

Guilford County Board of Education Policy Committee Meeting

April 4, 2:30 p.m.

Swann Room, GCS Central Administrative Offices

Committee Members:

Winston McGregor, Chairperson; Sharon L. Contreras, PhD, Staff Liaison T. Dianne Bellamy Small Byron Gladden Pat Tillman

AGENDA								
Welcome and Introductions	Discussion Leader: Winston McGregor							
Review of Minutes (March 7, 2018)	Discussion Leader: Winston McGregor							
Section 1000 – Governing Principles and Board Operations • 1000 – Legal Status of the Board and School System* • 1010 – Board Authority and Duties** *Will replace Preamble and Article 1 of by-laws. By-laws will be gradually subsumed/replaced by series of policies in 1000 and 2000 sections. **New policy outlines NC statutory authority of school boards.	Discussion Leader: Sharon L. Contreras, PhD, and Winston McGregor							
 Section 4000 – Students 4100 – Age Requirements for Initial Entry 4130 – Discretionary Admission 4135 – Tuition for Discretionary Admissions 4210 – Release of Students from School 4220 – Student Insurance Program 4250/5075/7316 – NC Address Confidentiality Program 4720 – Surveys of Students 	Discussion Leaders: Sharon L. Contreras, PhD, and Scott McCully							
IEM – Magnet/Choice/Option School Policy* *We will bring draft with us on Thursday.	Discussion Leader: Sharon L. Contreras, PhD, and Scott McCully							
Other Business	Discussion Leader: Winston McGregor							
Next Meeting Reminder: May 8, 2019 Adjournment	Discussion Leader: Winston McGregor							
Adjournment								



POLICY COMMITTEE MEETING

March 7, 2019

Present: Winston McGregor, T. Dianne Bellamy Small, Byron Gladden

Staff: Sharon Contreras, Nora Carr, Scott McCully, Kim Hipp

Other: Linda Welborn

Approval of Minutes

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

Suggested Framework for 2019

- The Committee reviewed the 2019 Framework for Policy Committee Work memo.
- Staff will include links to policies and procedures in future Policy Committee meeting agendas.
- Committee members requested to receive all meeting materials four days prior to meetings to provide ample review time.
- The Committee will review procedures as the Superintendent directs and upon Board member request when questions arise.

Magnet/Choice/Option School Policy (IEM-P) Procedural Update

- The Committee reviewed and discussed staff's recommended revisions to IEM-P.
- The Committee asked staff to locate the original IEM-P document and then re-enter the proposed revisions so that they can clearly see what changes are being proposed.

Review Meeting Schedule for 2019

• Committee chair McGregor requested staff to look for alternate meeting dates for Thursday, September 5 and Thursday, November 7 Committee meeting dates.

Other Business

- The Committee asked staff to create a procedure that outlines next steps for handling discipline hearings that resulted in a student not returning to school.
- The Superintendent recommended that the Committee focus on either Code of Conduct policies or Student Assignment policies in 2019 due to the extremely large scale and scope of this work.

Next meeting

The next Policy Committee meeting is scheduled for April 4.

Submitted by: Nora K. Carr, Ed.D. Chief of Staff, Guilford County Schools

LEGAL STATUS OF THE BOARD AND SCHOOL SYSTEM

Policy Code: 1000

The legal status of the Board and school system has been established by the General Assembly. In consonance with the law, the following are in effect:

- The official name of this system is: The <u>Guilford County School</u> Administrative Unit.
- The schools of this system will be known as the: The Guilford County Public Schools.
- The governing body of the <u>Guilford County</u> <u>Public</u> Schools is <u>the</u>: <u>The Guilford County</u> Board of Education.

Legal References: N.C. Const., art. IX; G.S. 115C-1, -5, -40, -69; <u>Session Law 2013-361; Session Law 1991-78</u>

Cross References:

The Board of Education is a body corporate and has general control and supervision of all matters pertaining to the public schools of the school system and the authority to enforce the school law. All powers and duties conferred and imposed by law respecting public schools, which are not expressly conferred and imposed upon some other official, are conferred and imposed by law upon the Board.

The Board will provide a system of schools; establish general policies in keeping with the needs of the community and the requirements of state law; <u>and represent the citizens and taxpayers of Guilford County in performing and perform</u> all specific duties imposed by law. The Board considers some of its most significant duties to be the following:

- 1. providing every student with the opportunity to receive a sound basic education as defined by the North Carolina Supreme Court in *Leandro v. State*;
- 2. providing leadership and direction through the formulation of goals and objectives, especially in defining and setting high academic standards for student success, and measuring progress toward achieving those goals and objectives;
- 3. creating policies that establish standards, accountability, and evaluation of essential operations of the school system and require excellent organizational performance;
- 4. taking steps necessary to help ensure legal compliance of Board and school system functions;
- 5. performing judicial functions by conducting hearings as appropriate or as required by law regarding decisions of school system personnel or the Board;
- 6. hiring a superintendent, supporting the superintendent in his or her administration, and evaluating and responding to recommendations made by the superintendent, including recommendations pertaining to the educational program and facility needs;
- 7. considering the budget recommended by the superintendent, presenting the budget to the county commissioners, and adopting a budget after evaluating whether the county commissioners' appropriation is sufficient to support a system of free public schools; and
- 8. being an advocate for the school system, for employees, and especially for students in all interactions with other governmental entities and the public.

Legal References:	G S	$115C_{-}36$	-40	-11	$-17 \cdot I_{0}$	andro v	State	3/16 N C	336	(1007)
Legal Neiclelles.	U.S.	1130-30.	- 4 U.	-44.	-41. Le	anaro v.	siaie.	340 M.C.	\mathcal{I}	(177/1

Cross References:

The Guilford County Board of Education (the "Board") requires all students to meet the eligibility requirements for school admission established by the state and the Board, including age. Any parent or guardian who is unclear whether a child meets the age requirements is encouraged to contact the Superintendent's office or the elementary school that the child is likely to attend.

A. ENTITLEMENT TO INITIAL ENTRY

A child who is presented for enrollment at any time during the first 120 days of a school year will be considered eligible for initial entry in any of the following circumstances.

- 1. The child reaches or reached the age of five on or before August 31 of that school year.
- 2. The child resided in another state and was attending school during that school year in accordance with that state's laws or rules prior to moving to North Carolina. (The child does not need to reach the age of five on or before August 31 in this circumstance.)
- 3. The child did not reach the age of five on or before August 31 of that school year but would be eligible to attend school during that school year in another state in accordance with the laws or rules of that state, and all of the following apply:
 - a. the child's parent is a legal resident of North Carolina who is an active member of the uniformed services assigned to a permanent duty station in another state;
 - b. the child's parent is the sole legal custodian of the child;
 - c. the child's parent is deployed for duty away from the permanent duty station; and
 - d. the child resides with an adult who is a domiciliary of a local school administrative unit in North Carolina as a result of the parent's deployment away from the permanent duty station.

B. DISCRETIONARY ENROLLMENTS

The Board may allow a child to be enrolled in either of the following circumstances.

1. The child is presented for enrollment <u>after</u> the first 120 days of a school year and meets one of the circumstances specified above for entitlement to initial entry.

2. The child reached the age of four on or before April 16; the child is presented for enrollment no later than the end of the first month of the school year; and the principal of the school finds, based on information submitted by the child's parent or guardian, that the child is gifted and has the maturity to justify admission to school. The Board regards admission of a four-year-old child to be an extraordinary measure that should not to be used merely because the child is developmentally advanced. In making such a determination, the principal shall follow guidelines established by the State Board of Education.

C. GRADE LEVEL OF INITIAL ENTRY

The initial point of entry will be the kindergarten level. After initial entry, a principal may move the child to the first grade if the principal determines that by reason of maturity, the child may be served more appropriately in the first grade.

D. EVIDENCE OF AGE

When a child is presented for admission for the first time, the principal shall require the parent or guardian of the child to furnish a certified copy of the child's birth certificate or other competent and verifiable evidence of the child's date of birth. Such evidence may include, but is not limited to: (1) a certified copy of any medical record of the child's birth issued by the treating physician or the hospital in which the child was born; or (2) a certified copy of a birth certificate issued by a church, mosque, temple or other religious institution that maintains birth records of its members.

A birth certificate or other satisfactory proof of age issued by a foreign country or institution will be accepted and treated in the same manner as comparable documents issued in the United States. School officials shall use such documents only for the purpose of establishing the age of the child and not to inquire about the citizenship or immigration status of the child, parent or guardian.

For a student who is in foster care or considered homeless, the inability to provide documentation must not prevent immediate enrollment of the student. School officials, or in the case of a homeless student, the homeless liaison, shall immediately contact the last school the student attended to obtain relevant enrollment records or other information needed for enrollment. These officials shall work with the student, the parent or guardian, school personnel, and other agencies as necessary to obtain enrollment information in a timely manner.

E. PRE-KINDERGARTEN PROGRAMS

The age requirements described in this policy do not apply to any pre-kindergarten programs that the board may provide. All students meeting the requirements for pre-kindergarten entry must be four years of age on or before August 31.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6311(g)(1)(E); McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; G.S. 115C-288, -364; 130A-109; 16 N.C.A.C. 6E.0105; State Board of Education Policy KNEC-001

Cross References: Homeless Students (policy 4125)

Replaces: JBC (in part) (revised November 17, 2016)

Students who do not meet the domicile or residence requirements outlined in policy 4120, Domicile or Residence Requirements, may apply for discretionary admission to the Guilford County Schools. Applications from residents of the school system will be given consideration before others. -Admission under this policy may be granted for up to one full school year. An application must be submitted each subsequent school year in which admission is desired.

A. ADMISSION CRITERIA

A non-domiciled student may be admitted and enrolled at the discretion of the Superintendent if the following conditions are met.

- 1. The parent, legal guardian, or legal custodian must complete an application form that submit a request in writing that explains why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school system. An explanation of need may be considered when:
 - there are compelling, specific circumstances indicating that the student should continue his or her education in the school system (as, for example, when the student is in his or her senior year when the parent, legal guardian, or legal custodian becomes domiciled outside of Guilford Countythe school system);
 - b. there is an extraordinary, compelling, specific family need (as, for example, when a parent, legal guardian, or legal custodian is clearly unable to care for the child); or,
 - other extraordinary, specific, and compelling need or hardship is demonstrated.

Any reason having to do with athletics or participation in athletics is not a valid or sufficient explanation of need.

- The <u>Superintendent or DesigneeBoard</u> must have determined that space is available
 in the school system and in the particular school or program in which the student
 seeks to enroll.
- 3. The student must demonstrate that he or she was in good standing in the previous school attended by that student, in terms of academics, discipline, and other measures of standing and progress in the school system. The student also must satisfy the requirements in policy 4115, Behavior Standards for Transfer Students.
- With the initial application, the student must furnish a transcript and other student record data, including evidence of compliance with the North Carolina

immunization requirements.

- 5. The student must demonstrate that he or she has not completed the prescribed courses for graduation from high school.
- 5-6. If the student is transferring from another school system in North Carolina, the student must submit a release approved by the Board of Education (or Superintendent/Designee) of the other school system from which the transfer is being made.
- 6-7. If the student resides with an adult who is not the student's parent, legal guardian, or legal custodian, the student must furnish the school system with a notarized written document showing that the parent, legal guardian, or legal custodian consents to the student attending school in the school system and authorizes the adult with whom the student lives to make all decisions relating to or affecting the student's education, including, but not limited to, any decisions relating to placement, services, field trips, medical treatment, grading and reporting, discipline, participation in extracurricular activities, and participation in athletics.
- 7-8. The student must pay the tuition then being charged by the school system unless, in accordance with policy 4135, Tuition for Discretionary Admissions, the tuition is waived, or the student is exempted by law from the payment of tuition. If the student is asserting residency in the school system, sufficient evidence must be provided with the initial application, such as a copy of utility bills.
- If the student resides with an adult who lives outside the assignment area of the school to which the student is assigned, the student's parent, guardian, or the adult with whom the student is residing must agree to be responsible for the student's transportation to school.

B. DISCRETIONARY ADMISSION DECISIONS

Admission for up to one full school year may be granted based upon the information contained in the application and supporting documents. The Superintendent's Designee is authorized to approve or deny admission under this policy for students who are domiciled outside North Carolina. The Superintendent or Designee shall make a recommendation to the Board regarding the admission of a student who is domiciled in another North Carolina school administrative unit, after determining whether space is available at the requested/assigned school. In accordance with state law, the admission of a student who is domiciled in another North Carolina school administrative unit must be approved by the Board.

Decisions regarding discretionary admissions may be delayed until the Board has determined whether space is available in the requested school.

If at any time the Superintendent or Delesignee determines that an admitted student is

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ineligible for admission under the terms of this policy, the student shall be notified immediately and removed from Guilford County Schools. Nonresident students who are admitted based upon false or misleading information on their application will have their application voided and acceptance reseinded.

C. APPEALS

A student whose request for admission under this policy is denied by the Superintendent or Designee may appeal the decision to the Board. A written request for an appeal hearing must be received by Superintendent or Designeethe Director of Student Assignment within five (5) working days following receipt of the decision to deny admission. The appeal will be conducted in accordance with procedures developed by the Superintendent and will be heard by a panel of the Board. —The panel will forward its recommendation to the full Board for a final decision on the issue of the student's admission. in accordance with the procedures of section E.5 in policy 1740/4010, Student and Parent Grievance Procedure.

D. RENEWALS

For the renewal of admission in subsequent school years, the student must continue to meet all admission criteria and must be in good standing in terms of academics, discipline, and other measures of standing and progress in the school system.

The Superintendent or designee shall develop and administer a procedure to implement this policy.

Legal References: G.S. 7B, art. 35; 35A, art. 6; 50-13.1 to 13.3; 115C-231, -364 to -366.1

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Behavior Standards for Transfer Students (policy 4115), Domicile or Residence Requirements (policy 4120), Tuition for Discretionary Admissions (policy 4135)

Replaces: JBC (in part) (revised November 17, 2016)

Unless provided otherwise in this policy, tuition will be charged to students admitted under policy 4130, Discretionary Admission, if the students (1) are not domiciled in North Carolina or (2) are domiciled in North Carolina and residing outside of <u>Guilford Countythe school system boundaries</u>. <u>Tuition</u> may not exceed the local per pupil allocation for current expense as provided by the <u>Guilford County</u> Board of Commissioners. The tuition rate will be determined annually by the Guilford County Board of Education (the "Board") no later than August 1.

Tuition may be waived if a student meets one of the following criteria:

- 1. the student is admitted to the school system pursuant to an agreement between this Board and another board of education, and the agreement specifies that the payment of tuition by the student will not be required;
- 2. the student resides on a military base within North Carolina;
- the student is admitted on the basis of compelling circumstances demonstrating the student's need to continue education in the school system and the student would qualify for free or reduced priced lunch or the student demonstrates extraordinary financial hardship;
- 4. the student is a nonresident whose parents will move into the school administrative unit on or before December 1, and the student is assigned at the beginning of the school year to the school serving the student's future domicile;
- 5. the student was domiciled within the school administrative unit at the beginning of the school year and remains enrolled in the school system for the duration of the school year after moving into another school administrative unit during the school year; or
- 6.3. the student's parent(s), legal guardian, or legal custodian is a full-time employee of Guilford County Schools, are employed by the school system.

In addition, in accordance with law, no tuition will be charged to: students who are domiciliaries of North Carolina and who reside within Guilford County. However, the Board may enter an agreement with the board of education of the student's domicile for payment of tuition by that board.

- 1. students residing on military bases within North Carolina where federal funds designed to compensate for the impact on public schools of military dependent students are provided to the school system in an amount not less than 50 percent of the total per capita cost for education, exclusive of capital outlay and debt service; or
- 2. students who are domiciliaries of North Carolina and who reside within the school administrative unit. However, the Board may enter an agreement with the board of

education of the student's domicile for payment of tuition by that board.

A student dissatisfied with a decision of the Superintendent or Designee regarding the payment of tuition may appeal the decision to the Board by directing a written request to the Superintendent or Designee. The request must be received within five (5) working days following receipt of the decision. The appeal will be conducted in accordance with procedures developed by the Superintendent and will be heard by a panel of the Board. The panel will forward its recommendation to the full Board for a final decision

Legal References: G.S. 115C-366, -366.1; *Chapel Hill-Carrboro City Sch. Sys. v. Chavioux*, 116 N.C. App. 131 (1994)

Cross References: Discretionary Admission (policy 4130)

Replaces: JBC (in part) (revised November 17, 2016)

The safety of students is a paramount concern of the Guilford County Board of Education. The principal or designee shall make reasonable efforts to verify that any person appearing at a school and requesting permission to take a student from the school is properly identified before the student is released to him or her.

Except in the most extreme circumstances, custody of a student shall not be relinquished to any person without the prior approval of the parent or guardian who has physical custody of the student. However, if the parents are divorced or separated, the student may be released to either parent, unless the principal has been provided with a copy of a court order or agreement that specifies otherwise.

If the principal or designee judges that the student's health or safety may be harmed by releasing the student, the principal shall contact law enforcement and/or the department of social services as appropriate.

Principals are encouraged to develop guidelines as necessary to implement this policy.

Legal References: G.S. 115C-36, -47, -288

Cross References: Child Abuse – Reports and Investigations (policy 4240/7312), Relationships with Other Governmental Agencies (policy 5100)

Membership in a group accident insurance program will be made available to students each year. In arranging for this insurance, the Guilford County Board of Education will make every reasonable attempt to identify a company offering comprehensive insurance at economical rates. Information on the plan will be made available through school publications.

Purchase of this insurance constitutes an agreement between the student and/or parent and the insurance company. The school system is not a party to this agreement. The school system does not assume any contractual responsibility for expenses not covered by insurance.

Students who choose to participate in programs that may have a higher risk of physical injury than most school activities, including off-site internship programs, football, and other interscholastic sports, are required to have accident insurance through the group plan or comparable coverage. The Superintendent may designate other activities, including certain school trips, as requiring accident insurance.

Legal References: G.S. 115C-36

Cross References:

The Guilford County Board of Education (the "Board") seeks to provide a work and school environment free from violence or the threat of violence against employees, students, or other persons. The Board encourages eligible individuals to participate in the North Carolina Address

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Policy Code:

environment free from violence or the threat of violence against employees, students, or other persons. The Board encourages eligible individuals to participate in the North Carolina Address Confidentiality Program established pursuant to Chapter 15C of the General Statutes. This program protects the address of relocated victims of domestic violence, sexual offense, stalking, or human trafficking to prevent a victim's assailants or potential assailants from finding the victim through public records. The program provides participants with the use of a substitute mailing address and denies public access to a participant's actual address.

A. PROGRAM DETAILS

The Address Confidentiality Program is administered by the State Attorney General. Information and assistance in applying to the program may be obtained by telephone from the Attorney General's Address Confidentiality Program Office at (919) 716-6785.

Program participants receive an authorization card with a substitute mailing address that may be presented whenever an address is required. Mail sent to the substitute address is forwarded cost-free by the program to the participant at his or her residential address. Students, parents, or school personnel enrolled in the Address Confidentiality Program must provide a valid authorization card if they wish to keep their home address confidential.

B. SCHOOL PERSONNEL PARTICIPANTS

The name, actual address, and telephone number of any school system personnel participating in the Address Confidentiality Program will not be open to inspection as a public record, will not be included as part of any employee directory published by the school system, and will be redacted from any record released pursuant to G.S. 115C-320, provided the employee has provided a valid authorization card to the ssuperintendent or Ddesignee. — (See policies 5070/7350, Public Records – Retention, Release, and Disposition, and 7820, Personnel Files.)

C. STUDENT PARTICIPANTS

The school system will use the actual address of a program participant, not the substitute address designated by the Attorney General, for any purpose related to admission or assignment but will keep the actual address confidential from the public, provided the student or parent has provided a valid authorization card to the principal. Student records will reflect only the substitute address and not the student's actual address. The student's telephone number also will be kept confidential from the public. The parent or guardian of a student participant may request that a student's name be withheld from any release of

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directory information by the school, as provided in policy—1310/4002, Parental Involvement 1311/4003, Parent Notification – Withholding Consent.

When transferring school records from one school to another, the transferring school may send the files to the participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program to ensure confidentiality of the student's new location.

D. DISCLOSURE PROHIBITED

The knowing and intentional disclosure of a program participant's actual address or telephone number to unauthorized persons is prohibited. Failure to comply with this policy may result in disciplinary action, up to and including termination. In addition, violators may be subject to criminal prosecution.

Legal References: G.S. Ch. 15C; 115C-47, -320, -366(g), -402(f); 132-1.1(d)

Cross References: Parental Involvement (policy 1310/4002)Parent Notification – Withholding Consent (policy 1311/4003), Domicile or Residence Requirements (policy 4120), School Assignment (policy 4150), Student Records (policy 4700), Public Records – Retention, Release, and Disposition (policy 5070/7350), Personnel Files (policy 7820)

The Superintendent shall ensure that all notification requirements of the Protection of Pupil Rights Amendment are met, along with any other legal requirements regarding the surveying of students.

A. PROTECTED TOPICS

The school system must obtain prior written/active consent of a parent/guardian or eligible student before the student is required to participate in any <u>U.S.</u> Department of Education-funded survey, analysis, or evaluation that reveals information concerning the following "protected topics":

- 1. political affiliations or beliefs of the student or the student's parentfamily;
- 2. mental or psychological problems of the student or the student's family;
- 3. sex behavior and attitudes;
- 4. illegal, anti-social, self-incriminating, or demeaning behavior;
- 5. critical appraisals of other individuals with whom respondents have close family relationships;
- 6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- 7. religious practices, affiliations, or beliefs of the student or the student's parentfamily; or
- 8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Upon request, parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey. The school system will take measures to protect the identification and privacy of students participating in any survey concerning any of the protected topics. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

The school system will notify parents at the beginning of each school year of the specific or approximate dates of administration of surveys concerning the protected topics that are not funded in whole or in part by the Department of Education. Parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey. Parents also will have the opportunity to opt their children out of participating in the survey(s).

B. COLLECTION OF STUDENT DATA FOR MARKETING PURPOSES

The school system generally will not collect, disclose, or use personal student information for the purpose of marketing or selling the information or otherwise providing the information to others for that purpose. However, the school system may collect such information from students if the information is used for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- 1. college or other postsecondary education recruitment or military recruitment;
- 2. book clubs, magazines, and programs providing access to low-cost literary products;
- 3. curriculum and instructional material used by elementary schools and secondary schools;
- 4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- 5. the sale by students of products or services to raise funds for school-related or education-related activities; and
- 6. student recognition programs.

If the school system collects such information from students for the purpose of marketing or selling the information to develop, evaluate, or provide educational products or services as described above, upon request, parents may inspect any instrument used to collect the information before it is administered or distributed to a student.

C. PARENT INVOLVEMENT

The Guilford County Board of Education (the "Board") and Superintendent will work with parents to create policies and guidelines concerning: (1) the administration of surveys by third parties; (2) arrangements to protect student privacy in the administration of surveys containing a protected topic; (3) parental rights to review and inspect instructional materials or survey instruments; and (4) the collection, disclosure, or use of personal information for marketing or selling purposes.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, h, 34 C.F.R. pt. 99; G.S. 115C-36

Cross References: Parental Involvement (policy 1310/4002), <u>Parent Notification – Withholding Consent (policy 1311/4003)</u>, Student and Parent Grievance Procedure (policy 1740/4010), Student Discipline Records (policy 4345)