



Guilford County Board of Education
Policy Committee Meeting
November 8, 2018, 2:30 p.m.
Swann Room, GCS Central Administrative Offices

Committee Members: Darlene Garrett, Chairperson Nora Carr, Staff Liaison
Wes Cashwell
Byron Gladden
Linda Welborn

AGENDA	
Welcome and Introductions	<i>Discussion Leader: Darlene Garrett</i>
Review of Minutes for (September 5, 2018)	<i>Discussion Leader: Darlene Garrett</i>
NCSBA Custom Policies for GCS <ul style="list-style-type: none">• 6100 – Goals of Student Health Services• 6140 – Student Wellness• 6200 – Goals of School Nutrition Services• 1710/4021/7230 – Prohibition Against Discrimination, Harassment and Bullying	<i>Discussion Leaders: Darlene Garrett and Sharon L. Contreras, Ph.D.</i>
GCS Policies <ul style="list-style-type: none">• DE – Student Meals	<i>Discussion Leaders: Darlene Garrett and Sharon L. Contreras, Ph.D.</i>
2019 Policy Committee Meeting Schedule	<i>Discussion Leaders Darlene Garrett</i>
Other Business	<i>Discussion Leader: Darlene Garrett</i>
Next Meeting: December 4, 2018	
Adjournment	

Present: Darlene Garrett, Byron Gladden, Wes Cashwell, Linda Welborn

Staff: Sharon Contreras, Nora Carr, Kim Hipp, Yvette Grier, Jim Faggione, Angie Henry

Other: Jill Wilson

Approval of Minutes

Minutes from the August 8, 2018 meeting were approved as written.

6140 – Student Wellness

- After discussion and clarification of the policy as written, the Committee has placed a Second Reading on hold, pending revisions from Jill Wilson and further Committee review.

Next meeting

The next Policy Committee meeting is scheduled for October 4.

Submitted by:

Nora K. Carr, Ed.D.

Chief of Staff, Guilford County Schools

DRAFT

The board recognizes the link between student health and learning. The goals of student health services are:

1. to encourage the physical well-being of all students;
2. to integrate health-related services provided in the school setting, including those provided by counselors and health specialists;
3. to provide health services in a manner that reinforces the objectives of the healthful living education curriculum;
4. to work cooperatively with other governmental agencies and professional associations interested and involved in the health of students;
5. to use up-to-date research findings to develop and provide health services to students;
6. to meet all legal obligations; and
7. to provide courteous service to students and parents.

Legal References: G.S. 115C-36, -288(e), -307(b) and (c)

Cross References:

Adopted:

The Guilford County Board of Education (“the Board”) recognizes that it is important for students to maintain their physical health and receive proper nutrition in order to take advantage of educational opportunities. The Board further recognizes that student wellness and proper nutrition are related to a student’s physical well-being, growth, development, and readiness to learn. The Board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience ~~and has established goals to that effect in policies 6100 and 6200.~~—As part of that commitment, the Board directs the superintendent to oversee the development, implementation, and ongoing evaluation of this policy and other school system efforts to encourage students to be healthy and active ~~and to follow the requirements of the State and federal laws related to student wellness. ; including compliance with the State Board of Education’s Healthy Active Children Policy, SHLT-000, as further described in Section F, below.~~ The superintendent may designate a school system official to carry out this responsibility (“lead wellness official”).

~~The superintendent or designee shall make the most current version of this policy available to members of the school community and the public by posting it on the school system website and/or by distributing it annually through other means reasonably intended to reach the school community and public. In addition, the superintendent or lead wellness official shall provide a copy of this policy to the North Carolina Department of Public Instruction (NCDPI) when requested to do so.~~

A. SCHOOL HEALTH ADVISORY COUNCIL

The Board will maintain a school health advisory council to help plan, update, implement, promote, and monitor this policy as well as to address other health and nutrition issues within the school system. ~~the Superintendent and Designee will consult the School Health Advisory Council where appropriate to carry out the functions described herein. The council serves as an advisory committee regarding student health issues and works in conjunction with the lead wellness official charged with oversight of this policy and the school system’s efforts to promote student and employee health and wellness in compliance with state and federal requirements. The council is authorized to examine related research and laws, assess student needs and the current school environment, review existing Board policies and administrative regulations, collaborate with appropriate community agencies and organizations, and help raise awareness about student health issues. The council also may make policy recommendations to the Board related to this policy and other policies concerning student wellness and in conjunction with the lead wellness official, shall periodically review and suggest revisions to this policy. In addition, the council may assist in the development of a plan for measuring and assessing implementation of this policy and in developing methods to inform and update the public about the content and implementation of this policy as described in Sections F and G, below.~~

The council will be composed of representatives from the school system, the local health department, and the community ~~consistent with law and state board policy. The council must include members of each of the following groups: the school Board, school system~~

~~administrators, school system food service representatives, physical education teachers, school health professionals, students, parents or guardians, and the public. The council, in partnership with the lead wellness official, will provide information upon request to the superintendent and/or Board about the following areas or concerns: (1) physical activity, (2) health education, (3) employee wellness, (4) health services, (5) social and emotional climate, (6) nutrition environment and services, (7) counseling, psychological, and social services, (8) physical environment, (9) family engagement, and (10) community involvement.~~

~~The council shall assist the lead wellness official in creating an annual report that includes the minutes of physical activity and the minutes of physical education and/or healthful living education received by students in the system each school year, as well as any other information required by the State Board of Education or NCDPI.~~

B. NUTRITION PROMOTION AND NUTRITION EDUCATION

The Board believes that promoting student health and nutrition enhances readiness for learning and increases student achievement. The general goals of nutrition promotion and nutrition education are (1) to provide appropriate instruction for the acquisition of behaviors that contribute to a healthy lifestyle for students and (2) to teach, encourage, and support healthy eating by students.

~~The Board will provide nutrition education designed to provide students with knowledge and skills to lead healthy lives within the Healthful Living Standard Course of Study and the grade level expectations outlined in the Healthful Living Essential Standards adopted by the State Board of Education. Nutrition education should be designed to provide all students with the knowledge and skills needed to lead healthy lives. Students should learn to address nutrition-related health concerns through age-appropriate nutrition education lessons and activities.~~

~~Nutrition education and promotion should extend beyond the school environment by engaging and involving families and communities. School system personnel may coordinate with agencies and community organizations to provide opportunities for appropriate student projects related to nutrition. School system personnel are to work to disseminate and promote consistent nutrition messages throughout the school system, schools, classrooms, school dining areas, homes, community, and media. The Board authorizes the superintendent, working with the Health Advisory Council, to set goals, strategies and practices that further the health and wellness of all GCS students working with community resources and agencies in addition to school communities and families.~~

~~In conjunction with the school health advisory council, the Board establishes the following additional specific evidence-based goals and strategies for nutrition promotion and education. The Board tasks the superintendent or designee with measuring and reporting progress toward meeting these goals.~~

Commented [JW1]: We could eliminate both of these paragraphs but they do give aspirational goals for the committee what the board would typically cite.

Commented [JW2]: Aspirational only—can summarize shorter and if desired, put in procedures (but even that seems unnecessary)

Commented [JW3]: Ditto above.

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~~1. Nutrition education will promote fruits, vegetables, whole grain products, low fat dairy products, healthy food preparation methods, and accurate portion sizes.~~

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~~2. Students will have opportunities to taste foods that are low in saturated and trans fats, sodium, and added sugar.~~

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~~3. Nutrition and health posters, signage, and/or displays will be exhibited in the cafeteria food service and dining areas, classrooms, hallways, gymnasium, and/or bulletin boards and will be frequently rotated, updated, or changed.~~

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C. NUTRITION STANDARDS AND GUIDELINES FOR ALL FOOD AND BEVERAGES AVAILABLE AT SCHOOL

Consistent with policy 6200, Goals of School Nutrition Services, all foods available in the system's schools during the school day that are offered to students should help promote student health, reduce childhood obesity, provide a variety of nutritional meals, and promote lifelong healthy eating habits. All foods and beverages sold at school must meet the nutrition standards established in policy 6230, School Meal and Competitive Foods Standards, ~~including the following: The Superintendent is directed to establish procedures for School meal and competitive food standards not inconsistent with the Board's goals and state and federal law and guidelines and to publish the procedures. The superintendent is also responsible for enforcing compliance with those procedures.~~

Commented [JW4]: We should do this policy at the same time if we are already referring to it, and odds are it has the same sort of stuff in it which could also be moved to procedure in addition to the simple portion of whatever 6200 is. I can pull it from one of my other districts on Monday.

Commented [JW5]: Ditto—let's do them as a cluster

Commented [JW6]:

~~1. School Lunch, Breakfast, and Snack Programs~~

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~~Foods provided through the National School Lunch, School Breakfast, or After School Snack Programs must comply with federal and state nutrition standards. The director of child nutrition shall ensure that school system guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.~~

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~~2.1. Competitive Foods~~

~~All foods sold on school campuses in areas that are accessible to students during the school day (defined as the period from midnight through 30 minutes after the dismissal bell rings) will comply with the in-competition with the National School Lunch or School Breakfast Programs ("competitive foods") and must comply with the federal Smart Snacks in Schools standards. Competitive foods include food, snacks, and beverages from a la carte menus, vending machines, and outside suppliers, as well as foods or beverages sold in school stores and at fund-raisers. All monies received through the sale of competitive foods by any entity other than School Nutrition Services (SNS) during the school day are to be transferred from that entity to the SNS. Vending machine sales also must comply with the requirements of G.S. 115C-264.2 and Eat Smart: North Carolina's Recommended~~

Standards for All Foods in Schools:

3. ~~Other Foods Available on the School Campus During the School Day and After the School Day~~

~~School principals shall establish rules for foods and beverages brought from home for classroom events or parties during the school day or for extracurricular activities after the school day. The Board encourages principals to establish rules that are consistent with the Smart Snacks in Schools standards.~~

~~Fundraising activities that involve the sale of foods and/or beverages to students during the school day (from midnight until 30 minutes after the dismissal bell rings) must comply with the Smart Snack Rules and may not be conducted until after the end of the last lunch period. See policy 6230, School Meal and Competitive Foods Standards.~~

~~School principals may establish standards for fund-raising activities conducted after the school day (beginning 31 minutes after the dismissal bell rings) that involve the sale of food and/or beverages. The Board encourages alternative fundraising activities such as non-food items or physical activity.~~

4. ~~Food and Beverage Marketing~~

~~Food and beverage marketing on school campuses during the school day must meet federal and state standards. In accordance with these standards, only foods and beverages that meet the Smart Snack standards (as described in subsection C.2, above) may be marketed or advertised on school campuses during the school day. To comply with this requirement, existing supplies, materials, or equipment that depict noncompliant products or logos will be replaced or removed in accordance with normal lifecycles or as otherwise would occur in the normal course of business.~~

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D. PHYSICAL EDUCATION AND PHYSICAL ACTIVITY

1. Goals of the Physical Education Program

The goal of the physical education program is to promote lifelong physical activity and provide instruction in the skills and knowledge necessary for lifelong participation in physical activity. To address issues such as obesity, cardiovascular disease, and Type II diabetes, students enrolled in kindergarten through eighth grade ~~will be provided must have~~ the opportunity to participate in physical activity as part of the system's physical education curriculum. ~~The goal for elementary schools is to provide 150 minutes weekly of quality physical education with a certified physical education teacher. The goal for middle schools is to provide 225 minutes weekly of Healthful Living Education, divided equally between health and physical education with certified health and physical education teachers.~~

Commented [JW7]: This can be in a procedure

2. The Physical Education Course

The physical education courses ~~offered to students will comply with State and federal requirements, and will comply with~~ should be designed to foster support and guidance for being physically active, help students know and understand the value of being physically fit, and teach students the types of activities that contribute to total fitness. The course is to be taught in an environment where students can learn, practice, and receive assessment on developmentally appropriate skills and knowledge as defined in the North Carolina Healthful Living Standard Course of Study. Students should be engaged in moderate to vigorous physical activity for fifty percent or more of class time. Class for physical education should be equivalent in size to those of other academic classes.

3. Physical Activity Requirements and Goals

School personnel should strive to provide opportunities for age- and developmentally-appropriate physical activity during the day for all students so that students can learn how to maintain a physically active lifestyle. Schools will strive to ~~must provide a minimum of 30 minutes of moderate to vigorous~~ physical activity daily for kindergarten through eighth-grade students. The Superintendent is directed to comply with all requirements for physical activity set by State and federal law and to facilitate schools ~~Such activity may be achieved through a regular daily physical education class as described in Sections D.1 and D.2 above, or through recess, dance, classroom energizers and/or other curriculum based physical activity programs of at least 10 minutes duration, that, when combined, total 30 minutes of daily physical activity. Principals shall work with teachers to ensure that students meet the minimum physical activity requirement. Schools will provide annual fitness testing twice a year for students in grades K-8 and provide confidential reports directly to parents. The Board will periodically measure and report progress toward meeting these goals.~~

~~To ensure that students have ongoing opportunities for physical activity and maintain a positive attitude towards physical activity, structured/unstructured recess and other physical activity may not be taken away from students as a form of punishment. In addition, severe and inappropriate exercise may not be used as a form of punishment for students.~~

E. OTHER SCHOOL-BASED ACTIVITIES TO PROMOTE WELLNESS

~~In addition to the standards discussed above, the~~ The Board adopts the following goals for school-based activities designed to promote wellness:

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1. Schools will provide a clean and safe meal environment.
2. Students will be provided adequate time to eat meals.
3. Drinking water will be available at all meal periods and throughout the school day.
4. Professional development will be provided for school system nutrition staff.
5. To the extent possible, the school system will utilize available funding and outside programs to enhance student wellness.
6. Food will not be used in the schools as a reward or punishment.
7. As appropriate, the goals of this wellness policy will be considered in planning all school-based activities.
8. Administrators, teachers, school nutrition personnel, students, parents or guardians, and community members will be encouraged to serve as positive role models to promote student wellness.

F. IMPLEMENTATION AND REVIEW OF POLICY

The Board directs the superintendent to establish an administrative proceduresregulation to ensure the implementation and periodic review of this policy, and the district's progress in meeting the board's student wellness goals. The administrative regulation will include the lead wellness official's name and contact information.

Commented [JW9]: Don't know what we are calling them, regulations or procedures, but we need to pick one and continue that throughout.

Commented [JW10]: ditto

Commented [JW11]:

G. PUBLIC NOTIFICATION

1. The lead wellness official shall assist the school health advisory council with annually informing and updating the Board about this policy and its implementation and State Board policy SHLT-000.
2. The superintendent or designee shall make public the results of the triennial assessment described this policy, as required by law.
3. All information required to be reported under this section and any additional information required by the state to be reported publicly shall be widely disseminated to students, parents, and the community in an accessible and easily understood manner, which may include by posting on the school system website.

4. Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, GCS is prohibited from

discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

H. RECORDKEEPING

The superintendent or designee (lead wellness official) shall maintain records to document compliance with this policy and all federal and state requirements.

Legal References: Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. 1751; Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296; National School Lunch Act, 42 U.S.C. 1751 *et seq.*; 7 C.F.R. 210.11, 210.12, and 210.31; G.S. 115C-264.2, -264.3; State Board of Education Policies SHLT-000, CHNU-000, CHNU-002; *Eat Smart: North Carolina's Recommended Standards for All Foods in Schools*, N.C. Department of Health and Human Services, N.C. Division of Public Health (2004)

Cross References: Goals of Student Health Services (policy 6100), Goals of School Nutrition Services (policy 6200), School Meal and Competitive Foods Standards (policy 6230)

Adopted:

The board recognizes that it is important for students to receive proper nutrition so that they are ready and able to take advantage of educational opportunities.

The goals of the school nutrition services program are as follows:

1. operating the school nutrition program efficiently so that earnings may be used to reduce the cost of food, serve better food, or provide free or reduced price meals to eligible students;
2. enhancing students' ability to learn by offering a variety of safe, nutritious, and appealing food and beverage options for student meals at school;
3. minimizing obesity and encouraging lifelong healthy eating habits consistent with the health education curriculum; and
4. providing courteous service to students, employees, and authorized visitors.

Legal References: 7 C.F.R. Part 210; G.S. 115C-47(22), -263, -264; State Board of Education Policy SHLT-000

Cross References:

Adopted:

PROHIBITION AGAINST DISCRIMINATION, HARASSMENT, AND BULLYING

Policy Code: 1710/4021/7230

The Guilford County Board of Education (the “Board”) acknowledges the dignity and worth of all students and employees and strives to create a safe, positive and caring learning and working environment that facilitates student achievement. It is the policy of the Board to maintain an environment that is free from discrimination, harassment, and bullying in all of its educational programs and employment activities. This includes, but is not limited to discrimination, harassment, and bullying based on an individual’s real or perceived race, color, creed, political belief, ancestry, national origin, religion, linguistic and language differences, sex, gender, sexual orientation, gender identity/expression, socioeconomic status, academic status, height, weight, physical characteristics, pregnancy, marital status, parental status, disability, or age. The Board strictly prohibits and will not tolerate or condone discrimination, harassment, or bullying based upon any of those differences. The board similarly prohibits discrimination, harassment, and bullying, based on a student or employee’s association with others. The Board will provide equal access to designated youth groups as required by law.

A. PROHIBITED BEHAVIORS AND CONSEQUENCES

1. Discrimination, Harassment, and Bullying

Students, school system employees and board members (“employees”), volunteers, and visitors are expected to behave in a civil and respectful manner. It shall be a violation of this policy for any student, school system employee, volunteer, or visitor to harass, bully, or discriminate against any person based upon any of the differences listed above or upon any other characteristic or feature that becomes the focus of unwanted and unwelcome behavior as described below. It shall also be a violation of this policy for any school employee to tolerate such harassment, bullying, or discrimination of any person by a student or school employee, or by any third parties subject to the supervision and control of the Guilford County Schools.

2. Consequences

Any violation of this policy is serious and school officials shall promptly take appropriate action.

a. Disciplinary Consequences for Students

Students will be disciplined in accordance with the school’s student behavior management plan (see policy 4302, School Plan for Management of Student Behavior). Based on the nature and severity of the offense and the circumstances surrounding the incident, the student will be subject to appropriate consequences and remedial actions ranging from positive behavioral interventions up to, and including, reassignment or expulsion.

Incidents of misbehavior that do not rise to the level of discrimination, harassment, or bullying may violate acceptable standards of student behavior, including but not limited to the expectation that students will demonstrate civility and integrity in their interactions with others. See policy 4310, Integrity and Civility. The consequences for such behavior will be consistent with applicable board policy and the Student Code of Conduct. This policy shall not be construed to allow school officials to punish student expression or speech based on undifferentiated fear or apprehension of a disturbance or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.

b. Disciplinary Consequences for Employees

Employees who violate this policy will be subject to disciplinary action, up to, and including, dismissal. Nothing in this policy shall preclude the school system from taking disciplinary action against an employee when the evidence does not establish discrimination, harassment, or bullying, but the conduct otherwise violates board policy or expected standards of employee behavior.

c. Consequences for Others

Board members who violate this policy will be subject to any process established by the Board or law for addressing board member violations. Volunteers and visitors who violate this policy will be directed to leave school property and/or reported to law enforcement, as appropriate, in accordance with policy 5020, Visitors to the Schools. A third party under the supervision and control of the school system will be subject to termination of contracts/agreements and suspension from school property or other disciplinary action.

3. Other Responses

When considering if a response beyond the individual level is appropriate, school administrators should consider the nature and severity of the misconduct to determine whether a classroom, school-wide, or school system-wide response is necessary. Such classroom, school-wide, or school system-wide responses may include staff training, harassment and bullying prevention programs, and other measures deemed appropriate by the Superintendent to address the behavior. The actions taken in response to discrimination, harassment or bullying behavior shall be reasonably calculated to end the behavior, eliminate a hostile environment if one has been created, and prevent recurrence of the behavior.

4. Retaliation

The Board prohibits reprisal, harassment, or retaliation against any person for

reporting or intending to report violations of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of reported violations of this policy.

After consideration of the nature and circumstances of the reprisal or retaliation and in accordance with applicable federal, state or local laws, policies, and regulations, the Superintendent or designee shall determine the consequences and remedial action for a person found to have engaged in reprisal or retaliation.

B. APPLICATION OF POLICY

This policy prohibits discrimination, harassment, and bullying by students, employees, volunteers, and visitors. "Visitors" includes persons, agencies, vendors, contractors, and organizations doing business with or performing services for the school system.

This policy applies to behavior that takes place:

1. in any school building or on any school premises before, during, or after school hours;
2. on any bus or other vehicle as part of any school activity;
3. at any bus stop;
4. during any school-sponsored activity or extracurricular activity;
5. at any time or place when the individual is subject to the authority of school personnel; and
6. at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the schools.

C. DEFINITIONS

For purposes of this policy, the following definitions apply:

1. Discrimination
2. Discrimination for purposes of this policy means any act or failure to act, whether intentional or unintentional, that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category or on a personal characteristic listed in the opening paragraph of this policy. Harassment and Bullying
 - a. Harassment or bullying behavior is conduct intended to intimidate, discredit, injure, or disturb another person or a group of persons. Such

conduct violates this policy when any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication:

- 1) places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
- 2) creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits or by adversely affecting an employee's ability to function successfully in the work place..

“Hostile environment” means that the victim subjectively views the conduct as harassment or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is harassment or bullying. A hostile environment may be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe.

Harassment and bullying include, but are not limited to, behavior described above that is reasonably perceived as being motivated by any actual or perceived differentiating characteristic such as those listed in the opening paragraph of this policy or motivated by an individual's association with a person who has or is perceived to have such a differentiating characteristic. Examples of behavior that may constitute bullying or harassment include, but are not limited to, acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Harassment and bullying may also occur through electronic means (“cyberbullying”), such as via the internet, emailing, or text messaging, or by use of personal web sites to support deliberate, repeated, and hostile behavior intended to cause harm to persons or groups. Legitimate age-appropriate pedagogical techniques are not considered harassment or bullying.

Harassment, including sexual or gender-based harassment described below, is not limited to specific situations or relationships. It may occur between fellow students or co-workers, between supervisors and subordinates, between employees and students, or between non-employees, including visitors, and employees or students. Harassment may occur between members of the opposite sex or the same sex.

- b. The board prohibits sexual harassment. Unwanted, unwelcome, and uninvited sexual advances, requests for sexual favors, and other verbal or

physical conduct or communication of a sexual nature constitute sexual harassment when:

- 1) submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, academic progress, or completion of a school-related activity;
- 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual, or in the case of a student, submission to or rejection of such conduct is used in evaluating the student's performance within a course of study or other school-related activity; or
- 3) such conduct is sufficiently severe, persistent, or pervasive that it has the purpose or effect of (1) unreasonably interfering with an employee's work performance or a student's educational performance; (2) limiting a student's ability to participate in or benefit from an educational program or environment or interfering with effective employee-student relations; or (3) creating an abusive, intimidating, hostile, or offensive work or educational environment.

Sexually harassing conduct includes, but is not limited to, deliberate, unwanted, unwelcome, and uninvited touching that has sexual connotations or is of a sexual nature; suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances or propositions; continued or repeated verbal remarks about an individual's body; sexually degrading words used toward an individual or to describe an individual; sexual assault; sexual violence; or the display of sexually suggestive drawings, objects, pictures, or written materials. Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, but not involving sexual activity or language, may be combined with incidents of sexually harassing conduct to determine if the incidents of sexually harassing conduct are sufficiently serious to create a sexually hostile environment.

As provided in policy 4040/7310, Staff-Student Relations, employees are strictly prohibited from engaging in a romantic or sexual relationship with any student enrolled in the Guilford County Schools whether or not it is consensual. Such conduct is prohibited whether or not it constitutes sexual harassment.

- c. Gender-based harassment is also a type of harassment. Gender-based harassment may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping but not involving

conduct of a sexual nature. This includes subjecting another person to demeaning sexual stereotypes, innuendoes, insults, or other conduct that is pervasively intimidating, offensive, or hostile, or that creates an environment that unreasonably interferes with a student's opportunity to learn or an employee's ability to function successfully in the work place.

D. REPORTING AND INVESTIGATING COMPLAINTS OF DISCRIMINATION, HARASSMENT, OR BULLYING

Any person who believes that he or she may have been bullied, harassed, or discriminated against in violation of this policy by any student, employee, board member, visitor, or third-party subject to the supervision and control of the school system should inform a school official designated to receive such complaints, as described in administrative regulation 1710/4021/7230-R, Discrimination, Harassment, and Bullying Complaint Procedure.

Any employee who has witnessed or who has reliable information that a person has been subjected to bullying, harassment, or discrimination, has a duty to report such conduct in accordance with administrative regulation 1710/4021/7230-R. If an employee knowingly ignores, fails to report or take proper action, or knowingly provides false information in an incident of bullying, harassment, or discrimination, the employee will be subject to disciplinary action up to and including dismissal.

Students, parents, volunteers, visitors, and others are strongly encouraged to report any actual or suspected incidents of discrimination, harassment, or bullying of others in accordance with administrative regulation 1710/4021/7230-R. Reports may be made anonymously; however, anonymous reports cannot be the sole basis of student or employee discipline and consequently signed reports are encouraged.

All reports and complaints shall be investigated in accordance with administrative regulation 1710/4021/7230-R.

E. TRAINING AND PROGRAMS

The Board directs the Superintendent to establish training and other programs for staff and students that are designed to prevent discrimination, harassment, and bullying and to foster an environment of understanding and respect for all members of the school community. Information about this policy and the related complaint procedure must be included in the training plan and provided to all new employees during orientation. The Superintendent is responsible for maintaining records of the training.

As funds are available, the Board will provide additional training for students, employees, and volunteers who have significant contact with students regarding the Board's efforts to address discrimination, harassment, and bullying and will create programs to address these issues. The training or programs should (1) provide examples of behavior that constitutes discrimination, harassment, or bullying; (2) teach employees to identify groups that may be the target of discrimination, harassment, or bullying; and (3) train school employees to

be alert to locations where such behavior may occur, including locations within school buildings, at school bus stops, on cell phones, and on the Internet.

F. NOTICE

The Superintendent is responsible for providing effective notice to students, parents, and employees of this policy and of the procedures for reporting and investigating complaints of discrimination, harassment, and bullying established in administrative regulation 1710/4021/7230-R, Discrimination, Harassment, and Bullying Complaint Procedure. The Superintendent must ensure that each school principal makes a copy of this policy and administrative regulation 1710/4021/7230-R available to students, employees, and parents or other responsible care givers at the beginning of each school year. In addition, both policies must be posted on the school system website and copies of the policies must be readily available at each school and work site. Notice of the policies must appear in all student and employee handbooks and in any school or school system publication that sets forth the comprehensive rules, procedures, and standards of conduct for students and employees.

G. COMPLIANCE OFFICER

The Superintendent is directed to appoint a Compliance Officer to coordinate the school system's efforts to comply with and carry out its responsibilities under federal non-discrimination laws. These responsibilities include investigating any complaints communicated to school officials alleging noncompliance with Title VI or Title IX of the Civil Rights Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), the Age Discrimination Act, and/or the Boy Scouts Act, or alleging actions which would be prohibited by those laws. The name and contact information for the Compliance Officer (s) shall be provided in an administrative procedure associated with this policy or otherwise publicized to the school community and shall be made available by contacting the Superintendent's office. :

H. RECORDS AND REPORTING

The Superintendent or designee shall maintain confidential records of complaints or reports of discrimination, harassment, or bullying. The records must identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The Superintendent also shall maintain records of training conducted and corrective action(s) or other steps taken by the school system to provide an environment free of discrimination, harassment, and bullying.

The Superintendent shall report to the State Board of Education all verified cases of unlawful discrimination, harassment, or bullying. The report must be made through the Discipline Data Collection Report or through other means required by the State Board.

I. EVALUATION

The Superintendent shall evaluate the effectiveness of efforts to correct or prevent discrimination, harassment, and bullying and shall share these evaluations periodically with the Board.

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 *et seq.*, 34 C.F.R. pt. 110; Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, 34 C.F.R. pt. 100; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*, 29 C.F.R. pt. 1604; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; *Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance*, U.S. Department of Education, Office for Civil Rights (1994); *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, U.S. Department of Education, Office for Civil Rights (2001); *Notice of Non-Discrimination*, U.S. Department of Education, Office for Civil Rights (2010); *Dear Colleague Letter (Bullying)*, U.S. Department of Education, Office for Civil Rights, (October 2010), available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>; *Dear Colleague Letter (Sexual Harassment)*, U.S. Department of Education, Office for Civil Rights, (2006) available at <https://www2.ed.gov/about/offices/list/ocr/letters/sexhar-2006.html>; Q&A on Campus Sexual Misconduct, U.S. Department of Education, Office for Civil Rights, (2017), available at <https://www2.ed.gov/about/offices/list/ocr/docs/qa-title-ix-201709.pdf>; *Oncale v. Sundowner Offshore Services*, 523 U.S. 75 (1998); G.S. 115C-335.5, -407.15 through -407.18; 126-16; State Board of Education Policy HRS-A-000

Cross References: Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Prohibition Against Retaliation (policy 1760/7280), Equal Educational Opportunities (policy 4001), School Plan for Management of Student Behavior (policy 4302), Staff-Student Relations (policy 4040/7310), Visitors to the Schools (policy 5020), Community Use of Facilities (policy 5030), Recruitment and Selection of Personnel (policy 7100), Professional Employees: Demotion and Dismissal (policy 7930), Classified Personnel: Suspension and Dismissal (policy 7940)

Replaces: AC (revised April 14, 2015); GAMA (revised August 10, 2010); GAMAA (revised April 26, 2007); JCDAD (revised December 17, 2009); JCDAE (revised June 26, 2008)

Adopted:

Descriptor Term: STUDENT MEALS CHARGE		Descriptor Code: DE	
Presented to the Board: March 4, 2008 (1st Reading) April 8, 2008 (2nd Reading) June 28, 2012 (Revisions) July 26, 2012 (2nd Reading)	Adopted by the Board: April 8, 2008		Revised by the Board: July 26, 2012

It is the Guilford County Schools belief that students learn better when they are well fed. Hunger can lead to nervousness, irritability, disinterest in the learning situation and a shortened attention span. Therefore, no elementary or middle school student will be deprived a meal because the student did not have his/her meal money. A student's parent(s) or guardian(s) will be responsible for repaying School Nutrition Services (SNS) for all charged meals. Further, Federal policy (FNS Instruction 791-1) prohibits the withholding of meals and milk from a child as a form of discipline/punishment.

There will be no charging of meals or a la carte sales for high school students or adults.

Students or their parents may pay for meals in advance in the school cafeteria or on-line through www.lunchprepay.com.

The Federal Office of Management and Budget (OMB) A-87 Circular prohibits the use of federal funds to offset meal charges to students or adults. The write-off of these outstanding balances is considered as a bad debt which is an unallowable use of federal funds. Local or non-SNS funds must be used to replace SNS revenue losses as a result of meals charged by students.

Committee Members

Darlene Garrett, Chairperson

Wes Cashwell

Byron Gladden

Linda Welborn

Nora Carr, Staff Liaison

2019 Meeting Schedule

Wednesday, January 9

Wednesday, February 6

Thursday, March 7

Thursday, April 4

Wednesday, May 8

Tuesday, June 4

Wednesday, July 10

Wednesday, August 7

Thursday, September 5

Wednesday, October 9

Thursday, November 7

Tuesday, December 3

Meeting time: 2:30 p.m.

Meeting location: Swann Room, GCS Administrative Offices