

Subject: [Document Released] Charlotte-Mecklenburg Board of Education public records request #24-27

Date: Wednesday, February 14, 2024 at 8:48:05 AM Eastern Standard Time

From: Charlotte-Mecklenburg Board of Education Public Records

To: AO Records

EXTERNAL SENDER

-- Attach a non-image file and/or reply ABOVE THIS LINE with a message, and it will be sent to staff on this request. --

Charlotte-Mecklenburg Board of Education Public Records

Documents have been released for record request #24-27 along with the following message:

Hello,

The following responsive materials are being provided as partial fulfillment of your public records request.

If there are additional responsive public records for your request, they will be provided as soon as they have been reviewed. When all responsive public records have been assessed and provided, you will receive a message stating that the request is closed.

Best,

Joel Ferdon

Public Records Officer | Charlotte-Mecklenburg Schools
Office of General Counsel | 600 East Fourth Street 5th
Floor | Charlotte, NC

- 2023-2024 School Issues Memo.msg
- Attention- Important Meeting Information.msg
- Attention Principals .msg
- FW Book Access.msg
- FW Classroom Library email .msg
- FW Parents Bill of Rights Video - Google Drive.msg
- Fw Principal Memo - RHASE instruction.msg
- Memo_ K-4 Classroom Libraries .pdf
- Oct. 25- Principals' Weekly Updates.msg
- Parents' Bill of Rights Page is LIVE.msg
- Parents' Bill of Rights Updates 8-29-2023.msg
- Re 2023 Back to School Issues Memo.msg
- Re Classroom Library email .msg

[View Request 24-27](#)

<https://cmsk12.nextrequest.com/requests/24-27>

Document links are valid for one month. After March 14, you will need to sign in to view the document(s).

Questions about your request? Reply to this email or sign in to contact staff at Charlotte-Mecklenburg Board of Education.

Technical support: See our [help page](#)

Subject: [Document Released] Charlotte-Mecklenburg Board of Education public records request #24-27

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- Re 2023-2024 Annual Notice Letter to Parents (English and Spanish).msg
- Re Policy Alert Change - August 22nd BOE Meeting.msg
- Reproductive Health Update.pdf
- Submit Questions_ Bill of Rights Principal Meeting (August 24, 2023) (Responses) - Form Responses 1.pdf
- Update Parents' Bill of Rights Student Information Form.msg

[View Request 24-27](#)

<https://cmsk12.nextrequest.com/requests/24-27>

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Technical support: See our [help page](#)

From: Root, Hope A. <hopea.root@cms.k12.nc.us>

Sent: Tuesday, August 22, 2023 10:05 AM EDT

To: Crystal L. Hill <crystal.hill@cms.k12.nc.us>; DL CMS Cabinet Members <CMSCabinetMembers@cms.k12.nc.us>

Subject: 2023-2024 School Issues Memo

Attachment(s): "School Memo 2023-2024.pdf"

Good morning, Cabinet members – Attached is the 2023-2024 School Issues Memo prepared by our office. As most of you know, this Memo sets forth guidance for many issues that routinely arise in schools. It is meant as a tool for use by Principals and other School Administrators. Of course, we are always available for consultation on legal issues. I know this was sent out yesterday to Executive Staff; however, not everyone on Cabinet is on that distribution list. It was also sent out to the Principal distribution list. Please forward this to others in the organization who you feel will benefit from it. Just let me know if you have any questions.

Hope A. Root

Deputy General Counsel
Charlotte-Mecklenburg Board of Education
P.O. Box 30035
Charlotte, NC 28230-0035

980-344-7501 - phone

980-343-5739 - fax

GENERAL SCHOOL ISSUES 2023-2024

Each year, principals and administrators are faced with many of the same legal issues. The purpose of this memorandum is to provide general guidance and clarity on some of those common issues. If you have questions or would like to discuss a topic in more detail, please feel free to reach out to the Office of General Counsel at 980-343-6228.

The following topics are discussed in this memo (Press Ctrl+Click to follow the link):

1. [Parents' Bill of Rights \(New Topic!\)](#)
2. [School Counselor Privilege from Testimony \(New Topic!\)](#)
3. [Child Find \(New Topic!\)](#)
4. [Accommodating Persons with Disabilities, Including Parents \(New Topic!\)](#)
5. [Public Records](#)
6. [Contracts](#)
7. [Student Searches](#)
8. [Title IX - Gender Identity and Sexual Orientation \(New Content Added!\)](#)
9. [Reporting Crimes Against Juveniles](#)
10. [DSS Reporting](#)
11. [Compulsory Attendance](#)
12. [Communicating with Disruptive Parents](#)
13. [Investigating Student Misconduct](#)
14. [Students' Medical Records](#)
15. [Family Educational Rights and Privacy Act \(FERPA\) Basics \(New Content Added!\)](#)
16. [Accommodating Students' Religious Beliefs](#)
17. [Custody Advocates / Best Interest Attorneys](#)
18. [Child Custody](#)
19. [Political Activity on School Grounds](#)
20. [Student Parking Stickers](#)
21. [PTAs/PTOs](#)
22. [Students' Electronic Devices](#)
23. [Guardian ad litem](#)
24. [Video Recording of Students](#)
25. [Change of a Student's Classroom Assignment](#)
26. [Parent's Right to Legal Counsel](#)
27. [Guardianship of Minors](#)
28. [Releasing Students to Non-Parents](#)
29. [Subpoenas](#)
30. [Undocumented Students/Immigration and Customs Enforcement \(ICE\)](#)

1. NC Parents' Bill of Rights

New legislation entitled the "Parents' Bill of Rights" was adopted into law just before the 2023-2024 school year. This legislation lists information a parent or guardian is entitled to, most of which was already in existence. For example, parents' right to their student's education record. Significant changes include obtaining parental consent (i.e., opt-in only, as opposed to previous opt-out) before administration of many student surveys, reproductive health and sex education in grades K through 4, and medical screening forms or surveys. It also requires parental notification before a name or pronoun change. Parents also have a right to review all curriculum and associated materials, and request information related to their parental rights. Principals are required to provide information at the beginning of the school year related to medical services offered at their school, curriculum and textbooks, curricular and extracurricular activities, and other pieces of information that will be set forth in Board policy and Superintendent regulations. Finally, the new law requires Principals to respond to parental requests and concerns within set statutory timelines. Please see newly adopted Board policies and Superintendent regulations for further details.

2. School Counselor Privilege from Testimony

School counselors may be privileged from testifying about information acquired during the rendering of counseling services if the information was necessary to render the counseling services. Because this privilege belongs to the student, the student or parent(s) may waive the privilege in open court. If a school counselor is subpoenaed to testify in court or to appear and produce documents, the school counselor should comply with the directions on the subpoena. The school counselor is likely being subpoenaed as an individual, and not as a representative of the District. Prior to giving testimony or producing the documents in court, the school counselor may ask the judge to decide whether the information should be disclosed. The judge may compel the school counselor to testify or to produce documents if the judge believes the disclosure is necessary to a proper administration of justice.

3. Child Find

"Child Find" is the affirmative, ongoing obligation of states and local districts to identify, locate, and evaluate all children with disabilities residing within the jurisdiction who are in need of special education and related services. 34 CFR 300.111 (a)(1)(i). Child Find requires districts to annually "undertake to identify and locate every qualified [individual with a disability] residing in [the district's] jurisdiction who is not receiving a public education" and to evaluate students "who, because of handicap, need or are believed to need special education or related services." The failure to identify a student with a disability and evaluate may entitle the student to compensatory education or tuition reimbursement accruing from the time the district first should have suspected the disability.

School staff must do the following in order to satisfy the district's child find obligation:

- Refer students to the special education department when they suspect the student may have a disability and need special education services. For that reason, teachers need to learn about the full range of disabilities under the IDEA.

- Be on the lookout for students who may have a physical or mental health impairment, such as ADHD, diabetes, or a food allergy, for which they need accommodations, even if they perform well academically. Teachers should inform Section 504 staff whenever they identify such a student.
- Learn about child find red flags. Those signs vary widely but include, for example, a situation where a student continues to decline academically despite receiving general education interventions or other supports.

Some Child Find triggering events include:

- Excessive absences linked with medical conditions
- Parent pickup for behavioral problems
- Ineffective 504 accommodations
- Hospitalizations
- Severe persistent behaviors
- Private diagnosis
- When a parent requests a special education evaluation, the district must promptly respond by initiating an evaluation or denying the request and sending prior written notice explaining her procedural safeguards.

90-Day Initial Eligibility Timeline – EC Students

Either a parent or the district may initiate a request for an initial special education (or EC) evaluation to determine if a student is a student with a disability under the Individuals with Disabilities Education Act (IDEA). The date the school receives the written request from the parent, or the date the school knew or should have known about the suspected disability, is the referral date. If the IEP team chooses to evaluate the child, evaluations must be conducted, eligibility must be determined, and for an eligible child, an IEP must be developed, and placement completed within ninety (90) calendar days of receipt of the written referral. *NC Policies Governing Services for Children with Disabilities 1503-2.2(c)(1)*. Failure to adhere to the 90-day timeline is a denial of a student’s Free and Appropriate Public Education (FAPE).

4. Accommodating Persons with Disabilities, Including Parents

Section 504 of the Rehabilitation Act of 1973 (Section 504) prohibits discrimination on the basis of disability in programs and activities that receive federal financial assistance. Title II of the Americans with Disabilities Act of 1990 (Title II) prohibits discrimination against qualified individuals with disabilities by public entities, including public education systems and institutions.

Section 504 and Title II protect all persons with disabilities from discrimination, including parents and guardians, students, and employees. Requests to accommodate a parent or guardian should be promptly acknowledged and reviewed on a case-by-case basis. The District may need to provide

accommodations that a parent requires to meaningfully participate in their student's IEP or Section 504 team meeting, including but not limited to, interpreters, note takers, and recording the meeting.

For student accommodation requests, please contact the Section 504 Department or the Exceptional Children Department. For employee accommodation requests, please refer to Board Policy [P-MEDI/R](#).

5. Public Records

Public records are records created or received by officials and employees while transacting official CMS business. Public records are designated by their content and function, NOT by their format or location. This means records can be papers, photographs, videos, maps, emails, voice mail messages, or text messages. The records must be retained, stored, disposed of, and made available for inspection and copying in accordance with the law. We are legally and ethically required to preserve all public records for their retention period and supply them to the public upon request. If you receive a request for public records, you can direct the requestor to the following portal, or submit the request on his/her behalf: <https://cmsk12.nextrequest.com/>. If you have questions about public records or receive a public records request, please contact Public Records Officer Joel Ferdon in the Office of General Counsel.

6. Contracts

A contract is required for any purchase of goods and/or services. A paper contract is required for any contract with a value greater than \$30,000. "Contract" means a written, legally enforceable agreement that creates obligations on the parties. A contract may be referred to in many ways, for example: Purchase Order, Quote, Construction Change Order, Master Contract, Amendment, Agreement, Affiliation Agreement, Interlocal Agreement, Lease, Memorandum of Agreement (MOA), Memorandum of Understanding (MOU), Terms and Conditions, Addendum, Statement of Work (SOW) or other similar titles. **Before** securing a good and/or service, a contract must be in place. This means that you cannot accept good/services or pay for said goods/services before the contract is signed. Only authorized employees can sign contracts. The Memorandum of Delegation is attached to Regulation [F-PRCH/R](#) and outlines who has authority to sign a contract on behalf of the District. **Employees not authorized under this memorandum may not sign contracts.** Please do not sign documents from vendors without first reviewing the memorandum to confirm you are authorized to sign. As best practice, vendor documents should be reviewed by the CMS Office of General Counsel for compliance with CMS Terms and Conditions. Please refer to Board Policy [F-PRCH](#) and Regulation [F-PRCH/R](#) for more specific guidance on procuring goods and/or services.

7. Student Searches*

Although students have legitimate expectations of privacy, the special needs of the school environment allow searches of students and their belongings where the search is reasonable to detect infractions of school rules. As such, school officials are permitted to conduct searches of students under the following circumstances: (1) the search must be justified - there must be reasonable grounds for suspecting the search will turn up evidence that the student has violated the law or the rules of the

school (such as a student triggering an alert from the scanners); and (2) the search must be permissible in its scope - it must be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction. If the search is reasonable based on these two factors, searches may be conducted to detect infractions of school rules. Additionally, the administrator should clearly document his/her grounds for conducting the search and how the search occurred. As best practice, school administrators should seek guidance from the CMS legal department prior to conducting a search if they have questions on whether the reasonableness standard is satisfied or are unclear as to the scope of the search permitted under the circumstances.

*This entry is not intended to apply to random or other searches conducted by law enforcement, including CMSPD or SROs.

8. Title IX Inclusion of Gender Identity and Sexual Orientation

Title IX, which prohibits discrimination and harassment based on a person's sex, includes protection of an individual's gender identity and sexual orientation. If a student or employee complains about harassment or discrimination based on either of these protected traits, a Title IX complaint and investigation must occur. As a practical matter, students and staff must be allowed to use bathrooms, locker rooms, and other sex-segregated facilities consistent with their gender identity. Schools may not require students to use a separate restroom but should make that option available to any student. Schools must comply with regulation [S-BULY/R](#), including working with students/families individually and evaluating all gender-based activities and school practices, such as dress codes, extracurricular activities, overnight field trips, and PE classes. Students are allowed to participate in any gender-based activities or conform to established practices consistent with their gender identity. School staff shall address students by the name and pronoun corresponding to their gender identity; however, new legislation requires that parents be notified when a name or pronoun change is requested. Non-official school records, such as class lists, yearbooks, school event programs, diplomas, student IDs, report cards, and class rosters shall refer to students by their preferred names and pronouns.

9. Reporting Crimes Against Juveniles

All CMS employees who know or should have reasonably known that a juvenile has been a victim of a violent offense, sexual offense, or child abuse are required to report the case to law enforcement. This requirement is *in addition to* the mandatory reporting of child abuse, neglect, and dependency to DSS. The case should be **immediately** reported to either CMSPD or CMPD. The report can be made orally, in person, or by telephone. For details regarding what constitutes knowledge of an offense, what types of cases must be reported, and what information should be reported, please see [Mandatory Reporting of Certain Crimes Against Juveniles](#).

10. DSS Reporting

All CMS employees are required to report known or suspected cases of child abuse, neglect, or dependency (child does not have a parent, guardian, or custodian responsible for his/her care) to the director of the department of social services and to the school principal within twenty-four (24) hours

of the time the employee becomes aware of or has a good faith belief that a child has been or is being abused, neglected, or the child is dependent. For detailed reporting requirements, please see, [Reporting Child Abuse, Neglect, and Dependency Cases](#).

11. Compulsory Attendance

Although all school-age children in North Carolina have a right to a free public education, children between the ages of seven and 16 must attend school continuously during a school year. School principals are responsible for enforcing the State compulsory attendance law. More specifically, principals (or the principal's designee) must promptly notify parents after their child has accumulated **three** unexcused absences in a school year. After not more than **six** unexcused absences in a school year, the principal must notify the parent that he/she may be in violation of the compulsory attendance law and may be prosecuted if the absences are not justified. Once the parent is notified, the appropriate school staff must work with the student's parent to determine what steps are needed to correct the attendance problems. After 10 accumulated unexcused absences in a school year, the principal or the principal's designee is required to review any reports regarding the student's unexcused absences and then confer with the student and the student's parent to determine whether the parent has received proper notification of the unexcused absences and has made a good-faith effort to comply with the compulsory attendance law. Potential truancy matters are coordinated through CMS Student Services.

12. Communicating with Disruptive Parents

Board policy supports a parent's right to participate in their child's education. However, a parent's right to participate is not limitless. In instances where parental communications/interactions become hostile, harassing, or disruptive to the educational process, school officials have the authority and responsibility to set limits on the parent's communications with school staff. In order to ensure that a parent's communications are appropriate and do not interfere with or disrupt the school environment, the principal can develop a communication plan to establish sequenced steps to limit the parent's communications. Best practice is for the principal to start with a written warning to the parent that describes unacceptable conduct, expected conduct, and potential escalating consequences (e.g., allowing only written communication from the parent; limiting who the parent may communicate with; restricting the parent's in-person contact with staff; banning the parent from school grounds*) if the parent's conduct does not improve. Once the parent is notified of the restrictions, school officials must stick to them; follow the communication plan with fidelity; and address any violation with a short written response to the parent setting forth the violation and the attendant consequence.

*Banning a parent from school grounds is a severe sanction and should only be considered in response to egregious or threatening behavior by the parent, in accordance with Board policy.

13. Investigating Student Misconduct*

Incidents of student misconduct or alleged student misconduct must be given immediate attention and promptly investigated. The investigator should be a school administrator and not a teacher or other non-supervisory employee because discipline may be imposed at the conclusion of the

investigation. The investigating administrator should: (1) conduct interviews of each witness individually in a private room to prevent the interview from being overheard; (2) take detailed notes during each witness interview; (3) ask the witness open-ended questions in order to obtain as much information as possible; (4) have the witness prepare a written statement that is legible, signed, and dated at the conclusion of the interview; (5) gather and preserve all evidence, including witness statements, incident reports, notes, emails, videotapes, and photographs; (6) evaluate the collected evidence, including follow-up interviews to resolve any inconsistencies; (7) determine whether there is evidence of misconduct; (8) communicate investigation results to appropriate staff and determine corrective or disciplinary action, if appropriate; and (9) follow Board policy and the Code of Student Conduct, including timely notices and due process rights. Administrators should not reach conclusions regarding whether a law or a student's legal rights have been violated.

*A separate Title IX investigation must be conducted where there are allegations of sexual assault, sexual misconduct, or sexual harassment.

14. Students' Medical Records

The *Health Insurance Portability and Accountability Act* (HIPAA) specifically excludes as "protected health information" individually identifiable health information in education records covered by the *Family Educational Rights and Privacy Act* (FERPA). Because schools maintain medical records as part of students' health records they are "education records" under FERPA, and not "protected health information" under HIPAA. In other words, student medical records and treatment records that are provided to a school by a parent, student, or third-party, as well as records created by a school nurse or counselor, become part of the student's education record and are governed by FERPA, not HIPAA.

15. Family Educational Rights and Privacy Act (FERPA) Basics

FERPA protects the privacy of student education records and provides parents (and students when they reach age 18 or attend a postsecondary institution at any age) with the right to inspect and review their children's education records*; the right to seek to amend information in the records they believe to be inaccurate, misleading, or an invasion of privacy; and the right to consent to the disclosure of personally identifiable information from their children's education records. Schools must have written consent from the parent before disclosing personally identifiable information from a student's education record unless FERPA specifically allows disclosure without parental consent. "Education records" is broadly defined under FERPA and means those records directly related to a student and maintained by the school district. Education records are defined as those records that are a) directly related to the student, and b) maintained by the district. This means that parents have access to all records related to their students, not just the documents kept in the cumulative folder. These records include a student's entire Exceptional Children ("EC") file. When producing a student's education records, it is important that schools ensure the files(s) are properly reproduced, all pages front and back are copied, and the copies are legible.

Each parent, even a parent without custody, is entitled to inspect and review their child's records unless: (i) a court order specifically prohibits it; or (ii) a court has terminated that parent's educational

decision-making rights. Board policy requires school personnel to comply with a parent's request to inspect and review the records within a reasonable period, not to exceed forty-five (45) school days. FERPA also gives parents the right to request that a school correct a part of their children's education records that they believe to be inaccurate or misleading. Board Policy [S-REC](#) outlines the procedure for parents to follow to request an amended record.

Record of Disclosure

In most instances, FERPA requires schools to keep and maintain a log of each request for access to and each disclosure of personally identifiable information from education records of each student. The school must maintain this record with the education records of the student as long as the education records are maintained. The record of disclosure must include: (1) the parties who have requested or received the information and (2) the parties' legitimate interests in requesting or obtaining the information.

Schools do not have to record disclosure of personally identifiable information from education records that were made to: (1) the parent or eligible student; (2) a school official who has legitimate educational interests; (3) a party with written consent from the parent or eligible student; (4) a party seeking directory information; or (5) a party seeking or receiving records pursuant to a court order or lawfully issued subpoena.

School Officials

FERPA permits schools to disclose education records without written consent from a parent to a "school official" who has a "legitimate educational interest" in the education records. CMS' annual FERPA notification to parents defines school official as "a person employed by the school system as an administrator, supervisor, instructor, support staff member (including health or medical staff and law enforcement personnel), or a person serving on the school board." School officials may also include volunteers, contractors, or other third parties who perform institutional services or functions that CMS would otherwise use its own employees to perform and who are under the direct control of CMS with respect to the use and maintenance of the education records. A school official has a legitimate educational interest if s/he needs to review an education record in order to fulfill his or her professional responsibilities.

School Law Enforcement Units

CMS uses CMSPD officers and CMS security associates, along with school resource officers from local police departments (SROs), to monitor safety and security in and around school campuses. Although FERPA refers to these security units collectively as school law enforcement units, their access to a student's education records are quite different. School law enforcement officers who are employees of CMS (CMSPD officers and CMS security associates) are considered school officials. As such, schools may disclose a student's education records to these employees without parent consent if the CMS law enforcement officer has a legitimate educational interest in the education record. However, SROs do not qualify as CMS school officials. So, before a school can disclose a student's education records

to an SRO, the school must obtain parent consent unless a FERPA exception applies, e.g., disclosure to comply with a lawfully issued subpoena or disclosure in connection with a health or safety emergency.

16. Accommodating Students' Religious Beliefs

Students are attending school in order to obtain an education. However, they bring with them their religious beliefs. CMS has a duty to reasonably accommodate students' religious beliefs and practices unless the accommodation would cause a substantial disruption to the school environment or infringe on the rights of others. For example, individual students have a protected right to pray privately on their own or in groups. Vocal student-initiated prayer may be permissible as long as it is subject to the same constraints as non-religious student speech under the same circumstances. Students are permitted to organize prayer groups, religious clubs, "see you at the pole" gatherings, or other religious gatherings to the same extent that students are permitted to organize other non-curricular student activities and groups. Students may also express their religious views in assignments. Teachers are free to evaluate student assignments using ordinary academic standards but should not penalize or reward a student based on the religious content of the student's work.

Faculty and School Volunteer Participation in Prayer

All CMS employees and approved volunteers, while acting in their official capacity, are prohibited by the First Amendment from encouraging or discouraging prayer, and from actively participating in such activity with students. Although students can *voluntarily* pray at school or during school events, the First Amendment prohibits school employees and approved volunteers acting at the direction or supervision of CMS from delivering, leading, or participating in these prayers. School employees and volunteers are also prohibited from discouraging or preventing students from praying. However, school employees and volunteers are allowed to engage in private brief, quiet religious practices (such as prayer) that are not coercive to students and do not take place within the scope of employment duties. Prayers should not be broadcast on a public announcement system or recited to a captive audience, and students must not be required or expected to participate.

17. Custody Advocates/Best Interest Attorneys

Custody advocates and best interest attorneys ("Advocate") represent children residing in Mecklenburg County whose parents are engaged in contested custody and visitation cases. These individuals are appointed to represent the best interest of the child. An Advocate has no authority over educational decisions concerning the child but is authorized by court order to receive and review documents, information, records, and reports concerning the child. The court order itself determines the duties and responsibilities of the Advocate, the types of documents and information they can review, and whether they need parental permission. The order typically allows these individuals to view documents even if the documents are confidential, if the Advocate determines the documents are relevant to the child's best interest. If a court order specifically lists certain types of documents or notes, these must be provided, even if they would not normally be provided to parents. As part of the investigation, an Advocate may request a student's records or request to meet with a student or staff

member during school hours. The court order must be carefully reviewed to determine whether parent permission is required before the Advocate can meet with the student or staff member. As best practice, those meetings should be scheduled through an administrator during non-instructional time, where possible.

18. Child Custody

Both parents have equal rights and authority to participate in their child's education and to access their child's education records, even when the parents separate or divorce, unless a court order states otherwise. Both parents also have equal authority to remove their child from school grounds unless a court order limits a parent's right to physical custody. When parental consent or authorization is required to make an educational decision, consent from either parent will suffice – even from the parent without custody – unless a court order provides otherwise. Parental participation in their child's education is not "visitation" as that word is used in a custody order. So, unless a court order limits a parent's ability to visit at school, the parent can come for lunch in accordance with the school's visitation procedures. Since a parent's custodial rights arise naturally out of their status as parents, the rights of a father to a child born out of wedlock are the same as if the child had been born to married parents.

19. Political Activity on School Grounds

Board policy encourages employees to exercise their individual rights of citizenship, including registering to vote, voting, campaigning, or running for political office. However, such activity must be done on an employee's own time and without using school monies, materials, or resources. Teachers may discuss political issues with students as part of in-class instruction and impartial study. School facilities may be used for political activity outside of school hours in accordance with the Community Use of Facilities regulations. Political candidates or their supporters may not campaign on school grounds or distribute campaign literature during school hours or at school-sponsored events. Campaign literature may not be sent home with students or left on cars parked on school property. Campaign signs may not be placed on school grounds at any time, except on Election Day at schools being used as polling places in accordance with State Election Laws. Candidates for public office have the same access rights to public information as any other person who makes a public records request.

20. Student Parking Stickers

Each principal has authority to develop a system for allocating parking stickers to students. In accordance with state law, priority is given to students with physical handicaps. Principals must then give priority first to seniors, then juniors, then sophomores. The cost for a parking sticker cannot exceed \$25.00.

21. PTAs/PTOs

PTAs and PTOs are separate legal entities and are not under the direct control of CMS. This means that the legal separation between CMS and PTAs/PTOS must be maintained. Although CMS does not have direct control over PTAs/PTOs, it can still require these school support groups to follow specific

requirements as a condition of the district accepting funds, the group's ability to distribute information on campus or use the school name, mascot name, or logo.

22. Students' Electronic Devices

Board policy allows for students to have cell phones and other electronic devices on campus. An electronic device may be confiscated if it is being used in violation of Board policy. Once confiscated, school officials should not search a student's cell phone or other electronic device unless there is reason to suspect that such a search would reveal the student was violating Board policy, the Code of Student Conduct, or a school rule. In other words, the search must be justified at its inception and must be reasonable in scope to the circumstances justifying the search. If a cell phone or other electronic device is confiscated, it is the school's responsibility to safely store the device. If the cell phone or electronic device is lost or stolen, the school is responsible for compensating the parent/student for the reasonable cost of the device.

23. Guardian ad litem

A Guardian *ad Litem* (GAL) is a trained volunteer who is appointed by the court to advocate for the best interests of an abused or neglected child during the course of legal proceedings. The court order will specify the GAL's duties and responsibilities, which typically include authority to investigate and protect the child's interests and serve as a neutral fact finder for the judge. A GAL has no authority over educational decisions concerning the child. As part of the investigation, a GAL may request a student's records or request to meet with a student or staff member during school hours. As best practice, those meetings should be scheduled through an administrator during non-instructional time, where possible.

24. Video Recording Students

Every CMS employee is responsible for strictly guarding the privacy of student records, employee personnel records and other confidential documents. This obligation applies regardless of how the information is stored or maintained. School officials, including CMSPD and CMS security associates, are permitted under the Fourth Amendment to use security cameras to monitor student activity in any place that could be monitored in person—e.g., school buses, hallways, entrances, and exits. School officials should not, however, place video cameras in areas where students have a higher expectation of privacy, such as restrooms or gym locker rooms. School officials should avoid using cameras that record sound since an audio recording may violate state and federal wiretapping laws. Typically, a video recording is not an education record, unless it captures an individual student or students involved in an incident or engaged in misconduct. In those cases, the video recording is the education record of each student involved in the incident. If the video is used by the school to document an incident and/or for disciplinary purposes, the school should maintain the video. Parents are permitted to **view** the video recording if it is an education record of their child without the permission of parents of other students involved in the incident. If a parent requests a **copy** of the video recording that is the education record of more than one student, each parent must provide written consent before the copy of the video recording can be provided.

25. Change of a Student's Classroom Assignment

Each principal has the authority to grade and classify students. A principal also has the authority to determine when a change in a student's classroom or teacher assignment is appropriate, with one limited exception. Parents of multiple birth siblings (twins, triplets, etc.) who are assigned to the same grade level and school, have a statutory right to request that the initial school placement of the siblings be in the same classroom or in separate classrooms. The request must be made no later than five days before the first day of the school year or five days after the first day of attendance if the students are enrolled after the school year commences. Although the school may recommend an appropriate classroom, a school must provide the multiple birth siblings the classroom placement requested by the parent. A school is not required to place multiple birth siblings in separate classrooms if the request would require the district to add an additional class to the multiple birth siblings' grade level. At the end of the first grading period, the principal has the authority to alter classroom placements in certain circumstances involving disruption or student discipline.

26. Parent's Right to Legal Counsel

A parent's right to have legal counsel attend a school meeting is limited to IEP meetings, 504 meetings, and student discipline due process hearings. The law does not guarantee a right to legal counsel at parent/teacher conferences or other school-based meetings. A parent may request that his/her attorney attend a parent/teacher conference or other school-based meeting. Granting the request is within the principal's discretion; CMS attorneys do not staff these meetings but are available for pre-meeting advice.

27. Guardianship of Minors

A guardian is appointed by a court to make legal decisions on behalf of a child. In North Carolina, a guardian may only be appointed when a minor has no natural guardian or when a petition is filed alleging that a child is abused, neglected, dependent, undisciplined, or delinquent. Unless the court order states otherwise, a guardian has all rights and responsibilities of a parent, including making educational decisions on behalf of the child. Although parents are the natural guardians of their minor children, they cannot "give" someone else the authority to act as guardian (e.g., a notarized statement). If a child has a living parent, a non-parent must file a custody action in order to be given legal authority to care for the child.

28. Releasing Students to Non-Parents

School employees have a duty to provide adequate supervision of students. As part of that duty, school staff must exercise reasonable care when releasing a student from school. When there is a request to release a student, the student's file should be reviewed to determine if the non-parent has authorization from the parent to pick up the child. Once parent authorization is confirmed, the student should be released only after authorization is obtained from the principal or other school administrator. If school staff do not know or recognize the non-parent, identification should be required

before the student is released. Unless a court has ordered otherwise, a school may only release a student to:

- A parent or legal guardian or legal custodian;
- A CMS approved hardship caregiver;
- A person who has written authorization from the parent; or
- Authorized law enforcement or DSS officials.

29. Subpoenas

A subpoena is a legal document that compels the named person or entity to: (1) produce documents; (2) testify at a deposition, trial, or other court proceeding; or (3) testify at a deposition, trial, or other court proceeding **and** produce documents. A subpoena may be served by any person (18 or older) who is not a party to the legal matter. Service of a subpoena may occur by in-person delivery, via telephone from a sheriff or sheriff's designee, or by registered or certified mail, return receipt requested. *Proper service does not include service via regular mail, electronic mail, FedEx, or UPS.* You must comply with a subpoena if it has been properly served. If you communicate to the lawyer who served the subpoena that you will appear in court, you may be required to comply even if there was improper service. Every principal should develop and implement a process for staff to follow when a subpoena or other legal document is served. All staff must be aware of this process to ensure the person named promptly receives the document(s). Prior to acceptance of any certified mail, it should be confirmed that the person named is currently employed at the school. Only CMS employees should accept service (not volunteers), and school administrators must be notified once service is attempted. If service is in person, only the named person should accept service; front-office staff should not accept service for someone else.

30. Undocumented Students/Immigration and Customs Enforcement (ICE)

School districts are legally obligated to provide equal educational opportunities to all children residing within their boundaries, no matter what their immigration status. Students cannot be barred from enrolling in CMS or receiving educational benefits on the basis of their immigration status or that of their parents. In addition, the voluntary reporting of undocumented students to the U.S. Immigration and Customs Enforcement (ICE) agency, or any immigration official, violates an undocumented student's right to a public education.

There are instances where ICE may seek to investigate students who are suspected of living in the United States illegally. ICE agents are permitted under federal law to question any person believed to be undocumented. However, the internal policy of the U. S. Department of Homeland Security and ICE has been to avoid the investigation or apprehension of any persons on school grounds. If an ICE agent comes on a school campus and seeks to question a student on school grounds, the principal or other school administrator should verify and document the ICE agent's credentials and request the reasons for the interview. School staff should not interfere with any ICE enforcement action, which may include service or execution of warrants, interviews, searches, or arrests. Board Policy [O-ELX](#)

requires school administrators to attempt to contact parents and remain with the student during a law enforcement interview.

REPORTING CHILD ABUSE, NEGLECT, AND DEPENDENCY CASES

Adherence to North Carolina law and Board policies ensures compliance with your legal duty to report cases of suspected child abuse, neglect, or dependency to the Department of Social Services (“DSS”). Here are steps to follow when you suspect that a child has been abused, neglected, or is dependent.

1. Review State Law and Board Policy.

➤ [N.C.G.S. § 7B-301. Duty to report abuse, neglect, dependency.](#)

“Any person or institution who has cause to suspect that any juvenile¹ is abused, neglected, or dependent ... shall report the case of that juvenile to the director of the department of social services in the county where the juvenile resides or is found.”

➤ [N.C.G.S. § 115C-400. School personnel to report child abuse.](#)

“Any person who has cause to suspect child abuse or neglect has a duty to report the case of the child to the Director of Social Services.”

➤ [Board Policy REPT. Reporting Child Abuse, Neglect and Dependency/Child Protection.](#)

“Any school employee who has cause to suspect that any child is an abused, neglected, or dependent child must report the case of such child to the Director, or his authorized representative, of the Mecklenburg County Department of Social Services, as is required by North Carolina law, and to the school principal.”

➤ [Board Regulation REPT-R. Reporting Child Abuse, Neglect and Dependency/Child Protection.](#)

“All school employees are required to report known or suspected cases of child abuse, neglect, or dependency and, to the extent possible all acts alleged to have been committed by any adult against a child that would constitute abuse, neglect or dependency if they were perpetrated by a child’s parent, guardian, custodian or caretaker.”

2. Report Cases to DSS and the School Principal.

➤ [Who reports?](#)

All CMS employees are required to report known or suspected cases of child abuse, neglect, or dependency. N.C.G.S. § 7B-301(a)

➤ [What cases are reported?](#)

- **Abuse.** A child is abused if s/he is a victim of human trafficking; or if the child’s parent, guardian, custodian, or caretaker² inflicts or allows someone else to inflict serious physical injury on the child by other than accidental means; or the child’s parent, guardian, custodian, or caretaker uses or allows someone else to use cruel procedures or devices to discipline the child; or the child’s parent, guardian, custodian, or caretaker sexually or emotionally abuses or allows someone else to sexually or emotionally abuse the child; or if the parent, guardian, custodian, or caretaker approves, encourages, or directs the child to participate in delinquent acts. N.C.G.S. § 7B-101(1).
- **Neglect.** A child is neglected if s/he is a victim of human trafficking; or if the child’s parent, guardian, custodian, or caretaker does not provide proper care, supervision, or discipline; or the child has been abandoned; or the child is not provided necessary medical care or remedial

¹ “Juvenile” – a person who is less than 18 years of age and is not married, emancipated, or a member of the U.S. Armed Forces. N.C.G.S § 7B-101(14).

² “Caretaker” – a person who is responsible for the health, well-being, and safety of a juvenile in a residential setting. N.C.G.S. § 7B-101(3).

- care; or the child lives in an environment injurious to his/her welfare; or the child's custody has been unlawfully transferred; or the child has been placed for care or adoption in violation of law. N.C.G.S. § 7B-101(15).
- **Dependency.** A child is dependent if s/he has no parent, guardian, or custodian responsible for his/her care or supervision; or the child's parent, guardian, or custodian is unable to care for the child and lacks an appropriate childcare arrangement. N.C.G.S. § 7B-101(9).
 - Board regulations also require employees to report "all acts alleged to have been committed by any adult against a child that would constitute abuse, neglect or dependency if they were perpetrated by a child's parent, guardian, custodian, or caretaker." Board Regulations [P-REPT/R](#) and [O-ELX](#).
- When are cases reported?
- Cases must be reported when you have "**cause to suspect**" that a child has been abused, neglected, or dependent.
- Cause to suspect requires:
 - ✓ More than just a suspicion or feeling that the child is being abused, neglected, or is dependent;
 - ✓ Objective indicators such as the child's statements, changes in the child's appearance, or changes in the child's behavior; and
 - ✓ A good faith belief that the child is being abused, neglected, or is dependent.
 - Cause to suspect does not require:
 - ✓ Actual notice of abuse, neglect, or dependency;
 - ✓ Physical evidence; or
 - ✓ Independent investigation.
- Where are cases reported?
- State law requires cases of abuse, neglect, or dependency to be reported to the director of the department of social services in the county where the juvenile resides or is found. N.C.G.S. 7B-301(a).
 - Board regulation requires employees to make the reports to the director of the department of social services **and** to the school principal within twenty-four (24) hours of the time the employee becomes aware of or suspects that a child has been abused or neglected or is dependent. Board Regulation [P-REPT/R](#).
- How are cases reported?
- The report may be made in person, by telephone, or in writing.
 - The report should contain all information that you know, including:
 - ✓ The child's name, age, and address;
 - ✓ The name and address of the child's parent, guardian, custodian, or caretaker;
 - ✓ The names and ages of other children in the home;
 - ✓ The child's location if s/he is not at the home address;
 - ✓ The nature and extent of any injury or condition resulting from abuse, neglect, or dependency; and
 - ✓ Any other information that might be helpful.

3. Cooperate with the DSS investigation.

- As part of the investigation, DSS is entitled to any information or reports that may be relevant to the case, even if the information is confidential. N.C.G.S. § 7B-302(e).
- If you receive a written demand from DSS for information, you must cooperate and provide access to and copies of any requested information and records.
- If you report a case of suspected child abuse, neglect, or dependency; or cooperate with a DSS investigation; or testify in any judicial proceeding resulting from a DSS investigation, you are immune from civil or criminal liability, as long as you were acting in good faith. N.C.G.S. § 7B-309.

4. Keep Information Confidential.

- Information regarding suspected cases of abuse, neglect, or dependency is confidential.
- Board regulation limits disclosure to other CMS employees only when necessary for the best interest of the student. Board Regulation [P-REPT/R.](#)
- Board regulation prohibits discussion with non-CMS personnel, except as required by law. Board Regulation [P-REPT/R.](#)
- Improper disclosures may not be protected by immunity.

If you suspect that a child has been abused, neglected, or is dependent, please report the child's situation to DSS and the school principal. If you have concerns but are not sure whether the child has been abused, neglected, or dependent, please make the report to DSS and the school principal; there is no liability risk in reporting if the report is made in good faith.

Mandatory Reporting of Certain Crimes Against Juveniles

North Carolina has enacted a law requiring crimes against children be reported to law enforcement.

The important points to know are:

- Duty to report crimes against juveniles (N.C.G.S. § 14-316.8 (S.L. 2019-245)).
“Any person 18 years of age or older who knows or should have reasonably known that a juvenile³ has been or is the victim of a violent offense, sexual offense, or misdemeanor child abuse under N.C.G.S. 318.2 shall immediately report the case of that juvenile to the appropriate local law enforcement agency in the county where the juvenile resides or is found.”
- This requirement is in addition to the mandatory reporting to DSS (N.C.G.S. 7B-301).
- CMSPD is an appropriate law enforcement agency
- Who reports?
 - **All** CMS employees
- What cases are reported?
 - **Serious bodily injury:** Bodily injury that creates a substantial risk of death or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization; **Serious bodily or physical injury:** injury that causes great pain and suffering. The term includes serious mental injury; sexually violent offense; an offense committed against a juvenile that is a sexually violent offense as defined in G.S. 14-208.6(5). This term also includes the following: an attempt, solicitation, or conspiracy to commit any of these offenses; aiding and abetting any of these offenses; or Violent offense.
- When are cases reported?
 - State law requires that knowledge of certain crimes against juveniles be reported immediately
*Knowledge requires:
 - ✓ Personal awareness of consciousness of a situation or event; or
 - ✓ Evidence that can be presented that a reasonable person would have known the relevant fact.
- How are crimes against juveniles reported to law enforcement?
 - The report may be made orally in person or by telephone.
 - The report should contain all information that you know, including:
 - ✓ The juvenile’s name, age, address, and present whereabouts if not at home;
 - ✓ The name and address of the juvenile’s parent, guardian, custodian, or caretaker;
 - ✓ Alleged perpetrator’s name, age, and address (if known);
 - ✓ Location of the alleged offense (if known);
 - ✓ Nature and extent of any injury or condition resulting from offense;

³ Juvenile” – a person who is less than 18 years of age and is not married, emancipated, or a member of the U.S. Armed Forces.

- ✓ Names and ages of other juveniles present or in danger (if known);
 - ✓ The nature and extent of any injury or condition resulting from abuse, neglect, or dependency; and
 - ✓ Any other information that might be helpful.
 - ✓ **Reporter must give name, address, and telephone number⁴.
- Information regarding suspected cases of abuse, neglect, or dependency is confidential.

If you suspect that a child has been the victim of a qualified crime, please report the child's situation to law enforcement or the school principal. If you have concerns but are not sure whether the child has been abused, neglected, or dependent, please make the report to DSS and the school principal; there is no liability risk in reporting if the report is made in good faith.

⁴ Identity is protected and may only be revealed when meeting criteria for 911 or emergency call disclosure.

On August 15, 2023, the North Carolina legislature passed the **Parents' Bill of Rights**. To better serve our families, Charlotte-Mecklenburg Schools has created a dedicated **Parents' Bill of Rights webpage**, with information, forms and resources that will give parents/guardians access to information, the ability to request information, report concerns or submit objections, opt in for- and receive notification about specific things as it relates to their child(ren) who attend CMS schools.

We ask that you visit the **Parents' Bill of Rights webpage accessible from the homepage banner on the CMS website or at <https://charmeckschools.org/parentsbillofrights>** to learn more. If you have any questions or concerns please submit them to your child's principal. We look forward to seeing you all on the first day of school this Monday, August 28. Thank you.

SB 49: Parents Bill of Rights And Impact on School Policies

August 24, 2023

Welcome: Please Submit your Attendance

Please use this form to submit your attendance

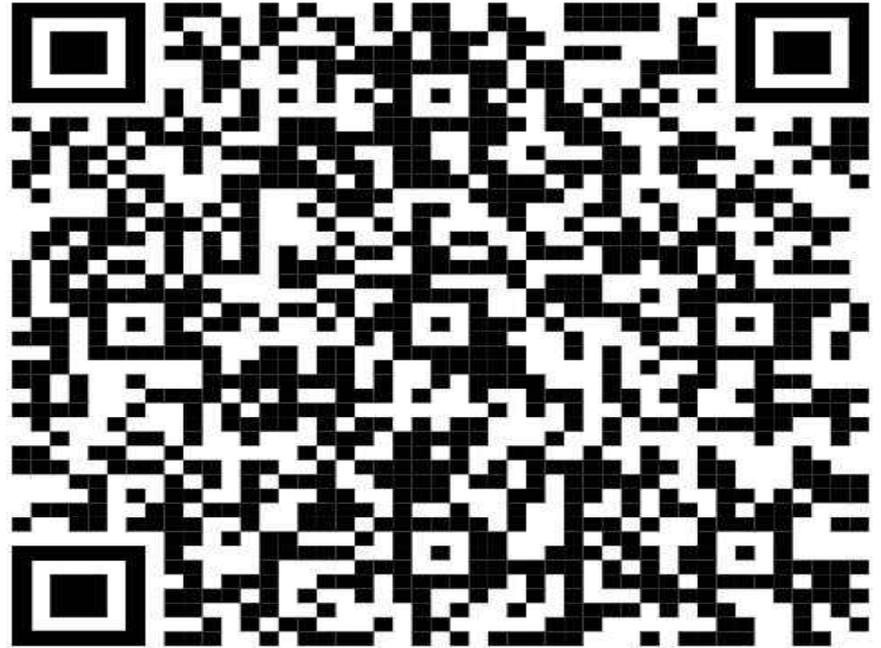
[SB 49 Principial Meeting -Att](#)



Capture your Questions Here:

Please use this form to submit any questions that you may have as we go through today's presentation.

[SB 49 Questions](#)



The Facts

North Carolina legislature ratified Senate Bill 49 (called Parents' Bill of Rights) into law on August 15, 2023. It is [linked here](#).

Communication-led Efforts

Initial communication about the Parents' Bill of Rights webpage and associated slides will be sent by the Communications Division to ensure distribution to all families.

The Facts

- Under this bill, parents have the right to the following for (or on behalf of) their child:
 - Direct education
 - Direct the upbringing of moral or religious training
 - Enroll in a public/non-public school in any school choice options available
 - Review all educational records
 - Make healthcare decisions
 - Access and review all medical records
 - Prohibit the creation, sharing or storage of biometric scan, blood or DNA
 - Prohibit the creation of video or voice recording
 - Receive prompt notification of criminal offense

CMS Response to New State Law

Charlotte-Mecklenburg Board of Education approved changes to CMS Board Policy on Tues, Aug 22. These include:

- Parent Involvement in Education (S-PRNT)
- Student Health (S-HLTH)
- Comprehensive Health Education (A-CHE)
- Instructional and Library Media Center Materials (A-ILM)

The Facts

Much of this is similar to our current practice
but
there are some procedures that we need to
modify or begin using.

Big Ideas

Parents have the right to:

- Access information
- Request information
- Report Concerns/ Submit Objections
- Opt in for specific things that take place at school
- Receive notification about specific things

What is not new?

Parents have the right to:

- Access information
- Request information
- Report Concerns/ Submit Objections
- Opt in for specific things that take place at school
- Receive notification about specific things

What is new?

Parents have the right to:

- Access information
- Request information
- Report Concerns/ Submit Objections
- Opt in for specific things that take place at school
- Receive notification about specific things

What needs to have districtwide procedures?

Parents have the right to:

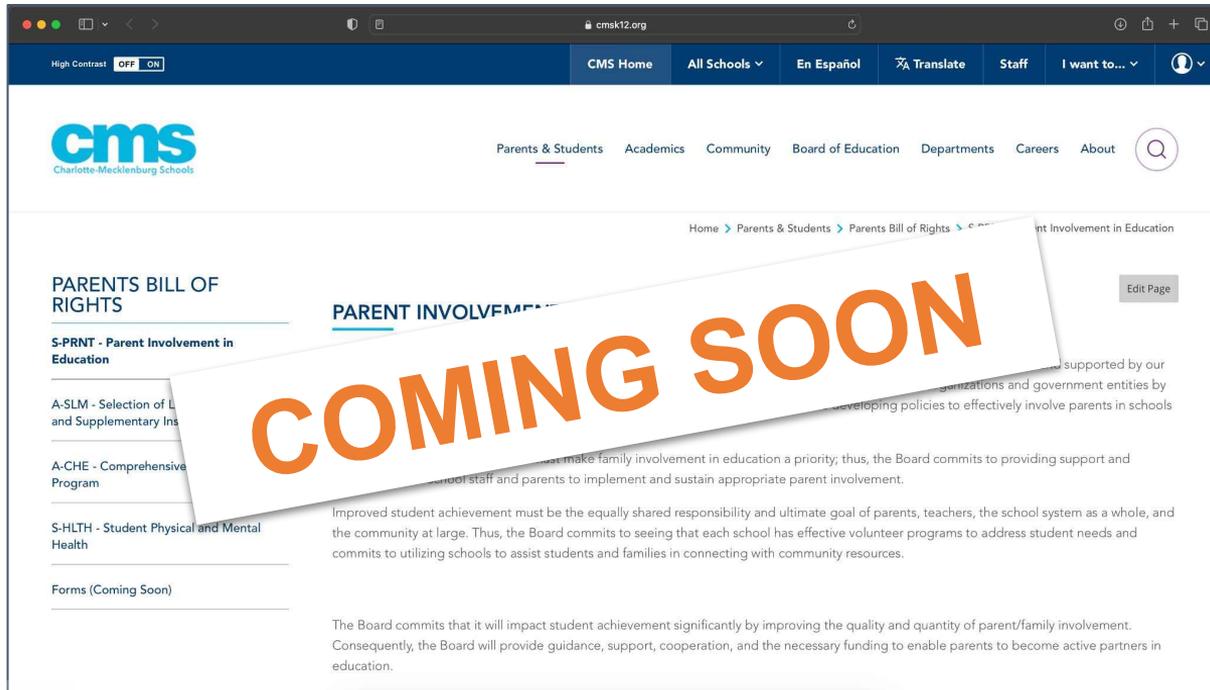
- Access information
- Request information
- Report Concerns/ Submit Objection
- Opt in for specific things that take place at school
- Receive notification about specific things

Why districtwide procedures?

- Your primary focus as instructional leaders needs to be centered on teaching and learning.
- It is our job as a district to support you in maintaining that focus.
- We are all responsible for upholding the law.

What is most important to know right now?

Access Information



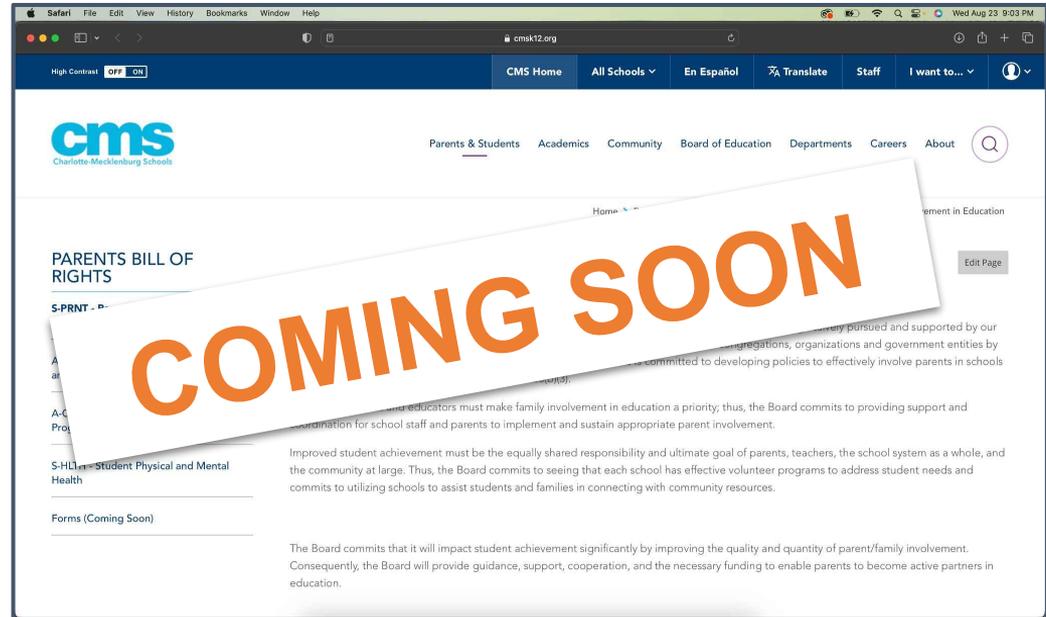
The screenshot shows the CMS website interface. At the top, there is a navigation bar with links for 'CMS Home', 'All Schools', 'En Español', 'Translate', 'Staff', and 'I want...'. Below this is the CMS logo and a search bar. The main content area features a breadcrumb trail: 'Home > Parents & Students > Parents Bill of Rights > Parent Involvement in Education'. A large, white, tilted banner with the text 'COMING SOON' in orange is overlaid on the page. The background content includes a section titled 'PARENTS BILL OF RIGHTS' with a sub-section 'S-PRNT - Parent Involvement in Education'. Below this, there are links for 'A-SLM - Selection of L...', 'A-CHE - Comprehensive Program', and 'S-HLTH - Student Physical and Mental Health'. The text on the page discusses the Board's commitment to supporting parent involvement and improving student achievement.

What is most important to know right now?

Requesting Information

Examples:

- **All** curriculum and supplemental instructional resources
- Student records
- Requests for Evaluations
- Requests to purchase textbooks from a vendor



What is most important to know right now?

Opt In to Specific Activities

- Opt in to student surveys
- Opt in to Reproductive Health Lessons (Grades 5-9)

One form for all students in grades K-12. The form will automatically populate the appropriate grade-level options when parent enters Student ID Number.



The screenshot shows the CMS website interface. At the top, there is a navigation bar with links for 'CMS Home', 'All Schools', 'En Español', 'Translate', 'Staff', and 'I want to...'. Below this is the CMS logo and a search bar. The main content area features a breadcrumb trail: 'Home > Parents & Students > Parents Bill of Rights > S-PRNT - Parent Involvement in Education'. A large, white, tilted banner with the text 'COMING SOON' in orange is overlaid on the page. The background page content includes the heading 'PARENTS BILL OF RIGHTS' and 'PARENT INVOLVEMENT', along with a list of forms: 'S-PRNT - Parent Involvement in Education', 'A-SLM - Selection of Learning and Supplementary Instruction', 'A-CHE - Comprehensive Health Program', and 'S-HLTH - Student Physical and Health'. A 'Forms (Coming Soon)' section is also visible.

What is most important to know right now?

Opt In to Specific Activities

Students should not participate in any surveys or Reproductive Health Lessons (Grades 5-9) until you have verified that parents have “Opted In” via the Opt-In Process.

What is most important to know right now?

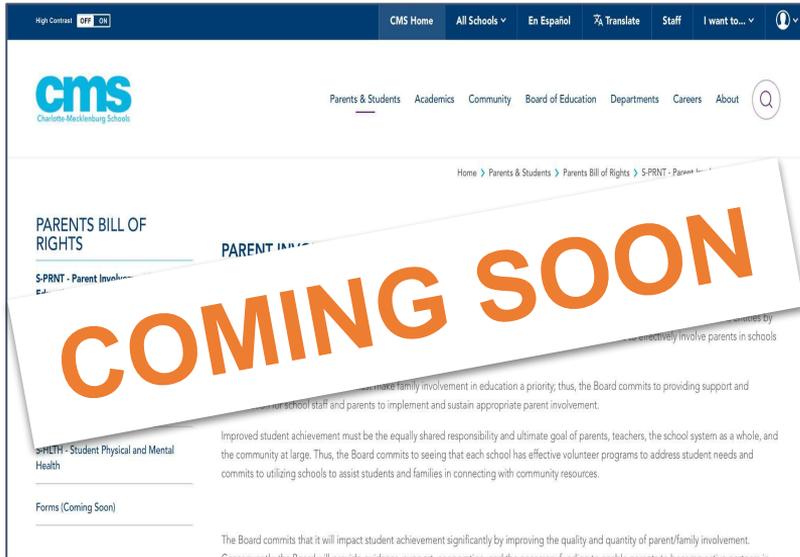
Opt In to Specific Activities

Do not permit students to engage in Health Screenings without parental consent.

Specific instructions for managing health screenings will be shared after the first 10 days of school.

What is most important to know right now?

Student Information Form

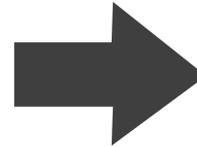


A new form (**2023-2024 Student Information Form**) has been created to collect baseline information about student name/pronoun

What is most important to know right now?

Student Information Form

100% of parents/guardians will need to complete the electronic information form within the first ten days of school



- Check Navigator Portal at the end of the first week (September 1st) to monitor completion rate.
- Continue to reach out to parents to ensure 100% of students submit the new form.
- All new enrollees should complete the form along with the registration process at the school.

What is most important to know right now?

Receive Notification

Ensure staff notify the parent/guardian using district-approved messaging and the ParentSquare app if a child asks to be called a name that is different from the name indicated on the **2023-2024 Student Information Form**.



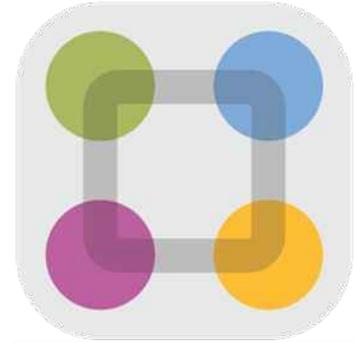
ParentSquare

District-Approved Messaging for Notifying Parents of Name/Pronoun Change

District- Approved Messaging:

Good Morning/Afternoon/Evening. I just wanted to notify you that ____ now wants to be called____. Thank you.

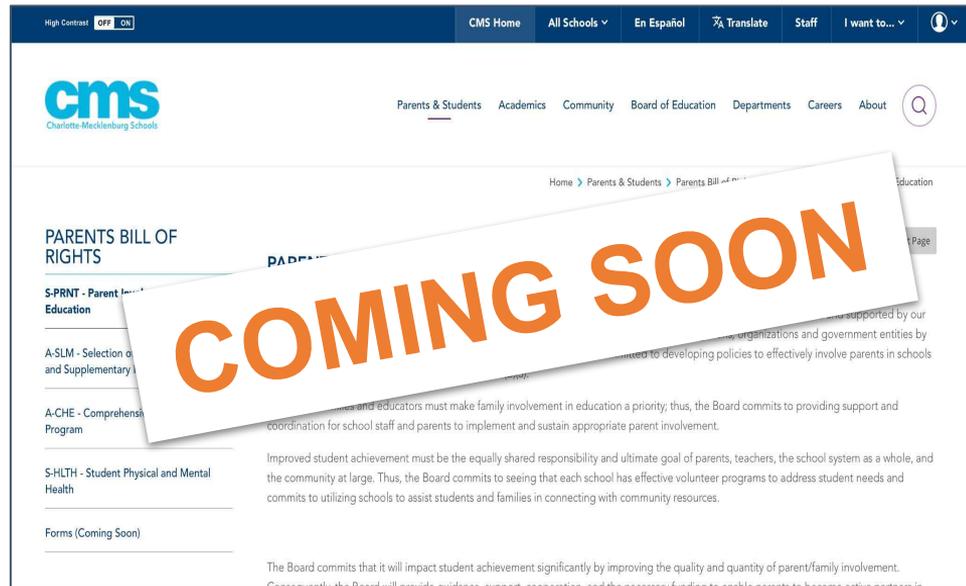
Note: This requires ***notice to parents/guardians*** and not ***consent from parents/guardians***.



ParentSquare

Where will resources be located?

- Parents' Bill of Rights Webpage will be live Friday, Aug. 25th.
- All forms will be live on the webpage Friday, August 25th:
 - 2023-2024 Student Information Form
 - Opt-In Information included in this form for all grade levels (CHE and PRNT)
 - 2023-2024 Request for Information Form (PRNT)
 - 2023-2024 Parental Concerns for Health Policy Concerns (HLTH)
 - 2023-2024 Parental Objection Textbooks, Supplementary Materials, Library Materials (ILM)



Using the Resources: The Crown Experience

Required Process: Collect 2023-2024 Student Information Form from 100% of students/families.

Remember the Crown Experience:

- Have options to support parents with completing the form if they do not have access to technology at home.
- Kindly encourage parents to utilize the process for completing forms and submitting requests and concerns through the district's process.
- Help families who may need support completing forms.
- Superintendent Hill will have to provide an accurate account of requests and resolutions to the State at the end of the school year.
- Using the district-provisioned system will help us to track submissions and accurately account for and document resolutions.



Using the Resources: The Crown Experience

Required Process: Submit Requests for Information, Concerns, Objections, Opt-In's using the provisioned forms:

Sample Script when parents don't complete the online form but communicate a request, concern, etc. to you in some other written form or verbally.

"Thank you so much for sharing (*your concern, request, etc.*) with me. I want to make sure that I accurately capture (*your concern, request, etc.*) to make sure that I respond to you with accurate information in a timely manner. Please help me to do this by completing this form. (*Provide link to the form and/or help them complete the form.*). I want to make sure that I prioritize (*your concern, request, etc.*)"



What do you need to do?

Step 1

Aug 25

Conduct a meeting with your staff on Friday, Aug 25. Be sure to do the following:

- Use the district provided slides and talking points.
- Maintain a neutral but understanding stance.
- Take attendance and maintain records to ensure all staff members have received this information.

What do you need to do?

Reminder

CMS staff **must** comply with Parents' Bill of Rights and CMS Board Policy.

What do you need to do?

Step 2

By Aug 27

Send the district-wide communication to all families

- Do not alter the messaging of the district wide communication [linked here](#)
- Send by the end of the day on Sunday, Aug. 27
- Send the communication at a minimum through BlackboardConnect and ParentSquare
- Maintain a record of your communication

What do you need to do?

Step 3

Aug 27

Review the resources on the CMS website prior to the first day of school

- Notification will be sent to you via email when the website is live

What do you need to do?

Step 4

Ongoing, starting Aug 28

Ensure all staff utilize the district required process to establish the **student's name and pronouns** within the first 10 days of school.

Required Process: Collect 2023-2024 Student Information Form from 100% of students/families.

What do you need to do?

Step 5

Ongoing, starting Aug 28

Ensure you utilize the district's process to **notify the parent using ParentSquare** if the child asks to be called a name different than the name/pronoun indicated on the 2023-24 Student Information Form.

What do you need to do?

Step 6

Ongoing, starting Aug 28

All book objections must be sent to
kimberly.ray@cms.k12.nc.us

Do NOT do these things

- **Do not** distribute well-being questionnaires or health screening forms for grades kindergarten through third grade (until further notice by district)
- **Do not** open media centers (for circulation) before Sept. 11
- **Do not** share personal opinions or attempt to interpret legislation ([Policy P-POLI](#))
- **Do not** update **individual school websites** with Parents' Bill of Rights Information

Do NOT do these things: Students in K-4

- **Do not** conduct any instruction about gender identity, sexual activity or sexuality for kindergarten through fourth grade students
- In this legislation, K-4 students are not to participate in ANY content, lessons or instruction on Gender Identity. This includes any materials that might be included in:
 - Support materials
 - Locally-developed curriculum
 - Supplemental Instruction
 - Textbooks or Supplementary Materials

Important Note About Title IX and Parents' Bill of Rights

Title IX	Parents' Bill of Rights
Federal Legislation	State Legislation
Parents OPT-OUT of Title IX Lessons	Parents OPT-IN to Reproductive Health Lessons (Grades 5-9)
Same process as in years past	New Process this year
<i>Lessons are a requirement per an OCR agreement between OCR and CMS many years ago.</i>	

AMERICAN OVERSIGHT



Timelines

CMBE Policy	Parental Right	Initial response from principal due	If not resolved, LC Supt. response due	If not resolved, Supt. response due
HLTH	Submit a Concern	7 calendar days from submission Principals must resolve, notify parents or escalate to the learning community superintendent	Days 8 - 14 , Learning community superintendent must resolve, notify parents or escalate to the superintendent.	Between days 15-30 , the superintendent must resolve, notify parents or send a letter explaining the unresolved concern.
ILM <small>Textbook & Supplemental Instructional Materials</small>	Request for information	10 business days from submission OR Provide notification of extension request, due to the complexity, for up to an additional 10 business days.	X	10 days from submission OR Provide notification of extension request, due to the complexity, for up to an additional 10 business days.
PRNT	Request for information		X	

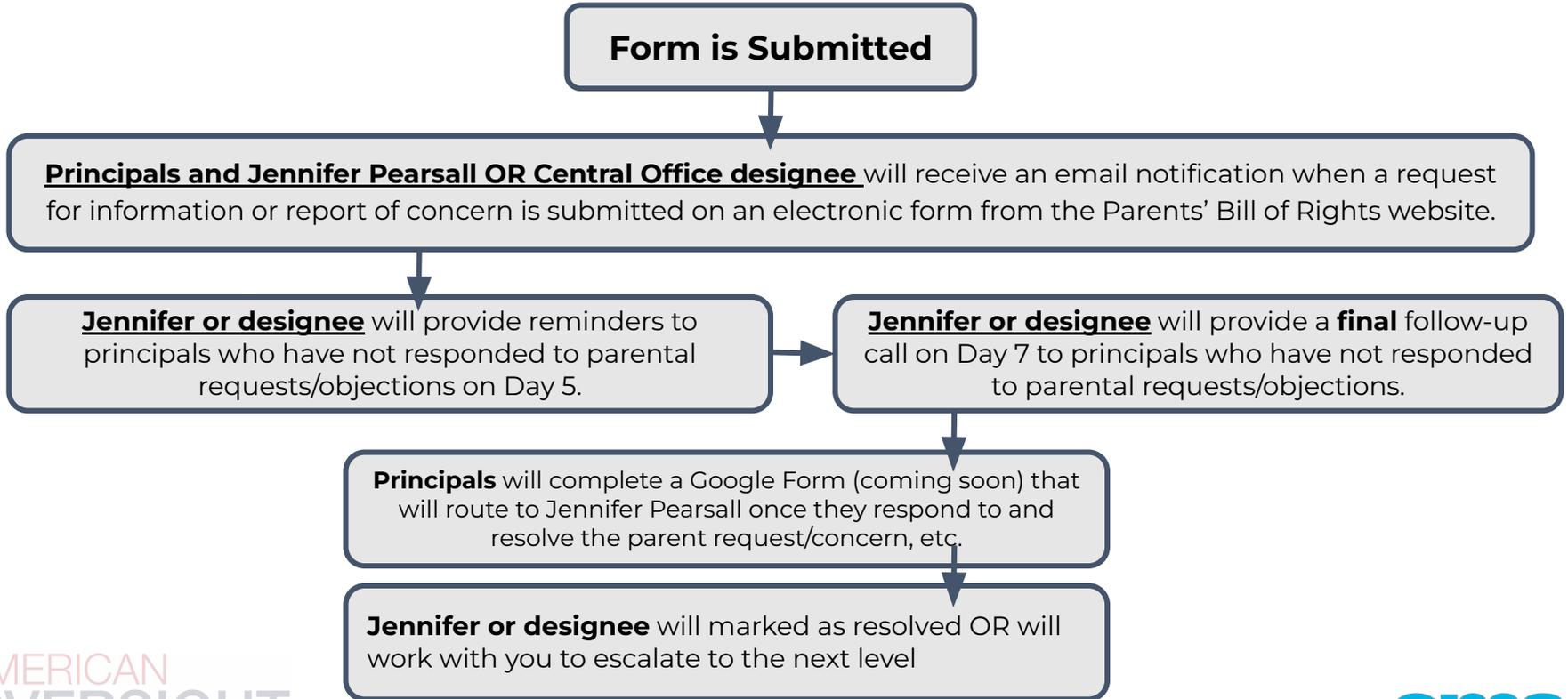
Library Materials Objections: Follow current policy; updates forthcoming



Review of Instructional Materials Timeline

CMBE Policy	Curriculum Availability for Review
A-CHE <i>(Reproductive Health and Safety Education)</i>	At least 60 days prior to instruction

District Support Flow Chart for Requests/Concerns



What do you need to do?

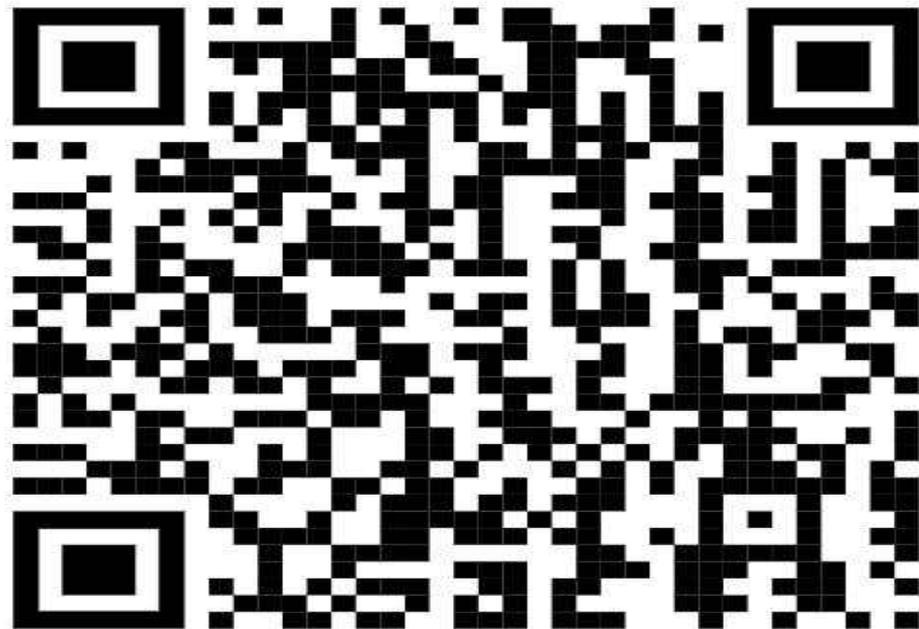
Reminder

CMS staff **must** comply with Parents' Bill of Rights and CMS Board Policy.

Welcome: Please Submit your Attendance

Please use this form to
submit your attendance

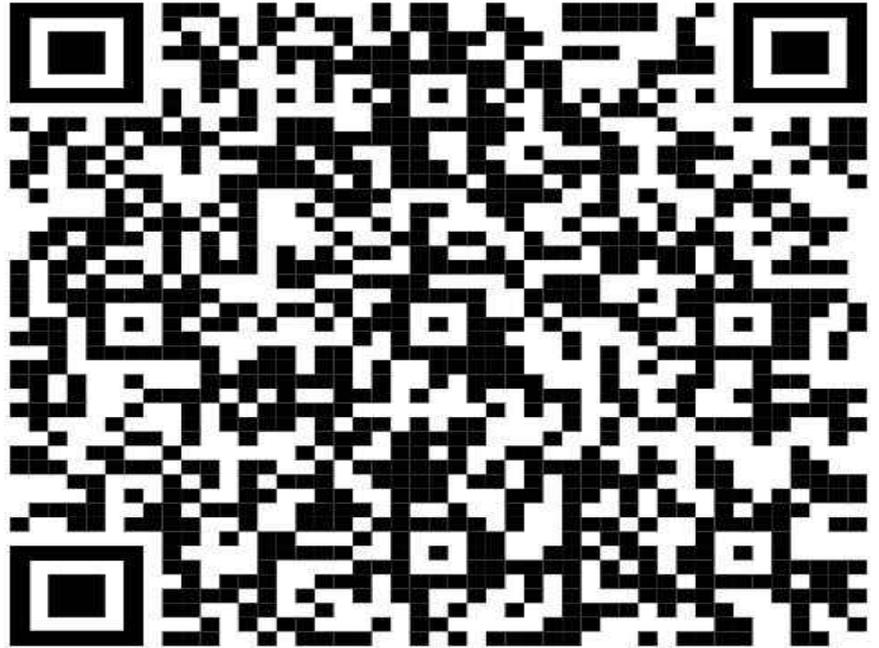
<https://rb.gy/dp8ox>



Capture your Questions Here:

Please use this form to submit any questions that you may have as we go through today's presentation.

rb.gy/rwydj



SB 49: Parents Bill of Rights And Impact on School Policies

August 24, 2023

Appendix

(additional information about each new policy)

Parent Involvement in Education (S-PRNT)

- Display parental legal rights on CMS website
- Provide an annual parent guide for student achievement (forthcoming once the State provides additional guidance)
- Create a regulation that outlines processes related to policy
- Reply to all parent requests for information
 - Principal must reply within **10 business days** of receipt of the request.

or

 - Provide notification of extension request, due to the complexity, for up to an **additional 10 business days**.

Student Health (S-HLTH)

- Unless you believe disclosure will result in the abuse or neglect of a child, CMS is required to:
 - Notify parents of student health
 - Health services offered, acknowledgement of parental consent to services and procedures to exercise parental remedies.
 - Advanced notification of student well-being questionnaire or health screening (for students kindergarten through third grade)
 - Notification of changes in mental, emotional, physical health services
 - Advanced notification of name or pronoun change in a school record or personnel
- Prohibit instruction on gender identity, sexual activity or sexuality for kindergarten through fourth grade

Student Health (S-HLTH) - cont'd

- Reply to all parent concerns
 - Principal must resolve, notify parents or escalate to the learning community superintendent within **seven (7) days** of receipt of the request.
 - Between **days 8 - 14**, learning community superintendent must resolve, notify parents or escalate to the superintendent.
 - Between **days 15-30**, the superintendent must resolve, notify parents or send a letter explaining the unresolved concern.

Comprehensive Health Education Program (A-CHE)

- Under this policy, CMS will:
 - Teach a comprehensive health education program to students kindergarten through ninth grade
 - Teach reproductive health and safety education curriculum to students beginning in fifth grade
 - Allow parents the opportunity to review instructional materials
 - Obtain parental consent for student participation in reproductive health and safety curriculum

Instructional Library Media Center Materials (A-ILM)

- CMS will make available the best instructional and supplementary materials
- Schools must establish a media advisory committee by Sept. 11
 - The Committee shall be appointed by the principal and co-chaired by the assistant principal and the library media coordinator or designee. Members shall include teachers who represent all subject areas or grade levels, two students (in middle or high schools), and two parent/community representatives
 - Schools create a School Media Advisory Committee (SMAC). The membership ([signed form](#)) of the committee is recorded in Canvas by the media coordinator/ staff at each school. Directions are linked [here](#).
 - All book challenges must be sent to kimberly.ray@cms.k12.nc.us
- **NEW!** Regulation Updates (*available by Sept. 30*)
 - Book challenge response time reduced from 30 days to 20 days
 - Supplemental and Curriculum Instructional materials objection process will differ from the Library Book objection process

From: Carson, Jaron K. <jaronk.carson@cms.k12.nc.us>

Sent: Wednesday, August 23, 2023 2:02 PM EDT

To: Principals ALL <dlprinall@cms.k12.nc.us>; Assistant Principals <dlallaps@cms.k12.nc.us>

CC: Esposito, Stephen J. <stephen.esposito@cms.k12.nc.us>; RATTLEY, KONDRA <kondra.rattley@cms.k12.nc.us>; Tangelia Williams <ty.williams@cms.k12.nc.us>; Trish Sexton <trish.sexton@cms.k12.nc.us>; Grant, Nicolette M. <nicolettem.grant@cms.k12.nc.us>; ROSENBACH, LAURA <laura.rosenbach@cms.k12.nc.us>; EDMOND, ACQUANETTA <acquanetta.edmond@cms.k12.nc.us>; Raymond 1. Barnes <raymond1.barnes@cms.k12.nc.us>; Schroeder, Kimberly W. <kimberlyw.schroeder@cms.k12.nc.us>

Subject: Attention- Important Meeting Information

CMS Principals,

I trust this message finds you well as we prepare for an important week ahead. We have scheduled two crucial meetings that require your attention and active participation. Please read on for the details:

Thursday Principal Teams Meeting - Senate Bill 49

On Thursday, August 24th, we will be holding a Principal Teams Meeting to discuss the implications of Senate Bill 49. This meeting is scheduled at three convenient time slots to accommodate your availability: 7:00 AM, 1:30 PM, and 2:30 PM. We encourage you and your entire leadership team to attend this meeting as it will provide crucial information that will impact our district. David Legrand and Taralynn Sullivan are requesting that High School principals participate in a conversation on CMS's Exam Exemptions and 10-day attendance policy immediately following each meeting.

Friday Staff Meeting - New Information & Scripted Presentation

On Friday, August 25th, we are requesting that you meet with your staff to share new information related to Senate Bill 49. You will receive the pertinent details and a scripted message during the Thursday Principal Teams Meeting. A PowerPoint presentation will also be provided to assist you in delivering the message effectively to your staff.

Attendance during this staff meeting is essential, as it will allow you to accurately convey the information, address any questions that arise, and ensure consistent communication across the district. Sign-in sheets should be used and stored for your records.

Capturing Kids Hearts Consideration

We understand that you might have concerns about missing the Capturing Kids Hearts session. The Thursday Team Meetings have been thoughtfully scheduled at 7:00 AM, 1:30 PM, and 2:30 PM to provide you with options that best fit your schedule. This way, you can attend without any conflicts.

Mandatory Principal Presence

Please note that your presence at these meetings is crucial. While we understand the demands of your role, we kindly request that you personally attend the meetings instead of sending a designee. The information shared is of utmost importance and requires your direct involvement to ensure consistent communication and understanding.

Thank you for your commitment to our district's success and for your active participation in these initiatives. If you have any immediate questions or concerns, please do not hesitate to reach out to me directly. We look forward to working together to navigate these important updates.

Best regards,

Jaron K. Carson

From: Carson, Jaron K. <jaronk.carson@cms.k12.nc.us>

Sent: Wednesday, August 23, 2023 1:47 PM EDT

To: Principals ALL <dprinall@cms.k12.nc.us>; Esposito, Stephen J. <stephen.esposito@cms.k12.nc.us>; Raymond 1. Barnes <raymond1.barnes@cms.k12.nc.us>; Tangela Williams <ty.williams@cms.k12.nc.us>; Trish Sexton <trish.sexton@cms.k12.nc.us>; ROSENBAACH, LAURA <laura.rosenbach@cms.k12.nc.us>; RATTLEY, KONDRA <kondra.rattley@cms.k12.nc.us>; EDMOND, ACQUANETTA <acquanetta.edmond@cms.k12.nc.us>; Grant, Nicolette M. <nicolettem.grant@cms.k12.nc.us>; Schroeder, Kimberly W. <kimberlyw.schroeder@cms.k12.nc.us>

CC: Carson, Jaron K. <jaronk.carson@cms.k12.nc.us>

Subject: Attention Principals

CMS Principals,

I trust this message finds you well as we prepare for an important week ahead. We have scheduled two crucial meetings that require your attention and active participation. Please read on for the details:

Thursday Principal Teams Meeting - Senate Bill 49

On Thursday, August 20th, we will be holding a Principal Teams Meeting to discuss the implications of Senate Bill 49. This meeting is scheduled at three convenient time slots to accommodate your availability: 7:00 AM, 1:30 PM, and 2:30 PM. We encourage you and your entire leadership team to attend this meeting as it will provide crucial information that will impact our district. David Legrand and Taralynn Sullivan are requesting that High School principals participate in a conversation on CMS's Exam Exemptions and 10-day attendance policy immediately following each meeting.

Friday Staff Meeting - New Information & Scripted Presentation

On Friday, August 21st, we are requesting that you meet with your staff to share new information related to Senate Bill 49. You will receive the pertinent details and a scripted message during the Thursday Principal Teams Meeting. A PowerPoint presentation will also be provided to assist you in delivering the message effectively to your staff.

Attendance during this staff meeting is essential, as it will allow you to accurately convey the information, address any questions that arise, and ensure consistent communication across the district. Sign-in sheets should be used and stored for your records.

Capturing Kids Hearts Consideration

We understand that you might have concerns about missing the Capturing Kids Hearts session. The Thursday Team Meetings have been thoughtfully scheduled at 7:00 AM, 1:30 PM, and 2:30 PM to provide you with options that best fit your schedule. This way, you can attend without any conflicts.

Mandatory Principal Presence

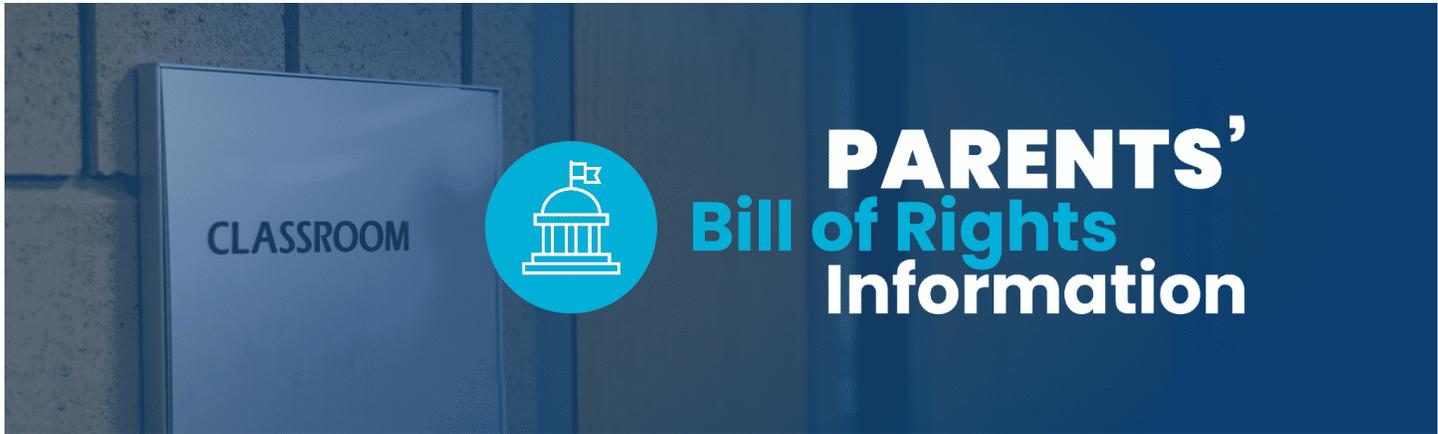
Please note that your presence at these meetings is crucial. While we understand the demands of your role, we kindly request that you personally attend the meetings instead of sending a designee. The information shared is of utmost importance and requires your direct involvement to ensure consistent communication and understanding.

Thank you for your commitment to our district's success and for your active participation in these initiatives. If you have any immediate questions or concerns, please do not hesitate to reach out to me directly. We look forward to working together to navigate these important updates.

Best regards,

Jaron K. Carson

Document is unavailable



Staff FAQ

Slide Deck

SB 49 - Submit Questions Here

Most Frequently Asked Questions (Most commonly asked questions)

[S-PRNT 8.22.23 vF2.pdf](#)

[A-SLM 8.22.23 vF2.pdf](#)

[A-CHE 8.18.23 vF2.pdf](#)

[S-HLTH 8.18.23 vF2.pdf](#)

1. Right now we opt out of Title IX and have communication to give to parents for that. Does this need to change to opt-in as well?

Parents will continue to "opt-out" of Title IX lessons just as in years past.

2. How will the list of students opting in for health screenings be shared with the itinerant staff who often conduct these screenings? Will this vary based on school?

Schools should use the same process to share this data as they share a health plan, permission to be videotaped, or photographed.

3. Does this legislation apply to students 18 years or older?

Students 18 and older are considered adults. All of the rights transfer to the adult student at 18, so the student would opt-in, etc.

4. Please clarify what is meant by no wellness surveys. What can teachers ask kids in regards to their feelings and how they are doing?

Wellness surveys are any surveys that ask about physical or mental health. Teachers can continue to build relationships with students by greeting them and asking them how they are doing each day.

5. Considering the timeline, if a student asks to be called a nickname on day 1 are we ok to use that name before notifying parents?

Please follow the process for notifying the parents through Parent Square when a student asks for a name change.

8. What are your recommendations for middle and high schools to effectively contact parents about nicknames when a child may have 8 teachers? Any recommendations would be appreciated

Please follow the process for notifying the parents through Parent Square when a student asks for a name change.

7. Will there be a general report in Navigator for administration to determine which families opt-in for each survey, etc?

Yes

8. Do we need to alert parents if their child wants to shorten their name? Example: Name in Powerschool is Daniel, and the student wants to be called Dan. Does that require notification?

Please follow the process for notifying the parents through Parent Square when a student asks for a name change.

9. Clarifying- No books are to be checked out until 9/11, correct?

That is correct.

10. Could CMS communications send the Blackboard connect message this weekend since it is a district message and not an individual school message?

The district will send a message. Schools are also asked to send the message provided in the slidedeck before 8/27.

11. Are we permitted to provide student interest surveys in the classroom to learn more about our students?

We ask that all schools wait on anything that is a survey for the first ten days. More guidance will be available in the coming weeks.

12. Can clarity/specifics be provided around what concerns and objections should be submitted via the form rather than simply, "be handled at the school as normal"?

If the parental concerns are related to anything in policy S-HLTH, they must be submitted as parental concerns on the form. If it is a request for information related to anything related to the parental rights set forth in S-PRNT, it is also submitted on a form, but is a request for information, not a parental concern.

13. If a parent has provided permission for CIS to conduct health screenings, can they happen on CMS property?

If Community in Schools (CIS) has an agreement with the district and school--the practice should already be that parent permission is required from the parent to CIS.

14. Will the Communications Department push out a link to all webmasters for individual school websites?
The Communications Department will add the items to your website.

15. Will all scripts also be provided in a folder or one-pager document for reference?
Please reuse the video as needed. Resources and tools will be provisioned as they continue to be developed.

16. Our counselors have QR codes posted where students request services or share concerns. It might be interpreted as a survey. Should we remove it?
Students can continue to request support from Student Services Teams.

17. In training, does this include cafeteria, custodial, etc?
Yes

18. Library circulation closed until date given. Should classroom library use be restricted?
Elementary school principals should advise K-4 teachers to ensure their classroom libraries are compliant with the Parents' Bill of Rights. Principals should advise teachers to remove any books from classroom libraries that have content related to gender identity, sexual activity or sexuality that students may access as a part of independent reading tasks. Middle and High School classroom libraries can be utilized.

19. Did I hear correctly that we can help parents? Fill out the forms? A lot of our parents are not literate or do not know how to use a computer.
Yes

20. What languages is the website translated into?
The website translates into many languages. Please let us know if there is a language that one of your families needs that is not available.

21. If a teacher has a catalog of reading materials in their classroom, do parents have to approve the books in the classroom, or does the parent need to approve the book the student signs out?
There can be no instruction on gender I.D., sexuality, or sexual content in classrooms K-4. Parents do not approve books. The books must be made available for review by parents, and they can go through the objection / challenge process. Parents do not approve books students sign out. If parents request a list of books their student signs out, it must be provided.

22. Since we are doing a massive push to get 100% completion of the form on the new website, can we please add in parent/guardian acknowledgement of the other back-to-school required documents (Code of Conduct, Technology Use Agreement, Photo Release Form, etc.)? It would be very helpful to have all of this in one place and it would eliminate us from bothering families with multiple requests. Thank you for your consideration.
Thank you for this suggestion. This suggestion is taken into consideration.

23. How does this impact counselor/student confidentiality? Are counselors also required to alert parents to requested name changes?

All school personnel must notify parents before using a change in name/pronoun, including counselors. Counselors must currently provide student records to parents under FERPA. There is no change in that. The new legislation does not address confidentiality.

24. Would the ability to inspect theater scripts, musical productions, marching band performances apply?
Yes

25. Can teachers allow students access to their classroom libraries?

Elementary school principals should advise K-4 teachers to ensure their classroom libraries are compliant with the Parents' Bill of Rights. Principals should advise teachers to remove any books from classroom libraries that have content related to gender identity, sexual activity or sexuality that students may access as a part of independent reading tasks.

26. Once the virtual form parents use to notify schools of name and pronouns are returned, how will this information be disseminated to teachers in order for them to determine if a student is asking for a change? How can district departments retrieve this information for supports such as IEP/504/etc.

Navigator Portal

Updated for Clarity (8/26/23)

The answers for questions 28-31 are the same intentionally. The legislation calls for parents to be notified **prior** to school personnel calling the students by a different name or pronoun. This would include nicknames, middle names, etc. Once a student requests a change in their name or pronoun, the staff member should inform the student that they are required to notify their parent before moving forward with the change. Please note that **consent is not required, but notice is**. As such, if the student at that time decides that they do not want to be called by a different name or pronoun, there is no need to provide the parent with "notice" because the school will not make a change in the way that the student is being referred to by name or pronoun. If the student continues to want to be called by a different name or pronoun, the school is required by the statute to provide the parent with notice of the change. In Charlotte-Mecklenburg Schools we are using Parent Square for this notification process to maintain documentation of the notice.

*** When you inform students that you will need to notify their parents, please also encourage students to speak with their parents about the matter***

28. What do we do with emails that have already been sent to teachers from kids asking them to use a different name and pronoun on day one?

When a student requests a name or pronoun change, all school personnel must inform the student that in order to use the requested name change or pronoun change, their parent must be notified. If the student decides they don't want to continue with the name/pronoun change school personnel are not required to notify the parent.

29. What do we say on day one when taking attendance and a student says, "Call me...a different gender name...?"

When a student requests a name or pronoun change, all school personnel must inform the student that in order to use the requested name change or pronoun change, their parent must be notified. If

the student decides they don't want to continue with the name/pronoun change school personnel are not required to notify the parent.

30. What do we say on day one when we are calling the roll as Alexandria asks to be called Jordan because it is her middle name and the name she goes by?

When a student requests a name or pronoun change, all school personnel must inform the student that in order to use the requested name change or pronoun change, their parent must be notified. If the student decides they don't want to continue with the name/pronoun change school personnel are not required to notify the parent.

31. What do we do on day one when we are calling the roll and Alexandria asks to be called Lexie?

When a student requests a name or pronoun change, all school personnel must inform the student that in order to use the requested name change or pronoun change, their parent must be notified. If the student decides they don't want to continue with the name/pronoun change school personnel are not required to notify the parent.

32. When a child asks to go by a different pronoun after the forms are collected, do we tell the child we must notify their parent first or do we just notify the parent? If we tell them we have to notify them and they become scared or fearful and say never mind...what do we do? If they say my parents will beat me if you tell them....what do we do?

Direct the student to Student Services and notify Student Services

33. If a parent has filed a concern about a curriculum material being used in class, what is the correct course of action for the teacher and student during the grievance process? Should the student still participate in class using the material being questioned, given a separate assignment, or should the material not be used until the grievance is resolved?

If the curriculum material in question is currently being used in the classroom, we would advise providing a modified assignment and expediting engaging the parent in moving through the objection process. The form for this will be on the Parent Bill of Rights website.

34. When it mentions curriculum materials..what does that include? Articles? classroom libraries? Read-Alouds? Do parents need to preview all instructional materials?

Curricular materials include any resources used instructionally, this includes all resources mentioned if a part of instruction. Parents will have access to all district provisioned curricular resources to preview. Any school/classroom-based instructional resources should be shared via teacher's Canvas courses.

Charlotte-Mecklenburg Schools
Principal Script Informing Parents/Families:
Implementation of SB 49: Parents Bill of Rights

Greetings, Parents, Guardians and Families!

We are very excited about the opening of the 2023-24 school year and look forward to welcoming all of our students to school on Monday, Aug. 28, 2023! As discussed in our last Charlotte-Mecklenburg Board of Education meeting, Charlotte-Mecklenburg Schools is committed to honoring the rights of parents and families in promoting involvement in our district. We recognize the fundamental rights of parents and families to direct the upbringing, education and care of their minor children. Therefore, we have created a webpage dedicated to ***Senate Bill 49: Parents' Bill of Rights***. We welcome you to visit the page to learn more about how to be informed and engaged in your child's education. Please note that the webpage is under construction and will continue to be updated to centralize all you need to support your child's education.. Thank you for your support and partnership!

From: Parentsbillofrights <parentsbillofrights@cms.k12.nc.us>
Sent: Thursday, August 31, 2023 1:59 PM EDT
To: Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us>; Erin I. Shoemaker <erin.labore@cms.k12.nc.us>
CC: Vaught, Kimberly D. <kimberlyd.vaught@cms.k12.nc.us>
Subject: FW: Book Access

Hi Nancy and Erin,

Is this a question you could help address? Or perhaps point me to the right FAQ if it has been addressed.

Thank you

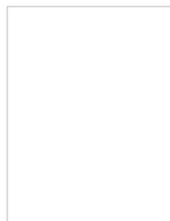
Jennifer

From: Hash, Alicia G. <aliciag.hash@cms.k12.nc.us>
Sent: Thursday, August 31, 2023 9:44 AM
To: Parentsbillofrights <parentsbillofrights@cms.k12.nc.us>
Cc: Dolan, Chasity R. <chasityr.dolan@cms.k12.nc.us>
Subject: Fw: Book Access

Good Morning,

Can we get clarity on the difference with circulation in the media center as it relates to gender content vs. content in classroom libraries. I am forwarding an email below from Kimberly Ray who is over the Media Center Department who states the Parents' Bill of Rights does not apply to the media centers as it does to classroom libraries.

Alicia Hash, NBCT, M.Ed.
Principal
Billingsville Elementary-Primary Campus
Cotswold IB World School-Intermediate Campus



From: Lock, Kathleen A. <kathleena.lock@cms.k12.nc.us>
Sent: Thursday, August 31, 2023 8:49 AM
To: Hash, Alicia G. <aliciag.hash@cms.k12.nc.us>; Garven, Kathryn <kathryn1.garven@cms.k12.nc.us>
Cc: Snyder, Camela C. <camelac.snyder@cms.k12.nc.us>
Subject: Book Access

Hello,

I just pulled a screenshot from Kim Ray in the Media Coordinators Google Group. Camie just checked in to make sure we saw it. (Please ignore my crazy amount of open tabs)

- Groups
- New conversation
- My groups
- Recent groups
- All groups
- Favorite groups
- Starred conversations

Conversations Search conversations within media-c...
1 of 3729

Do not "pull" library books! 2 views Subscribe

Kimberly Ray 8:30 AM (17 minutes ago)
to Media Coordinators

Hello, Everyone. I want to clarify something b/c there seems to be a lot of misinformation surrounding implementation from the new statute (SB49).

We are NOT "pulling" any books from library shelves. There is nothing in the statute about removing library books outside of the formal objection process.

The directive to remove books from "classroom" libraries is b/c those are technically "supplementary instructional materials".

If you are unclear on this, please don't act without clarification from a member of our team.

I'll repeat it again. Under the statute, and our current Board regulation, we are NOT pulling library books from shelves. None. Nada.

Thank you!

Reply all Reply to author Forward

Katie Lock
Media Coordinator
Cotswold Elementary School
300 Greenwich Road
Charlotte, NC 28211
Courier#349
980-343-6720
BCE Homepage- <https://www.cmsk12.org/billingsvilleES>

From: taralynn sullivan <taralynn.sullivan@cms.k12.nc.us>

Sent: Sunday, August 27, 2023 8:36 PM EDT

To: Carson, Jaron K. <jaronk.carson@cms.k12.nc.us>; Lynda M. Bakeman <lyndam.bakeman@cms.k12.nc.us>

CC: Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us>

Subject: FW: Classroom Library email

Attachment(s): "Memo_ K-4 Classroom Libraries .pdf"

Hello Jaron and Lynda,

The following memo attached above and linked [here](#) needs to be sent to Elementary School and K-8 Principals off cycle on Monday, 8/28 as it relates to guidance for classroom libraries in K-4 classes. Please let me know if you have any questions. Thank you for your help.

Tara

Tara Lynn Sullivan
Assistant Superintendent of Learning & Teaching
4421 Stuart Andrew Blvd
Charlotte, NC 28217

TO: All Elementary and K-8 Principals

FROM: Jaron Carson, Chief Equity and School Performance Officer
Nancy Brightwell, Chief Academic Officer

DATE: August 28, 2023

SUBJECT: Classroom Libraries

ACTION: Review and share information with K-4 teachers

Elementary school principals should inform all K-4 teachers to review their classroom libraries to ensure they are compliant with the Parents' Bill of Rights. Principals should advise teachers to remove any books from classroom libraries that have content related to gender identity, sexual activity or sexuality that students may access as a part of independent reading tasks.

From: taralynn sullivan <taralynn.sullivan@cms.k12.nc.us>
Sent: Tuesday, January 02, 2024 10:09 AM EST
To: Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us>
Subject: FW: Parents Bill of Rights Video - Google Drive

From: Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us>
Sent: Saturday, August 26, 2023 11:51 AM
To: taralynn sullivan <taralynn.sullivan@cms.k12.nc.us>; Gann, Susan E. <susane.gann@cms.k12.nc.us>; Cahn, Amanda B. <amandab.cahn@cms.k12.nc.us>; Erin I. Shoemaker <erin.labore@cms.k12.nc.us>; Trez, Charlotte S. <charlottes.trez@cms.k12.nc.us>; PORTER, JULIE A <julie.porter@cms.k12.nc.us>
Subject: Fwd: Parents Bill of Rights Video - Google Drive

Hi all
Please forward this video recording related to how SB49 will be enacted in CMS, to any and all team members you feel need to be knowledgeable, including non-certified staff who may be asked to field phone calls or other inquiries.
Thanks,
Nancy

Get [Outlook for iOS](#)

From: Crystal L. Hill <crystal.hill@cms.k12.nc.us>
Sent: Thursday, August 24, 2023 11:58:40 PM
To: DL CMS BOE Members <CMSBOEMembers@cms.k12.nc.us>
Cc: Andre F. Mayes <andre.mayes@cms.k12.nc.us>; Jeter, Charles R. <charlesr.jeter@cms.k12.nc.us>; Root, Hope A. <hopea.root@cms.k12.nc.us>; DL CMS Cabinet Members <CMSCabinetMembers@cms.k12.nc.us>
Subject: Parents Bill of Rights Video - Google Drive

Hello,

Today we hosted 3 school leadership meetings (principals & APs) to discuss PBR. We used a version of this presentation. We received excellent feedback and made adjustments between meetings. The final result is attached. Principals have been directed to hold meetings Friday and make-up Monday if necessary to show this video to their staff.

[Parents Bill of Rights Video - Google Drive](#)
drive.google.com



We also collected questions and are working on a Q&A doc.

We are grateful for the hard work of our team to turn this around especially days before the opening of school!! OGC has been amazing! No other district is on top of this like we are. I know this swift response will ensure the best outcomes for our students, district, and community. We have too much work to do and cannot afford to lose focus. We will have to add pieces as we go, but we are doing the heavy lifting early.

We are finalizing regulations and hope to submit tomorrow.

Please let me know if you have questions.

In service,
Crystal

https://drive.google.com/drive/u/0/mobile/folders/167srArdre_-DYMwFxH_26SonOae5WifZ?usp=sharing_eil_m&ts=64e7f739

Sent from my iPhone

From: Ingrid W. Medlock <ingridw.medlock@cms.k12.nc.us>
Sent: Wednesday, August 30, 2023 2:51 PM EDT
To: Ferdon, Joel H. <joelh.ferdon@cms.k12.nc.us>
Subject: Fw: Parents Bill of Rights video

FYI...



Dr. Ingrid W. Medlock
Chief of Staff

[Schedule a time to meet with me!](#)

- ☐ Charlotte-Mecklenburg Schools
- ☐ 980-343-1173
- ☐ www.cmsk12.org
- ☐ ingridw.medlock@cms.k12.nc.us
- ☐ 4421 Stuart Andrew Blvd., Charlotte, NC 28217

"Excellence without Exception!"

From: Carson, Jaron K. <jaronk.carson@cms.k12.nc.us>
Sent: Thursday, August 24, 2023 9:14 PM
To: Principals ALL <dlprinall@cms.k12.nc.us>; Assistant Principals <dlallaps@cms.k12.nc.us>; Senior Managers <dlstrmgr@cms.k12.nc.us>; dlcodirectorsandup <dlcodirectorsandup@cms.k12.nc.us>
Cc: Crystal L. Hill <crystal.hill@cms.k12.nc.us>; Ingrid W. Medlock <ingridw.medlock@cms.k12.nc.us>; Melissa W. Balknight <melissaw.balknight@cms.k12.nc.us>; Shayla F. Cannady <shaylaf.cannady@cms.k12.nc.us>
Subject: Parents Bill of Rights video

Good evening, Leaders!

Thank you for your hard work leading up to opening of schools for the 2023-24 school year. Please see below for the link to access the Parents Bill of Rights video to share with your teams.

[Parents Bill of Rights Video](#)

Jaron

Jaron Carson
Chief of School Performance
Charlotte-Mecklenburg Schools
4421 Stuart Andrew Blvd. Ste. 100
Charlotte, NC 28217

From: Ingrid W. Medlock <ingridw.medlock@cms.k12.nc.us>
Sent: Wednesday, August 30, 2023 2:36 PM EDT
To: Ferdon, Joel H. <joelh.ferdon@cms.k12.nc.us>
Subject: Fw: Parents' Bill of Rights - FAQ Documents and Other Resources

FYI...



Dr. Ingrid W. Medlock
Chief of Staff

[Schedule a time to meet with me!](#)

- ☐ Charlotte-Mecklenburg Schools
- ☐ 980-343-1173
- ☐ www.cmsk12.org
- ☐ ingridw.medlock@cms.k12.nc.us
- ☐ 4421 Stuart Andrew Blvd., Charlotte, NC 28217

"Excellence without Exception!"

From: Carson, Jaron K. <jaronk.carson@cms.k12.nc.us>
Sent: Friday, August 25, 2023 6:57 PM
To: Principals ALL <dlprinall@cms.k12.nc.us>; RATTLEY, KONDRA <kondra.rattley@cms.k12.nc.us>; Newman, Dianna D. <diannad.newman@cms.k12.nc.us>; ROSENBAACH, LAURA <laura.rosenbach@cms.k12.nc.us>; Williams, Tonya H. <tonyah.williams@cms.k12.nc.us>; EDMOND, ACQUANETTA <acquanetta.edmond@cms.k12.nc.us>; Raymond 1. Barnes <raymond1.barnes@cms.k12.nc.us>; J.Garvin <j.garvin@cms.k12.nc.us>; Schroeder, Kimberly W. <kimberlyw.schroeder@cms.k12.nc.us>; Brittany S. Maxwell <brittanyj.slagle@cms.k12.nc.us>; Trish Sexton <trish.sexton@cms.k12.nc.us>; JAN MCIVER <jan.mciver@cms.k12.nc.us>; Tangela Williams <ty.williams@cms.k12.nc.us>; Jennifer Dean <jennifer.dean@cms.k12.nc.us>; Esposito, Stephen J. <stephen.esposito@cms.k12.nc.us>; Terra Kennedy <terra.kennedy@cms.k12.nc.us>; Grant, Nicolette M. <nicolettem.grant@cms.k12.nc.us>; Beard, Marcie L. <marciel.beard@cms.k12.nc.us>; Dolan, Chasity R. <chasityr.dolan@cms.k12.nc.us>; Assistant Principals <dlallaps@cms.k12.nc.us>; David L. Legrand <david.legrand@cms.k12.nc.us>; Michele D. Aikens <m.aikens@cms.k12.nc.us>; Vaught, Kimberly D. <kimberlyd.vaught@cms.k12.nc.us>
Cc: Crystal L. Hill <crystal.hill@cms.k12.nc.us>; Ingrid W. Medlock <ingridw.medlock@cms.k12.nc.us>; Shayla F. Cannady <shaylaf.cannady@cms.k12.nc.us>; Salmon-Hosey, Candace A. <ca.salmon-hosey@cms.k12.nc.us>; Root, Hope A. <hopea.root@cms.k12.nc.us>; Melissa W. Balknight <melissaw.balknight@cms.k12.nc.us>; Thompson, Anne E. <beth.thompson@cms.k12.nc.us>; Kecia N. Coln <kecian.coln@cms.k12.nc.us>; Schultz, Brian <brian1.schultz@cms.k12.nc.us>; Kelly H. Klutz <kellyh.klutz@cms.k12.nc.us>; Raki 1. McGregor <raki1.mcgregor@cms.k12.nc.us>; LaShauna 1. Lowry <lashauna1.lowry@cms.k12.nc.us>; McCully, Scott T. <scottt.mccully@cms.k12.nc.us>
Subject: Parents' Bill of Rights - FAQ Documents and Other Resources

Good Evening, Colleagues,

Thank you all for your hard work, support and patience as we have positioned ourselves to launch the 2023-2024 School Year with *Excellence without Exception*. I am grateful to be a member of Team CMS and I am looking forward to seeing the outstanding feats that we will achieve together this year.

As promised, this email includes resources to support you as you lead efforts across our district in alignment with the Parents' Bill of Rights legislation (also referred to as SB49). Linked below you will find a preliminary FAQ document with answers to many of the questions that have been lifted. The most commonly asked questions are also linked in the FAQ for your attention. Please know that we will continue to provide updates and information as it becomes available. Additionally, our Communications Division has already sent out a Connect-Ed message to our families pertaining to this new legislation. The website is now live with all of the documents as we agreed.

Please continue to use the form that was shared yesterday to submit your questions and we will work to provide responses as soon as possible. Thank you so very much for your commitment to leadership within our school district. Have a great weekend!

[Parents' Bill of Rights FAQ and Other Resources](#)
[Parents' Bill of Rights Website](#)

From: Ingrid W. Medlock <ingridw.medlock@cms.k12.nc.us>
Sent: Wednesday, August 30, 2023 2:37 PM EDT
To: Ferdon, Joel H. <joelh.ferdon@cms.k12.nc.us>
Subject: Fw: Parents' Bill of Rights - Slide Decks and Update on FAQ Document
FYI...



Dr. Ingrid W. Medlock
Chief of Staff

[Schedule a time to meet with me!](#)

- Charlotte-Mecklenburg Schools
- 980-343-1173
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- ingridw.medlock@cms.k12.nc.us
- 4421 Stuart Andrew Blvd., Charlotte, NC 28217

"Excellence without Exception!"

From: Carson, Jaron K. <jaronk.carson@cms.k12.nc.us>
Sent: Friday, August 25, 2023 1:43 PM
To: Principals ALL <dlprinall@cms.k12.nc.us>; Esposito, Stephen J. <stephen.esposito@cms.k12.nc.us>; RATTLEY, KONDRA <kondra.rattley@cms.k12.nc.us>; Raymond 1. Barnes <raymond1.barnes@cms.k12.nc.us>; Tangela Williams <ty.williams@cms.k12.nc.us>; Trish Sexton <trish.sexton@cms.k12.nc.us>; Schroeder, Kimberly W. <kimberlyw.schroeder@cms.k12.nc.us>; Grant, Nicolette M. <nicoletem.grant@cms.k12.nc.us>; ROSENBACH, LAURA <laura.rosenbach@cms.k12.nc.us>; EDMOND, ACQUANETTA <acquanetta.edmond@cms.k12.nc.us>
Cc: Melissa W. Balknight <melissaw.balknight@cms.k12.nc.us>; Crystal L. Hill <crystal.hill@cms.k12.nc.us>; Ingrid W. Medlock <ingridw.medlock@cms.k12.nc.us>; Vaught, Kimberly D. <kimberlyd.vaught@cms.k12.nc.us>
Subject: Parents' Bill of Rights - Slide Decks and Update on FAQ Document

Good Afternoon, Leaders.

Thank you for attending our virtual meetings yesterday pertaining to the Parents' Bill of Rights. Please know that we are working with our Office of General Counsel as well as other departments to answer the questions that you submitted in the FAQ form yesterday and this morning. We are expediting the work on this document, and we will get it to school leaders once we have the most accurate/up-to-date information.

As you know, many of the questions that are being lifted are complex and we are working to verify information prior to providing a response. We will have additional updates as they are available. Please see the slide decks from yesterday's presentation linked below.

[Parents' Bill of Rights Presentation \(Principal/School Leader Version\)](#)

[Parents' Bill of Rights Presentation \(Teacher/Staff Meeting Version\)](#)

Jaron
Jaron Carson
Chief of School Performance
Charlotte-Mecklenburg Schools
4421 Stuart Andrew Blvd. Ste. 100
Charlotte, NC 28217

From: Turner, Ericia R. <ericia.turner@cms.k12.nc.us>
Sent: Tuesday, October 03, 2023 9:59 AM EDT
To: Melissa W. Balknight <melissaw.balknight@cms.k12.nc.us>
CC: Dinah Gutierrez <dinah.gutierrez@cms.k12.nc.us>; Lynda M. Bakeman <lyndam.bakeman@cms.k12.nc.us>
Subject: Fw: Principal Memo - RHASE instruction
Attachment(s): "RHASE Instruction November 7 Work Day.docx"

Please see attached memo for Principals

Ericia R. Turner, Ed.S, CMAA

Executive Director of Athletics

CMS Athletics Department

4335 Stuart Andrews Blvd.

Charlotte, NC 28217

980-343-6980(office)

"Expect To Win...Show Up With Your Best Self Every Day!"~ Carla Harris

From: Vedder, Jenn <jenn1.vedder@cms.k12.nc.us>
Sent: Tuesday, October 3, 2023 9:37 AM
To: Turner, Ericia R. <ericia.turner@cms.k12.nc.us>
Cc: Hudgens, Laura R. <laurar.hudgens@cms.k12.nc.us>
Subject: Principal Memo - RHASE instruction

Good morning.

I will need this memo to get out to Principals next week

1. In accordance with SB policy and DPI policy, teachers must only teach the approved district curriculum for RHASE. This is why they sign an attestation agreement stating they have reviewed the material and understand. As you can imagine, sometimes teachers like to ad-lib and they can start talking about things they aren't allowed to discuss. This attestation helps with that as does the professional learning we will host on Nov 7.
2. My plan is that we will record each RHASE lesson and embed them in the RHASE module. This will ensure that every student at every school is getting the exact same information – I have to do this given the large number of non-certified health teachers (SB Policy states only certified health teachers can teach).
3. The teacher will still be in the room and have a script to answer allowable questions.

Please review the attached

Thank you
JV



Jenn Vedder, MS

Health & PE Specialist

[OPEN PhysEd](#) National Trainer

Ph: 980-343-2656 | C: 913-306-4272

jenn1.vedder@cms.k12.nc.us



[@coachvedder_hpe](#)

Schedule a time to chat:<https://calendly.com/jvedder>



MEMORANDUM

TO: All Secondary School Principals

THRU: Erica Turner, Executive Director of Athletics

FROM: Jenn Vedder, Health and Physical Education Specialist, jenn1.vedder@cms.k12.nc.us

DATE: October 10, 2023

SUBJECT: Reproductive Health and Safety Education Best Practices for Health & Physical Education Teachers on November 7.

ACTION: Notify all 0-3 Year and Non-Certified Secondary Health and Physical Education Teachers

To ensure all Health teachers across CMS understand how to deliver RHASE instruction to their students in Grades 6-9, we will host a professional development to review curriculum, answer questions, and have all teachers sign the RHASE Attestation form stating they understand they are **only** to teach the CMS approved curriculum to their students.

This learning will occur on **November 7, 2023 from 9:00 am to 11:00 am** on Microsoft Teams.

Link to join the meeting: [Click Here to Join the Meeting](#)

This training will support the following Goals and Guardrails:

- **Pillar 1: Academic Excellence**
 - Initiative 1.1 MTSS Core Practices & Specialized Supports
- **Pillar 2: People Excellence**
 - Initiative 2.2: Professional Development
- **Pillar 3: Operational Excellence**
 - Initiative 3.1: Safety and Security
- **Pillar 4: Engagement Excellence**
 - Initiative 4.1: Family Engagement supporting the implementation of the Parents' Bill of Rights

It is important that these new and non-certified Health teachers attend this training to learn how to facilitate RHASE instruction with their students.

Any questions can be directed to: Jenn Vedder, Health and Physical Education Specialist

TO: All Elementary and K-8 Principals

FROM: Jaron Carson, Chief Equity and School Performance Officer
Nancy Brightwell, Chief Academic Officer

DATE: August 28, 2023

SUBJECT: Classroom Libraries

ACTION: Review and share information with K-4 teachers

Elementary school principals should inform all K-4 teachers to review their classroom libraries to ensure they are compliant with the Parents' Bill of Rights. Principals should advise teachers to remove any books from classroom libraries that have content related to gender identity, sexual activity or sexuality that students may access as a part of independent reading tasks.

From: Melissa W. Balknight <melissaw.balknight@cms.k12.nc.us>

Sent: Wednesday, October 25, 2023 4:45 PM EDT

To: Principals ALL <dlprinall@cms.k12.nc.us>

CC: DL CMS Cabinet Members <CMSCabinetMembers@cms.k12.nc.us>; Senior Managers <dlsrmgr@cms.k12.nc.us>; Learning Community Superintendents <learningcommsupts@cms.k12.nc.us>

Subject: Oct. 25- Principals' Weekly Updates

Attachment(s): "Principals' Weekly Updates_October 25, 2023.pdf"

Hello,

Please use the attachment to access this week's PDF document/updates. The monthly folder is linked below.

Thanks,
Melissa

[October 2023 Folder- Principals' Weekly Updates](#)

Google Drive: Sign-in

Access Google Drive with a Google account (for personal use) or Google Workspace account (for business use).

drive.google.com

“You gain strength, courage and confidence by every experience in which you really stop to look fear in the face. You must do the thing you think you cannot do”

-Eleanor Roosevelt



Message from Dr. Hill

HAPPY NATIONAL PRINCIPALS MONTH!!!

Congratulations to our 3rd grade students who were recognized at the BOE meeting as a part of the Goal 1 Monitoring Report. Students were recognized for their growth from 2nd grade Spring to 3rd grade Fall DIBELS and BOG-3 achievement!



Congratulations to the many high schools that I recognized last night during the BOE meeting for their outstanding athletic performance!

Thank you for your leadership!

ACADEMICS

Nancy Brightwell, Chief Academic Officer

nancy.brightwell@cms.k12.nc.us

DIGITAL LEARNING & LIBRARY SERVICES

Contact Name/Email/Phone:

Kim Ray, Director/ kimberly.ray@cms.k12.nc.us / 980-343-2663

Audience: All Principals, School BeAble Leads, Media Coordinators/Staff

Dates: 10/23, 10/30, 11/6

Summary:

DIGITAL LEARNING:

Ready to build excitement about CMSGO in your school? Beable has announced the Login Leader competition to encourage participation in Beable, exclusively for CMS students. Every week from Oct. 15-Nov. 4, Beable is raffling off a \$100 Amazon card and 5 Krispy Kreme \$10 Gift Cards. Print and post this [flier](#) to get the word out. Need support for your CMSGO implementation? Just email cmsgo@beable.com.

BeAble will be stopping by all Middle and High Schools in the next two weeks to drop off posters and student certificates, and to offer support. If you want to request a specific time for the drop-in visit or request support, reach out to cmsgo@beable.com.

LIBRARY:

All Media Coordinators and Library Media Staff must participate in a virtual training on the updated ordering process (to align with CMS updated Board Policy and SB49) before library ordering allotments are released to a school. Information about the sessions may be found below:

Monday, Nov. 6

10:30-11:30 am

Tuesday, Nov. 7

9:00-10:00 am

12:00-1:00 pm

2:30-3:30 pm

Wednesday, Nov. 15

8:00-9:00 am

3:00-4:00 pm

Link: Library Ordering Update Meeting Link: [Click here to join the meeting](#)

DIRECT TO TEACHER

Contact Name/Email/Phone:

Tara Lynn Sullivan, Assistant Superintendent of Learning & Teaching
taralynn.sullivan@cms.k12.nc.us / 980-343-9403

Audience: K-12 Leaders
Event: Direct to Teacher Newsletter
Date: 10/25/23

Link: [Direct to Teacher 10.26.23](#)

ELEMENTARY CURRICULUM (5 ITEMS)

Contact Name/Email/Phone:

Pa Thao, Director / pa.thao@cms.k12.nc.us / Ph: 980-343-2633 | Cell: 980-257-3466

Audience: Principals and DtT
Event: Math Program Community Events
Dates: Oct. 30; Nov. 1, 3, 6, 15

Summary: Community engagement sessions will be available for families and partners to explore the three curriculum options. Information for schools to post and send home can be found in [this link](#)

In Person <i>6:00 pm - 7:30 pm</i>	Virtual <i>6:00 pm - 7:30 pm</i>
Wednesday, 11/1	Monday, 10/30
Wednesday, 11/15	Monday, 11/6

Audience: Principals and Math Admin
Event: School Leaders Math Program DEEP DIVE
Dates: Oct. 31; Nov. 1, 3

Summary: Deep dive virtual sessions are available for AP's, Deans, and Instructional Leaders to review how the major work of 5th Grade: Number and Operations - Fractions ([NF](#)) is taught in the three curriculum adoption options. This domain also has the largest weight distribution, [39%-43%](#), on the NC EOG Mathematics Test for Grade 5. Participants will use their knowledge of the three adoption options to complete a feedback form. [Please reserve your spot by completing this form \(bit.ly/CMSEMADD\).](#)

- October 25, 2023 @ AP/Dean Meeting 12:30-1:30pm
- October 26, 2023 @ AP/Dean Meeting 12:30-1:30pm
- October 31, 2023 @ IL Day 1 Lunch and Learn
- November 1, 2023 @ IL Day 1 Lunch and Learn
- November 3, 2023 @ IL **VIRTUAL** 10:30 -11:30am

Audience: Principals
Event: MVPA Benchmark Assessments: ELA Grades 3-8
Date: Oct. 25, 2023

Summary: Test specs and more have been updated in the [MVPA FAQs](#). During the assessment (Oct 30- Nov.13), we recommend actively monitoring and have provisioned a [Problem-Solving Test Taking Strategies](#) resource to use in harmony with the current curriculum.

Audience: Principals and ELA Admin and Direct to Teacher

Dates: Oct. 25 and Oct. 27

Summary:

What We're Listening To (sharing a great podcast):

We loved this easy to listen to podcast that asked teachers to call in and answer two questions: What is the most important thing you've learned so far about the science of reading? What is a goal you have this year connected to reading science? Access this affirming Podcast [here](#).

Audience: Elementary Principals

Event: Teacher Leader Cadre Nominations

Date: 10/25/23

Summary: The Teacher Leader Cadre is a group of teachers selected by school leaders to represent their grade band on the district level. These teachers are divergent thinkers, effective collaborators, reflective communicators, and they embrace opportunities to help all students learn. Teacher Leader Cadre members ensure that teachers and invaluable stakeholders provide input when making district decisions regarding curriculum, instruction, and assessment.

Cadre members will be responsible for:

- Providing feedback on implemented curriculum resources
- Identifying the most common misconceptions in students and identifying strategies to address them
- Determining the impact of instructional decisions on student learning
- Brainstorming ways to continue re-looping concepts and skills that are not explicitly taught after the reassessment

Please nominate one K-2 teacher and one 3-5 teacher. Please include their information on the following [Elementary Literacy Teacher Leader cadre](#) form and one of our team members will contact them for next steps.

PROFESSIONAL DEVELOPMENT

Contact Name/Email/Phone:

Kelly Lyons / kellyh.lyons@cms.k12.nc.us / 980-343-6955

Audience: All Principals

Event: November 16 Data Analysis

Date: November 16, 2023

Summary: Schools' Relay teams of four (principal, instructional leader, + 2 others, who attend Relay training) will attend an in-person data analysis day. School teams will be led through a data protocol to analyze benchmark data, EVAAS projections, and additional school-based data to strategically plan for instructional shifts.

STUDENT PLACEMENT
Michele Aikens, Executive Director
Catrese Braswell

catresep.braswell@cms.k12.nc.us

THE INTERNATIONAL CENTER

Contact Name/Email/Phone: Catrese Braswell / catresep.braswell@cms.k12.nc.us / 980-230-5137

Audience: Principals, School Staff, and Departments

Date: October 24, 2023

Summary: The International Center is available to provide interpretive services in 350 languages 365 days a year for in-person or phone conversations with parents and document translation. This is a free service to all CMS schools and departments. Schools and Departments may request in-person interpretive services for assistance with school events, conferences, 504, and IEP meetings by completing the [Interpreter Request Form](#). Please allow five business days for your request to be processed and approved. All request submissions will receive an email confirmation once an interpreter is secured for the requested event.

Links:https://docs.google.com/document/d/1V2mx1qpgXbnF5G_SI-x8PzkBg7WEmNfG/edit?usp=sharing&oid=11472078328031111632&rt=pof=true&sd=true

STUDENT SUPPORT SERVICES

Dr. Balknight

STUDENT WELLNESS & ACADEMIC SUPPORT (4 ITEMS)

Contact: Treva Johnson / trevad.johnson@cms.k12.nc.us / 980.343.2775
Monica Adamian / monicas.adamian@cms.k12.nc.us / 980.343.6269

Audience: All Principals

Topic: Too Sick for School flier

Date: October 23, 2023

Summary: We know it is normal for children to get sick from time to time. But when should a parent keep a child home? CMS School Health has created a Too Sick for School infographics with guidelines to help parents make the decision about when to keep their child home from school. The guidelines were developed to help prevent the spread of potentially contagious diseases. Each school will receive a flier with a document holder that will be displayed in the front office. Please choose a location visible to parents, e.g. near a sign-in kiosk. Also, please place the flier (link below) on your school website. The flier should arrive at your school the week of October 30-November 3. They will be addressed "To Sr. Admin Secretary/Treasurer."

Link: [Too sick for school?](#)

Contact Name/Email/Phone:

Michele M. King / michelem.king@cms.k12.nc.us / 980-343-6168
Kristen Hodges / kristen.hodges@cms.k12.nc.us / 980-343-3726
Mark Bosco / mark.bosco@cms.k12.nc.us / 980-343-9424
Jennifer Clark / jenniferh.clark@cms.k12.nc.us / 980-343-2688

Audience: Principals, Student Services Staff & Credit Recovery Coordinators**Topic: Updated Grade Replacement vs. Credit Recovery Guidance Documents****Date: October 23, 2023**

Summary: The grade replacement versus credit recovery documents educate students and families about the differences between the two options to allow them to make an informed decision on which to opt for to recover credits previously failed. This includes impact on student athletes. Parents must sign the “Acknowledgement of Credit Recovery Implications” document if the student chooses the credit recovery option. Please distribute as needed.

Links: [CMS Credit Recovery vs. Grade Suppression Guidance Final 2023](#), [CMS Acknowledgment of Credit Recovery Implications](#)

Contact Name/Email/Phone: Monica Adamian/monicas.adamian@cms.k12.nc.us/[704-965-3150](tel:704-965-3150)**Audience: Principals/Registrars/Data Managers/School Nurses****Event: NC DHHS Immunization and Health Assessment Reports****Date: Due 10/27/23**

Summary: A worksheet can be found [here](#) under instructions for health assessments, K, 7th and 12th grade worksheets. Compliance reporting must be done on-line and can be completed by following this link, scrolling to the bottom of the page and clicking next: [The Immunization and Health Assessment Survey](#).

Original Memo: [MEMO: Annual Health Assessment and Immunization Compliance Reporting](#)

Contact: Yvette Watson / dropoutdata@cms.k12.nc.us / 980-343-2383**Audience: Principals, data managers****Event: NC DPI Dropout Data Reporting REQUIRED****Date: Due 10/27**

Summary: Please ensure all steps have been taken as directed in the Procedures for Dropout Identification and Verification by close of business on 10/27. All grade spans are required to complete this process. If you are unclear on the process or need assistance, please email the dropout data contact email above as soon as possible.

Original Memo: [Drop-Out Reporting Memo 2023](#)

TECHNOLOGY

Dr. Candace Salmon-Hosey, Chief Technology Officer

ca.salmon-hosey@cms.k12.nc.us

STUDENT INFORMATION SYSTEMS (POWERSCHOOL)

Contact Name/Email/Phone: Abby Finger / katherine.finger@cms.k12.nc.us / 980-344-0161

Audience: All Principals

Event: Upcoming state reporting deadlines

Date: Approve PMR Month 2 on 10/25 and Legislative Class Size Report on 11/1

Summary:

1. Principals at traditional calendar schools are required to approve the Principal's Monthly Report (PMR) Month 2 on Wednesday, Oct. 25. Data managers are expected to run the PMR report daily until the 40th day and clear errors so that principals can be ready to approve once the reporting month ends.
2. All principals are required to approve the Legislative Class Size Report on Wednesday, Nov. 1. All schools are required to run this report in PowerSchool on Tuesday, Oct. 31 to prepare for principals to submit approval the following day.

Links: Please visit the [2023-24 PowerSchool/SIS Master Calendar](#) to see the approval deadlines for all PowerSchool state reporting. If you have questions or need additional support, please submit a [Cherwell ticket](#) to the Technology > PowerSchool team.



MOST FREQUENTLY ASKED QUESTIONS

QUESTION: 9th grade Health classes begin Monday and will conclude at the end of 1st quarter. We need guidance on the 60 day advance notice for the Sex Ed unit.

RESPONSE: There has been a change to our pacing for Health lessons for all grades 6-9.

- In an effort to give parents enough time to review and reflect on all Reproductive Health and Safety Education (RHASE) lessons, Health & PE Teachers will **not** teach any RHASE during the first quarter of school.
- Any health class on a 9 week rotating basis will wait until the last week of the first semester to teach RHASE to ALL students who were enrolled in health first quarter and second quarter.
- Example as follows:

Class	Quarter	When RHASE is to be delivered
Health	First	No earlier than 1/12/24
PE	First	No earlier than 1/12/24

- Principals must ensure Health and PE Teachers communicate with their teams to secure locations for RHASE instruction to be delivered, and who will deliver it to all students beginning no earlier than January 12, 2024.
- Principals will send the ConnectEd message to all parents/guardians enrolled by October 1, 2022.
- Only NC Certified Health teachers can teach RHASE lessons in grades 6-9.

Principals should remind all 5th grade teachers that RHASE instruction should occur no earlier than May 1, 2024.

QUESTION: What is the impact on teacher "classroom libraries"? There was no discussion of this, so I am assuming they are free to allow children to use books as normal?

RESPONSE: Elementary school principals should advise K-4 teachers to ensure their classroom libraries are compliant with the Parents' Bill of Rights. Principals should advise teachers to remove any books from classroom libraries that have content related to gender identity, sexual activity or sexuality that students may access as a part of independent reading tasks(instruction).

QUESTIONS: What do we say on day one when calling roll and a child says, "Call me...a different gender name...?" What do we say on day one when we are calling the role as Alexandria asks to be called Jordan because it is her middle name and the name she goes by?

RESPONSE: When a student requests a name or pronoun change, all school personnel must inform the student that in order to use the requested name change or pronoun change, their parent must be notified. If the student changes their mind and decides they don't want to continue with the name/pronoun change, school personnel are no longer required to notify the parent. Reminder, parents **MUST** be notified **BEFORE** changing the name or pronoun of a student. Consent is not required.

From: Shayla F. Cannady <shaylaf.cannady@cms.k12.nc.us>

Sent: Friday, August 25, 2023 5:36 PM EDT

To: Nagel, Aisling E. <aislinge.nagel@cms.k12.nc.us>; Melissa W. Balknight <melissaw.balknight@cms.k12.nc.us>; Vernon Devlin, Susan <susan1.vernondevlin@cms.k12.nc.us>; David L. Legrand <david.legrand@cms.k12.nc.us>; Erin I. Shoemaker <erin.labore@cms.k12.nc.us>; Vaught, Kimberly D. <kimberlyd.vaught@cms.k12.nc.us>

CC: Salmon-Hosey, Candace A. <ca.salmon-hosey@cms.k12.nc.us>; Crystal L. Hill <crystal.hill@cms.k12.nc.us>; Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us>; Carson, Jaron K. <jaronk.carson@cms.k12.nc.us>; Root, Hope A. <hopea.root@cms.k12.nc.us>

Subject: Parents' Bill of Rights Page is LIVE

Team,

The Parents' Bill of Rights page is LIVE and can be accessed from the homepage of our website or by visiting <https://charmeckschools.org/parentsbillofrights>. I have created vanity URLs to so that we can track how many clicks there are to the website and forms. As such, please share these links for all future communications.

Parents' Bill of Rights landing page: <https://charmeckschools.org/parentsbillofrights>

Student Information Form: <https://charmeckschools.org/studentinformationform>

Request for information form: <https://charmeckschools.org/requestforinformation>

2023-24 Parental Health Policy Concerns: <https://charmeckschools.org/healthpolicyconcerns>

Objection Form to Materials Form: <https://charmeckschools.org/materialobjectionform>

Susan is in the process of recording a voice message that will be distributed via BlackBoard Connect by voice. Once the recording is complete, we will schedule it to go to all families at 6 p.m.

Please note that the webpage is a work in progress and updates/additions can continue to be made as needed. Please let me know if there any final edits to the How-to page that I shared in this afternoon's meeting and I will add that to the page as well.

Please let me know if there is any you need.

Shayla F. Cannady

Chief Communications Officer

Charlotte-Mecklenburg Schools

4421 Stuart Andrew Blvd., Suite 600

Charlotte, NC 28217

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From: Carson, Jaron K. <jaronk.carson@cms.k12.nc.us>

Sent: Tuesday, August 29, 2023 6:56 PM EDT

To: Principals ALL <dlprinall@cms.k12.nc.us>

CC: Schultz, Brian <brian1.schultz@cms.k12.nc.us>; Vaught, Kimberly D. <kimberlyd.vaught@cms.k12.nc.us>; Ingrid W. Medlock <ingridw.medlock@cms.k12.nc.us>; Melissa W. Balknight <melissaw.balknight@cms.k12.nc.us>; ROSENBACH, LAURA <laura.rosenbach@cms.k12.nc.us>; Raymond 1. Barnes <raymond1.barnes@cms.k12.nc.us>; RATTLEY, KONDRA <kondra.rattley@cms.k12.nc.us>; Tangela Williams <ty.williams@cms.k12.nc.us>; Trish Sexton <trish.sexton@cms.k12.nc.us>; Esposito, Stephen J. <stephen.esposito@cms.k12.nc.us>; Schroeder, Kimberly W. <kimberlyw.schroeder@cms.k12.nc.us>; Grant, Nicolette M. <nicolettem.grant@cms.k12.nc.us>; EDMOND, ACQUANETTA <acquanetta.edmond@cms.k12.nc.us>; David L. Legrand <david.legrand@cms.k12.nc.us>

Subject: Parents' Bill of Rights Updates 8-29-2023

Good Evening, School Leaders,

Thank you for continuing to lift your questions with regards to the implementation of the Parents' Bill of Rights in our schools. Below we are providing clarification for two areas of concerns.

Say Something Training for Secondary Students:

We have received several inquiries about the roll out of the *Say Something* reporting system and the Parents' Bill of Rights. Parents will **not** need to opt-in for their students to participate in the training needed to access this system. A survey will not be administered, students will not be asked to share "identifiable" information, and there is no reference to the content of our Reproductive Health curriculum.

Notifying Parents when Students Request a Change in their Name or Pronoun at School:

We want to provide clarification on the Parents' Bill of Rights communication that was shared with Student Services personnel (counselors, psychologists) today. Please be sure that you follow up with your Student Services Team about the process. The information that was shared about the process during the Student Services meeting today was incorrect. Mr. David Legrand, Associate Superintendent for Student Services, will provide clarity to your Student Services Team to ensure that accurate information is communicated. The information that has been shared in the FAQ is accurate and is linked to this email.

From the FAQ Document:

The legislation calls for parents to be notified **prior** to school personnel calling the students by a different name or pronoun. This would include nicknames, middle names, etc. Once a student requests a change in their name or pronoun, the staff member should inform the student that they are required to notify their parent before moving forward with the change. Please note that **consent is not required, but notice is**. As such, if the student at that time decides that they do not want to be called by a different name or pronoun, there is no need to provide the parent with "notice" because the school will not make a change in the way that the student is being referred to by name or pronoun. If the student continues to want to be called by a different name or pronoun, the school is required by the statute to provide the parent with notice of the change. In Charlotte-Mecklenburg Schools we are using Parent Square for this notification process to maintain documentation of the notice.

*** When you inform students that you will need to notify their parents, please also encourage students to speak with their parents about the matter***

[Parents' Bill of Rights FAQ](#)

Document is unavailable

From: OGC <ogc@cms.k12.nc.us>
Sent: Monday, August 21, 2023 1:11 PM EDT
To: Principals ALL <dlprinall@cms.k12.nc.us>; Executive Staff <dlexstf@cms.k12.nc.us>
Subject: Re: 2023 Back to School Issues Memo
Attachment(s): "School Memo 2023-2024.pdf"

CMS Leaders:

Attached is the 2023 Back to School Issues Memo updated and distributed each year by the CMS Office of General Counsel. You will see that new and additional content has been added to last year's Memo.

Please take the time to forward this email and the 2023 Back to School Issues Memo to your staff, and please do not hesitate to contact our office if you have any questions.

Respectfully,

 | Office of General Counsel

GENERAL SCHOOL ISSUES
2023-2024

Each year, principals and administrators are faced with many of the same legal issues. The purpose of this memorandum is to provide general guidance and clarity on some of those common issues. If you have questions or would like to discuss a topic in more detail, please feel free to reach out to the Office of General Counsel at 980-343-6228.

The following topics are discussed in this memo (Press Ctrl+Click to follow the link):

1. [Parents' Bill of Rights \(New Topic!\)](#)
2. [School Counselor Privilege from Testimony \(New Topic!\)](#)
3. [Child Find \(New Topic!\)](#)
4. [Accommodating Persons with Disabilities, Including Parents \(New Topic!\)](#)
5. [Public Records](#)
6. [Contracts](#)
7. [Student Searches](#)
8. [Title IX - Gender Identity and Sexual Orientation \(New Content Added!\)](#)
9. [Reporting Crimes Against Juveniles](#)
10. [DSS Reporting](#)
11. [Compulsory Attendance](#)
12. [Communicating with Disruptive Parents](#)
13. [Investigating Student Misconduct](#)
14. [Students' Medical Records](#)
15. [Family Educational Rights and Privacy Act \(FERPA\) Basics \(New Content Added!\)](#)
16. [Accommodating Students' Religious Beliefs](#)
17. [Custody Advocates / Best Interest Attorneys](#)
18. [Child Custody](#)
19. [Political Activity on School Grounds](#)
20. [Student Parking Stickers](#)
21. [PTAs/PTOs](#)
22. [Students' Electronic Devices](#)
23. [Guardian ad litem](#)
24. [Video Recording of Students](#)
25. [Change of a Student's Classroom Assignment](#)
26. [Parent's Right to Legal Counsel](#)
27. [Guardianship of Minors](#)
28. [Releasing Students to Non-Parents](#)
29. [Subpoenas](#)
30. [Undocumented Students/Immigration and Customs Enforcement \(ICE\)](#)

1. NC Parents' Bill of Rights

New legislation entitled the "Parents' Bill of Rights" was adopted into law just before the 2023-2024 school year. This legislation lists information a parent or guardian is entitled to, most of which was already in existence. For example, parents' right to their student's education record. Significant changes include obtaining parental consent (i.e., opt-in only, as opposed to previous opt-out) before administration of many student surveys, reproductive health and sex education in grades K through 4, and medical screening forms or surveys. It also requires parental notification before a name or pronoun change. Parents also have a right to review all curriculum and associated materials, and request information related to their parental rights. Principals are required to provide information at the beginning of the school year related to medical services offered at their school, curriculum and textbooks, curricular and extracurricular activities, and other pieces of information that will be set forth in Board policy and Superintendent regulations. Finally, the new law requires Principals to respond to parental requests and concerns within set statutory timelines. Please see newly adopted Board policies and Superintendent regulations for further details.

2. School Counselor Privilege from Testimony

School counselors may be privileged from testifying about information acquired during the rendering of counseling services if the information was necessary to render the counseling services. Because this privilege belongs to the student, the student or parent(s) may waive the privilege in open court. If a school counselor is subpoenaed to testify in court or to appear and produce documents, the school counselor should comply with the directions on the subpoena. The school counselor is likely being subpoenaed as an individual, and not as a representative of the District. Prior to giving testimony or producing the documents in court, the school counselor may ask the judge to decide whether the information should be disclosed. The judge may compel the school counselor to testify or to produce documents if the judge believes the disclosure is necessary to a proper administration of justice.

3. Child Find

"Child Find" is the affirmative, ongoing obligation of states and local districts to identify, locate, and evaluate all children with disabilities residing within the jurisdiction who are in need of special education and related services. 34 CFR 300.111 (a)(1)(i). Child Find requires districts to annually "undertake to identify and locate every qualified [individual with a disability] residing in [the district's] jurisdiction who is not receiving a public education" and to evaluate students "who, because of handicap, need or are believed to need special education or related services." The failure to identify a student with a disability and evaluate may entitle the student to compensatory education or tuition reimbursement accruing from the time the district first should have suspected the disability.

School staff must do the following in order to satisfy the district's child find obligation:

- Refer students to the special education department when they suspect the student may have a disability and need special education services. For that reason, teachers need to learn about the full range of disabilities under the IDEA.

- Be on the lookout for students who may have a physical or mental health impairment, such as ADHD, diabetes, or a food allergy, for which they need accommodations, even if they perform well academically. Teachers should inform Section 504 staff whenever they identify such a student.
- Learn about child find red flags. Those signs vary widely but include, for example, a situation where a student continues to decline academically despite receiving general education interventions or other supports.

Some Child Find triggering events include:

- Excessive absences linked with medical conditions
- Parent pickup for behavioral problems
- Ineffective 504 accommodations
- Hospitalizations
- Severe persistent behaviors
- Private diagnosis
- When a parent requests a special education evaluation, the district must promptly respond by initiating an evaluation or denying the request and sending prior written notice explaining her procedural safeguards.

90-Day Initial Eligibility Timeline – EC Students

Either a parent or the district may initiate a request for an initial special education (or EC) evaluation to determine if a student is a student with a disability under the Individuals with Disabilities Education Act (IDEA). The date the school receives the written request from the parent, or the date the school knew or should have known about the suspected disability, is the referral date. If the IEP team chooses to evaluate the child, evaluations must be conducted, eligibility must be determined, and for an eligible child, an IEP must be developed, and placement completed within ninety (90) calendar days of receipt of the written referral. *NC Policies Governing Services for Children with Disabilities 1503-2.2(c)(1)*. Failure to adhere to the 90-day timeline is a denial of a student’s Free and Appropriate Public Education (FAPE).

4. Accommodating Persons with Disabilities, Including Parents

Section 504 of the Rehabilitation Act of 1973 (Section 504) prohibits discrimination on the basis of disability in programs and activities that receive federal financial assistance. Title II of the Americans with Disabilities Act of 1990 (Title II) prohibits discrimination against qualified individuals with disabilities by public entities, including public education systems and institutions.

Section 504 and Title II protect all persons with disabilities from discrimination, including parents and guardians, students, and employees. Requests to accommodate a parent or guardian should be promptly acknowledged and reviewed on a case-by-case basis. The District may need to provide

accommodations that a parent requires to meaningfully participate in their student's IEP or Section 504 team meeting, including but not limited to, interpreters, note takers, and recording the meeting.

For student accommodation requests, please contact the Section 504 Department or the Exceptional Children Department. For employee accommodation requests, please refer to Board Policy [P-MEDI/R](#).

5. Public Records

Public records are records created or received by officials and employees while transacting official CMS business. Public records are designated by their content and function, NOT by their format or location. This means records can be papers, photographs, videos, maps, emails, voice mail messages, or text messages. The records must be retained, stored, disposed of, and made available for inspection and copying in accordance with the law. We are legally and ethically required to preserve all public records for their retention period and supply them to the public upon request. If you receive a request for public records, you can direct the requestor to the following portal, or submit the request on his/her behalf: <https://cmsk12.nextrequest.com/>. If you have questions about public records or receive a public records request, please contact Public Records Officer Joel Ferdon in the Office of General Counsel.

6. Contracts

A contract is required for any purchase of goods and/or services. A paper contract is required for any contract with a value greater than \$30,000. "Contract" means a written, legally enforceable agreement that creates obligations on the parties. A contract may be referred to in many ways, for example: Purchase Order, Quote, Construction Change Order, Master Contract, Amendment, Agreement, Affiliation Agreement, Interlocal Agreement, Lease, Memorandum of Agreement (MOA), Memorandum of Understanding (MOU), Terms and Conditions, Addendum, Statement of Work (SOW) or other similar titles. **Before** securing a good and/or service, a contract must be in place. This means that you cannot accept good/services or pay for said goods/services before the contract is signed. Only authorized employees can sign contracts. The Memorandum of Delegation is attached to Regulation [F-PRCH/R](#) and outlines who has authority to sign a contract on behalf of the District. **Employees not authorized under this memorandum may not sign contracts.** Please do not sign documents from vendors without first reviewing the memorandum to confirm you are authorized to sign. As best practice, vendor documents should be reviewed by the CMS Office of General Counsel for compliance with CMS Terms and Conditions. Please refer to Board Policy [F-PRCH](#) and Regulation [F-PRCH/R](#) for more specific guidance on procuring goods and/or services.

7. Student Searches*

Although students have legitimate expectations of privacy, the special needs of the school environment allow searches of students and their belongings where the search is reasonable to detect infractions of school rules. As such, school officials are permitted to conduct searches of students under the following circumstances: (1) the search must be justified - there must be reasonable grounds for suspecting the search will turn up evidence that the student has violated the law or the rules of the

school (such as a student triggering an alert from the scanners); and (2) the search must be permissible in its scope - it must be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction. If the search is reasonable based on these two factors, searches may be conducted to detect infractions of school rules. Additionally, the administrator should clearly document his/her grounds for conducting the search and how the search occurred. As best practice, school administrators should seek guidance from the CMS legal department prior to conducting a search if they have questions on whether the reasonableness standard is satisfied or are unclear as to the scope of the search permitted under the circumstances.

*This entry is not intended to apply to random or other searches conducted by law enforcement, including CMSPD or SROs.

8. Title IX Inclusion of Gender Identity and Sexual Orientation

Title IX, which prohibits discrimination and harassment based on a person's sex, includes protection of an individual's gender identity and sexual orientation. If a student or employee complains about harassment or discrimination based on either of these protected traits, a Title IX complaint and investigation must occur. As a practical matter, students and staff must be allowed to use bathrooms, locker rooms, and other sex-segregated facilities consistent with their gender identity. Schools may not require students to use a separate restroom but should make that option available to any student. Schools must comply with regulation [S-BULY/R](#), including working with students/families individually and evaluating all gender-based activities and school practices, such as dress codes, extracurricular activities, overnight field trips, and PE classes. Students are allowed to participate in any gender-based activities or conform to established practices consistent with their gender identity. School staff shall address students by the name and pronoun corresponding to their gender identity; however, new legislation requires that parents be notified when a name or pronoun change is requested. Non-official school records, such as class lists, yearbooks, school event programs, diplomas, student IDs, report cards, and class rosters shall refer to students by their preferred names and pronouns.

9. Reporting Crimes Against Juveniles

All CMS employees who know or should have reasonably known that a juvenile has been a victim of a violent offense, sexual offense, or child abuse are required to report the case to law enforcement. This requirement is *in addition to* the mandatory reporting of child abuse, neglect, and dependency to DSS. The case should be **immediately** reported to either CMSPD or CMPD. The report can be made orally, in person, or by telephone. For details regarding what constitutes knowledge of an offense, what types of cases must be reported, and what information should be reported, please see [Mandatory Reporting of Certain Crimes Against Juveniles](#).

10. DSS Reporting

All CMS employees are required to report known or suspected cases of child abuse, neglect, or dependency (child does not have a parent, guardian, or custodian responsible for his/her care) to the director of the department of social services and to the school principal within twenty-four (24) hours

of the time the employee becomes aware of or has a good faith belief that a child has been or is being abused, neglected, or the child is dependent. For detailed reporting requirements, please see, [Reporting Child Abuse, Neglect, and Dependency Cases](#).

11. Compulsory Attendance

Although all school-age children in North Carolina have a right to a free public education, children between the ages of seven and 16 must attend school continuously during a school year. School principals are responsible for enforcing the State compulsory attendance law. More specifically, principals (or the principal's designee) must promptly notify parents after their child has accumulated **three** unexcused absences in a school year. After not more than **six** unexcused absences in a school year, the principal must notify the parent that he/she may be in violation of the compulsory attendance law and may be prosecuted if the absences are not justified. Once the parent is notified, the appropriate school staff must work with the student's parent to determine what steps are needed to correct the attendance problems. After 10 accumulated unexcused absences in a school year, the principal or the principal's designee is required to review any reports regarding the student's unexcused absences and then confer with the student and the student's parent to determine whether the parent has received proper notification of the unexcused absences and has made a good-faith effort to comply with the compulsory attendance law. Potential truancy matters are coordinated through CMS Student Services.

12. Communicating with Disruptive Parents

Board policy supports a parent's right to participate in their child's education. However, a parent's right to participate is not limitless. In instances where parental communications/interactions become hostile, harassing, or disruptive to the educational process, school officials have the authority and responsibility to set limits on the parent's communications with school staff. In order to ensure that a parent's communications are appropriate and do not interfere with or disrupt the school environment, the principal can develop a communication plan to establish sequenced steps to limit the parent's communications. Best practice is for the principal to start with a written warning to the parent that describes unacceptable conduct, expected conduct, and potential escalating consequences (e.g., allowing only written communication from the parent; limiting who the parent may communicate with; restricting the parent's in-person contact with staff; banning the parent from school grounds*) if the parent's conduct does not improve. Once the parent is notified of the restrictions, school officials must stick to them; follow the communication plan with fidelity; and address any violation with a short written response to the parent setting forth the violation and the attendant consequence.

*Banning a parent from school grounds is a severe sanction and should only be considered in response to egregious or threatening behavior by the parent, in accordance with Board policy.

13. Investigating Student Misconduct*

Incidents of student misconduct or alleged student misconduct must be given immediate attention and promptly investigated. The investigator should be a school administrator and not a teacher or other non-supervisory employee because discipline may be imposed at the conclusion of the

investigation. The investigating administrator should: (1) conduct interviews of each witness individually in a private room to prevent the interview from being overheard; (2) take detailed notes during each witness interview; (3) ask the witness open-ended questions in order to obtain as much information as possible; (4) have the witness prepare a written statement that is legible, signed, and dated at the conclusion of the interview; (5) gather and preserve all evidence, including witness statements, incident reports, notes, emails, videotapes, and photographs; (6) evaluate the collected evidence, including follow-up interviews to resolve any inconsistencies; (7) determine whether there is evidence of misconduct; (8) communicate investigation results to appropriate staff and determine corrective or disciplinary action, if appropriate; and (9) follow Board policy and the Code of Student Conduct, including timely notices and due process rights. Administrators should not reach conclusions regarding whether a law or a student's legal rights have been violated.

*A separate Title IX investigation must be conducted where there are allegations of sexual assault, sexual misconduct, or sexual harassment.

14. Students' Medical Records

The *Health Insurance Portability and Accountability Act* (HIPAA) specifically excludes as "protected health information" individually identifiable health information in education records covered by the *Family Educational Rights and Privacy Act* (FERPA). Because schools maintain medical records as part of students' health records they are "education records" under FERPA, and not "protected health information" under HIPAA. In other words, student medical records and treatment records that are provided to a school by a parent, student, or third-party, as well as records created by a school nurse or counselor, become part of the student's education record and are governed by FERPA, not HIPAA.

15. Family Educational Rights and Privacy Act (FERPA) Basics

FERPA protects the privacy of student education records and provides parents (and students when they reach age 18 or attend a postsecondary institution at any age) with the right to inspect and review their children's education records*; the right to seek to amend information in the records they believe to be inaccurate, misleading, or an invasion of privacy; and the right to consent to the disclosure of personally identifiable information from their children's education records. Schools must have written consent from the parent before disclosing personally identifiable information from a student's education record unless FERPA specifically allows disclosure without parental consent. "Education records" is broadly defined under FERPA and means those records directly related to a student and maintained by the school district. Education records are defined as those records that are a) directly related to the student, and b) maintained by the district. This means that parents have access to all records related to their students, not just the documents kept in the cumulative folder. These records include a student's entire Exceptional Children ("EC") file. When producing a student's education records, it is important that schools ensure the files(s) are properly reproduced, all pages front and back are copied, and the copies are legible.

Each parent, even a parent without custody, is entitled to inspect and review their child's records unless: (i) a court order specifically prohibits it; or (ii) a court has terminated that parent's educational

decision-making rights. Board policy requires school personnel to comply with a parent's request to inspect and review the records within a reasonable period, not to exceed forty-five (45) school days. FERPA also gives parents the right to request that a school correct a part of their children's education records that they believe to be inaccurate or misleading. Board Policy [S-REC](#) outlines the procedure for parents to follow to request an amended record.

Record of Disclosure

In most instances, FERPA requires schools to keep and maintain a log of each request for access to and each disclosure of personally identifiable information from education records of each student. The school must maintain this record with the education records of the student as long as the education records are maintained. The record of disclosure must include: (1) the parties who have requested or received the information and (2) the parties' legitimate interests in requesting or obtaining the information.

Schools do not have to record disclosure of personally identifiable information from education records that were made to: (1) the parent or eligible student; (2) a school official who has legitimate educational interests; (3) a party with written consent from the parent or eligible student; (4) a party seeking directory information; or (5) a party seeking or receiving records pursuant to a court order or lawfully issued subpoena.

School Officials

FERPA permits schools to disclose education records without written consent from a parent to a "school official" who has a "legitimate educational interest" in the education records. CMS' annual FERPA notification to parents defines school official as "a person employed by the school system as an administrator, supervisor, instructor, support staff member (including health or medical staff and law enforcement personnel), or a person serving on the school board." School officials may also include volunteers, contractors, or other third parties who perform institutional services or functions that CMS would otherwise use its own employees to perform and who are under the direct control of CMS with respect to the use and maintenance of the education records. A school official has a legitimate educational interest if s/he needs to review an education record in order to fulfill his or her professional responsibilities.

School Law Enforcement Units

CMS uses CMSPD officers and CMS security associates, along with school resource officers from local police departments (SROs), to monitor safety and security in and around school campuses. Although FERPA refers to these security units collectively as school law enforcement units, their access to a student's education records are quite different. School law enforcement officers who are employees of CMS (CMSPD officers and CMS security associates) are considered school officials. As such, schools may disclose a student's education records to these employees without parent consent if the CMS law enforcement officer has a legitimate educational interest in the education record. However, SROs do not qualify as CMS school officials. So, before a school can disclose a student's education records

to an SRO, the school must obtain parent consent unless a FERPA exception applies, e.g., disclosure to comply with a lawfully issued subpoena or disclosure in connection with a health or safety emergency.

16. Accommodating Students' Religious Beliefs

Students are attending school in order to obtain an education. However, they bring with them their religious beliefs. CMS has a duty to reasonably accommodate students' religious beliefs and practices unless the accommodation would cause a substantial disruption to the school environment or infringe on the rights of others. For example, individual students have a protected right to pray privately on their own or in groups. Vocal student-initiated prayer may be permissible as long as it is subject to the same constraints as non-religious student speech under the same circumstances. Students are permitted to organize prayer groups, religious clubs, "see you at the pole" gatherings, or other religious gatherings to the same extent that students are permitted to organize other non-curricular student activities and groups. Students may also express their religious views in assignments. Teachers are free to evaluate student assignments using ordinary academic standards but should not penalize or reward a student based on the religious content of the student's work.

Faculty and School Volunteer Participation in Prayer

All CMS employees and approved volunteers, while acting in their official capacity, are prohibited by the First Amendment from encouraging or discouraging prayer, and from actively participating in such activity with students. Although students can *voluntarily* pray at school or during school events, the First Amendment prohibits school employees and approved volunteers acting at the direction or supervision of CMS from delivering, leading, or participating in these prayers. School employees and volunteers are also prohibited from discouraging or preventing students from praying. However, school employees and volunteers are allowed to engage in private brief, quiet religious practices (such as prayer) that are not coercive to students and do not take place within the scope of employment duties. Prayers should not be broadcast on a public announcement system or recited to a captive audience, and students must not be required or expected to participate.

17. Custody Advocates/Best Interest Attorneys

Custody advocates and best interest attorneys ("Advocate") represent children residing in Mecklenburg County whose parents are engaged in contested custody and visitation cases. These individuals are appointed to represent the best interest of the child. An Advocate has no authority over educational decisions concerning the child but is authorized by court order to receive and review documents, information, records, and reports concerning the child. The court order itself determines the duties and responsibilities of the Advocate, the types of documents and information they can review, and whether they need parental permission. The order typically allows these individuals to view documents even if the documents are confidential, if the Advocate determines the documents are relevant to the child's best interest. If a court order specifically lists certain types of documents or notes, these must be provided, even if they would not normally be provided to parents. As part of the investigation, an Advocate may request a student's records or request to meet with a student or staff

member during school hours. The court order must be carefully reviewed to determine whether parent permission is required before the Advocate can meet with the student or staff member. As best practice, those meetings should be scheduled through an administrator during non-instructional time, where possible.

18. Child Custody

Both parents have equal rights and authority to participate in their child's education and to access their child's education records, even when the parents separate or divorce, unless a court order states otherwise. Both parents also have equal authority to remove their child from school grounds unless a court order limits a parent's right to physical custody. When parental consent or authorization is required to make an educational decision, consent from either parent will suffice – even from the parent without custody – unless a court order provides otherwise. Parental participation in their child's education is not "visitation" as that word is used in a custody order. So, unless a court order limits a parent's ability to visit at school, the parent can come for lunch in accordance with the school's visitation procedures. Since a parent's custodial rights arise naturally out of their status as parents, the rights of a father to a child born out of wedlock are the same as if the child had been born to married parents.

19. Political Activity on School Grounds

Board policy encourages employees to exercise their individual rights of citizenship, including registering to vote, voting, campaigning, or running for political office. However, such activity must be done on an employee's own time and without using school monies, materials, or resources. Teachers may discuss political issues with students as part of in-class instruction and impartial study. School facilities may be used for political activity outside of school hours in accordance with the Community Use of Facilities regulations. Political candidates or their supporters may not campaign on school grounds or distribute campaign literature during school hours or at school-sponsored events. Campaign literature may not be sent home with students or left on cars parked on school property. Campaign signs may not be placed on school grounds at any time, except on Election Day at schools being used as polling places in accordance with State Election Laws. Candidates for public office have the same access rights to public information as any other person who makes a public records request.

20. Student Parking Stickers

Each principal has authority to develop a system for allocating parking stickers to students. In accordance with state law, priority is given to students with physical handicaps. Principals must then give priority first to seniors, then juniors, then sophomores. The cost for a parking sticker cannot exceed \$25.00.

21. PTAs/PTOs

PTAs and PTOs are separate legal entities and are not under the direct control of CMS. This means that the legal separation between CMS and PTAs/PTOS must be maintained. Although CMS does not have direct control over PTAs/PTOs, it can still require these school support groups to follow specific

requirements as a condition of the district accepting funds, the group's ability to distribute information on campus or use the school name, mascot name, or logo.

22. Students' Electronic Devices

Board policy allows for students to have cell phones and other electronic devices on campus. An electronic device may be confiscated if it is being used in violation of Board policy. Once confiscated, school officials should not search a student's cell phone or other electronic device unless there is reason to suspect that such a search would reveal the student was violating Board policy, the Code of Student Conduct, or a school rule. In other words, the search must be justified at its inception and must be reasonable in scope to the circumstances justifying the search. If a cell phone or other electronic device is confiscated, it is the school's responsibility to safely store the device. If the cell phone or electronic device is lost or stolen, the school is responsible for compensating the parent/student for the reasonable cost of the device.

23. Guardian ad litem

A Guardian *ad Litem* (GAL) is a trained volunteer who is appointed by the court to advocate for the best interests of an abused or neglected child during the course of legal proceedings. The court order will specify the GAL's duties and responsibilities, which typically include authority to investigate and protect the child's interests and serve as a neutral fact finder for the judge. A GAL has no authority over educational decisions concerning the child. As part of the investigation, a GAL may request a student's records or request to meet with a student or staff member during school hours. As best practice, those meetings should be scheduled through an administrator during non-instructional time, where possible.

24. Video Recording Students

Every CMS employee is responsible for strictly guarding the privacy of student records, employee personnel records and other confidential documents. This obligation applies regardless of how the information is stored or maintained. School officials, including CMSPD and CMS security associates, are permitted under the Fourth Amendment to use security cameras to monitor student activity in any place that could be monitored in person—e.g., school buses, hallways, entrances, and exits. School officials should not, however, place video cameras in areas where students have a higher expectation of privacy, such as restrooms or gym locker rooms. School officials should avoid using cameras that record sound since an audio recording may violate state and federal wiretapping laws. Typically, a video recording is not an education record, unless it captures an individual student or students involved in an incident or engaged in misconduct. In those cases, the video recording is the education record of each student involved in the incident. If the video is used by the school to document an incident and/or for disciplinary purposes, the school should maintain the video. Parents are permitted to **view** the video recording if it is an education record of their child without the permission of parents of other students involved in the incident. If a parent requests a **copy** of the video recording that is the education record of more than one student, each parent must provide written consent before the copy of the video recording can be provided.

25. Change of a Student's Classroom Assignment

Each principal has the authority to grade and classify students. A principal also has the authority to determine when a change in a student's classroom or teacher assignment is appropriate, with one limited exception. Parents of multiple birth siblings (twins, triplets, etc.) who are assigned to the same grade level and school, have a statutory right to request that the initial school placement of the siblings be in the same classroom or in separate classrooms. The request must be made no later than five days before the first day of the school year or five days after the first day of attendance if the students are enrolled after the school year commences. Although the school may recommend an appropriate classroom, a school must provide the multiple birth siblings the classroom placement requested by the parent. A school is not required to place multiple birth siblings in separate classrooms if the request would require the district to add an additional class to the multiple birth siblings' grade level. At the end of the first grading period, the principal has the authority to alter classroom placements in certain circumstances involving disruption or student discipline.

26. Parent's Right to Legal Counsel

A parent's right to have legal counsel attend a school meeting is limited to IEP meetings, 504 meetings, and student discipline due process hearings. The law does not guarantee a right to legal counsel at parent/teacher conferences or other school-based meetings. A parent may request that his/her attorney attend a parent/teacher conference or other school-based meeting. Granting the request is within the principal's discretion; CMS attorneys do not staff these meetings but are available for pre-meeting advice.

27. Guardianship of Minors

A guardian is appointed by a court to make legal decisions on behalf of a child. In North Carolina, a guardian may only be appointed when a minor has no natural guardian or when a petition is filed alleging that a child is abused, neglected, dependent, undisciplined, or delinquent. Unless the court order states otherwise, a guardian has all rights and responsibilities of a parent, including making educational decisions on behalf of the child. Although parents are the natural guardians of their minor children, they cannot "give" someone else the authority to act as guardian (e.g., a notarized statement). If a child has a living parent, a non-parent must file a custody action in order to be given legal authority to care for the child.

28. Releasing Students to Non-Parents

School employees have a duty to provide adequate supervision of students. As part of that duty, school staff must exercise reasonable care when releasing a student from school. When there is a request to release a student, the student's file should be reviewed to determine if the non-parent has authorization from the parent to pick up the child. Once parent authorization is confirmed, the student should be released only after authorization is obtained from the principal or other school administrator. If school staff do not know or recognize the non-parent, identification should be required

before the student is released. Unless a court has ordered otherwise, a school may only release a student to:

- A parent or legal guardian or legal custodian;
- A CMS approved hardship caregiver;
- A person who has written authorization from the parent; or
- Authorized law enforcement or DSS officials.

29. Subpoenas

A subpoena is a legal document that compels the named person or entity to: (1) produce documents; (2) testify at a deposition, trial, or other court proceeding; or (3) testify at a deposition, trial, or other court proceeding **and** produce documents. A subpoena may be served by any person (18 or older) who is not a party to the legal matter. Service of a subpoena may occur by in-person delivery, via telephone from a sheriff or sheriff's designee, or by registered or certified mail, return receipt requested. *Proper service does not include service via regular mail, electronic mail, FedEx, or UPS.* You must comply with a subpoena if it has been properly served. If you communicate to the lawyer who served the subpoena that you will appear in court, you may be required to comply even if there was improper service. Every principal should develop and implement a process for staff to follow when a subpoena or other legal document is served. All staff must be aware of this process to ensure the person named promptly receives the document(s). Prior to acceptance of any certified mail, it should be confirmed that the person named is currently employed at the school. Only CMS employees should accept service (not volunteers), and school administrators must be notified once service is attempted. If service is in person, only the named person should accept service; front-office staff should not accept service for someone else.

30. Undocumented Students/Immigration and Customs Enforcement (ICE)

School districts are legally obligated to provide equal educational opportunities to all children residing within their boundaries, no matter what their immigration status. Students cannot be barred from enrolling in CMS or receiving educational benefits on the basis of their immigration status or that of their parents. In addition, the voluntary reporting of undocumented students to the U.S. Immigration and Customs Enforcement (ICE) agency, or any immigration official, violates an undocumented student's right to a public education.

There are instances where ICE may seek to investigate students who are suspected of living in the United States illegally. ICE agents are permitted under federal law to question any person believed to be undocumented. However, the internal policy of the U. S. Department of Homeland Security and ICE has been to avoid the investigation or apprehension of any persons on school grounds. If an ICE agent comes on a school campus and seeks to question a student on school grounds, the principal or other school administrator should verify and document the ICE agent's credentials and request the reasons for the interview. School staff should not interfere with any ICE enforcement action, which may include service or execution of warrants, interviews, searches, or arrests. Board Policy [O-ELX](#)

requires school administrators to attempt to contact parents and remain with the student during a law enforcement interview.

REPORTING CHILD ABUSE, NEGLECT, AND DEPENDENCY CASES

Adherence to North Carolina law and Board policies ensures compliance with your legal duty to report cases of suspected child abuse, neglect, or dependency to the Department of Social Services (“DSS”). Here are steps to follow when you suspect that a child has been abused, neglected, or is dependent.

1. Review State Law and Board Policy.

➤ [N.C.G.S. § 7B-301. Duty to report abuse, neglect, dependency.](#)

“Any person or institution who has cause to suspect that any juvenile¹ is abused, neglected, or dependent ... shall report the case of that juvenile to the director of the department of social services in the county where the juvenile resides or is found.”

➤ [N.C.G.S. § 115C-400. School personnel to report child abuse.](#)

“Any person who has cause to suspect child abuse or neglect has a duty to report the case of the child to the Director of Social Services.”

➤ [Board Policy REPT. Reporting Child Abuse, Neglect and Dependency/Child Protection.](#)

“Any school employee who has cause to suspect that any child is an abused, neglected, or dependent child must report the case of such child to the Director, or his authorized representative, of the Mecklenburg County Department of Social Services, as is required by North Carolina law, and to the school principal.”

➤ [Board Regulation REPT-R. Reporting Child Abuse, Neglect and Dependency/Child Protection.](#)

“All school employees are required to report known or suspected cases of child abuse, neglect, or dependency and, to the extent possible all acts alleged to have been committed by any adult against a child that would constitute abuse, neglect or dependency if they were perpetrated by a child’s parent, guardian, custodian or caretaker.”

2. Report Cases to DSS and the School Principal.

➤ [Who reports?](#)

All CMS employees are required to report known or suspected cases of child abuse, neglect, or dependency. N.C.G.S. § 7B-301(a)

➤ [What cases are reported?](#)

- **Abuse.** A child is abused if s/he is a victim of human trafficking; or if the child’s parent, guardian, custodian, or caretaker² inflicts or allows someone else to inflict serious physical injury on the child by other than accidental means; or the child’s parent, guardian, custodian, or caretaker uses or allows someone else to use cruel procedures or devices to discipline the child; or the child’s parent, guardian, custodian, or caretaker sexually or emotionally abuses or allows someone else to sexually or emotionally abuse the child; or if the parent, guardian, custodian, or caretaker approves, encourages, or directs the child to participate in delinquent acts. N.C.G.S. § 7B-101(1).
- **Neglect.** A child is neglected if s/he is a victim of human trafficking; or if the child’s parent, guardian, custodian, or caretaker does not provide proper care, supervision, or discipline; or the child has been abandoned; or the child is not provided necessary medical care or remedial

¹ “Juvenile” – a person who is less than 18 years of age and is not married, emancipated, or a member of the U.S. Armed Forces. N.C.G.S § 7B-101(14).

² “Caretaker” – a person who is responsible for the health, well-being, and safety of a juvenile in a residential setting. N.C.G.S. § 7B-101(3).

- care; or the child lives in an environment injurious to his/her welfare; or the child's custody has been unlawfully transferred; or the child has been placed for care or adoption in violation of law. N.C.G.S. § 7B-101(15).
- **Dependency.** A child is dependent if s/he has no parent, guardian, or custodian responsible for his/her care or supervision; or the child's parent, guardian, or custodian is unable to care for the child and lacks an appropriate childcare arrangement. N.C.G.S. § 7B-101(9).
 - Board regulations also require employees to report "all acts alleged to have been committed by any adult against a child that would constitute abuse, neglect or dependency if they were perpetrated by a child's parent, guardian, custodian, or caretaker." Board Regulations [P-REPT/R](#) and [O-ELX](#).
- When are cases reported?
- Cases must be reported when you have "**cause to suspect**" that a child has been abused, neglected, or dependent.
- Cause to suspect requires:
 - ✓ More than just a suspicion or feeling that the child is being abused, neglected, or is dependent;
 - ✓ Objective indicators such as the child's statements, changes in the child's appearance, or changes in the child's behavior; and
 - ✓ A good faith belief that the child is being abused, neglected, or is dependent.
 - Cause to suspect does not require:
 - ✓ Actual notice of abuse, neglect, or dependency;
 - ✓ Physical evidence; or
 - ✓ Independent investigation.
- Where are cases reported?
- State law requires cases of abuse, neglect, or dependency to be reported to the director of the department of social services in the county where the juvenile resides or is found. N.C.G.S. 7B-301(a).
 - Board regulation requires employees to make the reports to the director of the department of social services **and** to the school principal within twenty-four (24) hours of the time the employee becomes aware of or suspects that a child has been abused or neglected or is dependent. Board Regulation [P-REPT/R](#).
- How are cases reported?
- The report may be made in person, by telephone, or in writing.
 - The report should contain all information that you know, including:
 - ✓ The child's name, age, and address;
 - ✓ The name and address of the child's parent, guardian, custodian, or caretaker;
 - ✓ The names and ages of other children in the home;
 - ✓ The child's location if s/he is not at the home address;
 - ✓ The nature and extent of any injury or condition resulting from abuse, neglect, or dependency; and
 - ✓ Any other information that might be helpful.

3. Cooperate with the DSS investigation.

- As part of the investigation, DSS is entitled to any information or reports that may be relevant to the case, even if the information is confidential. N.C.G.S. § 7B-302(e).
- If you receive a written demand from DSS for information, you must cooperate and provide access to and copies of any requested information and records.
- If you report a case of suspected child abuse, neglect, or dependency; or cooperate with a DSS investigation; or testify in any judicial proceeding resulting from a DSS investigation, you are immune from civil or criminal liability, as long as you were acting in good faith. N.C.G.S. § 7B-309.

4. Keep Information Confidential.

- Information regarding suspected cases of abuse, neglect, or dependency is confidential.
- Board regulation limits disclosure to other CMS employees only when necessary for the best interest of the student. Board Regulation [P-REPT/R.](#)
- Board regulation prohibits discussion with non-CMS personnel, except as required by law. Board Regulation [P-REPT/R.](#)
- Improper disclosures may not be protected by immunity.

If you suspect that a child has been abused, neglected, or is dependent, please report the child's situation to DSS and the school principal. If you have concerns but are not sure whether the child has been abused, neglected, or dependent, please make the report to DSS and the school principal; there is no liability risk in reporting if the report is made in good faith.

Mandatory Reporting of Certain Crimes Against Juveniles

North Carolina has enacted a law requiring crimes against children be reported to law enforcement.

The important points to know are:

- Duty to report crimes against juveniles (N.C.G.S. § 14-316.8 (S.L. 2019-245)).
“Any person 18 years of age or older who knows or should have reasonably known that a juvenile³ has been or is the victim of a violent offense, sexual offense, or misdemeanor child abuse under N.C.G.S. 318.2 shall immediately report the case of that juvenile to the appropriate local law enforcement agency in the county where the juvenile resides or is found.”
- This requirement is in addition to the mandatory reporting to DSS (N.C.G.S. 7B-301).
- CMSPD is an appropriate law enforcement agency
- Who reports?
 - **All** CMS employees
- What cases are reported?
 - **Serious bodily injury:** Bodily injury that creates a substantial risk of death or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization; **Serious bodily or physical injury:** injury that causes great pain and suffering. The term includes serious mental injury; sexually violent offense; an offense committed against a juvenile that is a sexually violent offense as defined in G.S. 14-208.6(5). This term also includes the following: an attempt, solicitation, or conspiracy to commit any of these offenses; aiding and abetting any of these offenses; or Violent offense.
- When are cases reported?
 - State law requires that knowledge of certain crimes against juveniles be reported immediately
*Knowledge requires:
 - ✓ Personal awareness of consciousness of a situation or event; or
 - ✓ Evidence that can be presented that a reasonable person would have known the relevant fact.
- How are crimes against juveniles reported to law enforcement?
 - The report may be made orally in person or by telephone.
 - The report should contain all information that you know, including:
 - ✓ The juvenile’s name, age, address, and present whereabouts if not at home;
 - ✓ The name and address of the juvenile’s parent, guardian, custodian, or caretaker;
 - ✓ Alleged perpetrator’s name, age, and address (if known);
 - ✓ Location of the alleged offense (if known);
 - ✓ Nature and extent of any injury or condition resulting from offense;

³ Juvenile” – a person who is less than 18 years of age and is not married, emancipated, or a member of the U.S. Armed Forces.

- ✓ Names and ages of other juveniles present or in danger (if known);
 - ✓ The nature and extent of any injury or condition resulting from abuse, neglect, or dependency; and
 - ✓ Any other information that might be helpful.
 - ✓ **Reporter must give name, address, and telephone number⁴.
- Information regarding suspected cases of abuse, neglect, or dependency is confidential.

If you suspect that a child has been the victim of a qualified crime, please report the child's situation to law enforcement or the school principal. If you have concerns but are not sure whether the child has been abused, neglected, or dependent, please make the report to DSS and the school principal; there is no liability risk in reporting if the report is made in good faith.

⁴ Identity is protected and may only be revealed when meeting criteria for 911 or emergency call disclosure.

From: taralynn sullivan <taralynn.sullivan@cms.k12.nc.us>
Sent: Sunday, August 27, 2023 7:17 PM EDT
To: Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us>
CC: Erin I. Shoemaker <erin.labore@cms.k12.nc.us>
Subject: Re: Classroom Library email
Attachment(s): "Outlook-4gbqqfoj.png", "Outlook-rz53xjlx.png"

Yes - I think that is the desire - I don't have the principal list serv yet but I can send to Jaron and Lynda in AM to send out. That work? I also will check with Julie to get us access to Listserv.

Sent from my iPhone

On Aug 27, 2023, at 7:13 PM, Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us> wrote:

Awesome Erin! Tara should we just send this off cycle tomorrow??

Get [Outlook for iOS](#)

From: Erin I. Shoemaker <erin.labore@cms.k12.nc.us>
Sent: Sunday, August 27, 2023 6:48:56 PM
To: Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us>
Cc: taralynn sullivan <taralynn.sullivan@cms.k12.nc.us>
Subject: Re: Classroom Library email

You got it!

The memo is linked [here](#) and attached as a PDF.

Thanks,
Erin

Erin Shoemaker
Executive Director, Learning and Teaching
Charlotte-Mecklenburg Schools
Education Center, Folk Building,
4421 Stuart Andrew Blvd
Charlotte NC 28217
Twitter: @erinshoemaker81
wearecms.com

[<Outlook-rz53xjlx.png>](#)

From: Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us>
Sent: Sunday, August 27, 2023 6:39 PM
To: Erin I. Shoemaker <erin.labore@cms.k12.nc.us>
Cc: taralynn sullivan <taralynn.sullivan@cms.k12.nc.us>
Subject: Re: Classroom Library email

Thanks Erin, yes memo format would be great!

Get [Outlook for iOS](#)

From: Erin I. Shoemaker <erin.labore@cms.k12.nc.us>
Sent: Sunday, August 27, 2023 5:57:59 PM
To: Brightwell, Nancy R. <nancyr.brightwell@cms.k12.nc.us>
Cc: taralynn sullivan <taralynn.sullivan@cms.k12.nc.us>
Subject: Classroom Library email

Hi Nancy,

Below is a message about K-4 classroom libraries that I was asked to draft. I used the wording from the FAQ. Would you like this in a memo format or will this be sent out as an email?

Thanks,
Erin

TO: All Elementary and K-8 Principals
FROM: Jaron Carson, Chief Equity and School Performance Officer
Nancy Brightwell, Chief Academic Officer
DATE: August 28, 2023
SUBJECT: K-4 Classroom Libraries
ACTION: Review and share information with K-4 teachers

Elementary school principals should inform all K-4 teachers to review their classroom libraries to ensure they are compliant with the Parents' Bill of Rights. Principals should advise teachers to remove any books from classroom libraries that have content related to gender identity, sexual activity or sexuality that students may access as a part of independent reading tasks.

Erin Shoemaker
Executive Director, Learning and Teaching
Charlotte-Mecklenburg Schools
Education Center, Folk Building,
4421 Stuart Andrew Blvd
Charlotte NC 28217
Twitter: @erinshoemaker81
wearecms.com

[<Outlook-4gbqqfoj.png>](#)

CRMS

Charter Review Management System

CRMS

Charleston-Mecklenburg Schools



January 16, 2024

VIA ONLINE PORTAL

Charlotte-Mecklenburg Schools
P.O. Box 30035
Charlotte, NC 28230-0035
[Via Online Portal](#)

Re: Public Records Act Request

Dear Public Records Custodian:

Pursuant to the North Carolina Public Records Act, as codified at North Carolina General Statutes ch. 132, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following records as promptly

All formal or informal guidance, assessments, recommendations, or planning documents prepared by your office or otherwise provided by another government office or by independent experts, related to identifying curriculum materials prohibited by SB 49,¹ specifically, materials involving “instruction on gender identity, sexual activity, or sexuality.”

Please provide all responsive records from August 16, 2023, through the date the search is conducted.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fee.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all

¹ See S.B. 49, 2023-2024 Sess. (N.C. 2023), available at <https://www.ncleg.gov/Sessions/2023/Bills/Senate/PDF/S49v5.pdf>

prior messages sent or received in that email chain, as well as any attachments to the email.

- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Public Records Act.²
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information

² See Atty. Gen. Josh Stein, *North Carolina Open Government Guide* at 22 (2019), <https://ncdoj.gov/wp-content/uploads/2020/01/2019-Open-Government-Guide-2.pdf> (“Emails about official business are public records even if they are sent using the personal email account of an employee or official.”).

gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.com.³

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Elizabeth Haddix at records@americanoversight.org or (252) 359-7424 ext. 1031.

Sincerely,

/s/ Elizabeth Haddix
Elizabeth Haddix
on behalf of
American Oversight

³ American Oversight currently has approximately 16,000 followers on Facebook and 111,400 followers on Twitter.com. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 12, 2024); American Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited Jan. 12, 2024).

SB 49: Parents Bill of Rights And Impact on School Policies

August 24, 2023

The Facts

North Carolina legislature ratified Senate Bill 49 (called Parents' Bill of Rights) into law on August 15, 2023. It is [linked here](#).

Communication-led Efforts

Initial communication about the Parents' Bill of Rights webpage and associated slides will be sent by the Communications Division to ensure distribution to all families.

The Facts

- Under this bill, parents have the right to the following for (or on behalf of) their child:
 - Direct education
 - Direct the upbringing of moral or religious training
 - Enroll in a public/non-public school in any school choice options available
 - Review all educational records
 - Make healthcare decisions
 - Access and review all medical records
 - Prohibit the creation, sharing or storage of biometric scan, blood or DNA
 - Prohibit the creation of video or voice recording
 - Receive prompt notification of criminal offense

CMS Response to New State Law

Charlotte-Mecklenburg Board of Education approved changes to CMS Board Policy on Tues, Aug 22. These include:

- Parent Involvement in Education (S-PRNT)
- Student Health (S-HLTH)
- Comprehensive Health Education (A-CHE)
- Instructional and Library Media Center Materials (A-ILM)

The Facts

Much of this is similar to our current practice
but
there are some procedures that we need to
modify or begin using.

Big Ideas

Parents have the right to:

- Access information
- Request information
- Report Concerns/ Submit Objections
- Opt in for specific things that take place at school
- Receive notification about specific things

What is not new?

Parents have the right to:

- Access information
- Request information
- Report Concerns/ Submit Objections
- Opt in for specific things that take place at school
- Receive notification about specific things

What is new?

Parents have the right to:

- Access information
- Request information
- Report Concerns/ Submit Objections
- Opt in for specific things that take place at school
- Receive notification about specific things

What needs to have districtwide procedures?

Parents have the right to:

- Access information
- Request information
- Report Concerns/ Submit Objection
- Opt in for specific things that take place at school
- Receive notification about specific things

Why districtwide procedures?

- Your primary focus as instructional leaders needs to be centered on teaching and learning.
- It is our job as a district to support you in maintaining that focus.
- We are all responsible for upholding the law.

What is most important to know right now?

Access Information

The screenshot shows a web browser window displaying the CMS (Charlotte-Mecklenburg Schools) website. The URL is cmsk12.org. The page is titled 'PARENTS BILL OF RIGHTS' and features a prominent orange banner that reads 'COMING SOON' diagonally across the 'PARENT INVOLVEMENT' section. The navigation menu includes 'CMS Home', 'All Schools', 'En Español', 'Translate', 'Staff', and 'I want to...'. The breadcrumb trail indicates the current page is 'Home > Parents & Students > Parents Bill of Rights > Parent Involvement in Education'. The 'PARENT INVOLVEMENT' section contains text about the Board's commitment to family involvement and improved student achievement.

High Contrast OFF ON

CMS Home All Schools En Español Translate Staff I want to...

cms
Charlotte-Mecklenburg Schools

Parents & Students Academics Community Board of Education Departments Careers About

Home > Parents & Students > Parents Bill of Rights > Parent Involvement in Education

PARENTS BILL OF RIGHTS

PARENT INVOLVEMENT

COMING SOON

S-PRNT - Parent Involvement in Education

A-SLM - Selection of Learning and Supplementary Instruction

A-CHE - Comprehensive Health Program

S-HLTH - Student Physical and Mental Health

Forms (Coming Soon)

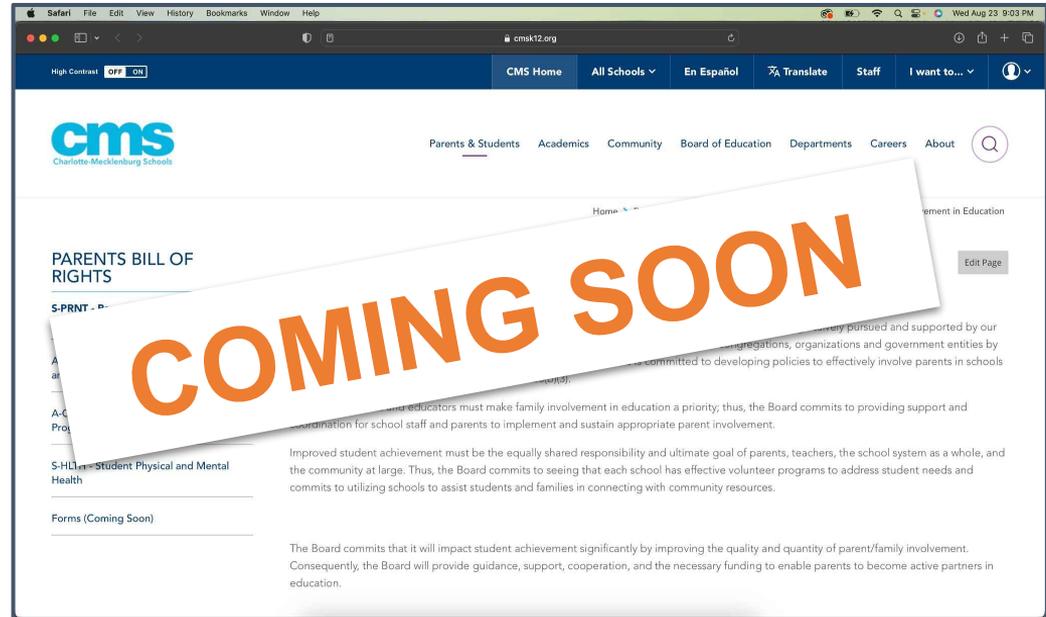
The Board commits that it will impact student achievement significantly by improving the quality and quantity of parent/family involvement. Consequently, the Board will provide guidance, support, cooperation, and the necessary funding to enable parents to become active partners in education.

What is most important to know right now?

Requesting Information

Examples:

- **All** curriculum and supplemental instructional resources
- Student records
- Requests for Evaluations
- Requests to purchase textbooks from a vendor

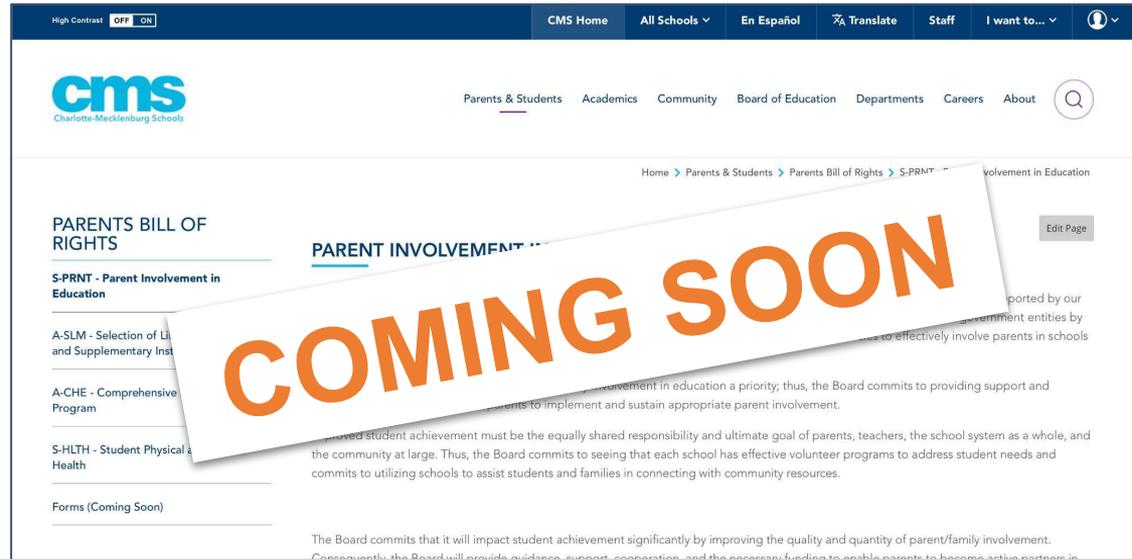


What is most important to know right now?

Opt In to Specific Activities

- Opt in to student surveys
- Opt in to Reproductive Health Lessons (Grades 5-9)

One form for all students in grades K-12. The form will automatically populate the appropriate grade-level options when parent enters Student ID Number.



The screenshot shows the CMS website interface. At the top, there is a navigation bar with links for 'CMS Home', 'All Schools', 'En Español', 'Translate', 'Staff', and 'I want to...'. Below this is the CMS logo and a search bar. The main content area features a breadcrumb trail: 'Home > Parents & Students > Parents Bill of Rights > S-PRNT - Parent Involvement in Education'. A large, white, tilted banner with the text 'COMING SOON' in orange is overlaid on the page. The background page content includes the heading 'PARENTS BILL OF RIGHTS' and 'PARENT INVOLVEMENT', along with a list of forms: 'S-PRNT - Parent Involvement in Education', 'A-SLM - Selection of Learning and Supplementary Instruction', 'A-CHE - Comprehensive Health Program', and 'S-HLTH - Student Physical and Health'. A 'Forms (Coming Soon)' section is also visible.

What is most important to know right now?

Opt In to Specific Activities

Students should not participate in any surveys or Reproductive Health Lessons (Grades 5-9) until you have verified that parents have “Opted In” via the Opt-In Process.

What is most important to know right now?

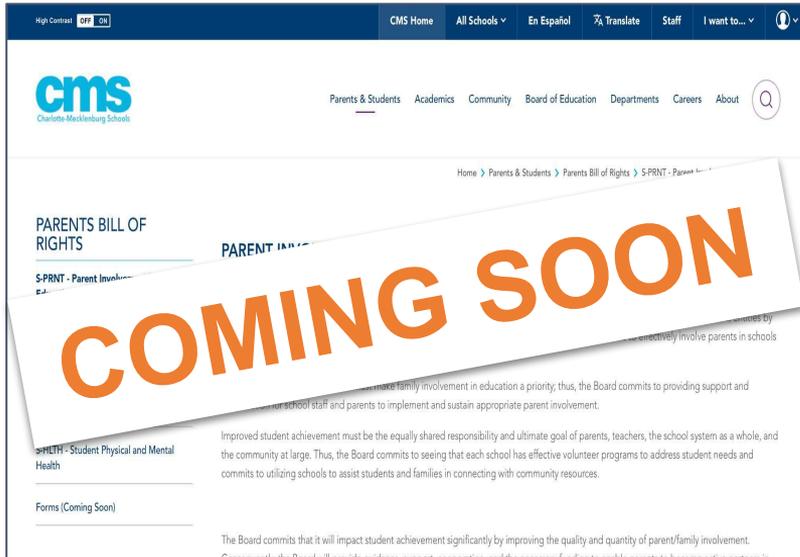
Opt In to Specific Activities

Do not permit students to engage in Health Screenings without parental consent.

Specific instructions for managing health screenings will be shared after the first 10 days of school.

What is most important to know right now?

Student Information Form

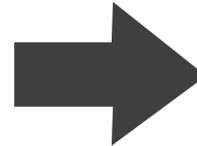


A new form (**2023-2024 Student Information Form**) has been created to collect baseline information about student name/pronoun

What is most important to know right now?

Student Information Form

100% of parents/guardians will need to complete the electronic information form within the first ten days of school

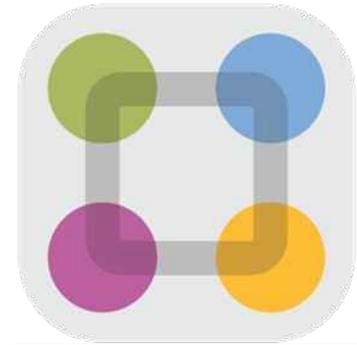


- Check Navigator Portal at the end of the first week (September 1st) to monitor completion rate.
- Continue to reach out to parents to ensure 100% of students submit the new form.
- All new enrollees should complete the form along with the registration process at the school.

What is most important to know right now?

Receive Notification

Ensure staff notify the parent/guardian using district-approved messaging and the ParentSquare app if a child asks to be called a name that is different from the name indicated on the **2023-2024 Student Information Form**.



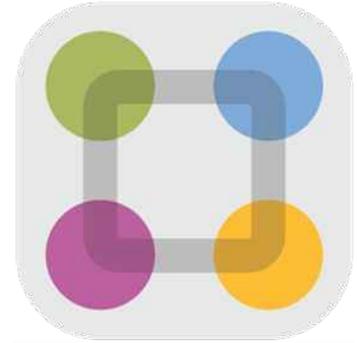
ParentSquare

District-Approved Messaging for Notifying Parents of Name/Pronoun Change

District- Approved Messaging:

Good Morning/Afternoon/Evening. I just wanted to notify you that ____ now wants to be called____. Thank you.

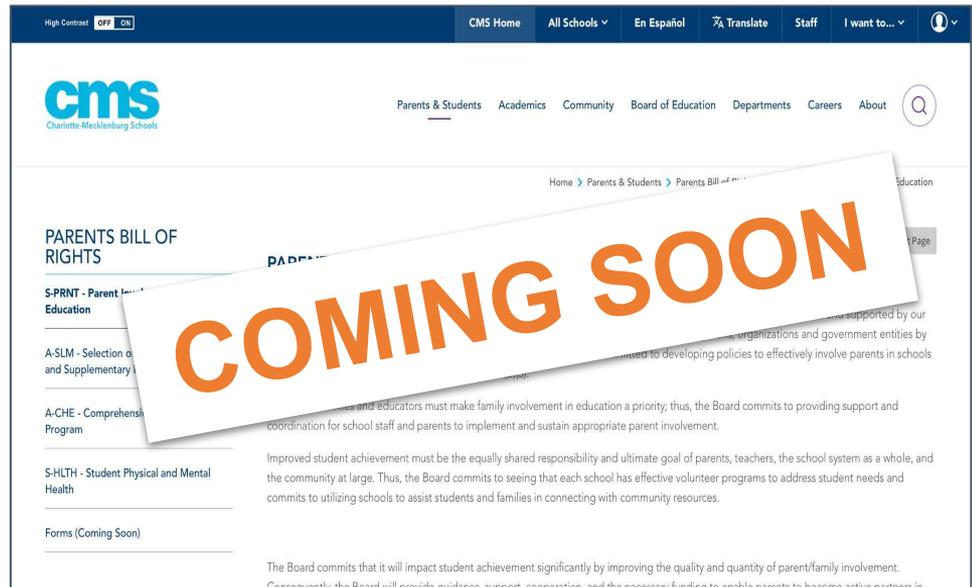
Note: This requires **notice to parents/guardians** and not **consent from parents/guardians**.



ParentSquare

Where will resources be located?

- Parents' Bill of Rights Webpage will be live Friday, Aug. 25th.
- All forms will be live on the webpage Friday, August 25th:
 - 2023-2024 Student Information Form
 - Opt-In Information included in this form for all grade levels (CHE and PRNT)
 - 2023-2024 Request for Information Form (PRNT)
 - 2023-2024 Parental Concerns for Health Policy Concerns (HLTH)
 - 2023-2024 Parental Objection Textbooks, Supplementary Materials, Library Materials (ILM)



Using the Resources: The Crown Experience

Required Process: Collect 2023-2024 Student Information Form from 100% of students/families.

Remember the Crown Experience:

- Have options to support parents with completing the form if they do not have access to technology at home.
- Kindly encourage parents to utilize the process for completing forms and submitting requests and concerns through the district's process.
- Help families who may need support completing forms.
- Superintendent Hill will have to provide an accurate account of requests and resolutions to the State at the end of the school year.
- Using the district-provisioned system will help us to track submissions and accurately account for and document resolutions.



Using the Resources: The Crown Experience

Required Process: Submit Requests for Information, Concerns, Objections, Opt-In's using the provisioned forms:

Sample Script when parents don't complete the online form but communicate a request, concern, etc. to you in some other written form or verbally.

"Thank you so much for sharing (*your concern, request, etc.*) with me. I want to make sure that I accurately capture (*your concern, request, etc.*) to make sure that I respond to you with accurate information in a timely manner. Please help me to do this by completing this form. (*Provide link to the form and/or help them complete the form.*). I want to make sure that I prioritize (*your concern, request, etc.*)"



What do you need to do?

Reminder

CMS staff **must** comply with Parents' Bill of Rights and CMS Board Policy.

What do you need to do?

Step 1

Aug 27

Review the resources on the CMS website prior to the first day of school

- Notification will be sent to you via email when the website is live

What do you need to do?

Step 2

Ongoing, starting Aug 28

Ensure all staff utilize the district required process to establish the **student's name and pronouns** within the first 10 days of school.

Required Process: Collect 2023-2024 Student Information Form from 100% of students/families.

What do you need to do?

Step 3

Ongoing, starting Aug 28

Ensure you utilize the district's process to **notify the parent using ParentSquare** if the child asks to be called a name different than the name/pronoun indicated on the 2023-24 Student Information Form.

Do NOT do these things

- **Do not** distribute well-being questionnaires or health screening forms for grades kindergarten through third grade (until further notice by district)
- **Do not** open media centers (for circulation) before Sept. 11
- **Do not** share personal opinions or attempt to interpret legislation ([Policy P-POLI](#))
- **Do not** update **individual school websites** with Parents' Bill of Rights Information

Do NOT do these things: Students in K-4

- **Do not** conduct any instruction about gender identity, sexual activity or sexuality for kindergarten through fourth grade students
- In this legislation, K-4 students are not to participate in ANY content, lessons or instruction on Gender Identity. This includes any materials that might be included in:
 - Support materials
 - Locally-developed curriculum
 - Supplemental Instruction
 - Textbooks or Supplementary Materials

Important Note About Title IX and Parents' Bill of Rights

Title IX	Parents' Bill of Rights
Federal Legislation	State Legislation
Parents OPT-OUT of Title IX Lessons	Parents OPT-IN to Reproductive Health Lessons (Grades 5-9)
Same process as in years past	New Process this year
<i>Lessons are a requirement per an OCR agreement between OCR and CMS many years ago.</i>	

AMERICAN OVERSIGHT



Timelines

CMBE Policy	Parental Right	Initial response from principal due	If not resolved, LC Supt. response due	If not resolved, Supt. response due
HLTH	Submit a Concern	7 calendar days from submission Principals must resolve, notify parents or escalate to the learning community superintendent	Days 8 - 14 , Learning community superintendent must resolve, notify parents or escalate to the superintendent.	Between days 15-30 , the superintendent must resolve, notify parents or send a letter explaining the unresolved concern.
ILM <small>Textbook & Supplemental Instructional Materials</small>	Request for information	10 business days from submission OR Provide notification of extension request, due to the complexity, for up to an additional 10 business days.	X	10 days from submission OR Provide notification of extension request, due to the complexity, for up to an additional 10 business days.
PRNT	Request for information		X	

Library Materials Objections: Follow current policy; updates forthcoming

Review of Instructional Materials Timeline

CMBE Policy	Curriculum Availability for Review
A-CHE <i>(Reproductive Health and Safety Education)</i>	At least 60 days prior to instruction

What do you need to do?

Reminder

CMS staff **must** comply with Parents' Bill of Rights and CMS Board Policy.

SB 49: Parents Bill of Rights And Impact on School Policies

August 24, 2023

Appendix

(additional information about each new policy)

Parent Involvement in Education (S-PRNT)

- Display parental legal rights on CMS website
- Provide an annual parent guide for student achievement (forthcoming once the State provides additional guidance)
- Create a regulation that outlines processes related to policy
- Reply to all parent requests for information
 - Principal must reply within **10 business days** of receipt of the request.

or

 - Provide notification of extension request, due to the complexity, for up to an **additional 10 business days**.

Student Health (S-HLTH)

- Unless you believe disclosure will result in the abuse or neglect of a child, CMS is required to:
 - Notify parents of student health
 - Health services offered, acknowledgement of parental consent to services and procedures to exercise parental remedies.
 - Advanced notification of student well-being questionnaire or health screening (for students kindergarten through third grade)
 - Notification of changes in mental, emotional, physical health services
 - Advanced notification of name or pronoun change in a school record or personnel
- Prohibit instruction on gender identity, sexual activity or sexuality for kindergarten through fourth grade

Student Health (S-HLTH) - cont'd

- Reply to all parent concerns
 - Principal must resolve, notify parents or escalate to the learning community superintendent within **seven (7) days** of receipt of the request.
 - Between **days 8 - 14**, learning community superintendent must resolve, notify parents or escalate to the superintendent.
 - Between **days 15-30**, the superintendent must resolve, notify parents or send a letter explaining the unresolved concern.

Comprehensive Health Education Program (A-CHE)

- Under this policy, CMS will:
 - Teach a comprehensive health education program to students kindergarten through ninth grade
 - Teach reproductive health and safety education curriculum to students beginning in fifth grade
 - Allow parents the opportunity to review instructional materials
 - Obtain parental consent for student participation in reproductive health and safety curriculum

Instructional Library Media Center Materials (A-ILM)

- CMS will make available the best instructional and supplementary materials
- Schools must establish a media advisory committee by Sept. 11
 - The Committee shall be appointed by the principal and co-chaired by the assistant principal and the library media coordinator or designee. Members shall include teachers who represent all subject areas or grade levels, two students (in middle or high schools), and two parent/community representatives
 - Schools create a School Media Advisory Committee (SMAC). The membership ([signed form](#)) of the committee is recorded in Canvas by the media coordinator/ staff at each school. Directions are linked [here](#).
 - All book challenges must be sent to kimberly.ray@cms.k12.nc.us
- **NEW!** Regulation Updates (*available by Sept. 30*)
 - Book challenge response time reduced from 30 days to 20 days
 - Supplemental and Curriculum Instructional materials objection process will differ from the Library Book objection process