



2009-2010

# FORMS AND NOTICES

**Important: Forms needing  
your signature are included.**

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# 2009 – 2010 Student Forms and Notices

This packet includes important forms and information previously found in the Parent-Student Handbook. Please read the full packet, fill out and return the applicable forms to your child’s school. The complete 2009-2010 Parent-Student Handbook can be found on the CMS Web site: [www.cms.k12.nc.us](http://www.cms.k12.nc.us).

## TABLE OF CONTENTS

Forms	Page #	Notices	Page #
CMS Student Textbook		Notification Of Rights Under FERPA.....	10
Accountability Standards .....	1	Directory Information .....	11
Student Locker Assignment (Grades 6-12) .....	2	Model Notification Of Rights Under The Protection Of Pupil Rights Amendment (PPRA).....	12
Participation In Physical Education (Grades K-12) .....	2	Housing Emergencies .....	13
Photo And Video Release Form .....	3	Title IX .....	14
Musical Instrument Disclaimer Form .....	4	§ 115C-391.1. Permissible Use Of Seclusion And Restraint .....	15-16
Medication Authorization For CMS Students .....	5	Federal Law Parental Rights Regarding Section 504 Of The Rehabilitation Act of 1973 .....	17
Authorization For Self-Medication By CMS Students .....	6	Exceptional Children.....	18
Asthma Action Plan/Medication Authorization Form .....	7	Americans With Disabilities Act.....	19
Diet Order Form .....	8	No Child Left Behind.....	20
Parent Revocation Of Student Internet Access.....	9	Annual EPA Mandatory Asbestos Awareness Letter .....	21
		Student Discipline .....	22



## Agreement for Students Enrolled in CMS

Charlotte-Mecklenburg Schools teachers and administrators are committed to providing students with textbooks during the first 10 days of school and promise to work together to promote a sound and positive teaching and learning experience for each student. This contract is an agreement to work in partnership to ensure the successful attainment of our mutual goal.

As a **student**, I pledge to

- use textbooks appropriately
- avoid damaging and losing textbooks
- pay for textbooks that I damage or lose

Student's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

As a parent/guardian of \_\_\_\_\_, I pledge to

- encourage appropriate use of textbooks and monitor the textbooks my child brings home from school
- support the school staff in their efforts to provide my child with the textbooks needed for learning
- monitor the textbooks my child brings home from school
- encourage my child to be responsible for the proper use of the textbooks
- return textbooks at the end of the year, or if my child moves to another school within or outside the district
- pay for textbooks that are damaged or lost

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

As a **teacher**, I pledge to

- explain my expectations and instructional goals to students and parents during orientation and throughout the year
- assign textbooks to students being careful to evaluate the book before issuing it to the student
- provide a challenging, caring, learning environment, using the textbook as a teaching tool to support the *North Carolina Standard Course of Study*
- maintain accurate records on textbooks
- collect and issue a receipt for lost and/or damaged textbooks

Homeroom Teacher's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The principal, as the instructional leader of the school, is committed to providing your child with the textbooks needed to support the *North Carolina Standard Course of Study*. Parental involvement is essential as we work to give your child the best educational experiences possible.

### FOR SCHOOL USE ONLY

Issued Textbooks for the \_\_\_\_\_ - \_\_\_\_\_ School Year

Subject	Course #	Title	Book #	Condition	Cost	Teacher #
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						





# STUDENT LOCKER ASSIGNMENT (GRADES 6-12)

Lockers are the property of the district. They should only contain supplies needed for school and are subject to authorized searches at any time.

Signature of student: \_\_\_\_\_

Signature of parent/guardian: \_\_\_\_\_

School: \_\_\_\_\_ No. of locker assigned: \_\_\_\_\_

Date assigned: \_\_\_\_\_ Date: \_\_\_\_\_

Assigned by: \_\_\_\_\_ Locker combination: \_\_\_\_\_



# PARTICIPATION IN PHYSICAL EDUCATION (GRADES K-12)

All students shall participate in physical education. No student shall be permitted to waive or substitute other classes for the physical education requirement except as follows: Suitably adapted physical education shall be included as part of the Individualized Education Program for students with a chronic health problem, other disabling conditions, or other special needs that preclude following the Physical Education portion of the N.C. Standard Course of Study (see IDEA, PL 105-17).

Name of student: \_\_\_\_\_

Teacher: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

**Please Check One:**

- My child is able to fully participate in physical education.
- I would like the physical education teacher to be aware of the following health concerns (e.g., diabetes, allergic reactions, asthma, heart conditions) that may require modifications or a specially designed physical education program:

\_\_\_\_\_  
\_\_\_\_\_

Signature of parent/guardian: \_\_\_\_\_ Date: \_\_\_\_\_



# PHOTO AND VIDEO RELEASE FORM

I grant Charlotte-Mecklenburg Schools the unlimited right to use and/or reproduce photographs\*, likenesses or the voice of my child in any legal manner and for the internal or external promotional and informational activities of Charlotte-Mecklenburg Schools. I also agree to allow my child to be interviewed and/or photographed\* by representatives of the external news media and CMS TV in relation to any and all coverage of Charlotte-Mecklenburg Schools in which he/she is involved. I also agree to allow my child's work and/or photograph\* to be published on the Charlotte-Mecklenburg Schools Web site/Intranet Web pages, CMS publications or CMS TV. I further understand that by signing this release, I waive any and all present or future compensation rights to the use of the above stated material(s).

School name: \_\_\_\_\_

Student's name: \_\_\_\_\_ Homeroom teacher: \_\_\_\_\_

Parent/guardian signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/guardian name (Print): \_\_\_\_\_

Parent/guardian address: \_\_\_\_\_

*\* "Photograph" in this Release Form is intended to only refer to photos of your child alone. Group photographs (two or more children), with no additional identifying information, are considered Directory Information. Please review the FERPA information sheet provided in your packet.*

## This information to be completed by school officials only.

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

### Type of Material

- Photograph
- Slide
- Videotape
- Other (please specify) \_\_\_\_\_

### Use of Material

(Please provide additional information such as name of news outlet, brochure, purpose of presentation, etc.)

- News outlet \_\_\_\_\_
- CMS Web site/Intranet site(s) \_\_\_\_\_
- Brochure \_\_\_\_\_
- CMS TV \_\_\_\_\_
- PowerPoint presentation \_\_\_\_\_





# MUSICAL INSTRUMENT DISCLAIMER FORM

## Instrument Storage Areas

Individual schools may provide storage areas where instruments may be kept overnight, **if necessary**.

These storage areas are not individual lockers, but shelving areas. Since students have access to these areas before and after class, the Charlotte-Mecklenburg Board of Education assumes no responsibility for any loss or damage to any instrument stored at these locations.

## School-Owned Instruments - Instrument Changes

Students who will be using school-owned instruments such as a tuba, barisax, tenor sax, oboe, bass, clarinet, French horn, cello or string bass must complete a Charlotte-Mecklenburg Schools Liability Form before an instrument can be used by the student. This form can be obtained from the instrumental music teacher.

All changes of instruments are at the discretion of the music director.

## Instrument Repair

If a student's instrument (student-owned) needs repair, it should be taken to an instrument repair shop in a timely manner. Please provide a written note with the name of the repair shop, the date the instrument was taken in and when it is expected to be returned so that your child's grade will not be affected.

Name of school: \_\_\_\_\_  
(Please print)

Student name: \_\_\_\_\_  
(Please print)

Signature of parent/guardian: \_\_\_\_\_ Date: \_\_\_\_\_





# MEDICATION AUTHORIZATION FOR CMS STUDENTS

School name: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

To the parent or guardian of: \_\_\_\_\_ Birth date: \_\_\_\_\_

In order to help protect your child's health, your consent and written authorization from a licensed healthcare provider are required when it is necessary for your child to receive either prescription or non-prescription medicines in the Charlotte-Mecklenburg Schools. No medications will be given to your child at school until this authorization has been received. A separate form is required for each medicine. New authorization forms are required every year at the beginning of school, whenever the dose or directions change, or when a new medicine is prescribed. It is your responsibility to provide all medicines to be given at school. Each medicine must be in an appropriately labeled original container from the pharmacy or healthcare provider's office. Most pharmacies will provide an extra container for school use upon request. A completed authorization is also required for the administration of non-prescription medicines at school.

**PARENT OR GUARDIAN'S PERMISSION:** I give permission for my child to receive the medicine described below during school hours. I understand that it is my responsibility to purchase and supply this medicine. On behalf of my child, I absolve the Charlotte-Mecklenburg Board of Education and their agents and employees from any and all liability whatsoever that may result from my child taking this medicine at school.

Signature of parent or guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Contact numbers: \_\_\_\_\_  
(pager or mobile, work, home telephone #s)

**FOR LICENSED HEALTHCARE PROVIDER USE ONLY:** (Please write legibly using lay terms.)

Medication prescribed: \_\_\_\_\_ Strength/dose: \_\_\_\_\_

**Specific Directions:**

[include exact amount to give, at what time and/or how often, relationship to meals, specific indications, e.g. if prn (as needed)]

Purpose of medication: \_\_\_\_\_

Relationship to meals, if applicable: \_\_\_\_\_

How often and at what time (hour): \_\_\_\_\_

Specify side effects or adverse reactions: \_\_\_\_\_

Other instructions (including emergency situations): \_\_\_\_\_

**Please check all appropriate items. If either of the first two items is checked, please complete the form on page 6.**

- Please allow this student to self-administer this medication while at school during school hours. **(must complete the form on page 6)**
- This student should carry the medication with him/her at all times during the school day, while at school-sponsored events, or while in transit to or from school or school-sponsored activities. **(must complete the form on page 6)**
- This medication is to be used for emergencies only.

It is necessary for this student to receive this medication during school hours in order to maintain or improve health and to benefit from school attendance. Please notify the principal and/or school nurse and parents/guardians if there are any problems.

Signature of healthcare provider: \_\_\_\_\_ Provider's last name (Print): \_\_\_\_\_

Practice name or address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Date: \_\_\_\_\_

**FOR SCHOOL USE ONLY:**

Signature of healthcare provider: \_\_\_\_\_ Provider's last name (Print): \_\_\_\_\_





# AUTHORIZATION FOR SELF-MEDICATION BY CMS STUDENTS

Student's name: \_\_\_\_\_ Birth date: \_\_\_\_\_

Medication: \_\_\_\_\_ For: \_\_\_\_\_

**Eligibility:** In accordance with CMS Policy JLCD, Administering Medications to Students, and its accompanying regulation, JLCD-R, only students who meet the following descriptions may possess and self-administer medications: (1) Students with special medical needs such as asthma and/or severe allergies or who are subject to anaphylactic reactions and may require emergency medications (i.e., asthma inhaler or epinephrine auto-injector ["Epi-pen"]); and (2) Students who require frequent administrations of non-prescription medications or prescription medications that are not controlled substances.

**Healthcare provider:** The student named above has (1) asthma or an allergy that could result in an anaphylactic reaction and may require emergency medications; or (2) a condition that requires frequent administration of a prescription or non-prescription medication. The medication is not a controlled substance. This student is capable of, has been instructed on the procedures for, and has demonstrated the skill to self-administer this medication as directed on page 5. Please allow him/her to self-administer the medication during school hours and as otherwise indicated on page 5.

- This student will not require adult supervision while taking this medication.

Physician signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Parent/guardian:** I give consent to the Charlotte-Mecklenburg Schools to allow my child to self-administer this medicine at school. I understand that my child and I assume responsibility for the proper use and safekeeping of this medicine. If the medication that is prescribed for my child is for the treatment of asthma or anaphylactic reactions, I agree to provide a supplementary supply of the medication that will be kept by the school in a location where my child has immediate access. I absolve the Charlotte-Mecklenburg Board of Education, its agents and employees from any and all liability whatsoever that may result from my child possessing or taking this medicine at school. I further consent for the information about my child included on pages 5 and 6 to be shared with appropriate school staff as necessary for the safety of my child.

Parent/guardian signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Student:** I am capable of taking this medicine as recommended and accept this responsibility. I will keep it secure at all times and will not share it with others. I understand that I will be subject to discipline under the *Code of Student Conduct* if I abuse the privilege of being allowed to self-medicate while at school or school-sponsored activities. Unless the medication is prescribed for the treatment of asthma or anaphylactic reactions, I understand that I will lose the privilege of self-administering my medication if I do not follow these rules.

Student signature: \_\_\_\_\_ Date: \_\_\_\_\_

**School nurse:** I have reviewed this request and acknowledge that this student has demonstrated the skill level to self-administer this medication. I have informed this student that he/she must tell an appropriate staff member whenever he/she has used the medication at school.

Nurse signature: \_\_\_\_\_ Date: \_\_\_\_\_



# ASTHMA ACTION PLAN/ MEDICATION AUTHORIZATION FORM

Student Name: \_\_\_\_\_ Student ID#: \_\_\_\_\_  
 School/Year: \_\_\_\_\_ 20\_\_ to 20\_\_ Grade: \_\_\_\_\_ Teacher: \_\_\_\_\_  
 Parent/Guardian: \_\_\_\_\_ Contact Number: \_\_\_\_\_  
 Physician's Name: \_\_\_\_\_ Physician's Phone/Fax: \_\_\_\_\_



**IMPORTANT INSTRUCTIONS**

1. **NO SMOKING in your home or car, even if your child is not with you.**
2. Always use a spacer with inhalers (MDIs).
3. Shake inhaler before every spray (puff).
4. Remove, control and stay away from known triggers in your child's environment.
5. Clean plastic part of inhaler weekly using package directions.
6. Prime inhaler after opening and before use if not used in more than two weeks. Proair-three puffs, all others four puffs.

**CHILD'S TRIGGERS ARE:** (circle or check all that apply to your child)

- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> Respiratory infections or flu | <input type="checkbox"/> Mold               | <input type="checkbox"/> Pollen         | <input type="checkbox"/> Dust, dust mites       |
| <input type="checkbox"/> Weather/temperature changes   | <input type="checkbox"/> Indoor pets        | <input type="checkbox"/> Exercise       | <input type="checkbox"/> Strong odors or sprays |
| <input type="checkbox"/> Indoor/outdoor pollution      | <input type="checkbox"/> Household cleaners | <input type="checkbox"/> Strong emotion | <input type="checkbox"/> Cockroaches            |
| <input type="checkbox"/> Smoke                         | Other allergies _____                       |   |   |

**GREEN ZONE - ALL CLEAR USE CONTROLLER MEDICINES**

**ASTHMA IS WELL CONTROLLED**

You should have:



- No wheezing
- No coughing
- No chest tightness
- No waking up at night because of asthma
- No problems with play because of asthma

Peak flow number from \_\_\_\_\_ to \_\_\_\_\_

**No Controller medicine needed at this time.**

Medicine	Method	How much	How often
_____	_____	_____	_____ times per day
_____	_____	_____	_____ times per day
_____	_____	_____	_____

15 minutes before exercise use \_\_\_\_\_ puffs (inhaled) \_\_\_\_\_

*\*Rinse child's mouth after using inhaled steroids (daily/controller medicines).*

**YELLOW ZONE - CAUTION! - TAKE ACTION USE CONTROLLER MEDICINES**

**ASTHMA GETTING WORSE**

You may have:



- Wheezing
- Coughing
- Chest Tightness
- First signs of a cold
- Coughing at night

Peak flow number from \_\_\_\_\_ to \_\_\_\_\_

**Continue to use green zone daily medicines and add:**

Medicine	Method	How much	How often
Albuterol/Xopenex	inhaled	____ puffs OR ____ vial	Every ____ hours prn

\_\_\_\_ May repeat after 20 minutes x 1 (Indicate with check)

**Also take:**

*If yellow-zone symptoms continue for 24 hours or child needs extra rescue medicine more than twice per week, call your child's doctor.*

**RED ZONE - STOP! GET HELP NOW! TAKE QUICK RELIEF MEDICINE**

You may have:



- Quick relief medicine that is not helping
- Wheezing that is worse
- Faster breathing
- Blue lips or nail beds
- Trouble walking or talking
- Chest and neck pulled in with each breath

Or peak flow less than \_\_\_\_\_

**THIS IS AN EMERGENCY!**

**Continue to use green zone medicines and do the following:**

Use \_\_\_\_\_ puffs OR 1 vial Albuterol/Xopenex inhaled every 20 minutes for a total of \_\_\_\_\_ doses.

**CALL DOCTOR NOW!** If you cannot reach doctor, call **911** or go directly to the emergency room. **Do not wait!**

Physician Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 School Health Nurse Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**(SCHOOL NURSE USE ONLY)** Student carries inhaler: **Y / N** Inhaler in the Health Room: **Y / N** Inhaler in classroom: **Y / N**





# DIET ORDER FORM

For Special Nutritional Needs  
Annual Medical Statement for Students

### Part I (to be filled out completely by parent or guardian)

Student's full name (printed):

Last: \_\_\_\_\_ First: \_\_\_\_\_ Middle: \_\_\_\_\_

Date of birth: \_\_\_\_\_ Age: \_\_\_\_\_ Student ID#: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_ School Year: 20\_\_ to 20\_\_

Will student eat breakfast at school?  Yes  No; lunch at school?  Yes  No

Is student in before-school program?  Yes  No; after-school program?  Yes  No

Parent/guardian name (Printed): \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mailing address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Does the child have an identified disability?  Yes  No

If yes, please describe the major life activities affected by the disability: \_\_\_\_\_

If the child has a disability, **PART II MUST BE COMPLETED AND SIGNED BY A LICENSED PHYSICIAN**

*I give Nutrition Services permission to speak with the below-named physician or Recognized Medical Authority to discuss the dietary needs described below.*

Parent/guardian signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Part II (to be filled out only by a licensed Medical Doctor (MD) or Recognized Medical Authority treating the student)

Indicate which dietary modification the student needs and *specify* what changes need to be made:

Lactose intolerance/dairy allergy:  No milk to drink  Avoid all dairy products  Lactose-free milk  Juice in place of milk

Food allergies: Check appropriate box(es)  ingestion  contact  inhalation  
 wheat  soy  nuts  fish  eggs (indicate  whole eggs or  eggs as an ingredient)

Other \_\_\_\_\_

Texture Modification:  pureed  ground  chopped

Information regarding the major allergens (soy, wheat, dairy, eggs, fish, nuts) and carbohydrate counts are available online at [www.cms.k12.nc.us](http://www.cms.k12.nc.us). Peanuts and shellfish are not served in CMS cafeterias. Diet Order Form is not required if this information suffices for parent to manage student's diet.

MD Name: \_\_\_\_\_

MD Signature: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Date: \_\_\_\_\_

Medical Office Stamp:

Send completed form to: **CMS Child Nutrition Services**  
3301 Stafford Drive, Charlotte, NC 28208  
Phone: 980-343-6041 Fax: 980-343-6045

**R  
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### Part III (Child Nutrition to complete)

CMS Child Nutrition Services Notes:

CMS RD/DTR signature: \_\_\_\_\_ Date: \_\_\_\_\_





# PARENT REVOCATION OF STUDENT INTERNET ACCESS

**Parents who do not want their child to be able to access the CMS Network or use the Internet while at school must complete this form and return it to their child's school.**

I do not want my child, \_\_\_\_\_, to be allowed to use a Charlotte-Mecklenburg Schools' computer to access the CMS Network or the Internet. By my signature below, I also acknowledge that without access to the Internet and the CMS Network, my child will not be able to do all or some of the following activities that use the CMS Network or the Internet while at school:

- ✗ Use any computer on the CMS Network (this is because networked computers automatically access the Internet and the CMS Network and require students to accept the Student Internet Use Agreement before they can use the computer for any purposes)
- ✗ Access the school media center catalog of books
- ✗ Use online learning tools such as: textbooks, Accelerated Reader, Accelerated Math and Reading Counts
- ✗ Do online research
- ✗ Work with another student who is using a networked computer

Student's full name (printed):

Last: \_\_\_\_\_ First: \_\_\_\_\_ Middle: \_\_\_\_\_

Date of birth: \_\_\_\_\_ Student ID#: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_ Homeroom or Homebase teacher: \_\_\_\_\_

Address: \_\_\_\_\_ Home telephone: \_\_\_\_\_

Parent's name (Printed): \_\_\_\_\_

Address (if different from student's): \_\_\_\_\_

Phone numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Parent/guardian signature: \_\_\_\_\_ Date: \_\_\_\_\_



**The Family Educational Rights and Privacy Act (FERPA)** affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days of the day the school receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should submit a written statement to the school principal [or appropriate school official], clearly identify the part of the record they want changed and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Charlotte-Mecklenburg Schools to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

**Family Policy Compliance Office  
U.S. Department of Education**

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400 Maryland Avenue, SW  
Washington, DC 20202-5901

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Charlotte-Mecklenburg Schools, with certain exceptions, obtain written parental consent prior to the disclosure of personally identifiable information from your child’s education records. However, Charlotte-Mecklenburg Schools may disclose appropriately designated “directory information” without written consent, unless you have advised CMS to the contrary in accordance with CMS procedures. The primary purpose of directory information is to allow CMS to include this type of information from your child’s education records in certain school publications. **Examples include:**

- A playbill, showing your student’s role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.<sup>(1)</sup>

If you do not want Charlotte-Mecklenburg Schools to disclose directory information from your child’s education records without your prior written consent, you must notify CMS in writing **within 10 days after the first day of school**. Charlotte-Mecklenburg Schools has designated the following information as directory information:

- Student’s name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic mail address
- Photographs and videos
- Degrees, honors and awards received
- Date and place of birth
- Major field of study
- Dates of enrollment
- Grade level
- The most recent educational agency or institution attended

**Footnotes:**

1. *These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the nation’s armed forces.*

## (PPRA)

The Protection of Pupil Rights Amendment (PPRA) affords parents specific rights regarding our conduct of surveys, collection and use of information for marketing purposes and certain physical exams. **These include the right to:**

**A. Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED) -**

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
7. Religious practices, affiliations or beliefs of the student or parents; or
8. Income, other than as required by law, to determine program eligibility

**B. Receive notice and an opportunity to opt a student out of -**

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision or scoliosis screenings, or any physical exam or screening permitted or required under state law; and
3. Activities involving collection, disclosure or use of personal information obtained from students for the purpose of marketing or to sell or otherwise distribute the information to others

**C. Inspect upon request and before administration or use -**

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes; and
3. Instructional material used as part of the educational curriculum

These rights transfer from the parents to the student when the student is 18 years old or an emancipated minor under state law.

Charlotte-Mecklenburg Schools has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure or use of personal information for marketing, sales or other distribution purposes. Charlotte-Mecklenburg Schools will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes are made. Charlotte-Mecklenburg Schools will directly notify, such as through U.S. mail or e-mail, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his/her child out of participation of the specific activity or survey. Charlotte-Mecklenburg Schools will make this notification to parents at the beginning of the school year if the district has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure or use of personal information for marketing, sales or other distribution
- Administration of any protected information survey not funded in whole or in part by ED
- Any non-emergency, invasive physical examination or screening as described above

*Parents who believe their rights have been violated may file a complaint with:*

**Family Policy Compliance Office  
U.S. Department of Education**

400 Maryland Avenue, SW  
Washington, D.C. 20202-5901

At times, students' families may experience housing emergencies or crises. Services are available for students whose families are experiencing a housing crisis and lack fixed, regular and adequate overnight accommodations.

**A housing crisis is defined as:**

- Living with a friend, relative or someone else because you have lost your home or can not afford housing;
- Living in motels, hotels, trailer parks or camping grounds;
- Living in emergency, transitional or domestic violence shelters;
- Living in cars, parks, public spaces, bus or train stations or similar settings;
- Awaiting foster care placement.

Please contact the **social worker, counselor or other support staff member** at your child's school for information regarding support available for your child.

You may also contact **A Child's Place** at 704-343-3790 for information regarding support available for families experiencing a housing crisis.

**The McKinney-Vento Homeless Assistance Act, also known as Title X, Part C, of the No Child Left Behind Act, is the primary piece of federal legislation dealing with the education of children and youth experiencing homelessness.**

**Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (Title X, Part C, of the No Child Left Behind Act) defines "homeless" as follows:**

The term "homeless children and youths" --

- A.** means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and
- B.** includes --
  - i.** children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
  - ii.** children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));
  - iii.** children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
  - iv.** migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

For more information, visit the following links:

<http://www.cms.k12.nc.us/cmsdepartments/ci/fed-state-programs/Pages/TitleX.aspx>

[http://www.serve.org/hepnc/sg\\_app\\_09.php](http://www.serve.org/hepnc/sg_app_09.php)

<http://www.achildsplace.org/>

The Charlotte-Mecklenburg Board of Education does not discriminate against any person on the basis of gender in admission or access to the programs, services or activities of the Charlotte-Mecklenburg Schools or in any aspect of operations. The Board of Education does not discriminate on the basis of gender in its hiring or employment practices.

This notice is provided pursuant to the requirements of Title IX and the Educational Amendments of 1972, 20 USC § 1681 et seq and its implementing regulations, 34 CFR Part 106. Any questions or concerns regarding the application of Title IX can be reported to:

**Title IX Coordinator**  
**Charlotte-Mecklenburg Schools**

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Post Office Box 30035  
Charlotte, NC 28230-0035  
980-343-5833

**Office of Civil Rights at**  
**US Department of Education**

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Post Office Box 14620  
Washington, DC 20044-4620

## § 115C-391.1. (Effective July, 2006)

### Permissible use of seclusion and restraint

**(a) It is the policy of the State of North Carolina to:**

- (1) Promote safety and prevent harm to all students, staff, and visitors in the public schools.
- (2) Treat all public school students with dignity and respect in the delivery of discipline, use of physical restraints or seclusion, and use of reasonable force as permitted by law.
- (3) Provide school staff with clear guidelines about what constitutes use of reasonable force permissible in North Carolina public schools.
- (4) Improve student achievement, attendance, promotion, and graduation rates by employing positive behavioral interventions to address student behavior in a positive and safe manner.
- (5) Promote retention of valuable teachers and other school personnel by providing appropriate training in prescribed procedures, which address student behavior in a positive and safe manner.

**(b) The following definitions apply in this section:**

- (1) "Assistive technology device" means any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capacities of a child with a disability.
- (2) "Aversive procedure" means a systematic physical or sensory intervention program for modifying the behavior of a student with a disability which causes or reasonably may be expected to cause one or more of the following:
  - a. Significant physical harm, such as tissue damage, physical illness, or death.
  - b. Serious, foreseeable long-term psychological impairment.
  - c. Obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice, for example: electric shock applied to the body; extremely loud auditory stimuli; forcible introduction of foul substances to the mouth, eyes, ears, nose, or skin; placement in a tub of cold water or shower; slapping, pinching, hitting, or pulling hair; blindfolding or other forms of visual blocking; unreasonable withholding of meals; eating one's own vomit; or denial of reasonable access to toileting facilities.
- (3) "Behavioral intervention" means the implementation of strategies to address behavior that is dangerous, disruptive, or otherwise impedes the learning of a student or others.
- (4) "IEP" means a student's Individualized Education Plan.
- (5) "Isolation" means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving.
- (6) "Law enforcement officer" means a sworn law enforcement officer with the power to arrest.
- (7) "Mechanical restraint" means the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove.
- (8) "Physical restraint" means the use of physical force to restrict the free movement of all or a portion of a student's body.
- (9) "School personnel" means:
  - a. Employees of a local board of education.

- b. Any person working on school grounds or at a school function under a contract or written agreement with the public school system to provide educational or related services to students.
  - c. Any person working on school grounds or at a school function for another agency providing educational or related services to students.
- (10) "Seclusion" means the confinement of a student alone in an enclosed space from which the student is:
    - a. Physically prevented from leaving by locking hardware or other means.
    - b. Not capable of leaving due to physical or intellectual incapacity.
  - (11) "Time-out" means a behavior management technique in which a student is separated from other students for limited period of time in a monitored setting.

**(c) Physical Restraint:**

- (1) Physical restraint of students by school personnel shall be considered a reasonable use of force when used in the following circumstances:
  - a. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
  - b. As reasonably needed to maintain order or prevent or break up a fight.
  - c. As reasonably needed for self-defense.
  - d. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present, to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior.
  - e. As reasonably needed to escort a student safely from one area to another.
  - f. If used as provided for in a student's IEP or Section 504 plan or behavior intervention plan.
  - g. As reasonably needed to prevent imminent destruction to school or another person's property.
- (2) Except as set forth in subdivision (1) of this subsection, physical restraint of students shall not be considered a reasonable use of force, and its use is prohibited.
- (3) Physical restraint shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
- (4) Nothing in this subsection shall be construed to prevent the use of force by law enforcement officers in the lawful exercise of their law enforcement duties.

**(d) Mechanical Restraint:**

- (1) Mechanical restraint of students by school personnel is permissible only in the following circumstances:
  - a. When properly used as an assistive technology device included in the student's IEP or Section 504 plan or behavior intervention plan or as otherwise prescribed for the student by a medical or related service provider.
  - b. When using seat belts or other safety restraints to secure students during transportation.
  - c. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
  - d. As reasonably needed for self-defense.
  - e. As reasonably needed to ensure the safety of any student,

## § 115C-391.1. PERMISSIBLE USE OF SECLUSION AND RESTRAINT — *continued*

school employee, volunteer, or other person present.

- (2) Except as set forth in subdivision (1) of this subsection, mechanical restraint, including the tying, taping, or strapping down of a student, shall not be considered a reasonable use of force, and its use is prohibited.
- (3) Nothing in this subsection shall be construed to prevent the use of mechanical restraint devices, such as handcuffs by law enforcement officers in the lawful exercise of their law enforcement duties.

**(e) Seclusion:**

- (1) Seclusion of students by school personnel may be used in the following circumstances:
  - a. As reasonably needed to respond to a person in control of a weapon or other dangerous object.
  - b. As reasonably needed to maintain order or prevent or break up a fight.
  - c. As reasonably needed for self-defense.
  - d. As reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property.
  - e. When used as specified in the student's IEP, Section 504 plan, or behavior intervention plan; and
    1. The student is monitored while in seclusion by an adult in close proximity who is able to see and hear the student at all times.
    2. The student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP or Section 504 plan.
    3. The space in which the student is confined has been approved for such use by the local education agency.
    4. The space is appropriately lighted.
    5. The space is appropriately ventilated and heated or cooled.
    6. The space is free of objects that unreasonably expose the student or others to harm.
- (2) Except as set forth in subdivision (1) of this subsection, the use of seclusion is not considered reasonable force, and its use is not permitted.
- (3) Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
- (4) Nothing in this subsection shall be construed to prevent the use of seclusion by law enforcement officers in the lawful exercise of their law enforcement duties.

**(f) Isolation. – Isolation is permitted as a behavior management technique provided that:**

- (1) The space used for isolation is appropriately lighted, ventilated, and heated or cooled.
- (2) The duration of the isolation is reasonable in light of the purpose of the isolation.
- (3) The student is reasonably monitored while in isolation.
- (4) The isolation space is free of objects that unreasonably expose the student or others to harm.

**(g) Time-Out. – Nothing in this section is intended to prohibit or regulate the use of time-out as defined in this section.**

**(h) Aversive Procedures. – The use of aversive procedures as defined in this section is prohibited in public schools.**

**(i) Nothing in this section modifies the rights of school personnel to use reasonable force as permitted under G.S. 115C390 or modifies the rules and procedures governing discipline under G.S. 115C391(a).**

**(j) Notice, Reporting, and Documentation.**

- (1) Notice of procedures. – Each local board of education shall provide copies of this section and all local board policies developed to implement this section to school personnel and parents or guardians at the beginning of each school year.
- (2) Notice of specified incidents:
  - a. School personnel shall promptly notify the principal or principal's designee of:
    1. Any use of aversive procedures.
    2. Any prohibited use of mechanical restraint.
    3. Any use of physical restraint resulting in observable physical injury to a student.
    4. Any prohibited use of seclusion or seclusion that exceeds 10 minutes or the amount of time specified on a student's behavior intervention plan.
  - b. When a principal or principal's designee has personal knowledge or actual notice of any of the events described in this subdivision, the principal or principal's designee shall promptly notify the student's parent or guardian and will provide the name of a school employee the parent or guardian can contact regarding the incident.
- (3) As used in subdivision (2) of this subsection, "promptly notify" means by the end of the workday during which the incident occurred when reasonably possible, but in no event later than the end of following workday.
- (4) The parent or guardian of the student shall be provided with a written incident report for any incident reported under this section within a reasonable period of time, but in no event later than 30 days after the incident. The written incident report shall include:
  - a. The date, time of day, location, duration, and description of the incident and interventions.
  - b. The events or events that led up to the incident.
  - c. The nature and extent of any injury to the student.
  - d. The name of a school employee the parent or guardian can contact regarding the incident.
- (5) No local board of education or employee of a local board of education shall discharge, threaten, or otherwise retaliate against another employee of the board regarding that employee's compensation, terms, conditions, location, or privileges of employment because the employee makes a report alleging a prohibited use of physical restraint, mechanical restraint, aversive procedure, or seclusion, unless the employee knew or should have known that the report was false.

**(k) Nothing in this section shall be constructed to create a private cause of action against any local board of education, its agents or employees, or any institutions of teacher education or their agents or employees or to create a criminal offense.**

## **Parental Rights Regarding Section 504 of The Rehabilitation Act of 1973 and its 2008 Reauthorization**

Section 504 of the Rehabilitation Act of 1973 as reauthorized in 2008 prohibits discrimination against qualified individuals with disabilities in federally funded programs and activities such as learning, thinking and concentrating. In public schools, Section 504 services are used to ensure disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

Section 504 has a three-part definition. Students receive accommodations and/or modifications in the general education environment if they (1) have a physical or mental impairment that substantially limits one or more major life activities, and (2) have a record of having such impairments. Part three concerns students being regarded as having such impairments. Students identified under part three (3) are protected from discrimination but receive no accommodations or modifications in the educational setting.

It is the policy of the Charlotte-Mecklenburg Board of Education not to discriminate on the basis of disabilities in its educational programs, activities or employment practices as required by the Act.

### **The regulations for implementing Section 504 provide parents and/or students with the rights to:**

- Receive notice with respect to identification, evaluation or placement of your child.
- Have your child receive a free appropriate public education (FAPE). This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
- Have your child receive special education and related services if he/she is found eligible under the Individuals with Disabilities Act (IDEA), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.

- Have eligibility and educational placement decisions made based upon a variety of information sources, and by individuals who know the student, the eligibility data, and placement options.
- Have periodic re-evaluations and evaluations especially before any significant change in placement. Graduation is a change in placement.
- Give your child an equal opportunity to participate in non-academic and extracurricular activities offered by the school district through the provision of reasonable accommodations.
- Examine all relevant records relating to decisions regarding your child's identification, eligibility, educational program and placement under the Family Educational Rights and Privacy Act. The requirements are described in the Board's policy manual on file at the Education Center.
- Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
- Request an impartial due process hearing related to decisions regarding your child's identification, eligibility and educational placement. You and your child may take part in the hearing and have an attorney represent you at your own cost. You also have the right to appeal the impartial hearing officer's decision.
- File a complaint with the district when you believe your child's rights have been violated.

### **For more information, contact:**

#### **Federal and State Compliance Program Section 504 Division**

700 East Stonewall, Suite 506  
Charlotte, NC 28202  
980-343-0221 (phone)  
980-343-6169 (phone)  
980-343-0972 (fax)

## The Purpose of Programs for Exceptional Children

The primary purpose for Exceptional Children programs is to ensure that students with disabilities develop academically, mentally, physically and emotionally through the provision of an appropriate and individualized education in the least restrictive environment.

Exceptional Children are students who are unable to have all their educational needs met in a regular class without receiving special education or related services. Classifications of Exceptional Children include those who have autism, deaf-blindness, deafness, developmental delay (applicable only to children ages three through seven), hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, serious emotional disability, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment including blindness. Exceptional Children programs and services are identified as both instructional programs and instructional support services, depending upon the educational needs of an individual student.

### Content Sequence and Learning Outcomes

Curricula for most Exceptional Children follow the curricula for students in general education. Emphasis is placed on instruction in communication and language arts, social studies, healthful living, mathematics, science and career and vocational education, depending upon the needs of the student. Attention is focused upon cognitive, affective, motor and vocational development within the curricular areas. The Individualized Education Program states in writing the special education programs and services to be provided to each Exceptional Children student.

### Where to Get Assistance

If you have questions about the need for Exceptional Children services or the programs in your school, contact the school directly. You may also contact the school and ask to speak with the Exceptional Children Department chairperson. For additional information or assistance, you may contact:

#### **Exceptional Children Department**

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Walton Plaza – Fourth floor  
700 E. Stonewall Street  
980-343-6960 (Phone)

### Parents' Rights

For a complete explanation about rights as parents of students with disabilities, please consult the Handbook on Parents' Rights, which is available at all schools, from the Exceptional Children Department, on the CMS Web site or from the North Carolina Department of Public Instruction.

### Non-Discrimination Policy

With respect to the services provided to the Charlotte-Mecklenburg community, no person shall be discriminated against in any educational program, activity or other related service based on race, color, religion, gender, age, national origin or disability. Any employee who fails to comply with CMS policy regarding equal opportunity is subject to appropriate disciplinary action.

## The Americans With Disabilities Act—Title II

The Charlotte-Mecklenburg Board of Education does not discriminate against any person on the basis of disability in admission or access to the programs, services or activities of the Charlotte-Mecklenburg Schools, in the treatment of individuals with disabilities, or in any aspect of operations. The school district does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans With Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973. Questions, concerns or requests for additional information regarding the ADA and Section 504 may be forwarded to the designated compliance coordinators listed in the column to the right.

### For ADA matters relating to facilities:

#### **Charlotte-Mecklenburg Schools**

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3301 Stafford Drive  
Charlotte, NC 28208  
980-343-6661

### For Section 504: Charlotte-Mecklenburg Schools

#### **School Counseling Services**

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Walton Plaza, Suite 506  
Charlotte, NC 28202-2716  
980-343-5833

### For ADA Matters Relating to Employment:

#### **Charlotte-Mecklenburg Schools**

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Employee Relations  
701 East Martin Luther King Jr. Blvd.  
P.O. Box 30035  
Charlotte, NC 28230-0035  
980-343-6254

### All other TTY calls, use:

#### **Relay North Carolina:**

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800-735-2962/TTY  
800-735-8262/V

This notice is available in alternative formats upon request.

## Parental Notice

Pursuant to the requirements of the Family Educational Rights and Privacy Act (FERPA), the Charlotte-Mecklenburg Board of Education will share certain student information with Medicaid and its authorized representatives during the 2009-2010 school year. The information will only be used to request reimbursement from Medicaid for certain medical services that the Board provides to students pursuant to their Individualized Education Program under the Individuals with Disabilities Educational Act.

The student information is limited and includes the names, birthdates, Medicaid numbers and Social Security numbers of these students and a description of the type(s) of service(s) provided, the date(s) of service and length of service.

Sharing this information with Medicaid and its authorized representatives will not affect the student's premiums, co-pays or services under Medicaid. Sharing the information will enable the Board to receive reimbursement for a portion of the costs of the services. If you are a parent or guardian of a student who may receive such eligible services, or if you have reached the age of 18 and receive or may receive such eligible services, you will receive a consent form to sign at the student's next annual review.

## Overview

The No Child Left Behind Act (NCLB) is a federal law that took effect during the 2002-2003 school year. The law provides an overall system for improving student achievement. The law has three goals:

- 1. to make sure that all students, including those from low-income families, minority populations and students with disabilities, meet the state's challenging content and student performance standards;**
- 2. to hold schools responsible if all children do no perform on or above grade level;**
- 3. to make sure that there is a highly qualified teacher in each classroom.**

## What does this mean for my child?

Every child in the United States will be required to meet the standards set forth by this law. Under this law, each state is given the flexibility to define its standards in ensuring that students are "proficient" in reading and mathematics. North Carolina has defined those students making a Level III or IV on the End-of-Grade and End-of-Course tests in reading and math as being "proficient."

Principals, teachers, parents and students each have a part to play in ensuring the success of each individual child.

## Strategies already in place in CMS to ensure that no child or school is left behind

CMS has already established Goals 2010, which focuses on academic achievement for all students, safe and orderly schools, community involvement, equity and efficient and effective support operations - all of which are the basis for NCLB. The district also has developed a Data Dashboard to ensure that CMS meets these goals and provides the resources to help all students become successful in the classroom. The Scorecard sets benchmarks for each year.

CMS has also made tremendous gains in closing the student achievement gap. In fact, the Broad Foundation selected CMS as one of five finalists for the prize in urban education in 2004.

CMS put measures in place long before this federal law to ensure that every child no matter what race, social status or ability gets a quality education at every school in the district. But we still have work to do to ensure that success.

## How does NCLB measure student achievement?

Schools must make Adequate Yearly Progress (AYP), which is the minimum level of improvement as determined by NCLB. This is important for all students. Achievement will be tracked for the school as a whole, as well as smaller subgroups of students identified by race, socio-economics, language skills and disabilities. If even one subgroup does not make AYP, then the entire school does not make AYP.

## Elementary/Middle Requirements

All students in grades 3-8 are required to take the End-of-Grade tests in reading and math. Students in grades 5 and 8 also take a science test.

Each population of students in a school must be on or above grade level. Schools must also meet attendance requirements to make AYP.

## High School Requirements

At the high school level, 10th-grade students must meet the NCLB requirements in algebra, English I and the writing test. The goal is to have all students performing at or above grade level (Level III or Level IV) by the end of the 2013-2014 school year. High schools will also be measured on their graduation rates.

## Title I Choice Schools

Schools that receive Title I funds and do not make AYP for three consecutive years are called "Title I Choice Schools." NCLB requires CMS to give students at these schools the opportunity to attend a different school that is not in school improvement. Students can take advantage of this opportunity either through the Student Assignment lottery or the transfer process. More information is in the Student Assignment Guide.

For more information on No Child Left Behind, please log on to [www.cms.k12.nc.us](http://www.cms.k12.nc.us).

As required by the Asbestos Hazard Emergency Response Act of 1986 (AHERA), inspections of all CMS facilities were completed in 1989 identifying the type, quantity and location of asbestos containing materials (ACM). ACM were found in almost every facility constructed prior to 1989. Schools built during and after 1989 were instructed to use no asbestos materials and this was specifically noted in the school designs.

Asbestos is a naturally occurring mineral and has been used in building materials for many years. Unless it is disturbed or damaged, it poses no health risk.

Management plans have been developed for all facilities regardless of ACM content. Depending upon the condition and potential for exposure, the plan calls for repair, continued surveillance and, in some cases, removal of ACM. Many schools that had asbestos have been renovated to remove all inspected ACM. The plan for your school is located in the front office and is available for review during school hours.

## Annual AHERA Notice

**This notice is to inform you, as required by the Federal Asbestos Hazard Emergency Response Act (AHERA), that the documentation for the Charlotte-Mecklenburg Schools Asbestos Management Plan, the semiannual surveillance inspections and the three-year re-inspection are available for your review in the office of every CMS school. Information regarding response actions may also be found in the Asbestos Management Plan files located at the Building Services facility. If you have any questions or concerns, please feel free to contact:**

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### **Environmental Health and Safety Specialist**

980-343-1681

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### **Environmental Health and Safety Manager**

980-343-8632

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### **Director of Safety**

980-343-5156

## INTEGRATED PEST MANAGEMENT

**Notification of Pesticide Use:** CMS may use pesticides to control pests at your school or other sites in the district. Under state law, you have the right to be notified annually when CMS plans to apply pesticide and 72 hours prior to pesticide use that occurs outside that schedule. However, you must use a form provided by your school's Integrated Pest Management (IPM) representative to be notified 72 hours prior to pesticide use outside CMS' regular schedule.

**Exemptions:** Several low-risk pesticides are exempt from these notification requirements. They include: antimicrobial cleansers, disinfectants, self-contained baits, crack-and-crevice treatments and any pesticide products classified by the U.S. Environmental Protection Agency as in Toxicity Class IV, "relatively nontoxic." You have a right to be notified of all non-exempt pesticide use at your school or any non-school site (office building, garage, workshop, etc.). This includes both indoor and outdoor use of pesticide, and includes sprayings during summer recess, holidays, weekends or after-school hours.

**Emergency Pesticide Use:** Emergencies may occur that require the use of a non-exempt pesticide for pest control at your school or another site. As a result, there may be times when we are unable to fulfill your request of notifying you more than 72 hours in advance. In such emergency cases, you will be notified of pesticide application less than 72 hours before use -- or as soon as possible after the pesticide application.

**You may request advance notification** of non-exempt pesticide applications at your school or another site using a form available from your school's Integrated Pest Management contact. If you want to receive pesticide-use notification for multiple sites in the district, you may list up to five locations per form. You must submit a new copy of this form each year and every time you wish to update or change your contact information. The form should be returned to your school's IPM contact.

## **CMS/NEPN CODE:JK**

*Date of Adoption: 11/11/03*

Education is the primary purpose of public schools. In order for teachers to teach and students to learn, an atmosphere conducive to learning must be consistently maintained. Accordingly, the teacher is the recognized authority in the classroom.

Discipline is defined as well-ordered, directed behavior. Therefore, students shall be taught character education, including the values of responsibility, respect for others and self-discipline. Guidelines for appropriate student behavior shall be set by the district. Unless circumstances dictate otherwise, consequences that occur when students do not follow the guidelines shall be progressive in nature.<sup>1</sup> Students are expected to follow the student behavior

guidelines while on Board of Education property. Board of Education property includes the physical premises of all school campuses and properties, bus stops, all vehicles under the control of the district and all school-sponsored curricular or extra-curricular activities, whether occurring on or away from a school campus.

Parents, as well as teachers, principals, administrative and support personnel, the superintendent, Board of Education and students share the responsibility to work together so that students will develop and maintain disciplined behavior.

Corporal punishment is prohibited in the school district and shall not be used in any circumstances to maintain discipline.

## **BULLYING POLICY**

It is the policy of the Charlotte-Mecklenburg Board of Education to maintain learning environments that are free from harassment or bullying. This freedom includes, but is not limited to, freedom from harassment or bullying based on an individual's real or perceived race, color, sex, religion, creed, political belief, age, national origin, linguistic or language differences, sexual orientation, gender identity/expression, socioeconomic status, height, weight, physical characteristics, marital status, parental status, or physical, mental, or sensory disability. The Board prohibits any and all forms of harassment or bullying on Board property or at Board-sanctioned events.

It shall be a violation of this policy for any student, teacher, administrator, other school personnel, or any third party, including but not limited to those subject to supervision and control of the Charlotte-Mecklenburg Board of Education, to harass or bully any person based upon any differences of status including, but not limited to, those listed above. It shall also be a violation of this policy for any teacher, administrator

or other school personnel to tolerate such harassment or bullying of any person by a student, teacher, administrator, other school personnel, or by any third parties, including but not limited to those persons subject to supervision and control of the Charlotte-Mecklenburg School System.

The Charlotte-Mecklenburg Board of Education directs the superintendent to establish training and other programs to enforce this policy and to help eliminate harassment and bullying as well as to foster an environment of understanding and respect for all individuals. The superintendent shall implement this policy by all appropriate means including, without limitation, the following: (a) publication of the policy to CMS personnel and students; (b) a process for victims to report harassment or bullying; (c) annual training for CMS staff, students, and community about techniques to support enforcement of the policy; and (d) determination and implementation of methods to gather and measure data regarding harassment and bullying within CMS.

## **CMS/NEPN CODE:JICK**

*Date of Adoption: 3/11/08*

### **Footnotes:**

1. *The student behavior guidelines are usually referred to as the "Code of Student Conduct," and are published and distributed to each student each school year. The title of the publication may change from year to year.*

