staff/School)	Educational Developmental Asst
Deaf-Blind Intervener	Residential Life Director
Guidance Counselor	Social Worker
Lead Teacher	Speech & Lang Pathologist
School Librarian	Residential Life Coordinator
Licensed Practical Nurse	Residential Life Trainer
Nurse Supervisor	Teacher/Vocational Teacher

### **Procedure:**

Leave off shall not be taken on direct student contact days and mandatory work days except for emergencies not to exceed three (3) student contact and/or mandatory work days per school year; optional professional development not to exceed three (3) student contact and/or mandatory work days per school year; and illnesses, or other reasons approved for the use of sick leave.

Requests for Community Service Leave (CSL) on direct student contact and mandatory work days will be reviewed on a case-by-case basis. Whenever possible it is expected that CSL will be used on mandatory (annual)\_leave days and optional work days to avoid absences on direct student contact and mandatory work days.

Employees who are unable to work on three (3) or more student contact days and/or mandatory work days due to illness, or other reasons approved for the use of sick leave, may be required to provide documentation substantiating their need to use leave.



Attendance at optional professional development trainings, meetings, workshops, and conferences should be kept at a minimum, requires the pre-approval of the School Director, and may not exceed three (3) student contact and/or mandatory work days per school year.

Attendance at job-related trainings, meetings, workshops, and conferences may not exceed five (5) student contact and/or mandatory work days per school year, and requires the pre-approval of the School Director. The aforementioned requirement excludes trainings, meetings, workshops, and conferences required by the Education Services for the Deaf and Blind (ESDB).

Exceptions to all the limits for use of leave on student contact days and/or mandatory work days will be reviewed on a case-by-case basis, and requires the approval of the School Director.

## **OPER 4005: OVERTIME COMPENSATION TIME FOR EMPLOYEES SUBJECT TO THE FAIR LABOR STANDARDS ACT (FLSA)**

**Effective Date:** November 2, 2017

**Reference:** NC Office of State Human Resources Manual, Section 4

**Purpose:** To clarify the Office of State Human Resources Policy regarding subject employees who must receive overtime compensation and how compensatory time can be used in lieu of overtime payment, and to establish consistency of policy application across the Education Services for the Deaf and Blind (ESDB) for employees subject to the Fair Labor Standards Act (FLSA).

### **Procedure:**

- A. As indicated in the Office of State Human Resources Manual, it is the policy of the State of North Carolina, whenever possible, to give compensatory time off, in lieu of monetary compensation for hours worked in excess of 40 hours per work week. Management shall schedule compensatory time off, and reasonable effort shall be made to accommodate the employee as to such scheduling.
- B. An employee shall be given compensatory time off based on one and one-half times the amount of time worked beyond 40 hours during a work week
  1. Compensatory time shall be taken within the calendar year it is earned, January 1 to December 31
- C. If compensatory time is not taken within 365 days from the date earned, the overtime shall be paid out monetarily and included in the employee's next regular paycheck
- D. Each employee must enter work time into HR-Payroll system on a weekly basis. To assure accuracy of the time record, the supervisor must review and approve time reported as work on a weekly basis.
- E. All work more than 40 hours must be approved in advance by the employee's direct supervisor/manager. However, it is recognized that employees who are subject to FLSA that work more than 40 hours, whether authorized or unauthorized, are entitled under FLSA to be compensated through compensatory time off as provided in this policy. Employees who repeatedly ignore supervisory instructions not to work unauthorized hours more than 40 may be subject to disciplinary action, up to and including dismissal. This includes any work employees may take home with them. The work week begins on Sunday and ends on Saturday. The meal period may be scheduled within the normal work hours of the employee and may not be scheduled at the end of the work day. A meal period is a span of at least 30 consecutive minutes of uninterrupted, duty free, time during a regular work day. Direct care staff may be expected to work a continuous shift without a meal period.
- F. Compensatory time earned must be exhausted in the following order of priority:

1. to cover any outstanding adverse weather balances
2. prior to exhausting any vacation leave or sick leave

G. Subject employees will be paid for unused compensatory time at the time of transfer to another division/agency or separation from state employment

H. Prior to employment, each successful candidate for State employment in a FLSA subject position must sign a form acknowledging that:

1. It has been explained to him/her that it is the State's and ESDB's policy to give compensatory time off, in lieu of monetary compensation, for hours worked more than 40 hours per work week
2. Repeatedly ignoring the supervisor's instructions not to work more than 40 per week can lead to disciplinary action, up to and including dismissal from employment

## **OPER 4006: ESSENTIAL JOB FUNCTIONS**

**Effective Date:** November 2, 2017

**Reference(s):** Family and Medical Leave, Section 5, Workers' Compensation Administration, Americans with Disabilities Act of 1990

**Purpose:** To establish a procedure that all Education Services for the Deaf and Blind employees are expected to perform the essential functions of their jobs, with or without reasonable accommodation. And, to communicate that temporary light duty accommodations will be made, whenever possible in workers' compensation injuries and/or illnesses.

**Employees Covered:** Full-time or part-time employees with either a permanent, probationary, trainee, time-limited permanent, or time-limited appointment, who are subject to provisions of General Statute 126 (non-certified staff) and/or subject to provisions of General Statute 115C-325 (certified educators).

### **Procedures:**

All ESDB employees are expected to perform the essential functions of their jobs, with or without reasonable accommodation. When employees are prevented from performing the essential functions of their job due to a serious medical condition or illness, they are required to submit a written physician's statement along with a reasonable accommodation form to their immediate supervisor detailing any physical and/or medical restrictions, and the anticipated duration of the restrictions. The immediate supervisor will then submit appropriate paperwork to HR for processing.

Once a written physician's statement and a reasonable accommodation form is submitted, management in conjunction with HR will determine if the employee can perform the essential functions of his/her job considering the physical or medical restrictions in his/her current position. Employees who are unable to perform the essential functions of their job will be placed on a Leave of Absence (LOA) until they can return to work and perform the essential functions of their job, with or without reasonable accommodation. In the event, the employee is unable to return to work; management will work with HR to determine other alternatives and solutions. While on LOA, employees will be required to use sick leave during their absence, and will also have the option of using vacation leave, bonus leave (if applicable), and can request leave without pay. Temporary light duty accommodations will be made on a case-by-case basis, except whenever possible in workers' compensation injuries and/or illnesses.

In cases of workers' compensation injuries and/or illnesses, temporary light duty accommodations or temporary work assignments will be made whenever possible. If the physical or medical restriction cannot be temporarily accommodated, the employee will be placed on workers' compensation leave.

Any temporary light duty accommodations or temporary work assignments will be reviewed every 30 days to determine if still needed and to determine if the needs of the children/students and/or program are being met. Temporary light duty accommodations and temporary work assignments cannot exceed 90 days without the approval of the Director.

Employees are required to submit a written physician's statement at the beginning of every school year detailing any physical and/or medical restrictions, and the anticipated duration of the restrictions, for review and determination of next steps by management. Otherwise, employees are expected to perform the essential functions of their job, with or without reasonable accommodation.

## **OPER 4007: STAFF ABSENTEEISM AND TARDINESS**

**Effective Date:** November 2, 2017

**Reference(s):** NC Office of State Human Resources Manual, Leave, Section 5

**Purpose:** To establish a uniform procedure for addressing absenteeism and tardiness.

**Employees Covered Under this procedure:** All employees of the Education Services for the Deaf and the Blind (ESDB)

### **Definitions:**

#### **1. Scheduled Leave**

Leave that is approved by the immediate supervisor, or other person with authority to approve leave, in advance. Examples include vacation leave, sick leave, civil leave, Workers' Compensation leave, Family and Medical Leave, military leave and community service leave.

#### **2. Unscheduled Absence**

Leave that is approved by the immediate supervisor, or other person with authority to approve leave, but not in advance.

#### **3. Unexcused Absence**

Absence for which leave is not approved by the immediate supervisor, or other person with authority to approve leave. Employees with an unexcused absence may not be allowed to use paid leave, or make up the time, and may be subject to disciplinary action, up to and including dismissal for unacceptable personal conduct.

#### **4. Excessive Absenteeism**

Having more than three (3) unscheduled absences within a 4-month period, or more than 13 unscheduled absences per school year. Successive absences are counted as one occurrence. Scattered absences are counted as separate occurrences. Excessive absenteeism may result in disciplinary action, up to and including dismissal for unsatisfactory job performance.

#### **5. Tardiness**

Failure to report to the assigned work area within 5 minutes of the scheduled time for reporting. This includes returning from breaks and lunch periods. Tardiness exceeding four (4) hours will be considered an absence. Tardiness that is not excused by the immediate supervisor, or other person with authority to approve leave, constitutes unacceptable personal conduct and may result in disciplinary action, up to and including dismissal. Tardiness that is excused by the immediate supervisor, or other person with authority to approve leave, may, nevertheless, be deemed excessive if there are more than three (3) occurrences within a 4-month period, or more than 13 occurrences per school year. Excessive excused tardiness constitutes unsatisfactory job performance and may result in disciplinary action, up to and including dismissal.

## **Absenteeism and Tardiness Procedures**

1. Staff who are ill or for any other reason are unable to report for duty as scheduled are to notify their immediate supervisor as soon as possible or no later than two (2) hours prior to the time they are scheduled to report for duty (using the established call-in, call-out procedures).
2. Daily notification is required, unless the employee is directed to do otherwise by management or is on approved Leave of Absence for a designated period.
3. Notification from a person other than the employee will not be accepted except in extreme situations.
4. Management has the discretion to require a physician's note for absences of three (3) consecutive days, or any time there is suspected abuse of sick leave or sick leave used in conjunction with excessive absenteeism. For example, when an employee establishes a pattern of using sick leave on certain days, such as just before or after weekends and holidays, a doctor's note may be required.
5. Late arrival must be reflected in the HR/Payroll system
6. For excused tardiness, the employee may elect to record LWOP or use available accrued, or flex the time with the supervisor's approval, during the same work week.
7. For unexcused tardiness or absenteeism, the employee may not be allowed to use paid leave or make up the time.

## **OPER 4008: SLEEPING ON THE JOB**

**Effective Date:** November 2, 2017

**Reference(s):** DPI Disciplinary Policy and Procedures; G.S. 126-35, G.S. 115C-325; NC Office of State Human Resources Manual, Discipline/Appeals/Grievances, Section

**Purpose:** To establish a procedure regarding action to be taken in the event employees are observed sleeping on the job to ensure all employees are treated fairly and equitably throughout Education Services for the Deaf and Blind (ESDB), and to ensure a safe and secure environment for students/children and staff.

**Effective Date:** November 2, 2017

**Target Group:** Residential Schools for the Deaf and Blind

**Employees Covered Under this Procedure:** Employees who are responsible for the care, health, safety, and welfare of students/children in the ESDB residential schools (direct care employees).

### **Procedure:**

Disciplinary action will be pursued for any employee who is responsible for the care, health, safety, and welfare of students/children and is confirmed sleeping while on duty, up to and including dismissal.

It is the responsibility of co-workers to report any incidences of employees sleeping on the job.

**NOTE:** Employees are responsible for notifying their supervisor, and requesting the use of leave, if they are on medication(s) or experiencing illness at work that may cause drowsiness and prevent them from fully performing their duties, and/or that may cause them to fall asleep. Employees will be approved to return to work when they are no longer on medication(s) and/or suffering from illness that may prevent them from fully performing their duties or that may cause them to fall asleep.



## **OPER 4009: EMPLOYEE IDENTIFICATION BADGE**

**Effective Date:** November 2, 2017

**Reference:** NC Office of State Human Resources Manual, ID Badge Policy

### **Purpose:**

The purpose of this procedure is to assist in protecting the employees and assets located within State Government Buildings. It is designed to prevent unauthorized persons from accessing State agency buildings and to account for those persons authorized to be on the premises in case of emergency.

Safety and security of students, faculty and staff is the responsibility of the Schools for the Deaf and Governor Morehead School. The most effective campus security is the recognition of authorized and unauthorized persons on our grounds and within our buildings. The employee photo identification badge system is an important part of the schools' safety/security program.

### **Procedures:**

All employees are required to wear their photo identification badge when on school property.

All employees are encouraged to report unfamiliar visitors to their immediate supervisor or campus security.

Issuance of photo identification badges shall occur at the time of employment and at no charge to the employee. All new hires to include full-time or part-time employees with either a permanent, probationary, trainee, time-limited or temporary appointment must go to their designated point of contact to fill out paperwork for a new badge within 24 hours.

Lost, stolen or otherwise misplaced identification badges:

- a. Any of the above must be reported to the designated point of contact upon occurrence for issuance of a new badge
- b. The Business Officer has the discretion to charge staff a maximum replacement badge fee for lost, stolen, misplaced, or damaged identification badges.

When an employee resigns or retires, or is otherwise separated from State Government:

- a. Employee must turn in his/her badge to the supervisor on their last day of employment.

Identification badges shall not be altered in any manner that would obstruct the employee picture and name.

The identification badges shall be worn so that it is completely visible.

## **OPER 4010: FACULTY AND EMPLOYEE DRESS**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-308

**Purpose:** To establish a professional image standard which promotes safe and orderly schools. All ESDB employees represent the NC Department of Public Instruction therefore professional appearance is expected to support a positive educational environment. To facilitate the valued public's perception of our roles as mentors and models for students, the following dress guidelines will apply to all ESDB employees.

Dress should be:

- Reflective of an employee's position as a role model when representing ESDB.
- Conducive to the employees' tasks and/or environment.
- Clothing and apparel that is clean, modest, and safe.

### **Guidelines**

The guidelines contained herein are ESDB's minimum guidelines, and not an exclusive list. When addressing professional dress expectations, the School Director has the decision-making authority on his/her campus.

### **Examples of Unprofessional Dress**

Rubber flip flops, thong shoes or open toed shoes where exposure could present a safety hazard. Clothes and accessories, tattoos, jewelry/piercings, hair colors (extreme colors), etc., that are offensive and/or distracting to the learning environment.

Facial piercings, tongue piercings, excessive earrings.

Hats, bandanas – Hats may be worn on outside duty for sun coverage.

### **Examples of Modest and Professional Dress**

No visible cleavage.

No visible undergarments.

Clothes worn too tight, too loose, or transparent.

No bare midriffs.

Skirts should be the appropriate length (no more than three inches above the knee) to allow for standing or sitting in public.

No bare shoulders (strapless, spaghetti straps or tops with straps less than 2 inches wide) unless worn under jacket, blouse; dress or sweater). However, sleeveless blouses that meet all the other criteria within this regulation may be acceptable.

Exercise pants, sweatpants, sweat shirts, shorts, or other athletic clothing should not be worn unless teaching Physical Education, or engaging or coaching in athletic events.

Denim jeans would not normally be considered standard professional attire, however, there are occasions/tasks where these would be deemed appropriate (i.e., fundraising, field trips, safety).

Each school may designate specific activities and/or assign a specific day for casual wear, when denim jeans are appropriate.

No shorts. Capri pants are acceptable.

Employees whose department provides and assigns uniforms for workplace wear are expected to follow department requirements.

## **OPER 4011: POST-EMPLOYMENT MEDICAL SCREEN AND VACCINATION PROCEDURES (NEW-HIRES)**

**Effective Date:** November 2, 2017

**Reference(s):** Code of Federal Regulations (CFR), Title 29, Part 1910.1030(f)(1)(i)- Hepatitis B Vaccination, 29 CFR 1910.1030(f)(2)(i)-Hepatitis B Vaccination

**Purpose:** To establish uniform procedures for conducting new employee Tuberculosis (TB) post-employment screening, and for offering the Hepatitis B vaccination series to all new employees.

Employees Covered Under this Policy: All newly hired Education Services for the Deaf and Blind (ESDB) employees, including permanent, probationary, time-limited, temporary, and contract employees (who will be working with students for 60 days or more).

### **Procedure:**

All newly hired employees and contractors as defined above shall be required to undergo a TB screen during the first 60 days of employment or contract period, as applicable.

Instructions for completing the TB screening will be provided in the New-Hire Orientation (NHO) notebook, which all new employees shall receive on their first day of employment. Contract employees shall receive the TB screen instructions from their contract administrator.

School nursing staff will also provide a briefing on the TB screen process in the Bloodborne Pathogens Training during NHO. New employees will be instructed to complete the TB screen at the local Health Department, and submit a signed health screen certification form to the Human Resources Office within 60 days of employment. ESDB will pay for the TB screens completed at the local Health Department. Employees opting to complete the TB screen at their personal physician's office shall be responsible for the cost of the screen.

If an employee has a positive skin test, or a history of a positive skin test, s/he will be required to submit documentation of fitness for duty from the County Health Department or the employee's personal physician.

All new employees shall also be provided the opportunity and instructions for receiving the Hepatitis B vaccination. This information will be provided in the NHO notebook, and will be briefed by the school nursing staff during the Bloodborne Pathogens Training during NHO. ESDB will pay for the Hepatitis vaccinations completed at the local Health Department. Employees opting to receive the Hepatitis vaccination at their personal physician's office shall be responsible for the cost of the vaccination. Employees declining the Hepatitis B vaccination, or who fail to complete the vaccination series, shall be required to sign and submit a declination

statement for filing in their medical file. Failure to adhere to this policy as indicated above can result in disciplinary action, up to and including dismissal.

## **OPER 4012: TUTORING FOR PAY**

**Effective Date:** November 2, 2017

**Reference:** G.S. 115C-36 and G.S. 115C-47

**Purpose:** To further establish parameters for the relationship between staff and students.

### **Procedure:**

Tutoring or providing lessons for students for a fee on school property or with school supplies is prohibited. Any teacher who accepts pay for tutoring or providing lessons to students shall provide such services off school property and shall limit her/his practice to students other than those in a school in which she/he teaches.

**5000 PROCEDURES SERIES:**  
**BUSINESS / FINANCIAL SERVICES**

## **OPER 5001: CONTRACTED TRANSPORTATION SERVICES**

**Effective Date:** November 2, 2017

### **Reference:**

The Individuals with Disabilities Education Act 1997 (IDEA); GS 115C, Article 9

**Purpose:** To establish uniform procedures and guidelines regarding the provision of contracted transportation services for K-12 residential and day students in the Education Services for the Deaf and Blind (ESDB).

**Target Group:** All ESDB employees and contracted vendors providing transportation

### **Procedure - Mission Statement**

Education Services for the Deaf and the Blind is committed to promoting independence and educational opportunities for special needs students through positive, safe, and efficient transportation experiences. Equal educational opportunities to elementary and secondary school age special needs children are achieved by providing a free and appropriate public education to each student, regardless of the nature or severity of the student's disability. An essential part of the student's free and appropriate public education is transportation services. Appropriate transportation depends on the unique needs of the student and may vary from student to student.

In conjunction with School and ESDB Business Managers, the ESDB Transportation Committee is responsible for developing and implementing contracts for individual providers as needed. This includes contracts with vendors (i.e. bus companies, van and cab companies) as well as legal guardian contracts. Contractors will ensure that all drivers be 21 years of age or older.

The use of a mobile phone or additional technology while operating a vehicle transporting students is strictly prohibited, unless it is an emergency such as medical concerns, unsafe road conditions, matters of public safety, or mechanical problems that create a risk of harm for the operator or passengers of a vehicle transporting students. Should such situation arise find a safe place to park before using your mobile phone. Where possible the monitor would be responsible for communicating via mobile phone.

ESDB employees are not eligible for contracting for transportation purposes. Funding for all K-12 students will be provided by and will be administered through the Education Services for the Deaf and Blind.

Transportation will be provided by school buses maintained by the student's school, by contracts or fares with public or commercial carriers when necessary, or by individual contractors (i.e. legal guardians, family members, etc.).

Contracts should be written to provide appropriate service as economically as possible. This may include contract providers to serve multiple students.



When applicable, a contractor may not serve more children than s/he has child restraints in his/her vehicle. Contractors, the school's Business Manager, and the School Director prior to the initiation of services will sign all contracts.

All contracts shall contain the required terms and conditions (see attached sample contracts). ESDB schools entering contracts shall not assume any responsibility for any funding other than services outlined in the contract.

Drivers of contract vehicles shall hold the appropriate North Carolina Operator's license and maintain a current safety inspection sticker on the transporting vehicle.

The contractor will provide for all drivers, copies of the following prior to the initiation of service:

- Current License
- Current Insurance Coverage
- Agreement for a Criminal Records Check
- Driving Record

The school's Transportation Coordinator will ensure this information is maintained at the school for all parent transporting contracts. The ESDB Charter Bus Contract for the weekly bus transports for all three schools maintains all documentations for this contract through the office of the NCDPI Section Chief for Transportation. Copies are provided to each school upon requests.

Staff transporting students shall meet all the requirements and safety regulations of the Department of Motor Vehicles and Department of Public Instruction.

The school's Transportation Coordinator will ensure this information is maintained at the school.

The contractor must immediately notify the school by phone and in writing, of any traffic offenses or accidents contractor is involved in while under contract.

Contractors shall acquire and maintain at least the minimum liability insurance required by State law. Contractor must provide proof of insurance at beginning of contract term.

The contractor must immediately notify the school, in writing, of any changes in his/her insurance to include carrier or extent of coverage/limits of liability. The school's Transportation Coordinator will ensure this information is maintained at the school.

The school is responsible for verification following receipt of the contractor's invoice. Payment based on mileage shall not exceed the current state approved rate of mileage reimbursement. Contractor must provide all required documentation to have transportation forms processed for reimbursement.

## **OPER 5002: FIXED ASSETS PROCESS AND PROCEDURE FOR EQUIPMENT COSTING \$500 OR MORE**

**Effective Date:** November 2, 2017

**Reference:** State procurement regulations, Office of the State Controller

**Purpose:** To establish an internal process and procedure for identifying and tracking purchases of equipment costing, \$500 (including tax) or more for control purposes.

### **Procedure:**

This internal process and procedure applies to the North Carolina School for the Deaf, Eastern North Carolina School for the Deaf and The Governor Morehead School for the Blind. This document fulfills the requirement by the Office of the State Controller that each agency must develop a policy and procedure that details the agency's fixed asset requirements.

Education Services for the Deaf and Blind has determined that all its schools must identify and account for all equipment purchases costing \$500 (including tax) or more. Such identification requires the equipment to be placed in the Fixed Asset System and the equipment to be tagged with an agency decal. These assets are classified as inventoried assets; and as such, a physical inventory must be taken of inventoried assets at least once a year to verify that assets recorded in the Fixed Asset System are physically located in the agency.

Tagging each piece of equipment is required to maintain a positive identification of each asset. Tagging is important to:

- Provide an accurate method of identifying individual assets,
- Aid in taking stock of physical inventory
- Control the location of all physical assets
- Aid in maintenance of fixed assets.

### **Fixed Asset Responsibilities**

The Fixed Asset Officer in the ESDB schools is the Business Officer, who is responsible for insuring accurate inventories are maintained in the Fixed Asset System for their school. DPI fixed asset decals and forms are available from the schools Fixed Asset Officer or Business Officer, who is also the contact person for assisting the agency staff with problems or questions.

Each ESDB school is required to identify one staff member who is responsible for coordinating the Fixed Asset System for that school. In the three schools, the Fixed Asset Coordinator, who is responsible for coordinating the Fixed Asset System, is the campus Stock Clerk.

For those purchases made through the E-Procurement System, the ESDB schools Purchasing Agent is responsible for identifying new purchases that require a Fixed Asset decal and transmitting that information to the DPI's Fixed Asset Coordinator. A copy of the Purchase Order should be printed and forwarded to the Fixed Asset Coordinator.

It is the responsibility of the agency Fixed Asset Coordinator to:

- Apply the decal
- Insure that the equipment is added to the agency Fixed Asset System
- Track the location of the equipment throughout the agency.

ESDB schools Fixed Asset Coordinator is also responsible for coordinating the annual Fixed Asset Inventory each spring with DPI and resolving any problems with the inventory maintained in DPI records.

### **IDENTIFYING EQUIPMENT FOR FIXED ASSET SYSTEM**

Any equipment purchased through the E-Procurement System or other State Purchasing procedures costing \$500 (including tax) or more is required to have a Fixed Asset decal applied to it. Such information must be forwarded to the ESDB schools Fixed Asset Coordinator, who is responsible for applying the decal to the equipment and for insuring the inclusion of the equipment into the agency's Fixed Asset System.

A fixed asset number must be assigned to new equipment costing \$500 (including tax) or more. It should be noted that software and textbooks are not to be included in the Fixed Asset System.

Equipment containing separate physical parts is not to be considered as one asset. Each separate physical part is considered a separate asset and each separate part costing \$500 (including tax) or more must be individually recorded on the Fixed Asset System. Any separate physical part whose total cost (plus tax) is less than \$500 would not be recorded on the Fixed Asset System.

Specific devices such as auditory transmitters and receivers and all other prosthetic devices are not to be considered a fixed asset, are not given a decal and are not included in the Fixed Asset System. Such devices are to be accounted for in the annual Inventory of Supplies.

If the purchase order is invoiced as one line item, the agency must do one of the following

- Locate each individual price on the state contract
- Contact the vendor for each separate price

## **OPER 5003: MOTOR FLEET MANAGEMENT VEHICLE USE PROCEDURE AND ACKNOWLEDGEMENT**

**Effective Date:** November 2, 2017

**Reference(s):** Motor Fleet Management Regulations, January 2017: Maintenance and Care of Vehicles, Section VI; Motor Fleet Management Regulations, Vehicle Use, Section VII; Motor Fleet Management Regulations, Termination of Vehicle Assignments, Section VIII; Office of State Personnel Manual, Disciplinary Action, Suspension and Dismissal, Section 7 (<https://ncadmin.nc.gov/government-agencies/motor-fleet-vehicles/regulations-manual>)

I acknowledge receipt and understanding of the following Motor Fleet Management (MFM) regulations as they pertain to the use and maintenance of lease vehicles obtained through the Department of Administration:

1. Vehicles assigned through MFM are for official, work-related purposes only. It is unlawful for any state employee to use a state-owned vehicle for private purposes whatsoever. A state employee may use a state-owned vehicle for obtaining meals and/or other necessities when in travel status, in an approved home-work station (during approved travel status), or approved commuter status.
2. Employees who routinely drive any state-owned vehicle between their home and work station shall reimburse the state for mileage except under the following circumstances:
  - a) When approval has been obtained from the ESDB School Director when an individual's position entitles them to use the vehicle in this manner;
  - b) When the employee's duties are related to public safety;
  - c) When the employee's home is his/her official work station; and/or
  - d) When the use of the vehicle is required for a trip the next day and the employee's home is closer to the destination than the regular work station AND the employee does not have to report to his/her regular work station before beginning the trip. Frequent occurrence of this situation requires MFM approval.
3. Parking citations are the responsibility of the assigned driver or the driver's agency at the time of issue. Excessive unpaid parking citations received by MFM for the same driver may constitute vehicle abuse.
4. Abuse of motor vehicle laws (including speed limit violations) may result in the denial of the use of a MFM-owned vehicle.
5. Under no circumstances may a state employee operate a MFM-owned vehicle while under the influence of intoxicating beverages, drugs, or substances OR transport these items in a state-owned vehicle.
6. Any damage to a MFM-owned vehicle operated during adverse weather conditions shall be paid by the using agency when it is found that such damage resulted from negligence on the part of the driver. Costs for damage resulting from normal wear and tear are not billed to the leasing agency.
7. Spouses and children are permitted to accompany state employees on trips in state-owned vehicles when sufficient space is available AND when all travel is strictly for official state business and the employee has secured his/her manager's advanced approval.

8. The possession of firearms and weapons, concealed or otherwise, is prohibited in state-owned vehicles except by sworn law enforcement officers.
9. All maintenance and repairs must have prior authorization, which can be obtained by calling the State Motor Pool at 1-800-277-8181 or (919) 733-4043 (in the Raleigh area). Any unauthorized repair expense will be billed to the agency to which the vehicle is assigned.
10. All accidents, regardless of the amount of damage, must be reported to MFM by calling 1-800-277-8181 or (919) 733-4043 (in the Raleigh area). Additionally, an FM-16 (Vehicle Accident Report) form must also be completed immediately and forwarded to MFM. Immediately upon contacting MFM, the employee must contact his/her direct supervisor or their designee to inform them of the accident. This assumes that the employee is in a physical condition that allows him/her to make that call; it is understood that in the event of injury that MFM and the supervisor will be contacted as soon as the employee is able.
11. MFM vehicle use may be terminated under the following circumstances:
  - a) If the vehicle is used for any purpose other than official state business;
  - b) If reports (including car logs) are not submitted within 30 days of completion and/or are inaccurate or incomplete;
  - c) If false information is willfully or knowingly submitted on any report or application;
  - d) If reports or forms are not signed properly and correction is not made within 30 days of a request to do so;
  - e) If vehicle abuse occurs (which includes but is not limited to: improper care and maintenance of the vehicle), willful damage to the vehicle, excessive number of accidents, and reckless disregard for the proper operation of the vehicle; if substantiated violations of motor vehicle laws are committed (violation of speed limits, use of vehicle for personal purposes); and
  - f) If other rules and regulations or policies are willfully violated.

Failure to adhere to these procedures may not only result in the revocation of driving privileges (for an MFM lease vehicle), but may also result in the receipt of disciplinary action, up to and including dismissal.

## **OPER 5004: PARENT TRANSPORTATION REIMBURSEMENT PROCEDURE**

**Effective Date:** November 2, 2017

### **Procedure:**

1. The Power School Report is verified for accuracy and submitted to Transportation Coordinator by the third working day after the end of each month.
2. Parent reimbursement request is sent to Transportation Coordinator on or before the seventh (7) day of each month.
3. Transportation Coordinator will verify reimbursement forms against the contract for accuracy of mileage and attendance. Use MapQuest to calculate mileage.
4. Transportation Coordinator will submit all parent reimbursement requests to the Business Office staff with the relevant attached documentation on or before the tenth (10) day of each month.
5. The Business Office will review calculations, make necessary corrections in conjunction with the Transportation Coordinator, and submit reimbursement requests to the DPI's Accounts Payable Section by the fifteenth (15) day of each month.

### **Note:**

- The Transportation Coordinator works as a liaison between the school and the parent on all transportation issues.
- The Business Office troubleshoots all reimbursement problems with the DPI's Accounts Payable Section.

## **OPER 5005: TRANSPORTATION REIMBURSEMENT TO LEGAL GUARDIANS**

**Effective Date:** November 2, 2017

**Reference:**

The Individuals with Disabilities Education Act 1997 (IDEA); GS 115C, Article 9

**Purpose:** To establish uniform guidelines regarding the provision of transportation reimbursement to legal guardians for K-12 residential and day students in the Education Services for the Deaf and Blind (ESDB).

**Target Group:** All ESDB Employees and Legal Guardians

**Mission Statement:**

The Education Services for the Deaf and Blind is committed to promoting independence and educational opportunities for special needs students through positive, safe, and efficient transportation experiences. Equal educational opportunities to elementary and secondary school age special needs students are achieved by providing a free and appropriate public education to each student, regardless of the nature or severity of the student's disability. An essential part of the student's free and appropriate public education is transportation services.

**Definition:** In this policy, the term "legal guardian" refers to parents, family members, foster care parents, surrogate parents, or designees of legal guardians who have the authority to transport students.

**Procedure:**

Legal guardians of residential students will be reimbursed at the current mileage rate for state employees for two round trips to designated bus stops.

Legal guardians of day students contracted to provide transportation may be reimbursed at the current mileage rate for state employees for two round trips per day.

Payments shall be based on actual mileage (using MapQuest) required solely for transporting the designated children to and from the school or bus stop.

Actual miles between home and school or home and the bus stop will be reimbursed as either actual miles to home or to another destination whichever is less.

Payment shall be made for the actual number of school days the pupil is transported. Normally, payment will be made only for school days during the regular school year and during extended school year (ESY) required by the Individualized Education Program (IEP) and focused instruction required to enable a student to meet the Gateways.

Transportation reimbursement is only applicable when transporting students to and from school.

Payment based on mileage shall not exceed the current state approved rate of mileage reimbursement.

ESDB employees whose children attend an ESDB school are not eligible for reimbursement.

ESDB employees who transport students are not eligible for reimbursement.

School Transportation Coordinators are responsible for initiating, implementing, and monitoring transportation contracts with legal guardians.

Legal guardians are responsible for signing transportation contracts prior to transporting students to and from bus stops and to and from school. Prior to the initiation of a contract, legal guardians are required to submit the following information to the school's Transportation Coordinator:

- Current License
- Current Insurance Coverage
- Proof of current state inspection sticker
- Driving Record

Legal guardians are responsible for submitting appropriate reimbursement forms in a timely manner determined by the school's Transportation Coordinator.

Legal guardians are responsible for meeting the bus at the designated stop and designated time(s).

The school is responsible for mileage verification following receipt of the legal guardian's mileage reimbursement form.

The school is responsible for verification of student's attendance following receipt of the legal guardian's mileage reimbursement form.

A legal guardian who refuses a school's transportation arrangement shall not receive reimbursement for other methods of transportation.

Reimbursement is only applicable to the designated bus stop, whether it is a day student or residential student, and as it is indicated on a student's IEP. Parental choice in transporting outside the scope of an IEP placement decision is not subject to reimbursement.



## **OPER 5006: ESDB CELL PHONE PROCEDURES**

**Effective Date:** November 2, 2017

### **Purpose**

The ESDB schools' cell phone procedure is designed to express the schools' attitude towards the use of cell phones in the workplace. We recognize that cell phones (and smartphones in particular) have become an integral part of everybody's life. We are also certain that they may be a great asset in the workplace if used correctly (for productivity apps, calendars, business calls etc.).

However, we have observed that cell phones may also cause problems when used imprudently or excessively.

It has, therefore, become apparent that a policy that clarifies the allowances and restrictions of cell phone use is necessary.

### **Scope**

This procedure and process applies to all ESDB schools' employees.

### **Elements of Cell Phone Procedures**

Despite their benefits, cell phones may be cause for significant problems in the workplace. The reasons for this include:

- The distraction of employees by regularly checking their phones
- The time subtracted from actual working hours by the ordinary use of cell phones
- The interference on colleagues' jobs by speaking on the phone
- The security issues from unfair use of school/state-issued equipment or misuse of the school's/state internet connection
- The accidents that may occur when employees use their phones inside state vehicles or near forbidden areas

Our schools will generally expect their employees to use their cell phones prudently during working hours. We rather want to remind them that excessive use of their cell phone for non-business purposes will mean a decline in their efficiency that will show up in their performance reviews. It is therefore, to the benefit of all too consciously restrict their personal use of cell phones.

### **School Issued Cell Phones**

- Since the ESDB schools are 24-hours a day residential operations that include after school activities that may require travel away from the campus, effective and efficient contact and communication is essential especially since several students have medically fragile conditions. Additionally, to facilitate easy parent contact with students and

program staff, cell phone use is a critical part of the school's business functions. Based on the school's operational, safety, communication, transportation and efficiency needs, the school director will decide which employees will be assigned a school issued phone, in accordance with the phone plans recommended by the business office.

The following rules apply at all times for both school/state-issued and personal phones:

- School/State-issued cell phones are to be used for business purposes only and be preserved in perfect condition.
- The use of a cell phone for any action while driving a state vehicle is prohibited
- The download or upload of inappropriate, illegal or obscene material through a state internet connection is prohibited
- The use of a cell phone's camera or microphone to record confidential information is strictly prohibited
- Employees cannot use their phones at areas where there is an explicit prohibition sign (e.g. laboratories)
- Employees must turn off their phones or keep them on vibrate whenever asked
- Surfing the internet, texting and talking on personal cell phones should be restricted to a few minutes per day
- Playing games on the school/state-issued or personal cell phones during working hours are prohibited

The schools, however, would not want to have their employees turn off their phones while at the workplace. Employees are allowed to use their phones:

- During breaks or at lunch hour
- While on a stationary state vehicle (Not moving or parked)
- To briefly check important messages
- To make brief personal calls away from the working space of colleagues
- To make business calls
- To use productivity apps or other job useful tools

### **Disciplinary Consequences**

The schools retain the right to monitor employees for excessive or inappropriate use of their cell phones. If it is discovered that an employee's phone usage causes a decline in productivity or interferes with the smooth workflow in the workplace, the company will ban that employee from using their cell phones.

For an action that constitutes a breach of security, violation of policy or cause of an accident the employee may face disciplinary action up to and including dismissal.

**6000 PROCEDURES SERIES:**

**TECHNOLOGY POLICES ASSOCIATED WITH  
SCHOOL TECHNOLOGY PLANS**

## **OPER 6001 – TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS SELECTION INCLUDING DIGITAL RESOURCES**

**Effective Date:** November 2, 2017

**Reference:** GS 115c-98(b)

**Purpose:** The purpose of this procedure is to implement, enrich and support the educational program of the ESDB schools (Governor Morehead School, Raleigh; Eastern North Carolina School for the Deaf, Wilson; and North Carolina School for the Deaf, Morganton) using high quality and relevant materials, including digital/Internet resources.

### **Implementation**

The authority and responsibility for the selection of textbooks and other instructional materials are the responsibility of the Media and Technology Advisory Committee (MTAC). The MTAC shall consist of grade level teachers for the textbooks/instructional materials under review as described in OPER 6002. The committee shall establish review criteria. All selections must be made in good faith and in accordance with the written criteria established with consideration for selecting state-adopted textbooks and instructional materials. Suggestions from patrons are welcome and will be considered, using the same criteria as all other selections. Each ESDB school's Media Center will use appropriated funds on materials every year for the selection and procurement of supplementary textbooks, library books, e-books, periodicals (including electronic versions), audiovisual materials, and other supplementary instructional materials needed for instructional purposes, including materials available on the Internet that aligns with the school's curriculum. These materials will be selected in a variety of formats including, but not limited to print, braille, large print, video, sound recording, and digital or electronic media. Each type of material must be considered in terms of its own excellence and the audience for whom it is intended.

Materials for purchase are to be selected based on:

- Overall purpose
- Relevance to the curriculum
- Accessibility
- Reading/interest level
- Recommendation in professional journals
- Importance of the subject
- Quality of the writing/production
- Authoritativeness
- Local interest
- Purchasing guidelines

No single standard can be applied in all cases. Some materials may be judged primarily in terms of artistic merit, scholarship, or value to humanity; others are selected to satisfy the informational, recreational, or educational interests of the community.

Reviews in professionally recognized periodicals are a primary source for materials selection. Standard bibliographies, book lists by recognized authorities, including bestseller lists, and the advice of competent people in specific subject areas also will be used. Gifts/donations will be considered following the same criteria as purchased materials.

Each school's Media Center keeps the collection vital and useful by retaining or replacing essential materials, and by removing, on a systematic and continuous basis, those works that are worn, outdated, of little historical significance, or no longer in demand.

Each school's Media Center endeavors to build a collection representing varying points of view. The choice of library materials by users is an individual matter. Responsibility for the reading materials of children and adolescents rests with each school's staff. While a person may reject materials for himself or herself, he or she cannot exercise censorship to restrict access to the materials by others. Written complaints will be reviewed and reevaluated by select staff members of the Media and Technology Advisory Committee and a report/recommendation will be submitted to the respective school's Director and Administration Team for further action.

## **OPER 6002 - THE MEDIA AND TECHNOLOGY ADVISORY COMMITTEE (MTAC)**

**Effective Date:** November 2, 2017

### **Purpose**

The Media and Technology Advisory Committee (MTAC) at each school serves to strengthen the media and technology program and in turn strengthen the total instructional program in the school.

### **Responsibilities**

The MTAC assists the School Library Media Coordinator and Technology Facilitator in planning for the media and technology program, setting goals and priorities, evaluating the effectiveness of the program, and considering problems that arise. The MTAC should meet a minimum of four times per school year to:

1. Encourage the integration of information and technology skills into the study of other subjects by planning with teachers to provide appropriate activities to enhance student learning.
2. Promote access to the media center and computer labs through flexible scheduling.
3. Promote access to the services of the school library, Media Coordinator, Technology Facilitator, and Computer Teachers to support classroom instruction.
4. Determine if circulation procedures and policies are as simple as possible and allow students access to resources when needed.
5. Initiate technology learning experiences (e.g., Digital learning day, Parent Learning Days), family reading programs, technology literacy classes, and other activities that strengthen and promote the media and technology program.
6. Communicate expectations — what teachers expect from the media and technology program and what the Media Coordinator, Technology Facilitator, and Computer Teachers expect from all teachers.
7. Solve problems (i.e., insufficient materials on a given topic for several classes/grades to study it at the same time; computer labs for extended learning opportunities vs. flexibly accessed computer labs for curriculum-related activities; levels that certain material should be used; and equipment management, procedures, discipline, etc.

### **Membership**

The Media Specialist and Instructional Facilitator should co-chair the committee with the following members:

- Principal,
- Teachers from each grade level (elementary, middle, and high)
- Student representatives
- Parent representatives

The Principal provides information on budget, curriculum, textbook adoption, and special projects. Teachers add their knowledge of the curriculum content, instructional needs, learning

styles, and teaching methods. Students provide information related to personal needs and preferences of the student population. Parents represent the community concerns, morals, and standards.

### **Recommendations for Media and Technology**

Decisions about instructional resources and technology purchased for the school are a key responsibility. With the cost of resources constantly increasing, thoughtful consideration should be given to every item recommended for purchase. The MTAC will develop a systematic process to make recommendations for the acquisition of media and technology resources to provide a well-balanced collection. The process should include but not be limited to:

1. Examination the present collection—review inventory records, recent Annual Media and Technology Reports, circulation records.
2. Review of the budget—the MTAC should be informed of all available funds to set priorities for expenditures.
3. Examination of the objectives and curriculum of the school—changes in curriculum, new textbook adoptions, etc.
4. Consideration for special needs—replacement of materials and equipment, requests that cannot be met, school-wide emphasis on certain areas.
5. Consideration of needs and interests of students.
6. Consideration of new technologies—The MTAC should initiate and plan for acquisition and maintenance of current technologies throughout the school.
7. Prioritization of school-wide needs.
8. Review, evaluate, and preview of possible new materials and equipment —media and technology personnel should use approved lists and selection tools.
9. Recommendations for purchase of materials and equipment.
10. Evaluation of new resources when they are received—read books, preview software.
11. Evaluating of gift materials—use same procedures and criteria as selecting new materials.
12. Continuous evaluation of the collection—which materials and equipment should be removed from the collection. Worn and obsolete materials discourage students and teachers in their search for reliable information, they encourage users to handle materials carelessly, and they distract from the appearance of the collection. It is much worse to provide misinformation than to provide no information.

## **OPER 6003: DISPOSAL OF EQUIPMENT / REPLACEMENT OF OBSOLETE EQUIPMENT AND REQUEST FOR ADJUSTMENT OF FIXED ASSET INVENTORY**

**Effective Date:** November 2, 2017

**Reference:** GS §115C-518 (<http://www.osc.nc.gov/policy/AFR/102.18%20Changing%20Location%20of%20Assets%20Policy.pdf>)

### **Changing Location of Assets Within School**

Prior to changing the assigned location of equipment within a school, Part A of Form FAS-1 (or equivalent agency form, Fixed Asset Form) must be completed. The fixed asset number, description, current building and room number, and the reassigned building and room number must be included on this form. The form must be signed by the School Business Manager and transmitted to the NCDPI Fixed Asset Officer.

The NCDPI Fixed Asset Officer shall be notified of all location changes. Upon notification, the NCDPI Fixed Asset Officer will enter the location changes into the Fixed Asset System. Also, a copy of the Fixed Asset Form will be signed and returned indicating that inventory records have been adjusted.

### **Transfers Between Schools or Agencies**

The Auxiliary Services Director at State Surplus Property shall be responsible for all asset transfers. Assets are transferred when they are permanently moved out of one school to another school or agency. If the move is temporary, it is treated as an asset on loan to another agency.

No State school, department, institution, or agency shall transfer any property owned by the State between schools or departments without written authorization of the Auxiliary Services Director at State Surplus Property. The acquisition or sale to the receiving school or agency will be based, where possible, on previous acquisitions or sales of similar products in the open market. If assets are to be transferred to another department due to legislative action, approval does not have to be obtained from Surplus Property.

If an item is transferred, State Surplus Property will notify the original agency as to which agency received the item.

### **Removal of Equipment**

When requesting removal of equipment from inventory records, complete Part C of Form FAS-1 (or equivalent agency form) indicating the fixed asset inventory number, description of item, present location, and the reason number (indicated on form) for the request. The form must be signed by the School Business Manager and transmitted to the NCDPI Fixed Asset Officer.

**UNDER NO CIRCUMSTANCES CAN STATE-OWNED EQUIPMENT BE DONATED, TRADED-IN, OR GIVEN TO ANOTHER ENTITY WITHOUT APPROVAL OF THE STATE SURPLUS PROPERTY OFFICE.**



### **Obsolete, Unserviceable and Unnecessary Equipment**

Prior to surplusing equipment, agency personnel must complete Part C of Form FAS-1 (or equivalent agency form). The NCDPI Fixed Asset Officer will enter the location change into the NCDPI Fixed Asset System to indicate surplus (status code - S) for equipment which is obsolete, unserviceable or no longer needed. This is required whether the asset is physically moved to the State Surplus Property facility in Raleigh or maintained at the agency. The NCDPI Fixed Asset Officer will approve and sign the form.

School Business Manager or designee must complete an equipment disposal form in duplicate when an item is being sent to State Surplus Property for sale. The new location will be Surplus. One copy of the equipment disposal form will be sent to State Surplus Property, and one copy will remain with the NCDPI Fixed Asset Officer. The NCDPI Fixed Asset Officer will update the Fixed Asset System.

If another agency needs the surplus property, State Surplus will transfer the asset at a value determined to be reasonable. If other agencies have no need for the asset, State Surplus Property attempts to sell the asset at the highest price possible. This is generally done by offering the asset to the public through sealed competitive bids, or a way determined to be preferable by State Surplus Property. Due to the time it takes to receive the asset, prepare it for sale, and process bids for many items, it can take 3 to 6 months to sell the asset.

The State Surplus Property Office will notify the agencies accounting office in writing when an item is scrapped, junked, cannibalized, or sold. If sold, a check is sent to the Accounting office. The NCDPI Fixed Asset Officer will remove items from the Fixed Asset System based on notifications from State Surplus Property, and will maintain notification on file as documentation. The NCDPI Fixed Asset Officer will also complete the required Fixed Asset Maintenance forms to remove an item from the inventory.

### **Replacement of defective equipment under warranty**

If an equipment item becomes defective while under warranty and the item is replaced by the vendor/manufacturer, the School Business Manager or designee will complete Part D of Form FAS-1, indicating the fixed asset number of the item to be replaced, description of item, serial number, serial number of the replacement equipment, location, and vendor/manufacturer name. The School Business Manager or designee will assign a new tag to the replacement equipment.

### **Trade-Ins**

Many times, it is more economical to trade-in an asset than to sell it as surplus property. Where a school requests bids for the purchase of a new item and it appears that a trade-in may be advantageous, the solicitation must contain a provision requesting that a trade-in allowance be offered and prior approval by the Director of Auxiliary Services at State Surplus Property is required. The owning School Business Manager or designee must obtain authorization in writing from the NCDPI Fixed Asset Officer before a trade-in can be arranged. After written authorization is obtained, the School Business Manager or designee attaches a copy of the written authorization to Form FAS-1 (or equivalent form) and proceeds with the trade-in. See [https://www.osc.nc.gov/search?search\\_api\\_views\\_fulltext=fas-](https://www.osc.nc.gov/search?search_api_views_fulltext=fas-)

1&sort\_by=search\_api\_relevance; <https://www.osc.nc.gov/fas-1-form>;  
[https://files.nc.gov/ncosc/documents/files/fas-2\\_form.pdf](https://files.nc.gov/ncosc/documents/files/fas-2_form.pdf)

## **ESDB-022: HARDWARE AND SOFTWARE PROCUREMENT, AND GIFTS ETHICS**

**Effective Date:** November 2, 2017

**Reference:** G.S. 143 Article 3 and 3C; North Carolina Administrative Code Title 1, Chapter 5; the State Purchasing Manual, and the DPI Purchase & Contract Manual, Part I; (GS § 115c-522, 115c-522.1). Manual at <https://ncadmin.nc.gov/about-doa/divisions/purchase-contract>

### **I. PURPOSE**

To establish operational procedures for carrying out the responsibilities of purchasing within the agencies of the Education Services for the Deaf and Blind (ESDB), that are in accordance with the requirements set forth by the North Carolina Division of State Purchase and Contract (P & C) and the North Carolina Department of Public Instruction.

Purchasing is defined as the acquisition of all equipment, materials, supplies and printing through outright purchase, rental, lease or lease-purchase.

These procedures apply to all ESDB Schools, which include the North Carolina School for the Deaf, the Eastern North Carolina School for the Deaf and the Governor Morehead School.

The ESDB Schools must process their purchase orders through the DPI Purchasing and Contracts Section. See Manual at <https://ncadmin.nc.gov/about-doa/divisions/purchase-contract>

### **II. PROCEDURE**

Purchases made by ESDB Schools shall reflect sound business practices as set forth in Article 3 and 3C of Chapter 143 of the General Statutes; the North Carolina Administrative Code Title 1, Chapter 5; the State Purchasing Manual; and the DPI Purchase & Contract Manual, Part I.

The goal of this office is to provide for the timely, economical acquisition of required goods in the most efficient, cost-effective manner possible, while adhering to all state purchasing requirements.

#### **A. AGENCY RESPONSIBILITY**

1. Each ESDB School is required to employ an Agency Purchasing Officer, who is responsible for oversight of the acquisition of supplies, materials and equipment within the school; and who serves as the liaison with the DPI Purchasing Office and State P & C.
2. All purchasing personnel must be made aware that ethics and ethical practices are a major concern in the realm of public purchasing; and therefore, any impediments to ethical practices must be detected early, with safeguards provided at all levels. Negotiations with vendors and peers must be open, honest and objective.

Employees of ESDB must not appear to be, or in fact become, obligated to any supplier. Procurement staff shall not participate in any transaction in which they might personally benefit. Procurement staff will deal with suppliers and potential suppliers on an impartial basis and shall

refuse any gifts or favors except as expressly provided below with respect to meals and advertising-related gifts of nominal value.

## **B. PURCHASING AUTHORITY**

All purchases of goods and services shall be made via the Purchasing and Contracts office of DPI.

## **C. STATE PROCUREMENT CARD**

All ESDB Schools have been approved to use the State Procurement Card when making small purchases for the agency in cases of emergency or pressing need. (See the ESDB Procurement Card Policy). Small purchases are low dollar-value items, materials or supplies, purchased in small quantities. Small purchase items may or may not be on state term contracts. In some instances, items may be listed on state term contracts but the quantity required does not meet the requirements of the contract. When this occurs, items may be purchased from non-contract vendors.

Each ESDB School has been given specific delegations for small purchases. Each school must be aware of and abide by its delegation.

## **D. COMPETITIVE BIDDING**

The State's purchasing program is based upon sound competitive purchasing procedures. Competition is the cornerstone around which public contracting is built; and the importance of seeking competition exists at all levels of expenditures. All agency purchasing personnel must maintain an awareness of the need for and the value of competition in every procurement action. Although the lowest responsive and responsible bid price is the benchmark in North Carolina's purchasing program, price should not be considered as the absolute in the competitive arena.

Since ESDB serves children with specific disabilities, the scope of adaptive and rehabilitative purchases is unique. The purchase outside of certified sources of supplies and the waiving of competition when a single source can provide multiple pieces of equipment, including adaptive equipment, that are more compatible with each other than would be the case if they were purchased from multiple vendors, is acceptable when well-documented.

ESDB schools are required to implement the following requirements for seeking competition as follows:

### **ESDB SCHOOLS**

- (1) \$1 to \$2500 – no bids required
- (2) \$2501 to \$5000 – 3 quotes on letterhead (preferred) or email
- (3) \$5001 to \$10,000 – 3 e-quotes
- (4) \$10,001 and above – State P & C solicits bids

## **E. SOLE-SOURCE GUIDELINES**

A competitive process is preferred. However, a sole-source vendor may be requested when an item is available from only one source. Using a sole-source vendor is discouraged and should

be used only in extenuating circumstances. If a specific vendor is being requested, the answers to the following questions will provide a detailed justification for a sole-source purchase.

1. What is unique about this product?
2. Where else have I searched for competition?
3. Can I be safe in requesting this procurement as a sole-source?
4. Have I received quotes from other vendors, if applicable?
5. Will DPI and P&C understand my conclusions?
6. Have I adequately documented my reasons for sole-sourcing?

#### **F. EMERGENCY PURCHASES**

Emergency purchases are permissible in situations that threaten or endanger life, property, or the continuation of a vital program and that can be rectified only by immediate on-the-spot purchase or rental of equipment, supplies or materials. Where the safety or health of individuals is at risk; the preservation or protection of property is at stake; the function of the Agency is in jeopardy; or there are other needs that must be dealt with immediately; an emergency exists. In these situations, immediate action may be taken; thus, reducing to the absolute minimum the kinds of delays normally encountered in the purchasing process.

If the emergency requires purchase of state term contract items from vendors, other than those listed in the appropriate term contracts, or if the emergency requires purchase of items that exceed authorization limits, the Agency must obtain verbal approval from the ESDB School's Business Director, DPI Purchasing and State P & C, as applicable, whenever time permits. Documentation of the emergency and an explanation of why normal purchasing procedures could not be followed must be prepared in every instance and forwarded to the Designated DPI Management Staff, designated DPI accounting staff and State P & C as soon as possible, after the purchase has been completed.

#### **G. FIXED ASSETS**

All purchased equipment whose total purchase price is \$500 and above must be identified as a "fixed asset" for the School and must be tagged with a fixed asset decal and added to the School's Fixed Asset Inventory. Specific devices such as auditory transmitters, and receivers and all other prosthetic appliances are not to be considered fixed assets.

The permanent file of Fixed Assets for the School shall be maintained in the School's Stock Clerk's office.

#### **H. RECYCLING**

Each ESDB school must encourage and promote the purchase of products with recycled content. Each Agency shall review and revise its competitive procedures or specifications that explicitly discriminate against the use of materials or supplies with recycled content, except where such procedures or specifications are necessary to protect health, safety or welfare of the citizens of this State.

Each school should choose materials with recycled content where applicable that are available for purchase under statewide term contract. It is the goal of the State that at least 50% of the total

amount spent for purchase of paper and paper products during each fiscal year be expended for paper and paper products with recycled content.

### **I. WASTE REDUCTION**

Each ESDB school must review and revise its competitive procedures and specifications to encourage purchases or use of reusable, refillable, repairable, more durable and/or less toxic supplies and products. Each Agency is required to purchase such supplies and products to the extent that purchase or use is practicable and cost-effective. Each Agency is required to purchase and use remanufactured toner cartridges for laser printers to the extent possible.

### **J. HISTORICALLY UNDERUTILIZED BUSINESS PROGRAM (HUB)**

ESDB schools are strongly encouraged to strive to increase the total amount of goods acquired from HUB vendors, whether directly as principal contractors or indirectly as subcontractors. It is expected that each ESDB school will make every effort to meet the DPI annual goal for using HUB vendors each year.

## **III. PROCEDURES FOR PURCHASING COMMODITIES**

### **A. STATE TERM CONTRACTS**

Whenever possible, commodities should be purchased from State Term Contracts.

State P & C has initiated term contracts covering commonly purchased supplies, materials and equipment. These contracts were developed by State P & C through the competitive bidding process. Items available through term contracts include, but are not limited to:

- Office supplies and equipment
- Furniture
- Copiers
- Janitorial supplies
- Audiovisual supplies and equipment

When multiple vendors are listed for a product, the purchaser may select any vendor listed on the contract designated to do business in that area. In every case, the item representing the best value for the application shall be selected.

State Term Contracts bind both parties – the vendor and the State. The vendor has agreed to sell at a certified price and the State has agreed that **all** its purchases of that commodity will be from the certified vendor.

Occasionally there may arise a need for an item so unique that it is unavailable through existing State P & C contracts, even though these contracts may include similar items that are functionally the same. Given adequate written justification, purchase of such non-contract items may be considered.

### **B. PURCHASES OVER \$10,000**

ESDB schools are required to implement the following requirements for seeking competition as follows:

## **ESDB SCHOOLS**

- (1) \$1 to \$2500 – no bids required
- (2) \$2501 to \$5000 – 3 quotes on letterhead (preferred) or email
- (3) \$5001 to \$10,000 – 3 e-quotes
- (4) \$10,000 and above – State P & C solicits bids

### **1. Processing by State P & C**

When a requested purchase exceeds \$10,000, a purchase order signed by the Purchasing Agent must be transmitted through appropriate channels to State P & C. This requisition must include specifications and/or descriptive literature sufficient to identify the item to be purchased.

State P & C will follow formal procedures to solicit sealed bids. This is done via the Internet or by means of a bid list or advertisement in a newspaper of statewide circulation at least ten (10) days prior to the designated bid opening date.

Bids are subject to review by the requesting agency, which then makes a recommendation to State P & C.

State P & C will evaluate the recommendation of the requesting agency and present its findings at the weekly meeting of the Board of Award, which makes the final approval.

State P & C then forwards certification of award to the requesting Agency's Purchasing Agent. This constitutes authorization for the issuance of the agency's purchase order.

### **2. Processing by Agency Purchasing Agent**

There are limited items that are not subject to processing through State P & C even though the order may exceed \$10,000. It is, however, the responsibility of the Agency to follow competitive purchasing procedures when buying these items. Contact DPI before processing such items to determine whether or not DPI has imposed additional procedures for such purchases:

- Perishable items such as fresh fruits, vegetables, etc.
- Medical products or prosthetic appliances prescribed by a physician
- Educational Materials

## **C. PURCHASES UNDER \$10,000**

Although the State P & C bidding process as described above does not apply to purchases under \$10,000, there are, however, requirements for competition attached to purchases under \$10,000.

### **1. Purchases from N.C. Corrections Enterprises**

Each DPI Agency must give preference to the Department of Public Safety (DOC) products when they are manufactured, produced or provided within the State Prison System and offered for sale by Department of Public Safety.

Products available from the private sector, including those on State Term Contract, shall be purchased only when a waiver has been signed by personnel at N.C. Corrections Enterprises

stating that the DOC product will not satisfy the requirements of the agency or will not be available when needed.

## **2. Information Technology (IT) Purchases**

All approved requests for IT purchases that exceed \$25,000 must be sent to State Information Technology Services (DIT) for procurement. This requirement applies to non-state-contract hardware and software, and also includes telephone service, printers, copiers and computer projection devices, together with rental, lease or maintenance on any or all of the aforementioned.

## **3. Software Purchases**

There are two types of software that may be purchased: custom software and “off-the-shelf” software. DPI Agencies are delegated to purchase “off-the-shelf” software. Custom software, equipment and maintenance involving help-desk, technical support or similar assistance should be purchased as a “contractual service” and should always be bid on via RFP. “Off-the-shelf” software, wherein the source code is not changed, does not have to be bid on because no two software packages are alike.

The DPI Purchasing Manual, Part I, outlines the steps each ESDB school should take when purchasing software.

## **4. Blanket/Open-end Purchase Orders**

Blanket or open-end purchase orders offer simplified methods of filling anticipated repetitive needs for quantities of items, materials or supplies by establishing “charge accounts” with qualified sources of supply. A blanket purchase order should be used when the Agency has a recurring need for a certain commodity.

Blanket purchase orders may be issued for periods of up to 12 months but may not cross the end of a state fiscal year. Issuance of blanket purchase orders implies certification that funds, sufficient to cover the amounts specified in the orders, have been budgeted.

## **D. PURCHASE OF USED ITEMS**

It is allowable to purchase used items if it is in the public interest and there is a demonstrated savings. In each case, the purchase file must contain sufficient data to ensure that such a purchase is a good buy. The permanent file should contain:

- A signed invoice identifying the item to be purchased and cost
- Documentation by a competent authority stating the condition of the item and its worth
- Documentation stating the “new value” of such item

## **E. PURCHASE FROM/THROUGH STATE EMPLOYEE**

All reasonable effort must be made to avoid making purchases from or through employees of state government, its agencies or its public school administrative units. If a required item, material or supply cannot be obtained from or through any other sources, acquisition from a state employee may proceed, given approval of the Secretary of Administration. If approved, purchase should be made according to policies governing sole-source purchases.



In the event an unapproved purchase from or through a state employee is discovered, after the fact, such purchase shall immediately be reported to the Secretary of Administration, who will take appropriate action.

The purchasing power of the State is not to be used for personal or private advantage or gain.

#### **IV. PURCHASING REQUIREMENTS**

##### **A. REQUISITIONS**

In the three ESDB Schools, each purchase where the total dollar amount is \$2501 or more requires an electronic requisition, unless the purchase is an immediate need commodity where time or vendor does not permit use of the N.C. E- Procurement System.

All requisitions must be submitted electronically through the North Carolina E- Procurement System. The requisition must be approved within the E- Procurement system by at least one designated person in each Agency to ensure that the requisition is a legitimate purchase.

Whenever the Available Funds File (AFF) is active, the NCAS checks the company/account/center for funds availability. If funds are not available, the requisition may be passed to the NCDPI Budget Analyst or financial designee to transfer funds to cover that purchase. If funds are available, the requisition may then be converted into a purchase order.

##### **B. PURCHASE ORDERS**

In the three ESDB Schools, each purchase where the total dollar amount is **\$2501** or more requires a requisition to be converted into a **purchase order through NCDPI**.

Whenever the Available Funds File (AFF) is active, the company/account center is checked again for funds availability. The purchase order continues through the normal process if funds are available.

##### **C. NORTH CAROLINA ACCOUNTING SYSTEM**

The North Carolina Accounting System (NCAS) is the system that the DPI Financial Services uses for their accounting functions.

Once a purchase order has been entered into the E-Procurement system, an invoice is entered into NCAS by the accounting staff and matched to the purchase order by the system. After the purchased goods are received locally, that information must be transmitted on-line through E-Procurement order for the invoice to be paid.

Training for use of the E-Procurement System is through State Purchasing and Contracts.

The E-Procurement project team maintains a “Help Desk” for system-related problems and is available for assistance with system-related problems in requisitioning, purchasing approving and receiving.

## **OPER 6004 – COPYRIGHT AND PLAGIARISM**

**Effective Date:** November 2, 2017

**References:** PL 94-553, 90 Stat. 2541; 17 U.S.C. 101, 102, 106, 108, 110, 117

### **Copyright Compliance**

The ESDB schools (Governor Morehead School, Raleigh; Eastern North Carolina School for the Deaf, Wilson; and North Carolina School for the Deaf, Morganton) recognize and support the limitations on unauthorized duplication and use of copyrighted materials, including use of materials without proper acknowledgement. ESDB schools do not condone any infringement on the property rights of copyright owners.

Employees, students and visitors are prohibited from the use or duplication of any copyright materials not allowed by copyright law, fair use guidelines sanctioned by Congress, licenses or contractual agreements. Willful or serious violations also are considered to be in violation of expected standards of behavior for employees and students and may result in disciplinary action in accordance with school policy.

In this policy, plagiarism refers to the copying of the language, exact words, structure, or idea of another and representing it as one's own work, without any acknowledging or citation attributed to the author.

A violation of software copyright laws refers to the unauthorized duplication of computer software (computer piracy), printed material related to computer software, and/or the use of pirated computer software.

### **Fair Use**

ESDB schools support the “fair use” of copyrighted materials. Unless allowed as "fair use" under federal law, permission must be acquired from the copyright owner prior to copying copyrighted material. Fair use is based on the following considerations:

- the purpose and character of the use including whether such is of a commercial nature or is for nonprofit educational purposes;
- the nature of the copyrighted work;
- the amount of and the substantiality of the portion used in relation to the copyrighted work; and
- the effect of the use upon the potential market for, or value of, the copyrighted work.

The media specialists or instructional facilitator shall provide training and information regarding “fair use” on an annual basis. The training shall be provided to personnel and students, as appropriate, to provide further guidance on the fair use of copyrighted materials, including in the following circumstances:

- proper use of member-based websites such as Netflix, PBS, etc.

- single and multiple copying for instructional purposes;
- copying for performances and displays;
- off-air recording of copyrighted programs;
- use of "for home use only" videotapes;
- computer software;
- copyrighted materials on the Internet and on-line databases; and
- reproduction and loan of copyrighted materials by school media centers.

# **OPER 6005: ACCEPTABLE USE FOR COMPUTERS, INFORMATION SYSTEMS AND IT DEVICES, INCLUDING BRING YOUR OWN DEVICE AND 1:1 STUDENT COMPUTING**

**Effective Date:** November 2, 2017

**References:** PL §106-554

## **Purpose**

This procedure defines the information system security responsibilities and acceptable use rights for employees, volunteers, guests, vendors and contractors (hereinafter, “Users”) of schools within the Education Services for the Deaf and Blind (ESDB). The policy also covers Bring Your Own Device and existing 1:1 student computing. A sample user certification statement is included. Each school may modify it as needed. However, all employees must have a signed certification on file each year.

Information systems include all platforms (operating systems), all computer sizes (personal digital assistants through mainframes), and equipment, and all applications and data (whether developed in-house or acquired from third parties) contained on those systems.

This policy document includes an agreement form that once signed, certifies the User’s understanding and affirmation of the policy.

## **Procedures**

Each ESDB School shall be responsible for ensuring that every individual seeking access to ESDB network and/or information systems reviews this policy and signs an acceptable use agreement based upon the terms specified in this policy. Users must sign the agreement form included herein before permission is granted to use the ESDB systems.

## **Implementation**

### **1. User Access Responsibilities**

All information and data processing systems to which users are given access are to be used only to conduct the activities authorized by the ESDB Offices and Schools. The use of these resources must be conducted according to the policies, standards, and procedures instituted by the Education Services for the Deaf and Blind or on its behalf. The unauthorized use or disclosure of information provided by these data processing systems may constitute a violation of Department, State, and/or Federal laws which will result in disciplinary action consistent with the operational procedures of the Department (see Enforcement section below).

ESDB Schools may require additional agreements regarding the confidentiality of specific

types of information; for example, medical records, client case files, personnel records, financial records, etc. This procedure may augment such ESDB Schools' policies and procedures, but is not intended to replace such procedures, which remain in effect.

## **2. Rights of Information Ownership**

The Department and its Schools retain the rights of ownership to all Information Technology Systems (ITS) resources including hardware, software, functionality, data, and related documentation developed by the Department's information systems users on behalf of the Department. All Department ITS resources remain the exclusive property of the State of North Carolina and/or the Department, unless otherwise prescribed by other contractual agreements.

## **3. Use of NC Integrated Information Network ("NCIIN") and the Internet**

The Internet is a worldwide collection of interconnected computer networks. The State's wide area network, NCIIN, is the NC controlled network connected to the Internet.

Following is a list of policies regarding the use of NCIIN and the Internet:

- a. While in performance of work-related functions, while on the job, or while using publicly owned or provided information processing resources, ESDB users are expected to use the NCIIN and Internet responsibly and professionally. Users shall make no intentional use of these services in an illegal, malicious, or obscene manner as described in NC General Statute (GS) 14-190.1. Users may make reasonable personal use of publicly owned or provided NCIIN or Internet resources if:
  - i. The direct measurable cost to the public is none, is negligible, or access supports the mission of the agency;
  - ii. There is no negative impact on user's performance of public duties;
  - iii. The procedure is applied equitably among all personnel of the agency;
  - iv. Users may be required to reimburse the agency/school if costs are incurred that do not have prior approval by the Agency/school.
- b. When sending or forwarding e-mail over the NCIIN or the Internet, Users shall identify themselves clearly and accurately. Anonymous or pseudonymous posting is expressly forbidden, unless otherwise allowed by law to make anonymous postings.
- c. Users are responsible for protecting DPI/ESDB Schools' sensitive information by following the ESDB OPERATIONAL PROCEDURES.
- d. Users have a responsibility to ensure, to the best of their ability, that all public information disseminated via NCIIN and the Internet is accurate. Users shall provide in association with such information the date at which it was current and an e-mail address allowing the recipient to contact the public staff responsible for making the information available in its current form.

- e. Users shall avoid unnecessary network traffic and interference with other users, including but not limited to:
  - i. Unsolicited commercial advertising by ESDB Users. Such use is strictly forbidden. For this procedure, “unsolicited commercial advertising” includes any transmission that describes goods, products, or services and that is initiated by a vendor, provider, retailer, or manufacturer of the described goods, products or services, or by a third party retained by, affiliated with, or related to the vendor, provider, retailer, or manufacturer. For purposes of this definition the vendor, provider, retailer, or manufacturer must be a non-governmental entity. This prohibition shall not include:
    - ii. Discussions of a product or service’s relative advantages and disadvantages by users of those products or services (unless the user is also the vendor, retailer or manufacturer, or related or affiliated with the vendor, provider, retailer, or manufacturer),
    - iii. Responses to questions, but only if such responses are direct replies to those who inquired via e-mail, or
    - iv. Mailings to individuals or entities on a mailing list so long as the individual or entity voluntarily placed his/her name on the mailing list.
- f. The use of computer resources, including e-mail, to conduct any activities already prohibited by the NC Office of State Human Resources or other NC State policies (such as private/personal fund raising, political activities, etc.) shall be prohibited.
- g. Mass emailing by public employees and NCIIN users that do not pertain to governmental business is prohibited.
- h. Users shall not use the Internet, the NCIIN, or any State information system to (i) allow the unauthorized dissemination of confidential information, or (ii) for any purpose that is not permitted by ESDB policies or would compromise public safety or public health.
- i. Users shall not stalk others; post, transmit, or originate any unlawful, threatening, abusive, fraudulent, hateful, defamatory, obscene, or pornographic communication, or any communication where the message, or its transmission or distribution, would constitute a criminal offense, a civil liability, or violation of any applicable law.
- j. Users shall not access or attempt to gain access to any computer account to which they are not authorized. They shall not access or attempt to access any portions of the NCIIN networks to which they are not authorized. Users also shall not intercept or attempt to intercept data transmissions of any kind to which they are not authorized.
- k. Users given access to which they are not privileged or entitled, are required to report the circumstances immediately to their supervisor. Supervisors are responsible for determining the User’s appropriate access rights. Supervisors must notify their School’s Information Security Official should they determine that access rights need to be modified.

## 1. **Workstation Security**

These requirements apply to office, home or other remote access locations if utilized for ESDB business.

- a. As appropriate, sensitive paper and computer media shall be stored in suitable locked cabinets and/or other forms of security furniture when not in use, or behind locked doors, especially outside working hours.
- b. Personal computers and computer terminals should not be left logged on when unattended or not in use. Personal computers or computer terminals shall be protected from unauthorized access by physical, technical, or administrative controls such as passwords, time driven screensavers, controlled workstation access, operational procedures, etc.
- c. Classified or sensitive information should not be printed on a printer located in public areas. However, if public printers must be used to print sensitive or classified information, such information shall be cleared from printers immediately.

## **5. Media Storage**

- a. Classified information stored on external media (e.g. flash drives or CDs) must be protected from theft and unauthorized access. Such media must be appropriately labeled to identify it as classified information.
- b. The use of removable storage devices or external devices (e.g., USB flash drives or CDs) shall be restricted to authorized personnel to safeguard and protect confidential data and information technology assets. Authorization for the use of removable storage devices must be granted by the user's supervisor in writing and specify the intended use of the device. The School's security official shall maintain an inventory of all authorizations and use of removable storage devices. Any use must meet DPI security policies and standards.
- c. Users shall request the use of state owned storage devices. Schools shall strive to provide state owned-storage devices to staff and thereby limit the use of any personal device used to conduct any state business. Any use of personal devices must be disclosed to the supervisor and be approved.
- d. Mobile computing devices and removable storage devices (e.g., laptops, tablets, iPads, PDAs, USB flash drives, etc.) must never be left in unsecured areas and their use must meet DPI Security Standards. Any incidents of misuse, theft or loss of data must be reported to the supervisor and to the ESDB School's Security Official. The incident should be reviewed and reported to in accordance with ESDB/DPI Security Standards.
- e. ESDB Schools' sensitive or confidential information shall not be stored at home without appropriate authorization from the user's supervisor/ manager. Users shall follow appropriate physical safeguards for offsite use. Documentation of authorization and storage of sensitive information in the home shall be maintained in accordance with the NCDPI/ ESDB school procedures.



## 2. **User Privacy**

All users of the DPI / ESDB Schools' information systems are advised that their use of these systems may be subject to monitoring and filtering. ESDB reserves the right to monitor – randomly and/or systematically – the use of Internet and ESDB information systems connections and traffic. Any activity conducted using the State's information systems (including but not limited to computers, networks, e-mail, etc.) may be monitored, logged, recorded, filtered, archived, or used for any other purposes, pursuant to applicable Departmental policies and State and Federal laws or rules. The Department reserves the right to perform these actions with or without specific notice to the user.

## 3. **Software License Agreements**

- a. The theft of computer resources, including computer software, is illegal. All computer software, including software obtained from sources outside the Department, is subject to license agreements that may restrict the User's right to copy and use the software. Software distributed on a trial basis, even through the Internet, does not suggest that the software is free or that it may be distributed freely.
- b. The Department does not require, request, or condone unauthorized use of computer software by its employees, volunteers, and contractors. The Department enforces Federal Public Law 102-561, which strictly prohibits any violation of copyright protection. Violation of copyright protection is considered a felony and is punishable by up to five years in prison and/or fines up to \$250,000 for all parties involved.

## 4. **Computer Viruses: Malicious Code**

- a. It is the responsibility of each User to help prevent the introduction and spread of computer viruses and other malicious code. All personal computers in the ESDB School must have virus detection software running always. All files received from any unknown source external to the School, including those on storage on media and electronically downloaded or received as e-mail attachments, except for attachments received via Office 365, must be scanned for computer viruses before opening or using the files. (Attachments received via Office 365 are automatically scanned).
- b. Users should immediately contact their manager or supervisor, other appropriate designated staff or the School Security Official when a virus is suspected or detected, so that it may be confirmed and removed by the appropriate staff.
- c. Users must report all information security violations to the ESDB School's Security Official, who will notify the ESDB in accordance with the Incident Management policy and procedures. The ESDB Security Officer shall be responsible for notification of the ITS Security Office.

## 5. **Installation of Hardware or Software**

- a. ESDB information system hardware and software installations and alterations are handled by authorized ESDB employees or contractors only. Users shall not install new or make changes to existing information system hardware or software.
- b. Users shall not download software from the Internet unless specifically approved by the user's supervisor and the designated IT personnel. Downloading audio or video stream for a work-related webinar or audio conference is permissible without prior authorization.

## **6. Remote Access**

- a. Authorized users of ESDB computer systems, networks and data repositories may be permitted to remotely connect to those systems, networks and data repositories to conduct state-related business only. Users will only be granted remote access through secure, authenticated and managed access methods and in accordance with the DPI / ESDB Remote Access Security Standard.
- b. Users shall not access agency networks via external connections from local or remote locations, including homes, hotel rooms, wireless devices, and off-site offices without knowledge of and compliance with the User Access Responsibilities section described above within this policy.

## **7. Bring Your Own Device and 1:1 Student Computing**

ESDB schools support the 1:1 goal of each student having a digital device or personal computer to access the curriculum. Students may bring their own digital learning devices to school and access the school's Internet/Wi-Fi network, under the school's guidelines for responsible use. However, the school is not liable or responsible for loss or damage to such devices, or to troubleshoot any problems relating to the student-owned devices.

### **Enforcement**

For enforcement questions or clarification on any of the information contained in this policy, please contact your school's IT Department.

### **Exceptions**

Any exceptions to this policy will require written authorization from the School's Security Officer based on user's requests.

## **OPER 6006: TECHNOLOGY EQUIPMENT / MATERIALS DONATION**

**Effective Date:** November 2, 2017

**Reference:** GS §115C-518 and OPER 6001

**Purpose:** The purpose of this Procedure is to define standards for technology-related materials or equipment donations to ESDB schools (Governor Morehead School, Raleigh; Eastern North Carolina School for the Deaf, Wilson; and North Carolina School for the Deaf, Morganton).

### **Procedure**

All persons or organizations desiring to donate technology-related materials or equipment to the ESDB schools must present to the Business Manager and appropriate Administration Team members of each school, a proposal containing the following information:

- A complete description of the item(s) being donated.
- A description of the potential use of the item(s) at the school and the potential benefit to the school from this use.
- An estimate of the cost of installation, use and/or maintenance of the item(s) by the school if the donation is accepted.
- An estimate of the age of the item(s), previous level of use, and typical life expectancy (if known).

Acceptance criteria must be in compliance with the current Materials Selection Policy, OPER 6001. All instructional resources must be reviewed by the Media and Technology Advisory Committee.

The Business Officer and Administration Team may approve or deny the acceptance of the donation unless he/she determines that further information is needed. The Business Officer may then release to the donor the tax identification information necessary to document donation. A letter of acknowledgement and appreciation will be forwarded to the donor. The ESDB schools, without exception, own technology-related materials and equipment donations. Donations are not the personal property of faculty, staff or students, although they may have been the primary contact or delivery point for the donation. All state property must be disposed of properly through the State Surplus Property Agency.

## **OPER 6007: DATA PRIVACY AND ACCESS TO STUDENT RECORDS**

**Effective Date:** November 2, 2017

**References:** G.S. 115C-114; North Carolina Procedures for Governing Programs and Services for Children with Disabilities, July 2014; § 115C 109.3. Access to records; opportunity for parents to participate in meetings; G.S. 115C 45(c)(2). (1977, c. 927, s. 1; 1981, c. 423, s. 1; 2006 69, s. 2.), {20 U.S.C. § 1232g; 34 CFR Part 99 (FERPA)}

**Purpose:** To establish a Data Privacy procedure regarding the rights of parents and eligible students to inspect, review, request and give consent for release of educational records of their child.

**Target Group:** All employees in the Department of Public Instruction, and the Education Services for the Deaf and the Blind (ESDB).

### **Procedure:**

1. A parent, legal guardian, or eligible student has the right to inspect and review the student's education records maintained by ESDB and to have a representative of the parent inspect and review the records. Upon request, parents shall be entitled to have these records fully explained, interpreted and analyzed for them by the staff of the division and/or school. Such requests shall be honored within a reasonable period of time, but in no case more than 10 school days after the request has been made. Eligible student is defined as one who has reached the age of majority, 18 years, unless the court has declared him/her incompetent. The term "education records" does not include personal notes of teachers or professionals working with the child. ESDB shall comply with a request to inspect the records prior to the meeting regarding an IEP or hearing.
2. ESDB may presume that the parent has authority to inspect, review and give written consent for release of records relating to his or her child unless the agency has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation and divorce. (When appropriate legal custody papers may be requested and kept on file).
3. If any education record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.
4. The parent or eligible student has the right to request copies of the records if failure to provide these records would effectively prevent the parent or eligible student from exercising the right to inspect and review the records.
5. ESDB will document each request by date and time along with the actual time of review (see request form). The parent's signature will verify that the request for information is accurate.
6. ESDB will document in the student file any information and/or copies sent to the parents from the records and indicate date of request and date given/mailed.

7. ESDB shall obtain the written consent of the parents of a student or the eligible student before disclosing personally identifiable information from the education records of a student to a third party, other than directory information.
8. Written consent required for release of records must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
  - a. a specification of the records to be disclosed; the purpose or purposes of the disclosure
  - b. the party or class of parties to whom the disclosure may be made
9. When a disclosure is made to a third party, ESDB shall, upon request, provide a copy of the record which is disclosed to the parent of the student or the eligible student and to the student who is not an eligible student if so requested by the student's parent.
10. Parental consent is not required for release of educational records to:
  - a. school officials, including teachers within ESDB who have a legitimate educational interest
  - b. officials of another school or LEA in which the student intends to enroll or obtain services
  - c. certain authorized representatives of the state and federal government who are determining eligibility of the child for aid as provided under Public Law 105-17
  - d. when required by a judicial order or any lawfully issued subpoena upon condition that parents/students are notified by the local educational agency of all such orders or subpoenas in advance of compliance
  - e. when the disclosure is about a health or safety emergency
11. Nothing in this part shall prevent a local education agency from:
  - a. including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community
  - b. disclosing appropriate information maintained under this section to teachers and school officials within the agency or institution who the local education agency has determined have legitimate educational interests in the behavior of the student
  - c. Disclosing appropriate information maintained under this section to teachers and school officials in other schools who have been determined to have legitimate educational interests in the behavior of the student
12. All other persons may gain access to a student's record only with the specific written consent of the parent(s) or guardian(s) or student of majority age
13. Recipients of student records should be cautioned that student information may not be released to third parties without the consent of the parent/legal guardian.
14. When a parent refuses to provide consent and ESDB feels that the record must be shared with another party to ensure appropriate education of the child, the agency must use the hearing procedures to compel consent which could be ordered by the hearing officer.
15. ESDB must keep a record of parties obtaining access to education records (name of party, date of access, and purpose of access); provide parents on request a list of types and locations of education records; and maintain, for public inspection, a current listing of names and positions of those employees within ESDB who may have access to personally identifiable information.

16. If, as a result of the hearing, ESDB decides that the data are inaccurate, misleading or otherwise in violation of the rights of the child, it shall amend the data accordingly and so inform the parent in writing.
17. If, as a result of the hearing, ESDB decides that the data are not inaccurate, misleading or otherwise in violation of the rights of the child, it shall inform the parent of the right to place in the records it maintains on the child a statement commenting on the data and setting forth any reasons for disagreeing with the decision of ESDB.
18. Any statements or explanations placed in the records of the child under hearing guidelines shall be maintained by ESDB as long as the record or contested portion thereof is maintained by ESDB; and if the records of the child or the contested portion thereof is disclosed by ESDB to any party, the explanation shall also be disclosed.
19. ESDB shall make its decision in writing within a reasonable period after the hearing.
20. The decision must be based solely on the evidence presented at the hearing and include a summary of the evidence and the reasons for the decision.
21. ESDB shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
22. One ESDB official shall assume responsibility for insuring the confidentiality of any personally identifiable information and may assign personnel in each school to ensure confidentiality.
23. All persons collecting or using confidential information must receive training or information regarding State OPERATIONAL PROCEDURES.
24. ESDB shall maintain at each school site for public inspection a current listing of the names and positions of those employees within the agency who have access to personally identifiable information. ESDB shall inform parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child. ESDB should inform the parent that the records may be destroyed but at the parent's request, a copy of the record would be sent.
25. The information must be destroyed at the request of the parents. However, a permanent record of a student's name, address and phone number, his or her grades, attendance records, classes attended, grade level completed, and year completed will be maintained without time limitation.
26. Parents should be informed, prior to destruction, that the records might be needed by the child or parent for social security benefits or other purposes. If the parent still requests that the information be destroyed, the records are to be destroyed retaining only the information in (30) above.
27. A student who is eighteen years or older has the same rights that his parents or guardians previously had unless determined incompetent to make decisions for him/her self.
28. (NCGS §115C-109.3. Access to records; opportunity for parents to participate in meetings).
  - (a) Each local educational agency shall provide an opportunity for the parents of a child with a disability to examine all records relating to that child and to participate in meetings with respect to the identification, evaluation, and educational placement of the child, and the provision of a free appropriate public education to that child.

(b) Local educational agencies may release the records of a child with a disability only as permitted under State or federal law. The parents of a child with a disability may have access to the child's records and may read, inspect, and copy all and any records, data, and information maintained by a local educational agency with respect to that child. Parents, upon their request, are entitled to have those records, data, and information fully explained, interpreted, and analyzed for them by the staff of the agency, unless specifically prohibited by court order. If a request is made under this subsection, the local educational agency shall honor the request within not more than 45 days after it is made or in time for the individual who made the request to prepare for a meeting under subsection (a) of this section, whichever is sooner.

(c) The student and the student's parents may add written explanations or clarifications to the records, data, and information and may request the expunction of incorrect, outdated, misleading, or irrelevant entries. If a local educational agency refuses to expunge incorrect, outdated, misleading, or irrelevant entries after having been asked to do so by the parent, the parent may appeal that decision under G.S. 115C 45(c)(2).

## **OPER 6008 - IT INVENTORY MANAGEMENT AND CONTROL**

**Effective Date:** November 2, 2017

**Reference:** 115c-102.6A-C(5); GS §115c-539

**Purpose:** The purpose of this document is to ensure that the Education Services for the Deaf and Blind (ESDB) schools - The Governor Morehead School, Raleigh; the Eastern North Carolina School for the Deaf, Wilson; and the North Carolina School for the Deaf, Morganton, establish an inventory of data and information resources. The centrally-managed inventory at the school level will assist in strategic planning, budget projections and investment management, management of technical infrastructure, continuity planning, disaster recovery, and risk management.

### **Procedure**

Each school shall establish and maintain an IT inventory as a tool to protect its assets, fulfill its legal responsibilities, and maintain day-to-day functions.

### **Roles and Responsibilities**

Each school shall establish, manage and maintain an inventory of all IT hardware and software. These procedures shall also include monitoring, updating of the inventory and an annual report provided the Business Manager.

Each school shall be responsible for implementing data classification, labeling, and control procedures. The school shall also be responsible for reviewing and updating the inventory and for submitting updated information in a timely manner.

Each school should provide periodic inventory updates and discrepancies to the school technology team.

### **Implementation**

Process and procedure implementation shall comply with best practices and include the following requirements:

Each school shall establish and maintain an inventory of information resources including hardware and software. The IT inventory process shall be implemented in a manner that reduces the duplication of reporting and focuses on capturing the reporting requirements of legislative, state and federal mandates. Each school shall supply the information for the inventory and provide updates as needed.

The following inventories shall be maintained centrally at each school:



- Software, including application software, system software, development tools and licensure status
- Hardware and equipment, including computer equipment, and communication equipment, and personal/handheld devices

Each school shall maintain databases and data files, system documentation, user manuals, training material, operational or support procedures, disaster recovery and business continuity plans, and archived information to meet the requirements of NCDPI's Security OPERATIONAL PROCEDURES. Critical files must be backed up and stored in a safe location.

The IT Inventory shall be updated no less frequently than annually and as needed to ensure accurate reporting to requesting authorities. Due to requests from other state agencies, more frequent updates may be required.

Each school will circulate a pre-populated inventory list along with instructions to designated technology or inventory coordinators at least annually or as inventory reports are required.

Each school will report all inventory discrepancies (e.g., missing equipment) and reported through the Fixed Asset Process and/or the NCDPI Privacy and Security Office as appropriate and the ESDB to resolve security incidents that involve the IT Inventory. Incident management procedures may be activated depending on the types or magnitude of discrepancies revealed.

Types of information required on an ongoing basis include but are not limited to:

#### Software

- Name of System/Application
- Version number of application/system
- Description or purpose of application/system
- Application/System status (i.e., active, retired, etc.)
- Test dates/schedule for disaster recovery plans
- Current system support, business and technical contact information
- Minimum security requirements to maintain the confidentiality, integrity and availability of information contained in a business application system in accordance with the NCDPI/ESDB schools' Data Classification, Labeling and Access Control Policy
- Licensure

#### Equipment, Devices or Hardware

- Asset type
- Identifying information such as make, model, serial number
- Fixed asset number if applicable
- Cost
- Age/date of purchase
- Upgrade or modification schedule
- Location

- Operating system and Platform

### **Enforcement**

For enforcement questions or clarification on any of the information contained in this policy, please contact the NCDPI Security Officer or school technology director.

### **Exceptions**

Any exceptions to this policy will require written authorization from the NCDPI Security Officer or School Director.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Access to Services

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-023

**Policy Date:** 06/02/2016

The Education Service for the Deaf and Blind shall protect the rights of children with disabilities ages three through 21 who are in Education Services for the Deaf and Blind (ESDB).

Each ESDB school shall provide a free appropriate public education that emphasizes special education and related services designed to meet the unique needs of its children with disabilities and prepares them for further education, employment, and independent living, and ensure that the rights of these children and their parents are protected, as described in NC Procedures Governing Services for Children with Disabilities, Amended 2014.

Each ESDB school shall implement all applicable state and federal policies, including the Individual with Disabilities Act (IDEA) in serving its students

## **OPER 6009 – OPERATIONAL PROCEDURES FOR ESDB-023: ACCESS TO SERVICES**

**Reference:** GS § 115C-106.2; 1973, c. 1293, ss. 2-4; 1975, c. 563, ss. 1-5; 1977, c. 927, ss1, 2; 1979, 2nd Sess., c. 1295; 1981, c. 423, s. 1; 1997-443, s. 11A.47; 2006-69, s. 2; 2007-292, s. 2.

### **Purpose**

The purpose of this procedure is to protect the rights of children with disabilities ages three through 21 who are in ESDB schools (Governor Morehead School, Raleigh; Eastern North Carolina School for the Deaf, Wilson; and North Carolina School for the Deaf, Morganton).

Each ESDB school shall provide a free appropriate public education that emphasizes special education and related services designed to meet the unique needs of its children with disabilities and prepares them for further education, employment, and independent living, and ensure that the rights of these children and their parents are protected.

Each ESDB school shall implement all applicable state and federal policies, including the Individual with Disabilities Education Act (IDEA) in serving its students.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Online Instruction and Assessment

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-024

**Policy Date:** 06/02/2016

**Statutory Reference:** 2011 Session Law Chapter 145, Section 7.22(h)(2)

Education Services for the Deaf and Blind (ESDB) schools recognize that online instruction is a valuable tool for affording students extended educational options. The schools will provide opportunities for students to participate in online instruction to the extent that it is academically and financially feasible, and matches students' needs.

Each school staff shall advise students and parents on the North Carolina Virtual Public School courses and other on-line courses available for credit. Enrollment in an online for credit course will count toward meeting school requirements related to minimum instructional days, seat time policies, student attendance, and athletic and/or extracurricular obligations.

A student, with the principal's prior approval and parent approval, may enroll in an online course with assistance from the school e-learning coordinator. The principal shall designate a staff member at the school to serve as the e-learning coordinator, who will be responsible for coordinating the enrollment of students in online courses, monitoring students' progress in those courses, and supervising any required testing. In addition, the principal shall ensure that the e-learning coordinator implements a plan for supporting credit recovery students throughout the semester.

The School Director or designee shall develop procedures aligning with State Board of Education requirements and the NC Policies Governing Students with Disabilities.

## **OPER 6010 – OPERATIONAL PROCEDURES FOR ESDB-024: ONLINE INSTRUCTION AND ASSESSMENT**

**Purpose:** To develop consistent procedures for the administration of online courses at ESDB schools.

### **Procedure for Online Instruction**

The ESDB schools (Governor Morehead School, Raleigh; Eastern North Carolina School for the Deaf, Wilson; and North Carolina School for the Deaf, Morganton) recognize that online instruction is a valuable tool for affording students extended educational options. The schools will provide opportunities for students to participate in online instruction to the extent that it is academically and financially feasible, and matching with students' needs.

Each school staff shall advise students and parents on the North Carolina Virtual Public School courses and other on-line courses available for credit. Enrollment in an online for credit course will count toward meeting school requirements related to minimum instructional days, seat time policies, student attendance, and athletic and/or extracurricular obligations.

A student, with the principal's prior approval and parent approval, may enroll in an online course with assistance from the school e-learning coordinator. The principal shall designate a staff member at the school to serve as the e-learning coordinator, who will be responsible for coordinating the enrollment of students in online courses, monitoring students' progress in those courses, and supervising any required testing. In addition, the principal shall ensure that the e-learning coordinator implements a plan for supporting credit recovery students throughout the semester.

The School Director or designee shall develop procedures aligning with State Board of Education requirements and this policy for students enrolling in online instruction.

ESDB schools will adhere to the following procedures and guidelines.

1. The online course(s) must be approved by the North Carolina State Board of Education.
2. The Director shall approve all online course offerings.
3. Students may only take courses via distance online learning only with the approval of the Principal.
4. All students taking an online course must have a signed Acceptable Use Policy on file at their school site.

### **Online Course Curriculum**

1. Online courses must be aligned with North Carolina state standards for student learning.
2. Student learning goals (objectives) shall be clearly stated and aligned to the North Carolina

Standard Course of Study for that course.

3. Online course descriptions shall be made available to parents and students prior to registration.
4. Assignments shall be clear and understandable to students and site facilitators.
5. The subject matter content shall be similar for the online course as for the traditional in-classroom course.

### **Online Course Management and Support**

1. School sites wishing to offer online courses to students must have an area available with a modern computer and Internet connection for each participant.
2. Multiple online courses may be offered during the same class period.
3. The school will determine how many online courses a student make take during a semester.
4. If the school is following a block and semester schedule and the online course being taken is a year-long course, provisions must be made for obtaining other credits.
5. If the school is following a block schedule and the online course being taken is a year-long course, provisions must be made at the school site for the students taking the online course for the remainder of the block period
6. Enrollment of online courses should be limited. Each school will define and monitor class size.
7. The school will develop process for documenting records to verify the time students taking the online courses spend online and doing related projects/assignments.
8. Students taking online courses will log in to the network with a user name and password to secure their work. Students are not to share their user names or passwords with others.
9. All students taking online courses must have equal access to computers, Internet connections, and other resources necessary for taking an online course.
10. Each site offering online courses shall provide trained course facilitators for the duration of the course(s).

### **Online Assessments**

The ESDB schools recognize that a 21<sup>st</sup> century education increasingly includes online assessments. Each school will participate in all online assessments required by NCDPI. Instructional staff shall also take advantage of all online sources of assessments such as benchmark tests and subject area assessments available on the web and that are aligned with each school's curriculum.

Each school shall ensure that student confidentiality is maintained and adequately supervise students to ensure that they follow all directions given by the testing administrator or proctor and that they remain on the designated testing website.

It is the responsibility of the technology department to ensure that all school computers used for online instruction and assessment meet the guidelines presented by the North Carolina Accountability Services Division.



**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Advertising and Commercialism, Solicitation or Selling

**Policy Category:** Education Services for the Deaf and Blind

**Policy ID Number:** ESDB-025

**Policy Date:** 06/02/2016

**Statutory Reference:** GS §115C-98; *G.S. 14-238, G.S. 115C-36 and G.S. 115C-47*

The Education Services for the Deaf and Blind (ESDB) shall protect the instructional day and significantly restrict commercial advertising, solicitation and selling on or within the ESDB schools. However, corporate support that maintains the integrity of the learning environment is encouraged.

Students and the educational program must be the focus of the ESDB schools. To maintain an educational environment conducive to learning and to minimize intrusions upon instructional time, advertising for and promotion of commercial products and services are discouraged during the instructional day. School officials shall screen and approve the distribution and display of advertising materials and messages publicized through school media or displayed on school property and at school events.

**Protection of Student Privacy**

Neither the ESDB nor the school administrators at any school will require students to provide marketing information to vendors either through the provision of personal information or through marketing surveys. In addition, neither the school system nor any school administrator will enter any contract for products or services, including electronic media services, in which students are asked to reveal personal information for collection by the providers of such services. For the purposes of this section, personal information includes, but is not limited to, the student's name, student's disability, telephone number, e-mail address and home address.

**Solicitation or Selling**

1. There shall be no soliciting from or selling to students or staff on school premises without prior approval of the school director or designee.
2. When solicitation of funds is conducted in the name of or on behalf of any school, the prior written approval of the school director is required for:
  - a. Soliciting outside school premises for funds to support school activities
  - b. The sale of products outside school premises by the students or staff of any school to support school activities

All money collected and expended as the result of such activities shall be recorded in the accounts of the school by the business manager and shall be subject to an annual school audit.

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

This policy does not prohibit staff from requesting that parents pay the annual student activity fee and provide funds for field trips. However, in cases of financial hardship in paying these fees, parents may communicate their needs to the Principal.

## **OPER 6011 – OPERATIONAL PROCEDURES FOR ESDB-025 - ADVERTISING AND COMMERCIALISM, SOLICITATION OR SELLING**

**Reference:** GS §115C-98; G.S. 14-238, G.S. 115C-36 and G.S. 115C-47

**Purpose:** The purpose of this procedure is to help protect the instructional day and significantly restrict commercial advertising, solicitation and selling on or within the ESDB schools - The Governor Morehead School, Raleigh; the Eastern North Carolina School for the Deaf, Wilson; and the North Carolina School for the Deaf, Morganton. However, corporate support that maintains the integrity of the learning environment is encouraged.

Students and the educational program must be the focus of the ESDB schools. To maintain an educational environment conducive to learning and to minimize intrusions upon instructional time, advertising for and promotion of commercial products and services are discouraged during the instructional day. School officials shall screen and approve the distribution and display of advertising materials and messages publicized through school media or displayed on school property and at school events.

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All money collected and expended as the result of such activities shall be recorded in the accounts of the school by the business manager and shall be subject to an annual school audit.

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

This policy does not prohibit staff from requesting that parents pay the annual student activity fee and provide funds for field trips.

**NORTH CAROLINA STATE BOARD OF EDUCATION**  
**Policy Manual**

**Policy Title:** Internet Safety and Ethical Use Including Cyber Bullying and Harassment

**Policy Category:** Education Services for the Deaf and the Blind

**Policy ID Number:** ESDB-026

**Policy Date:** 06/02/2016

**Statutory Reference:** Protecting Children in the 21<sup>st</sup> Century Act, Children's Internet Protection Act (CIPA) [Pub. L. No. 106-554 and 47 USC 254(h)], FERPA, G.S. 115C-407.5

Education Services for the Deaf and Blind shall provide each student within the schools of the ESDB a safe, orderly and caring learning environment by prohibiting bullying and harassment under any circumstances.

ESDB schools shall:

- a. prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications
- b. prevent unauthorized access and other unlawful online activity
- c. prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors
- d. comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)]

As defined in the Children's Internet Protection Act, each ESDB school is committed to:

**1. Preventing Access to Inappropriate Material**

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet or other forms of electronic communications, to prevent access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. "Obscene", "child pornography", and "harmful to minors" shall have the definitions set forth in the Children's Internet Protection Act.

Subject to staff supervision, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.

**2. Inappropriate Network Usage**

To the extent practical, steps shall be taken to promote the safety and security of users of the ESDB school's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes:

- a. unauthorized access, including so-called 'hacking,' and other unlawful activities; and

- b. unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

### **3. Education, Supervision and Monitoring**

It shall be the responsibility of all members of each ESDB school staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act, and the Protecting Children in the 21<sup>st</sup> Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the LAN Manager or designated representatives.

ESDB Schools or designated representatives will provide age-appropriate training for students who use the School’s Internet facilities. The training provided will be designed to promote the ESDB’s commitment to:

- a. The standards and acceptable use of Internet services as set forth in the ESDB Internet Safety Policy;
- b. Student safety regarding:
  - i. safety on the Internet
  - ii. cyberbullying awareness and response
  - iii. appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms.
- c. Compliance with the E-rate requirements of the Children’s Internet Protection Act.

Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the ESDB School’s acceptable use policies, by signing the “Statement of Confidentiality,” “Online Internet Safety Pledge,” and the “Student Internet and E-Mail Account Agreement.”

### **4. Bullying and Harassing Behavior Defined**

Bullying and harassing behavior is any 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, and that:

- a. 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
- b. Creates or is certain to create a hostile environment by substantially interfering with or impairing students’ educational performance opportunities, or benefits.

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.

## **5. Prohibited Conduct**

The prohibited conduct may include, but is not limited to, abusive jokes, insults, slurs, false rumors, derogatory comments, name-calling, hitting, shoving, spitting, intimidation, threatening or forcing to do things, and cyber-bullying (using the Internet, email, or text messaging to bully).

## **6. Reporting and Consequences**

No student or school employee shall be subjected to bullying or harassing behavior by school employees or students. Any student who believes that he or she has been bullied or harassed in violation of this policy should freely report such behavior immediately to a teacher, counselor, behavior technician, social worker or administrator at his or her school, including an option for a person to report such an act anonymously. A school employee who is notified of or otherwise becomes aware of conduct which may violate this policy shall report the matter immediately to their supervisor.

All complaints of bullying and harassment shall be promptly and thoroughly investigated by the school principal or designee in conjunction with the Management Investigative Team process, as warranted. Violations of this policy shall be deemed as serious disciplinary infractions and addressed in accordance to the Code of Conduct (i.e. Level III and Level IV) for students. Consequences for the levels are clearly stated in the Code of Conduct and may include, but not limited to, parent contact, school counseling referral, and suspension. Any reports of bullying and harassment shall be promptly investigated (within 24 hours). As relates to staff, all employee infractions will be addressed according to the State HR Policies. Additionally, this ESDB policy specifically prohibits retaliation against any individual who makes a complaint or reports an incident of bullying and harassment or who participates in an investigation or grievance proceeding initiated under this policy.

## **7. Training and Policy Review**

All employees, students and volunteers will receive annual training on the provisions and procedures of the Bullying and Harassing Policy. Additionally, all trainees must certify in writing they have received the training and understand their responsibilities to adhere to the policy. This policy shall also be incorporated into each schools' employee training program, student code of conduct and school employee handbook.