

The Currituck County Board of Education recognizes the trust and accountability it owes citizens, staff, parents and students in the manner in which it transacts the business of the school system. The board strives to conduct itself in accordance with the following operational goals:

1. acting in accordance with the code of ethics, as provided in policy 2120, Code of Ethics for School Board Members;
2. maintaining effective board/superintendent relations;
3. operating cost effectively and efficiently;
4. conducting business openly;
5. meeting requirements and duties for the board as established in board policy or law; and
6. making decisions with the board's goals, objectives and other principles as the guiding focus.

The board will endeavor to evaluate on a periodic basis its efforts to follow these operational goals. The board may use outside consultants, including the North Carolina School Boards Association, to assist the board in its self-evaluation.

Legal References: G.S. 115C-36

Cross References: Board Authority and Duties (policy 1010), Board and Superintendent Relations (policy 2010), Code of Ethics for School Board Members (policy 2120)

Adopted:

The Currituck County Board of Education recognizes the importance of an effective working relationship between the board and superintendent. The board further recognizes the distinct and separate areas of responsibility of the board and superintendent to the school system. The superintendent is responsible for the administration of the system of schools consistent with the board's policies.

To maintain a cohesive relationship between the board and the school system, the superintendent shall serve as secretary of the board and assist all board committees. The superintendent shall keep the board informed of the operation of the system. The superintendent shall make recommendations to the board as required by law and board policy and as otherwise determined appropriate by the superintendent. The superintendent also shall assist the board in making sound decisions and meeting the requirements of law by providing information and advice regarding all matters that require board action.

Legal References: G.S. 115C-36, -47, -276

Cross References: Board Authority and Duties (policy 1010), Duties of Officers (policy 2210)

Adopted:

The Currituck County Board of Education is a body corporate. Members of the board have authority only when acting as a board legally in session. The board will not be bound in any way by any statement or action on the part of an individual member. In other instances, an individual board member, including the chairperson, shall have power to act on behalf of the board only when the board, by vote, has delegated authority to the individual board member. Official decisions of the board can be made only at duly constituted board meetings.

1. The board of education shall concern itself primarily with broad questions of policy rather than with administrative details. The application of policies is an administrative task to be performed by the superintendent and staff who are responsible for the effective administration and supervision of the entire school system.
2. The board will make its members, the district staff, and the public aware that only the board as a whole has authority to take official action.
3. The board's duties include:
  - a. enacting policy;
  - b. adopting courses of study and providing instructional resources;
  - c. employing all staff members;
  - d. approving the budget, financial reports and audits;
  - e. determining the need for and seeking funds for the operation, support, maintenance, improvement, and extension of the school system;
  - f. providing for the planning, expansion, improvement, financing, construction, maintenance, use and disposition of physical plans of the school system;
  - g. prescribing the minimum standards needed for the efficient operation and improvement of the school system;
  - h. evaluating the educational program to determine effectiveness in achieving goals of the school system;
  - i. requiring the establishment and maintenance of records, accounts, archives, management methods, and procedures considered essential to the efficient conduct of school business;
  - j. providing for the dissemination of information relating to the schools necessary for creating a well-informed public; and

- k. exercising general control and supervision over the public schools of the district and fulfilling its other duties as prescribed by law.

Legal References: G.S. 115C-40, -41

Cross References: Board Authority and Duties (policy 1010)

Adopted:

**A. QUALIFICATIONS**

Any person possessing the qualifications for election to public office as provided in Article VI, Section 6 of the Constitution of North Carolina and who is a qualified voter and resident of the system from which he or she seeks to be elected is eligible to serve as a member of the Currituck County Board of Education.

Any person elected or appointed to the board and also employed by the board must resign his or her employment before taking office as a member of the board.

**B. MEMBERSHIP AND TERMS OF OFFICE**

The board of education will consist of five members. One member will be elected from Fruitville Township, one member from Moyock Township, one member from Poplar Branch Township, one member from Crawford Township and one member from the county at-large. All board members will be elected by the voters of Currituck County, voting as a whole. All terms will be for four years with the terms staggered so that as nearly equal to one-half as possible will expire every two years. All elections are nonpartisan and are to be held at the time of the November general election in even-numbered years. New members will take office during the regularly scheduled December Board of Education meeting.

**C. OATH OF OFFICE**

Before taking office, newly elected board members will take and sign the following oath or affirmation on or before the 1<sup>st</sup> of December following their election:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution and laws of the United States and the Constitution and laws of the State of North Carolina and that I will faithfully discharge my duties as a member of the Currituck County Board of Education to the best of my ability."

If a board member enters on the duties of his or her office before taking, subscribing and filing the oath of office, he or she will be ejected from office.

Legal References: N.C. Const. art. VI, §§ 6 and 7; G.S. 14-229; 115C-35, -37; 1963 N.C. Sess. Laws 96

Cross References:

Adopted:

All vacancies in the membership of the Currituck County Board of Education caused by death, resignation or otherwise will be filled by a person appointed by the remaining members in an open meeting of the board to serve until the next election of board members, at which time the remaining unexpired term will be filled by election.

Legal References: G.S. 115C-37(f); 143-318.11(6)

Cross References:

Adopted:

A person who has been impeached from any office or adjudged guilty of a felony, corruption or malpractice in any office and who has not been restored to the rights of citizenship is disqualified for office.

A member of the local board of education who changes residence such that he or she is no longer entitled to vote in an election for the office he or she holds is disqualified from continuing to hold the office.

A board member who becomes disqualified for office may be subject to removal under G.S. 1-515.

In addition, as provided by G.S. 14-230, a board member who willfully and corruptly omits, neglects or refuses to discharge any of the duties of office or who willfully and corruptly violates the oath of office is subject to removal from office by a court.

Legal References: N.C. Const. art. VI; G.S. 1-514 to -532; 14-228 to -234.1

Cross References:

Adopted:

The Currituck County Board of Education is committed to encouraging and facilitating the active participation of students in the administration of their own education. To this end, the board provides the opportunity for junior and senior students to become student members of the board for the following reasons:

- student members and their constituents are the recipients of educational services provided by the system;
- student members offer new and different perspectives;
- student members will help to keep the board focused on student success;
- student members will ask clarifying questions;
- student members will create a direct link from the discussions and decisions made by the board to the youth of our community;
- student members will involve other young adults in the research and discussions leading to board decisions;
- student members will advise the board of the views of their constituency;
- student members will assist with community support for system initiatives;
- student members will learn valuable skills for their future; and
- student members will add enthusiasm and value to board work.

**A. NATURE AND SCOPE OF REQUIREMENTS**

The student board member will represent the student body of the Currituck County School System to the board and the community. The student board member will work to increase the engagement and involvement of the student body in the educational affairs of the system.

1. The student board member will not have an official vote in board matters but will be entitled to make a position statement on any issue to be recorded in the meeting minutes.
2. The student board member will not participate in, have an unofficial vote on, or

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receive materials pertaining to confidential personnel and student records, legal matters, or any other confidential information.

3. The student board member will not participate in or attend board closed sessions.

## **B. ELIGIBILITY AND TERM**

The student board member must be a regularly attending student of a high school in Currituck County. At a minimum, applicants for the position must have been enrolled in a Currituck County high school from the first day of the school year in which they apply. Students who are related to a current elected board member are not eligible to apply. The student members must have a cumulative 3.0 grade point average at the time of the selection process to be an eligible candidate and must maintain a cumulative 3.0 grade point average during the tenure of the position. One student member will be selected in the spring of each school year. The student must be a sophomore to apply and will serve for two consecutive years during the student's junior and senior school years. As a senior, the student member will act as a mentor to the newly elected junior student member.

The term of each student member will begin at the end of his or her sophomore school year after the vote of the board at the May board meeting and continue through the June board meeting of his or her senior year. The student appointed at the May meeting will be provided board of education orientation and training throughout the subsequent month. The student will officially begin participation as a student member at the July regular board meeting.

## **C. ESSENTIAL JOB FUNCTIONS**

The student board member should attend all regular meetings of the board for a period of two years. As any member of the public, the student member may attend any board work-session, but will not function as member of the board.

The student board member may not make a motion or second a motion, but may participate in discussions with the board at regular meetings. The student member will receive all of the same materials, except those dealing with personnel, student records, legal matters, and other issues deemed not for public disclosure, as any other board member on an equivalent time schedule and should be prepared to comment from a student's perspective on issues before the board. In accordance with state law, only elected board members may participate in board official votes.

The student member will provide a brief report during each board meeting. This report may include, but is not limited to, information regarding student activities, student educational priorities, and requests from students, student councils and/or the student advisory committees that the board should consider. This report should be limited to five minutes.

The student board member will sit as an ex-officio member of the high school student

government organization for the high school at which he/she attends.

The student member will meet periodically with the superintendent and the board chair to discuss and plan board agenda items. The student member may not amend the agenda, but may call the board chairperson prior to the meeting with any agenda suggestions, clarifications or questions.

The student member will develop and implement communication channels with students regarding system issues, such as student TV/radio broadcasts, informal gatherings, email or print news briefs. At least twice each school year, the student member must meet with student representatives from the various high, middle and elementary schools of the system to discuss student concerns and recommendations regarding educational opportunities for students.

The student member may also serve as an ambassador for the board to community organizations.

#### **D. SELECTION PROCESS**

The student board member will be selected using the following procedures.

1. Prior to the May board meeting, the superintendent and current student board members shall organize and facilitate the selection of a sophomore student to serve as the next student board member.
2. Community members, parents and students at high schools will be notified of the selection process and encouraged to nominate potential candidates. Candidates may be nominated by any community member, parent or student or be self-nominated.
3. Candidates must complete the student board member application and submit it to the superintendent prior to March 31st. Applications will be made available at high schools and the central office. Applications may be turned in directly to the superintendent or principal.
4. The applicant's parent or legal guardian must sign the application.
5. The student must include a letter of recommendation from a teacher, principal or counselor with the application.
6. The superintendent must verify grade point averages of all applicants.
7. Eligible applicants will make a presentation to the board in a public meeting. The board will convene into a closed session to interview the applicants and discuss their qualifications. The board will then vote in open session to select the student board

member.

The board will strongly consider skills and knowledge in the following areas when evaluating candidates:

1. Enthusiasm and motivation for the experience and challenge of the position.
2. Experience in student leadership and/or community service.
3. Commitment to the duties and length of term of the position.
4. Public speaking skills that demonstrate the student's confidence and competence in front of an audience.
5. Writing skills that demonstrate the student's confidence and competence in writing succinctly.
6. Readiness to serve independently and be as self-directed as possible.
7. Ability to function as part of a collaborative team.
8. Broad perspective on student issues and the willingness to represent the entire student body.
9. Ability to take initiative and motivate other students to become interested in the governance of the educational system.

**E. REPLACEMENT OF A STUDENT BOARD MEMBER**

In the event that a student board member is unable to fulfill the obligations of the position for any reason, the board will direct the superintendent to initiate a special selection process to replace that student.

The superintendent will develop additional administrative regulations relating to the selection and replacement process, requirements for eligibility, qualifications and responsibilities of the position.

Legal References: G.S. 115C-36

Cross References:

Adopted:

# **CODE OF ETHICS FOR SCHOOL BOARD MEMBERS**

*Policy Code:* **2120**

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The Currituck County Board of Education recognizes that, collectively and individually, all members of the board must adhere to a code of ethics as required by G.S. 160A-86 and G.S. 115C-47(57).

## **A. BOARD MEMBER ETHICAL REQUIREMENTS**

The following standards will guide each board member in the performance of his or her official duties:

1. the need to obey all applicable state and federal laws regarding official actions taken as a board member;
2. the need to uphold the integrity and independence of the board member's office;
3. the need to avoid impropriety in the exercise of the board's and board member's official duties;
4. the need to perform faithfully the duties of the office; and
5. the need to conduct the affairs of the board in an open and public manner, complying with all applicable laws governing open meetings and public records.

## **B. SPECIFIC BOARD MEMBER COMMITMENTS**

In order to implement the above standards, each member of the board commits to do the following:

1. attend all regularly scheduled board meetings insofar as possible and become informed concerning the issues to be considered at those meetings;
2. endeavor to make policy decisions only after full discussion at publicly held board meetings;
3. render all decisions based on the available facts and independent judgment and refuse to surrender that judgment to individuals or special interest groups;
4. model civility to students, employees and all elements of the community by encouraging the free expression of opinion by all board members and engaging in respectful dialogue with fellow board members on matters being considered by the board;
5. respect the confidentiality of information that is privileged under applicable law

- and refrain from unauthorized disclosure of matters discussed in closed session;
6. work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;
  7. communicate to other board members and the superintendent expressions of public reaction to board policies and school programs;
  8. learn about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national school boards associations;
  9. comply with North Carolina General Statute 115C-50 by earning annually the required 12 hours of training;
  10. comply with G.S. 160A-87 by earning two hours of ethics education within 12 months of election or appointment to the board;
  11. support the employment of those persons best qualified to serve as school employees and avoid allowing personal relationships and biases to influence decision making;
  12. refrain from investigating or attempting to resolve complaints received personally, but instead direct the complainant to follow the board's complaint or grievance process to resolve concerns;
  13. avoid being placed in a position of conflict of interest and refrain from using the board member's position on the board for personal or partisan gain;
  14. take no private action that will compromise the board or administration; and
  15. remember always that a board member's first and greatest concern must be the educational welfare of the students attending the public schools.

All newly elected board members are expected to sign a code of ethics statement that includes these provisions at the organizational meeting of the board. In addition, all elected board members are expected to sign a code of ethics statement annually at a time that coincides with the annual ethics training.

Legal References: G.S. 115C-36, -47(57), -50; 160A-86, -87

Cross References: Board Member Opportunities for Development (policy 2123)

Adopted:

All Currituck County Board of Education members are subject to the criminal laws related to conflicts of interest in public office, including strict restrictions against having a pecuniary interest in any business of the board. In addition, board members will not let any personal or business interest interfere with their duties as public officials, including ethical duties as specified in policy 2120, Code of Ethics for School Board Members.

A member of the board will not do any of the following:

1. obtain a direct benefit from a contract that he or she is involved in making or administering on behalf of the board, unless an exception is allowed pursuant to G.S. 14-234 or other law;
2. influence or attempt to influence anyone who is involved in making or administering a contract on behalf of the board; or
3. solicit or receive any gift, favor, reward, service or promise of reward, including a promise of future employment, in exchange for recommending, influencing or attempting to influence the award of a contract.

A board member is involved in administering a contract if he or she oversees the performance of the contract or has authority to interpret or make decisions regarding the contract. A board member is involved in making a contract if he or she participates in the development of specifications or terms of the contract or participates in the preparation or award of the contract.

A board member derives a direct benefit from a contract if the board member or his or her spouse does any of the following: (1) has more than a 10 percent ownership or other interest in an entity that is a party to the contract; (2) derives any income or commission directly from the contract; or (3) acquires property under the contract. An exception is allowed for employment contracts between the board of education and the spouse of a board member. However, the board member involved will not deliberate or vote on the contract or attempt to influence any other person who is involved in making or administering the contract.

Legal References: G.S. 14-234; 133-32

Cross References: Code of Ethics for School Board Members (policy 2120), Employee Conflict of Interest (policy 7730)

Adopted:

**ROLE OF BOARD  
MEMBERS IN HANDLING COMPLAINTS**

*Policy Code:* **2122**

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The Currituck County Board of Education welcomes constructive criticism or comments from the public regarding the operation of the school system. The Board believes that complaints about the performance of school personnel, implementation of Board policy, educational program quality or school facilities are best resolved when those complaints are addressed initially to the employee in question or the employee responsible for the program or facility in question. However, any individual board member who receives a complaint or inquiry from a parent or interested citizen concerning a school matter will refer the complainant to the appropriate school administrator and, when appropriate, advise the complainant of the procedures in place for making such complaints.

The board member also may refer the complainant to the superintendent, who shall determine an appropriate means of responding to the complaint. The board attorney also may be notified of the complaint in accordance with policy 2610, Board Attorney.

Individual board members will refrain from taking individual action with regard to such complaints other than referring them to the proper administrative employee.

Legal References: G.S. 115C-36

Cross References: Responding to Complaints (policy 1742/5060), Board Attorney (policy 2610)

Adopted:

## **BOARD MEMBER OPPORTUNITIES FOR DEVELOPMENT**

*Policy Code:*

**2123**

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Educating Currituck County Board of Education members is a continuous process. Board members are encouraged to participate in school board development activities designed for them. Board development will be provided through 1) discussions and visits with the superintendent and school staff; 2) attendance at school board conferences and conventions; 3) review of printed and audio-visual materials on board policies, administrative regulations and procedures; and 4) attendance at workshops for the general benefit of the board.

New board members will have the opportunity and will be encouraged to attend orientation programs for new board members sponsored by the state and national school board associations. It is the responsibility of the board to provide new board members with a thorough orientation to board policies, practices and duties.

Each board member must fulfill the legal requirement to receive a minimum of 12 hours of training annually. All board members must also receive a minimum of two hours of ethics education within 12 months after initial election or appointment to office and again within 12 months after each subsequent election or appointment to office. The ethics education, which may be counted towards the annual 12-hour annual training requirement, must address the laws and principles that govern conflicts of interest and ethical standards for local government officials. The superintendent shall maintain records verifying that each board member has participated in the required ethics education and 12 annual training hours.

Unless otherwise approved by the board, legally required training must be provided by the following entities: the school system, the North Carolina School Boards Association, the National School Boards Association, the School of Government or the Department of Public Instruction. If a board member wishes to receive training credit or be reimbursed for attending training offered by another entity, he or she must obtain approval from the board. The following guidelines will apply to participation by board members in training:

1. the superintendent shall maintain a calendar of school board conferences, conventions and workshops;
2. the board periodically will decide which meetings appear to be the most promising in terms of producing direct and indirect benefits to the school system, and the board will annually identify new ideas or procedures and/or cost benefits that would result from attendance at particular meetings;
3. the board will budget funds annually for participation at meetings, and if funds are limited, the board will designate a certain number of board members to attend selected conferences and meetings;
4. reimbursement to board members for related expenses will be consistent with policy 2130,

Board Member Compensation and Expenses; and

5. when a conference, convention or workshop is not attended by the full board, participating board members will share information, materials and recommendations acquired at that meeting.

Legal References: G.S. 115C-50; 160A-83, -84

Cross References: Code of Ethics for School Board Members (policy 2120), Board Member Compensation and Expenses (policy 2130)

Adopted:

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

It is a criminal violation for an employee or board member to do either of the following:

- knowingly, willfully and with malice permit any unauthorized person to have access to information contained in a personnel file, or
- knowingly and willfully examine, remove or copy a personnel file that he or she is not specifically authorized to access pursuant to G.S. 115C-321.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 115C-47(18), -321, -402

Cross References: Communicable Diseases – Students (policy 4230), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records – Retention, Release and Disposition (policy 5070/7350), Personnel Files (policy 7820)

Adopted:

**BOARD MEMBER  
COMPENSATION AND EXPENSES**

*Policy Code:* **2130**

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**A. COMPENSATION**

Currituck County Board of Education members will be compensated for the performance of official, within system school business. The amount of compensation will be established according to applicable laws.

**B. REIMBURSEMENT**

Board members will be reimbursed for out-of-pocket expenses incurred in the performance of their duties. Mileage reimbursement must not exceed that which is prescribed by the State of North Carolina Office of State Budget and Management. Daily reimbursement for meals must not exceed the approved subsistence rate for state employees. Reimbursement for alcoholic beverages is prohibited. Reimbursement is also limited to single occupancy rates for overnight accommodations and food charges incurred only by the board member.

Requests for reimbursement must be submitted within 30 days of incurring the expenses. Such requests will include sufficient documentation and a pre-authorized travel form, when applicable, and be signed by the board member incurring the expense. Requests for reimbursement submitted by the chairperson will be signed by the superintendent or finance officer.

**C. USE OF SCHOOL SYSTEM VEHICLES**

Board members may use system-owned vehicles for official board business upon prior notification to the superintendent and availability of a system vehicle.

Legal References: G.S. 115C-38; 153A-92

Cross References:

Adopted:

**ELECTION OF OFFICERS/  
ORGANIZATION OF BOARD**

*Policy Code:* **2200**

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The Currituck County Board of Education will elect a chairperson and a vice-chairperson to serve for a term of one year or until his or her successor is elected and qualified by taking the oath of office prescribed in Article VI, Sec. 7 of the North Carolina Constitution (see policy 2110, Board Member Elections). The chairperson will serve a maximum of two successive terms; however, after another board member has served a term as chairperson, a former chairperson will be eligible for reconsideration. An organizational meeting for the election and qualification of officers will be held at the regularly scheduled December meeting of the board but in any event no later than 60 days after the swearing in of members following election or appointment and as often thereafter as the board determines appropriate. The officers will be elected in the following order: chairperson, vice-chairperson.

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

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

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

Cross References: Board Member Elections (policy 2110)

Adopted:

The designated officers of the Currituck County Board of Education will be the chairperson, vice-chairperson, chairperson pro tempore and secretary.

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

**A. DUTIES OF THE CHAIRPERSON**

1. The chairperson has the following duties:
  - a. preside at all meetings of the board;
  - b. preserve order at all times;
  - c. appoint committee members and chairpersons;
  - d. serve as ex-officio member of all committees;
  - e. call special meetings; and
  - f. sign official system documents.

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

2. In order to address the board, a member must be recognized by the chairperson. The chairperson has the following powers:
  - a. to rule motions in or out of order, including the right to rule out of order any motions patently offered for obstructive or dilatory purposes;
  - b. to determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks;
  - c. to entertain and rule on questions of parliamentary procedure;
  - d. to call a brief recess at any time; and
  - e. to adjourn in an emergency.
3. The chairperson will have a vote on all matters for which a motion is made and will serve as spokesperson of the board for communicating the board's position to the public. If the chairperson wishes to make a motion, the chairperson will yield

the chair to the vice-chairperson. Upon disposition of the motion, the chairperson will resume the chair.

**B. DUTIES OF THE VICE-CHAIRPERSON**

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

**C. DUTIES OF THE CHAIRPERSON PRO TEMPORE**

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

**D. DUTIES OF THE BOARD SECRETARY**

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

As secretary to the board, the superintendent shall:

1. record all proceedings of the board;
2. issue all notices and orders that may be made by the board;
3. ensure that the minutes of the meetings of the board are promptly and accurately recorded in the minutes book, which must be kept in the office of the superintendent and be open to public inspection during regular business hours;
4. manage all correspondence on behalf of the board, unless the board directs otherwise;
5. prepare and distribute copies of the agenda as required by law and board policy;
6. maintain board members' manuals of policies and administrative regulations in current status;
7. advise the board of policies previously adopted that affect items on the agenda requiring policy consideration;
8. in the absence of the chairperson and vice-chairperson, call the board meeting to

order and conduct the election of a chairperson pro tempore; and

9. perform other duties as required by state law or board policy.

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

Cross References:

Adopted:

## **OFFICIAL SCHOOL SPOKESPERSON**

*Policy Code:* **2220**

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The official spokespersons of the school system will be the chairperson of the Currituck County Board of Education or designee and the superintendent and designees. Any person speaking in an official capacity shall conduct his or her assignment from the standpoint of the best interests of the board, the school system and the community, not as a representative of his or her own personal ideas or feelings.

Legal References: G.S. 115C-36, -276

Cross References: Board Authority and Duties (policy 1010), Code of Ethics for School Board Members (policy 2120)

Adopted:

The Currituck County Board of Education, as a corporate body, may transact business only at official meetings of the board. An individual board member has no authority to act absent the delegation of authority by the board at an official meeting.

As defined by law, an official meeting of the board includes any meeting, assembly or gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members of a public body for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business of the public body. However, a social meeting or other informal assembly or gathering together of the members of a public body does not constitute an official meeting unless called or held to evade the spirit and purposes of the open meetings law.

**A. TYPES OF MEETINGS**

While the board is determined to operate efficiently, it also is mindful of the importance of thoughtful planning and discussion prior to taking formal action. Regular meetings will be held at a predetermined time and place to conduct the business of the board. In addition, the board may hold emergency meetings, work sessions, retreats, public hearings or other special meetings as it deems necessary to act in a timely manner and provide its members and executive staff with the opportunity to have an exchange of ideas and receive input from other staff, parents, students and the community.

**B. REGULAR MEETINGS**

The superintendent shall keep on file the schedule of regular meetings with the predetermined time and place. Regular meetings will be held on the second Monday of each month. When a regular meeting falls on a holiday recognized by the board, the meeting will be canceled or rescheduled. The schedule will be revised only in accordance with legal requirements for notice.

**C. EMERGENCY MEETINGS**

An emergency meeting may be called in order to address generally unexpected circumstances that require immediate consideration by the board. The chairperson, or the vice-chairperson, if the chairperson is unable or unwilling to act, will call an emergency meeting when (a) two members so request; or (b) the chairperson determines that the meeting is necessary.

**D. SPECIAL MEETINGS**

1. Retreats and Workshops

Retreats and workshops are special meetings that may be scheduled in order to

give the board more time to deliberate or evaluate issues. The chairperson, or the vice-chairperson, if the chairperson is unable or unwilling to act, will call a retreat or workshop upon a majority vote of the board.

## 2. Public Hearings

Public hearings required by law or deemed advisable by the board will be organized by a special order and adopted by a majority vote, setting forth the subject, date, place and time of the hearing as well as any rules regarding participation, such as the length of time for each speaker. The purpose of the meeting is to gather information and hear opinions from the community. Generally, board members will respond only to seek clarification. At the appointed time, the chairperson or designee will call the hearing to order and preside over it. When the allotted time expires or when no one wishes to speak, the chairperson or designee will declare the hearing ended.

## 3. Other Special Meetings

Other special meetings may be scheduled in between regular meetings. The chairperson, or the vice-chairperson, if the chairperson is unable or unwilling to act, will call a special meeting to address a particular item or topic when (a) two members so request; or (b) the chairperson determines that the meeting is necessary.

### E. RECESSED MEETINGS

The board may recess a meeting to be resumed at a time, date and location announced in open session at the meeting. In compliance with open meetings law, notice of a recessed meeting will be posted on the Currituck County Public School System website at <http://www.currituck.k12.nc.us>.

### F. OPEN MEETINGS LAW COMPLIANCE

The board will comply with the open meetings law, including notice of meetings.

Legal References: G.S. 143-318.9, -318.12, -318.14

Cross References: Compliance with the Open Meetings Law (policy 2320)

Adopted:

## **PUBLIC PARTICIPATION AT BOARD MEETINGS**

*Policy Code:* **2310**

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Currituck County Board of Education meetings are conducted for the purpose of carrying on the official business of the school system. The public is cordially invited to attend board meetings to observe the board as it conducts its official business.

The board of education, as an elected representative body of the school system, also wishes to provide a forum for citizens to express interests and concerns related to the school system. In order that the board may conduct an orderly meeting while providing an opportunity for input, individuals or groups may be heard by the board in accordance with this policy or subsection D.2 of policy 2300, Board Meetings, which addresses public hearings.

### **A. REQUESTS TO PLACE ITEM ON THE AGENDA**

In order that the board may fairly and adequately discharge its overall responsibility, citizens desiring an item to be placed on the agenda for a specific board meeting should direct written requests to the superintendent at least ten working days prior to the meeting.

The request should include:

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

The superintendent shall confer with the chairperson of the board concerning whether to approve placing the requested item on the agenda and to determine the appropriate meeting for such discussion. The superintendent, with the consent of the board chairperson, will accept or deny a request for inclusion on the agenda for any reason determined appropriate by the superintendent and chairperson.

The superintendent shall notify the requesting party of the response to the request. The board may, by majority vote and notwithstanding prior denial by the superintendent, consent to hear a presentation when the appeal to speak is made immediately prior to or during the course of the meeting. The superintendent shall explain any other processes available for addressing the concerns. (See section C, Reports of Complaints, below.)

The chairperson shall establish the amount of time for individual or group presentations.

### **B. PUBLIC COMMENT**

Each month, a part of at least one regularly scheduled board meeting will be set aside for citizens to address the board through public comment. A sign-up sheet will be available for any individual or group to indicate their desire to address the board. The chairperson will decide the amount of time devoted to public comments. The superintendent shall develop additional procedures to ensure that public comment sessions proceed in an efficient and orderly manner.

Board members will not respond to individuals who address the board except to request clarification of points made by the presenter.

Except in cases of emergency, information received during presentations will not be acted upon at the time it is received. It will take unanimous vote of the board members present to take action on a presentation considered to be of an unusual or emergency nature at the time it is presented.

Disruptions by any person or persons of a public meeting will be subject to action in accordance with G.S. 143-318.17. Any person who willfully refuses to leave a meeting, after being directed to do so by the presiding officer, is guilty of a Class 2 misdemeanor.

If the board does not hold a regular meeting during a month, the board will not provide a time for public comment at any other meeting held during that month, unless a majority of the board votes to allow public comment at the meeting or unless the purpose of the meeting is a public hearing.

**C. REPORTS OF COMPLAINTS**

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

Legal References: G.S. 143-318.10 and -318.17; 115C-36, -51

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Responding to Complaints (policy 1742/5060), Role of Board Members in Handling Complaints (policy 2122), Board Meetings (policy 2300), Board Meeting Agenda (policy 2330)

Adopted:

The Currituck County Board of Education affirms the public policy of this State that hearings, deliberations and actions of public bodies be conducted openly.

**A. APPLICABILITY**

All “public bodies” holding official meetings must comply with the requirements of the open meetings law in Article 33C of Chapter 143 of the General Statutes. The term “public bodies” includes the board, any committees of the board, school improvement teams and, as defined by law, any other committee of two or more members that exercises or is authorized to exercise a legislative, policy-making, quasi-judicial, administrative or advisory function, unless the committee or group is solely comprised of professional staff.

**B. COMPLIANCE**

As secretary to the board, the superintendent shall provide required notice and record and maintain minutes of all official meetings of the board, board committees or committees appointed by the board. The principal or designee shall be responsible for compliance with the open meetings law by school improvement teams or any other public bodies at the school level. The superintendent or designee shall make copies of the open meetings law available to any public bodies associated with the school system. The board and other public bodies of the school system are encouraged to consult the school board attorney in accordance with policy 2610, Board Attorney, to obtain advice on complying with the legal requirements of the open meetings law.

1. Notice

Notice will be given in accordance with law for all regularly scheduled meetings, emergency meetings and any other meetings, such as public hearings, work sessions, electronic meetings or retreats.

2. Minutes

For all official meetings, whether held in open or closed session, minutes will be recorded and maintained in accordance with all legal requirements. Upon transcription and adoption, minutes of meetings will be kept in an official minute book located in the board’s office and made available to the public for inspection. The minutes of closed sessions may be withheld from public inspection if public inspection would frustrate the purpose of the closed session.

3. Closed Sessions

Closed sessions will be held only when required to permit the board to act in the

public interest and as permitted by law. A motion to go into closed session must be made and adopted in open session in accordance with the requirements of G.S. 143-318.11(c) and policy 2321, Closed Sessions.

Legal References: G.S. 143-318.9, -318.10, -318.11, -318.12

Cross References: Closed Sessions (policy 2321), Board Attorney (policy 2610)

Adopted:



existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

**B. ACTIONS THAT MUST BE REPORTED OR TAKEN IN OPEN SESSION**

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

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

**C. REASONS EXPRESSLY PROHIBITED FOR CLOSED SESSIONS**

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

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

**D. PROCEDURE**

The board of education will meet in closed session only upon a motion duly made and adopted in public pursuant to G.S. 143-318.11(c). Every motion will cite one or more of the permissible purposes as provided in G.S. 143-318.11(a) and in this board policy. A motion based on the need to prevent the disclosure of information that is confidential or privileged will also cite or name the law that renders the information confidential or privileged. A motion based on the need to consider with an attorney employed by the board the handling or settlement of a lawsuit will identify the parties in the lawsuit.

**E. MINUTES**

The board will keep minutes of all closed sessions. The minutes of the board must include a general account of the closed sessions so that a person not in attendance will have a reasonable understanding of what transpired.

Legal References: G.S. 143, art. 33C

Cross References: Board Committees (policy 2230), Public Records – Retention, Release and Disposition (policy 5070/7350)

Adopted:

All meetings of the Currituck County Board of Education, except closed sessions, will be open to representatives of the news media. Mechanical devices may be used during meetings to record, broadcast or photograph board meetings if they do not interfere with the ability of the board to conduct its business.

The placement and use of any equipment necessary to broadcast, film or record a meeting may be regulated by the board to prevent undue interference with the meeting, but not in such a way as to frustrate the coverage of the meeting.

If a meeting room is too small to accommodate all of the personnel and equipment necessary to broadcast, film or record a meeting, the board may require equipment to be pooled. If the news media request an alternate meeting place in order to facilitate news coverage and the board grants the request, the news media making the request are responsible for paying any additional costs that may be involved in securing an alternate site. The board must act in good faith in carrying out these provisions.

If the board holds a meeting by conference telephone call or similar means, it will provide some means for members of the public to listen to the meeting. Notice of an electronic meeting must specify how public access will be provided. The board may charge each listener a fee of up to \$25.00 to defray the costs.

Legal References: G.S. 143-318.11, -318.13, -318.14

Cross References: News Media Relations (policy 5040)

Adopted:

The chairperson and the superintendent will prepare a proposed agenda for each Currituck County Board of Education meeting. A request to have an item of business placed on the agenda must be received at least ten working days before the meetings. (See also policy 2310, Public Participation at Board Meetings, regarding agenda requests by individuals or groups.) A board member may, by a timely request, have an item placed on the agenda.

Each board member will receive a copy of the agenda five working days prior to the meeting, and the agenda will be available for public inspection and/or distribution when it is distributed to the board members. At the beginning of the meeting, the board members may, by a majority vote, add an item that is not on the agenda, in addition to any new items placed on the agenda by the chairperson or the superintendent. Any new policy or budgetary items presented as an addendum to the published agenda are not subject to action at the same meeting.

The board shall adopt the agenda for each meeting at the close of the public comment session. The agenda may not be amended thereafter except upon a two-thirds vote of all members present.

Legal References: G.S. 115C-36

Cross References: Duties of Officers (policy 2210), Public Participation at Board Meetings (policy 2310), Advance Delivery of Meeting Materials (policy 2335)

Adopted:

**ADVANCE DELIVERY OF MEETING MATERIALS** *Policy Code:* **2335**

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At least five work days prior to each regular or special Currituck County Board of Education meeting, the superintendent shall provide the following materials to each board member:

1. the proposed agenda;
2. minutes of previous meetings that have not been approved; and
3. any supporting information or materials that would assist board members to become informed of the issues proposed for board consideration.

Legal References: G.S. 115C-36

Cross References: Board Meeting Agenda (policy 2330)

Adopted:

## PARLIAMENTARY PROCEDURES

Policy Code:

2340

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Except as otherwise provided by law or by other policies of the Currituck County Board of Education, meetings of the board will be conducted in accordance *Robert's Rules of Order, Newly Revised*.

The chairperson is authorized to entertain and rule on questions concerning parliamentary procedure and to seek counsel of the board attorney when necessary to clarify or construe any relevant procedural provision.

Legal References: G.S. 143-318.12

Cross References:

Adopted:

## QUORUM

*Policy Code:*

**2341**

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In order to conduct official business at a regular or special meeting, a quorum of the Currituck County Board of Education must be present.

A quorum is defined as one more than half of the members of the board. If a quorum is not present at any meeting, the chairperson will postpone the meeting until such time as a quorum can be present, provided adequate notice is given pursuant to the Open Meetings Law. Proxy voting will not be recognized by the board.

A member who has been excused from a vote or who refuses to vote will be counted for purposes of determining whether a quorum is present.

Legal References: G.S. 143-318.10, -318.12

Cross References:

Adopted:

Voting will normally be by voice vote on all matters coming before the Currituck County Board of Education for action. However, any member may call for a division, in which case the vote will be by show of hands. In either event, the minutes will reflect the vote of each member voting and the abstention of any member present but not voting, unless the vote was unanimous.

A member must vote on all issues unless there is a conflict of interest that will be so stated before the vote is taken and the reason recorded in the minutes.

Failure to vote by a member who is physically present and not excused from voting on the motion will be recorded as an affirmative vote.

No secret ballots are permitted. If the board decides, by majority vote, to vote by written ballot, each member must sign his or her ballot and the ballots must be available for public inspection in the superintendent's office immediately following the meeting and until the minutes are approved. The minutes of the meeting must specify the vote of each member's written ballot. The ballots may be destroyed after the minutes of the meeting have been approved.

Legal References: G.S. 143-318.13

Cross References: Board Member Conflict of Interest (policy 2121)

Adopted:

The Currituck County Board of Education reserves to itself the functions of developing and revising policies for the school system. The formation and adoption of policies will constitute the primary method through which the board exercises its leadership in the operation of the school system.

Legal References: G.S. 115C-36

Cross References:

Adopted:

Any Currituck County Board of Education member or employee may initiate proposals in writing for new policies or changes to existing policies. The initiator must refer the suggestions to the superintendent for study prior to public discussion of the proposal and board action.

As appropriate in the development of proposed policies, the superintendent shall seek input from the board attorney, other professionals, school system personnel, parents, students and citizens.

Legal References: G.S. 115C-36

Cross References:

Adopted:

## **ADOPTION OF POLICIES**

*Policy Code:*

**2420**

Policies may be proposed for adoption, amendment or repeal at any Currituck County Board of Education meeting by any member of the board or by the superintendent. A request to place the proposed policy on the agenda must be made in accordance with board policy.

Policies introduced and recommended to the board will not be adopted until a subsequent meeting. Thus, time will be given to permit further study and also to present an opportunity for interested parties to react. However, temporary approval may be granted by the board in lieu of formal policy to meet emergency conditions or special events that will take place before formal action can be taken.

During discussion of a policy proposal, the views of the public, parents, students and staff will be considered. Board members may propose amendments. An amendment will not require that the policy go through an additional reading except as the board determines that the amendment needs further study and that an additional reading would be desirable. The board must adopt by majority vote, and the superintendent must record the policy in the minutes of the board meeting in order for the policy to be considered official board policy.

Unless otherwise specified by the board, a policy is effective as of the date it is adopted by the board.

No policy formally adopted by the board of education may be revised or rescinded except by majority vote in accordance with policy 2342, Voting Methods.

Legal References: G.S. 115C-36

Cross References: Board Meetings Agenda (policy 2330), Voting Methods (policy 2342), Policy Review and Evaluation (policy 2440)

Adopted:

**DISSEMINATION  
AND PRESERVATION OF POLICIES**

*Policy Code:* **2430**

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The superintendent shall establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Currituck County Board of Education and any accompanying administrative procedures or memoranda.

All policies adopted by the board of education will be maintained in a policy manual that will constitute a public record and that will be available for inspection at any time on the Currituck County School System website. In addition, the superintendent shall ensure that all board members and employees have convenient access to copies of the policy manual. An up-to-date policy manual will be continuously maintained on the Currituck County School System website.

All policy manuals distributed remain the property of the board and are subject to recall at any time deemed necessary for purpose of amendment, rescission or recodification.

Legal References: G.S. 115C-36

Cross References:

Adopted:

## **POLICY REVIEW AND EVALUATION**

*Policy Code:*

**2440**

The Currituck County Board of Education assigns to the superintendent the responsibility of continued review and evaluation of the policies adopted by the board and of bringing to the board's attention the need for adopting, amending, updating or rescinding any particular policy.

The superintendent has the authority to make to any existing policies technical and conforming changes necessitated by changes in state and federal law. Such changes are effective immediately subject to ratification by the board at its next regular meeting.

The superintendent is responsible for the dissemination of updated, revised and newly adopted policies to all holders of policy manuals and for recalling all manuals if necessary for updating or recodification.

Legal References: G.S. 115C-36

Cross References: Adoption of Policies (policy 2420)

Adopted:

## **SUSPENSION OF BOARD POLICIES**

*Policy Code:*

**2450**

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The operation of any section or sections of Currituck County Board of Education policies not established by law or contract may be suspended temporarily by a two-thirds vote of board members present at a board meeting held in compliance with law and board policy; provided, however, that in no case may any policy be suspended by a vote of less than a majority of the entire board membership.

Legal References: G.S. 115C-36

Cross References:

Adopted:

The Currituck County Board of Education delegates to the superintendent of schools the power to act in cases in which the board has not provided policy statements to guide administrative action. The superintendent shall inform the board promptly of such action and of the need for policy.

Legal References: G.S. 115C-36, -47, -276

Cross References:

Adopted:

The superintendent shall develop any administrative procedures necessary to implement Currituck County Board of Education policies.

In developing procedures, the superintendent should consult, as appropriate, with principals and other school system personnel, parents, students, the board attorney, and other professionals and citizens. The superintendent may establish formal administrative procedures or use less formal documents, such as memoranda, so long as the documents are preserved and disseminated in accordance with board policy. The board may review an administrative procedure at any time and direct the superintendent to modify, expand or omit the procedure.

Legal References: G.S. 115C-36, -47

Cross References: Dissemination and Preservation of Policies (policy 2430)

Adopted:

All principals and school personnel are encouraged to initiate improvements to the educational program and services for students through school rules, standards and procedures. Unless specifically addressed by the Currituck County Board of Education, the superintendent may determine what matters will be addressed through administrative procedures developed in accordance with policy 2470, Administrative Procedures, and what matters may be addressed through school rules, standards or procedures established by the principal.

Principals are responsible for school rules, standards and procedures and are encouraged to involve staff, parents, students, professionals and citizens as appropriate to the issue.

At any time, the superintendent may review and direct the principal to modify, expand or omit a school rule, standard or procedure. All rules, standards or procedures must be consistent with applicable policies of the board, the administrative procedures of the superintendent, and any other applicable laws and regulations.

Legal References: G.S. 115C-36, -47

Cross References: Dissemination and Preservation of Policies (policy 2430), Administrative Procedures (policy 2470)

Adopted:

The Currituck County Board of Education is guided by generally accepted standards of fairness in establishing processes for hearings before the board. Given the board's considerable responsibilities for overseeing the educational program and operations of the schools, the board also strives to be efficient in carrying out its various functions, including conducting hearings.

Unless other hearing processes are required by law or board policy, the following procedures will apply in board hearings. The board reserves the right to modify the procedures described in this policy as necessary in any particular hearing in order to be fair and efficient, in order to meet legal requirements or for any other reason the board deems sufficient.

1. A hearing will be open to the public unless a closed session is permitted by law.

It is the express policy of the State and this board to make hearings open to the public except for certain purposes specified in the Open Meetings Law.

Grievance appeals pursuant to policies 1740/4010, Student and Parent Grievance Procedure, and 1750/7220, Grievance Procedure for Employees, typically will be heard in closed sessions in order to prevent the disclosure of confidential information. Closed sessions will be conducted in accordance with policy 2320, Compliance with the Open Meetings Law.

The board will consider requests made by a parent, student or employee to conduct a hearing in open session that is permitted by law to be held in closed session. However, the board will make the final determination of whether a hearing will be held in open or closed session.

2. The superintendent is responsible for providing sufficient notice of the time and place that a hearing will be held and the nature of the hearing that will be available.

In order to resolve complaints expeditiously, board hearings will be scheduled as promptly as possible and notice given to the parties. The superintendent should provide as much notice as is feasible given the particular circumstances. The superintendent shall provide a copy of this policy and, when possible, specify time limitations on the oral presentation if different from what is provided in number 5 of this policy.

3. Individual hearings will be held unless the board determines that a group hearing would be a more effective process for hearing and addressing the matter.

When two or more individuals share the same or a similar concern or are involved in the same matter to be heard by the board, the board may consider whether to conduct a group hearing. The board may consider factors such as generally accepted standards of fairness, the need for efficiency and the ability to prevent the disclosure of confidential

information. The board will consider requests for group or individual hearings and will make the final determination.

4. Unless otherwise required by law, the board may designate a panel of two or more board members to hear and act on behalf of the board when a quorum of the board is unavailable to hear and decide appeals regarding student assignments, discipline, personnel grievances and other appeals to the board.

The superintendent shall confer with the chairperson of the board to determine whether the full board or a panel of the board will conduct a hearing. The board also may establish a panel to hear certain types of appeals, such as student grievances.

In the case of a hearing by a board panel regarding a student assignment, a final determination must be reached by the board as required by G.S. 115C-369(b).

5. All parties involved in the hearing may submit written position statements and will be given the opportunity for a limited oral presentation.

Written statements may be submitted at the hearing or in advance of the hearing unless otherwise specified. All parties will be given the opportunity to address the board orally as well. The board may establish time limitations for oral presentations for different types of hearings or may set the time limitation for a particular hearing. Unless a different time frame is established in the notice, in applicable board policies or at the hearing, each party will be offered 15 minutes to present his or her position to the board.

6. The board may limit oral presentation to be made by the parties themselves; other witnesses may be excluded. Any individual intending to be represented by legal counsel must notify the superintendent in advance of the hearing.

The board believes that in most instances, permitting the parties to speak before the board enables a fair presentation of the parties' positions. The board may designate types of hearings in which parties may or may not be represented by legal counsel. Any individual intending to be represented by legal counsel must notify the superintendent in advance of the hearing so that there will be an opportunity to clarify whether legal counsel may be used and to provide the superintendent and board the opportunity to be represented by legal counsel. If necessary, the meeting may be rescheduled to enable the board and/or superintendent to secure legal counsel for the hearing.

7. Legal rules of evidence do not apply to information considered by the board.

The board may consider any information that a reasonably prudent person would consider in conducting the serious affairs of a business.

8. In reviewing any appeal of a decision of school personnel, the board will determine whether the administrative record as a whole provides sufficient evidence to justify the decision of the superintendent. New evidence will not be permitted without prior

knowledge and consent of both parties or by majority vote of the board or a board committee.

The board will review the administrative record, including any administrative proceedings, and will provide an opportunity for the superintendent and the party contesting the decision to make a limited oral presentation of their positions. The submission of documentary evidence and presentation of additional witnesses will be allowed at the discretion of the board.

9. The superintendent is responsible for making a record of the hearing.

The superintendent shall make any record required by law. At a minimum, the board record will incorporate the administrative record provided to the board for review and any written documents submitted by the parties. The record also will provide the decision of the board and the basis for the decision when such information is required or specified in law or board policy.

Legal References: G.S. 115C-45(c), 369(b); 143-318.11

Cross References: Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Student and Parent Grievance Procedure (policy 1740/4010), Grievance Procedure for Employees (policy 1750/7220)

Adopted:

## **CONSULTANTS TO THE BOARD**

*Policy Code:*

**2600**

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As situations demand, the Currituck County Board of Education may utilize consultants from various fields, including architects, personnel consultants and instructional/educational consultants. In each case, the board will advertise for proposals as required by law or as deemed necessary by the board and will enter into a written contract with the consultant selected, outlining the tasks to be performed, the dates for completion, evaluation procedures and any other relevant terms.

Legal References: G.S. 115C-47

Cross References: Planning to Address Facility Needs (policy 9000), Site Selection (policy 9010), Facility Design (policy 9020), Supervision of Construction Contracts (policy 9130), Sale, Disposal and Lease of Board-Owned Real Property (policy 9400)

Adopted:

As needed, the Currituck County Board of Education will enter into contracts for legal service to the school system, including both legal advice and representation in litigation. Any attorney retained by the board or the superintendent through school system funds represents the legal entity of the school system and not any individual board member or administrator. The board attorney is expected to attend meetings at the discretion of the board or superintendent.

The superintendent may consult with the board attorney as needed to carry out administrative operations and to protect the board and school system from liability. Other staff may consult with the board attorney with the approval of the superintendent or the board.

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

Legal References: G.S. 115C-36

Cross References:

Adopted:

**LIAISON  
WITH SCHOOL BOARDS ASSOCIATIONS**

*Policy Code:*

**2650**

The Currituck County Board of Education instructs the superintendent to keep it fully informed of the affairs of the state and national school boards associations and to keep these organizations informed as directed regarding the board's concerns and official positions on matters of common concern. The superintendent shall include in each year's budget the cost of membership in the North Carolina School Boards Association.

All board members are encouraged to attend meetings, conferences and seminars of the state and national organizations in order to familiarize themselves with the latest developments in school affairs. The board also will attempt to be officially represented in association affairs through the election of delegates and/or observers to the governing assemblies of these organizations.

Legal References: G.S. 115C-36

Cross References:

Adopted: