

CHARLOTTE-MECKLENBURG BOARD OF EDUCATION

LEGAL / LEGISLATIVE RETREAT

Aug. 17, 2022

Local Boards of Education

“All powers and duties conferred and imposed by law respecting public schools, which are not expressly conferred and imposed upon some other official, are conferred upon local boards of education.”

N.C.G.S § 115C-36

“Local boards of education, subject to any paramount powers vested by law in the State Board of Education or any other authorized agency ... shall execute the school laws in their units”

N.C.G.S § 115C-40

Local Boards of Education

Oath of Office – “Support and maintain the Constitution and laws of the United States and the Constitution and laws of North Carolina”

Code of Ethics (B-DTY/E) – Obey CMS policies, bylaws, state, and federal laws; comply with all laws regarding open meetings and public records; respect the confidentiality of information that is privileged by law.

Operations Procedures Manual (B-IND/E § 1.1) – The Board is responsible for enforcement of school law in Mecklenburg County.



Presentations

Public Records – Cheyenne Flotree

EC – Exceptional Children – Anna Hehenberger

Student Discipline – Melissa Woods

Fines & Forfeitures – Vonzell Jones

Transgender Students – Heather Bankert

Workplace Accommodations – Oksana Cody

Legislative Review – Hope Root and Charles Jeter



Public Records

Presented by Cheyenne Flotree



Public Records

We will be discussing:

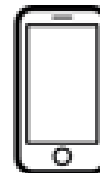
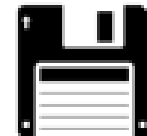
- What are they?
- Responsibilities of CMS employees and elected officials
- Records vs. information
- Public-records exemptions
- Electronic correspondence

What are Public Records?

Pieces of information created or received by officials and employees while conducting official public business

Public records provide:

- Greater insight into government
- Accountability and transparency
- Preservation of the historical record



North Carolina Public Records Law

NC General Statutes Chapter 132 – first enacted in 1935

- One of the most open public records laws in the United States
 - North Carolina, Florida, Oregon, Washington
- Affirms public records are property of the people
- Very broad definition of a public record
- Anyone can request a public record for any reason
- Responsibility to produce public records “as promptly as possible”



Public Record Exemptions

Non-Records

- Personal messages
- Spam

Protected records

- Employee personnel file information
- Student records (FERPA – Family Education Rights and Privacy Act)
- Personal identifying information (PII)
- Attorney-client communication
- Criminal investigation records
- Sensitive public security information



FERPA

Family Educational
Rights & Privacy Act

Public Records Are Defined by Content

Public records are defined by the information they convey

Public records **ARE** designated by:

- Content
- Function

Public records are **NOT** designated by:

- Format
- Device



Public Records Can Live on Any Device

CMS devices

- Email
- Teams
- Voice mail messages

Personal devices

- Personal email
- Cell phone
- iPad or tablet
- Social media
- Direct messaging applications
 - Facebook
 - Twitter
 - Telegram
 - WhatsApp



Collecting Public Records

Public Records Request Response Form

Public Records Request #22-450

Your name: Cheyenne Flotree

Date: 8/11/2022

Work Location: Office of General Counsel

Office Telephone: 980-343-6228

I have conducted a thorough search and reviewed the records responsive to the above-referenced public records request ("Request") in my possession and control, including, but not limited to, records maintained by support staff on work computers, home computers, PDA (personal digital assistant) devices, mobile phone, etc., and have determined that:

☒ (X) I do not have records or other information responsive to the Request.

OR

☐ () I do have records or other information responsive to the Request. If checking this response, please complete the following as well:

☐ () All such records have been provided to the CMS Public Records Officer.

OR

☐ () A portion of such records have been provided to the CMS Public Records Officer and any remaining records are being compiled and will be provided as promptly as possible.

The following are individuals who, I believe, may have in their possession records or other information responsive to the Request: List name(s) here



What the Public Records Law Isn't



Information vs. Records

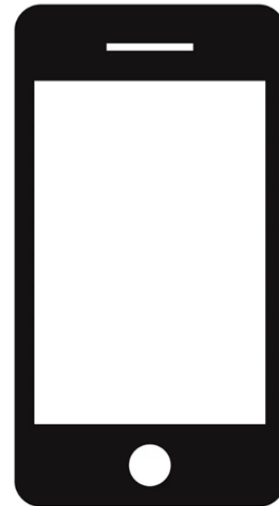
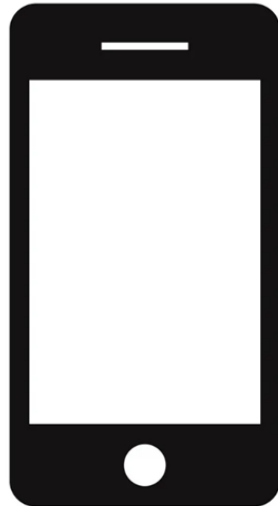
If content defines whether a record is public, then discernible characteristics define what are records

- **Information can exist without format**
- **Records have some discernible characteristics that exist in the physical or digital world**
- **Records are information that has been recorded – they are tangible**
- **We are not required to provide information under the N.C. Public Records Law**
- **The exception is G.S. 115C-320**

Text Messages as Public Records

Text messages are public records if they are:

- Created by officials or employees who are conducting official public business
- Applies to both government-issued and personal cell phones and devices
- Treat text messages the same as emails, letters, voicemail messages, etc.
- You are required to provide text messages that are public record



Let's Say I Send a Text Message...

Public records don't just go away

- No matter how much we wish otherwise
- They are public and can be requested at any point

Text Message
Today 8:09 AM



Hey Hope how about this shirt for the presentation?

Create Records Intentionally

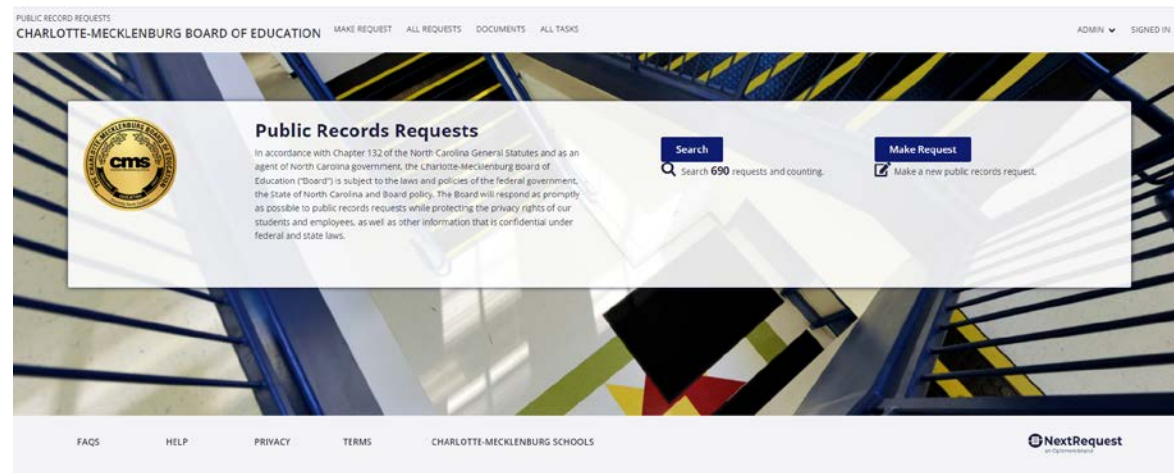
Try to create your records intentionally

- Think about what you are creating
- Recognize that public records last until the end of retention
- Practice good records management
- Think about all the records created in a day by the organization
 - Intellectual control

Size and Scope of our Requests

Between March 2021 and August 2022

- 768 requests for public records (394 in 2021, 374 in 2022)
- 23,763 documents released
- 22,374 documents downloaded
- 6 median days to close



QUESTIONS?

EC – Exceptional Children

Presented by Anna Hehenberger

What is “EC”?

- **Exceptional Children – a North Carolina term**
- **~15,000 EC Students enrolled in CMS**
- **Governed by:**
 - **The Individuals with Disabilities Education Act (IDEA)**
 - **North Carolina policies governing services for children with disabilities**
- **Child-find obligation**
- **Free Appropriate Public Education (FAPE)**

The IEP

- Individualized Education Program
- Initial referral process
- IEP team composition
- Eligibility determination
- IEP implementation
- Record-keeping obligations
- Annual vs. reevaluation IEP meetings

Procedural Safeguards of Parents

- Explanation of all safeguards
- Inspect and review educational records
- Meaningful participation
- Prior written notice
- Consent
- Disagreement
 - Independent educational evaluations
- IDEA's mechanisms for resolving disputes

Dispute Resolution Options

- **Informal**
 - IEP review
 - Facilitated IEP meeting
- **Formal**
 - Mediation
 - State complaint
 - Due-process petition

EC Terms

- **EC** – Exceptional Children, NC specific, also known as Special Education
- **IDEA** – Individuals with Disabilities Act, federal law
- **IEP** – Individual Education Program (or Plan), written education plan that describes a student's needs, goals, required specially designed instruction and related services
- **FAPE** – Free Appropriate Public Education
- **FERPA** – Family Education Rights and Privacy Act
- **State complaint** – NC DPI-investigated policy and procedure
- **Due process** – Family alleges that school/district denied FAPE to a student and is pursuing a hearing with an administrative law judge

QUESTIONS?

Student Discipline

Presented by Melissa Woods



N.C.G.S. 115C-390.2

Local Boards **shall adopt policies to govern the conduct of students and establish procedures to** be followed by school officials when implementing student discipline, particularly suspensions, expulsions *These policies must include or provide for the development of a Code of Student Conduct that notifies students of the standards of behavior expected of them, conduct that may subject them to discipline and the range of disciplinary measures that may be used by school officials.* The policies, along with any student discipline administrative procedures or school rules mandated by state law, **are to be published and made available to students and parents** at the beginning of each school year and upon request.

S-DISC

Guidelines for appropriate student behavior shall be set by the district and published annually in the Code of Student Conduct, which shall be made available to students and parents.

School discipline rules must balance the need to maintain a safe and orderly school environment with the recognition of the importance of students remaining enrolled in school.

Student Discipline and Suspensions

G.S. 115C-47 (55)

Local boards are encouraged to adopt policies and best practices to reduce suspension and expulsion rates and to provide alternative learning programs for continued academic progress for students who have been suspended.

G.S. 115C-107.7

The policies and procedures for the discipline of students with disabilities shall be consistent with federal laws and regulations.



Hearings before the Board

- Disciplinary appeals
- Long-term suspension appeals
- Appeal of a denial of alternative education services
- Expulsion hearings
- Appeals of final administrative decisions

HOW DO DISCIPLINARY MATTERS GET BEFORE THE BOARD?

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We're concerned about your son. He's the only one at school who treats everyone with respect."

Suspensions

Short-Term Suspensions

§ 115C-390.6. S

S-SUSP III

Long-Term Suspension

§ 115C-390.7 & 390.8

S-SUSP IV (A)

Mandatory 365/Expulsion

§ 115C-390.10

§ 115C-390.11

S-SUSP VI (B&C)

Board Hearings



Judicial Review of Board Decisions



QUESTIONS?

Fines & Forfeitures

Presented by Vonzell Jones



What are Fines & Forfeitures?



What are Fines & Forfeitures?

- Fine is a penalty of money that a court of law or other authority decides must be paid as punishment for a crime or other offense.
- Forfeiture is the loss or giving up of something as a penalty of wrongdoing or not fulfilling an obligation.
- Examples –
 - Parking tickets
 - Traffic violations
 - Fines associated with a misdemeanor charge
 - Criminal seizure of property (impounding)



How does this apply to CMS?

- **North Carolina Constitution Article IX, Sec. 7**
 - Clear proceeds from all penalties, forfeitures and fines for any breach of penal law belongs to the public schools of the county in which the fines are collected.
 - The clear proceeds of any civil penalties may be placed in a State Fund by the General Assembly to later be distributed to schools on pupil-by-pupil basis.
- **NC GS 115C-437**
 - Defines clear proceeds as all the monies collected by the State, diminished only by the actual cost of collection.
 - The cost of collection should not exceed 10% of the amount collected.
 - A county, or a municipality in the county, which collects penalties and fines that are subject to Art. IX, Sec. 7 must disburse the clear proceeds of the amounts collected to the local school administrative unit's finance officer within 10 days after the end of the month in which the proceeds were collected.

Exceptions

- Not all fines collected are subject to Art. IX, Sec. 7.
- North Carolina School Boards Association v. Moore (2005) establishes an analysis of what payments are subject to Art. IX, Sec. 7.
 - Payments considered punitive are subject to the article and would belong to the school district.
 - Payments considered remedial are not subject to the article and do not belong to the school district.
 - Examples of remedial payments:
 - Payments to DOT for lapses in insurance or overweight vehicles
 - Traffic, parking and vehicle registration violations on a UNC campus
 - UNC library fees
 - Fees collected by state agencies and licensing boards for licensee's failure to comply
 - Payments from employers for overdue contributions to unemployment insurance fund

What is Our Role?

- It is our responsibility to ensure that CMS receives all monies to which it is entitled under that constitutional provision.
 - Fortunately, most of this happens without our input.
- We do have scenarios that can require our direct input.
 - Bail bonds that are forfeited for failure to appear.
 - Vehicles that are seized in criminal proceedings.



Bond Forfeitures

- Bondsman can file a motion to set aside the forfeiture.
 - This motion allows for the bondsman to make a case for why the bond should not be forfeited but returned.
 - If granted, the bond is returned and not given to CMS
- NC GS 15A-544.5 (b) describes seven acceptable reasons for a set-aside and a bondsman can select one of the seven.
 - Example,
 - Box 3 – the defendant was surrendered by the surety
 - Box 6 – defendant was incarcerated at the time of the failure to appear



Bond Forfeiture

- If one of those seven is checked and proper evidence is provided, then bond is returned.
- If the wrong box for the situation is selected or proper evidence is not provided, then CMS will object to the motion to set aside.
- This objection can often be resolved by contacting the bondsman and requesting additional evidence.
- If not resolved, the objection will proceed to a hearing where a judge will rule the motions.
- This process was traditionally handled by outside counsel but is now transitioning in-house.

Vehicle Seizure

- This is when a vehicle that was used in a crime is taken or impounded by the police.
- Fees that must be paid to remove the vehicle from the impoundment belong to the school district.
- In the case of permanent seizure, the proceeds from the sale of the vehicle belong to the school district.

Vehicle Seizure

- Our role in the vehicle-seizure process:
 - If another party (such as a bank) has a claim to an impounded vehicle, it can petition for its release.
 - We can review for any possible objections to the release of the vehicle.
- If we have no objection, there is still an opportunity for a fee that would belong to CMS.



QUESTIONS?

Transgender Students

Presented by Heather Bankert



Definitions

- **Cisgender:** Describes people whose gender identity generally matches the gender assigned for their physical sex.
- **Genderqueer and/or nonbinary:** Describes people whose gender identity and/or gender expression falls outside the binary categories of man and woman.
- **Transgender:** An umbrella term to describe people whose gender identity does not match the sex they were assigned at birth. Transgender people may identify as straight, gay, bisexual or some other sexual orientation.



TRANSGENDER TEENS NEED SAFE & SUPPORTIVE SCHOOLS

TRANSGENDER STUDENTS IN SCHOOL

ALMOST **2%** OF
HIGH SCHOOL STUDENTS
IDENTIFY AS
TRANSGENDER



TRANSGENDER STUDENTS FACE HEALTH RISKS



27% FEEL
UNSAFE AT OR
GOING TO OR
FROM SCHOOL



35% ARE
BULLIED AT
SCHOOL



35% ATTEMPT
SUICIDE

SAFE AND SUPPORTIVE SCHOOLS CAN HELP!

- **CREATE AND ENFORCE ANTI-BULLYING POLICIES**
- **IDENTIFY AND TRAIN SUPPORTIVE SCHOOL STAFF**



Data from 2017 Youth Risk Behavior Survey of U.S. high school students in 10 states and 9 large urban school districts (14,131,901 students) as published in Johns, et al. *MMWR* 2019 (Vol. 68, No. 21)

12/10/2019

WWW.CDC.GOV

What the Numbers Mean

North Mecklenburg High School has **2,146 students**

If 2% are transgender = **43 students**

If 35% of those transgender students attempt suicide = **15 students**

Right to Gender Identity Recognition



Laws

- Equal Protection Clause
- Substantive Due Process Clause
(right to privacy)
- First Amendment
- Title IX

Rights

- Right to be free from discrimination and harassment based on gender identity
- Right to free-speech expression of gender identity



Family Educational Rights and Privacy Act (FERPA)

- Cannot reveal transgender status, birth name, sex assigned at birth, or medical history to classmates, teachers, parents of other children, or others
- Right to request amendment of inaccurate or misleading information
 - Especially pertinent in the event of legal name or gender change





Right to Be Free from Gender Identity-Based Bullying Harassment

Laws

- Transgender students face a heightened risk of bullying, harassment, and violence by peers and teachers at school
- Gender identity-based bullying/harassment is prohibited under state law (N.C.G.S. §115C-407.15) and Title IX

Board Policies:

- S-BULY: Bullying
- S-BULY/R, Part V: Transgender or Gender Nonconforming Students
- P-HASM: Harassment of Students by Employees

Standards – Names and Pronouns

- Students can request a preferred name and pronoun
- NC DPI PowerSchool update: preferred name rather than legal name now default for non-legal documents
- Non-legal documents: Student ID, report cards, grade books, diploma, brochures, year books, class lists
- Legal documents: NC transcript, ECATS, and other places
 - Cannot change legal name on documents without a court order
- PREFERRED NAME CAN BE CHANGED AT STUDENT'S REQUEST – parent/guardian consent not needed



S-BULY/R – Bullying Prevention

V. Transgender or Gender Nonconforming Students

- Except as set forth herein, school personnel should not disclose information that may reveal a student's transgender status.
- Notwithstanding the name and/or sex in a student's permanent education record, school staff *shall* address students by the name and pronoun corresponding to their gender identity.
- While inadvertent slips and honest mistakes may occur from time to time, the intentional and persistent refusal to respect a student's gender identity or choice of preferred name and pronoun is prohibited.

Legal Standards: Sex-Segregated Facilities

1. **Allow all students to use bathrooms, locker rooms, and other sex-segregated facilities consistent with their gender identity.** Do not require them to use a separate restroom.
2. Provide any student uncomfortable with using a sex-segregated facility a gender-neutral, single-stall option – but do not require such use except to protect students from actual, not hypothetical, peer harassment.
3. Make sure private areas are private.
 - a. Shower curtains
 - b. Privacy strips





Legal Considerations – Dress and Grooming Codes

- Student dress can be considered a form of speech protected by the First Amendment
- Sex-based dress codes can present concerns that they discriminate based on gender (either because of design or enforcement)
- Dress codes should ideally be gender neutral and should be enforced equally for cisgender and transgender students
 - Transgender students cannot be required to tone it down
- CMS Board Policy on student dress is gender-neutral (S-UNI)

Considerations: Field Trips and Off-Campus Extracurricular Activities

All Off-Campus Activities

- Schools and departments shall evaluate all gender-based activities and practices and maintain only those that have a clear and sound pedagogical purpose.
- Students shall be permitted to participate in any such activities or conform to established practices consistent with their gender identity
- Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case-by-case basis

Field Trips

- Consider the purpose of any sex segregation – is it necessary?
- Who sits with whom on the bus?
- Do certain students get to do one activity while other students participate in another?
- What will you do if you go to a place that enforces sex stereotyping (e.g., Colonial Williamsburg)?

Overnight Trips

- Consider all students' privacy concerns
- Consider the transgender student's privacy and comfort
- Who would you feel comfortable rooming with?
- Get transgender student's parental consent before revealing the student's gender identity

What To Do When a Teacher/Staff Member Is Disapproving

- *Refer to Board policies on bullying and anti-discrimination*
- P-HASM: Harassment of Students by Employees
- S-BULY/R, Part V: Transgender or Gender Nonconforming Students
- But keep in mind that teachers have First Amendment rights of free speech



What To Do When a Teacher/Staff Member Is Disapproving

Meriwether v. Hartop (6th Cir., March 26, 2021)

- Public university disciplined professor after refusing to refer to a transgender student as “Ms.” on religious grounds / agreeing to only if he could have a disclaimer in his syllabus
- “Titles and pronouns carry a message. The university recognizes that and wants its professors to use pronouns to communicate a message: People can have a gender identity inconsistent with their sex at birth. But Meriwether does not agree with that message, and he does not want to communicate it to his students. That’s not a matter of classroom management; *that’s a matter of academic speech.*” (First Amendment)

Cross v. Loudoun County School Board (VA state court, June 8, 2021)

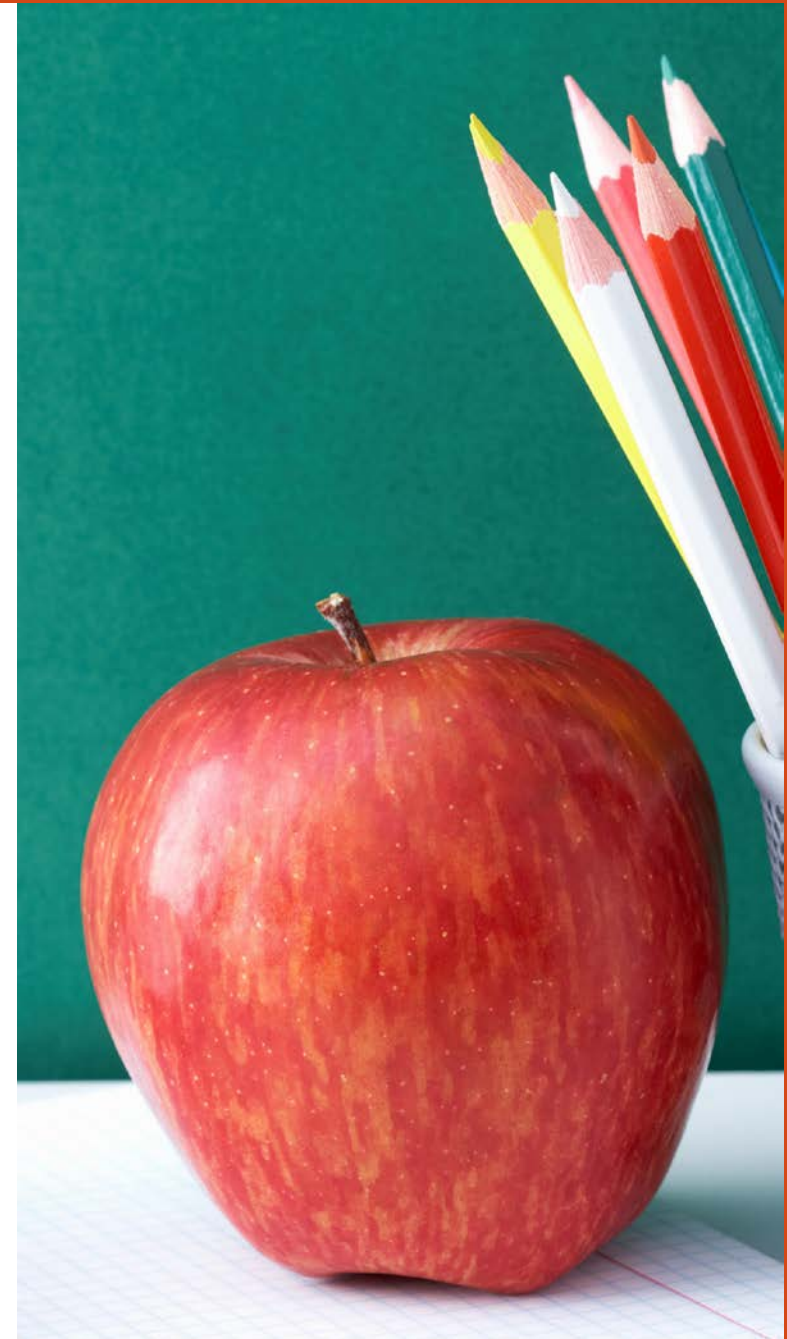
- Board suspended teacher for speaking during public comment period, stating he would not refer to transgender students by their preferred name or pronoun on religious grounds. Court reinstated teacher, based on the First Amendment.

Kluge v. Brownsburg Community School Corporation (S.D. Ind., July 12, 2021)

- Teacher forced to resign after refusing to refer to transgender students by their preferred names and pronouns due to religious objections in violation of district policy.
- Under Title VII, Court agreed with Board because there was no religious accommodation for teacher that wouldn’t present undue hardship to Board.

Considerations – Transgender Student's Parent Is Unaware or Disapproving

- When parents are unsupportive, transgender students are at risk of
 - Abuse, neglect, dependency
 - Depression, anxiety
 - Substance abuse
 - Self-harm
 - Suicide
- School may be only safe place
- Consider district's responsibility in reporting abuse, neglect, dependency
- Don't forget your suicide-risk protocol



Considerations –Transgender Student's Parent Is Unaware or Disapproving

S-BULY/R, Section V, C

- Schools should work closely with the student and family to develop an appropriate plan regarding the confidentiality of the student's transgender status that serves the needs of both the student and the school.
- Privacy concerns may also vary with the age of the student.
- In deciding whether to involve a student's parents or guardian in developing a plan, school staff should work closely with the student to assess the degree to which, if any, the parent or guardian will be involved in the process and must consider the health, wellbeing and safety of the student.
- Currently no duty for school to report transgender status to parents

Considerations –Transgender Student's Parent Is Unaware or Disapproving

- Determine whether parent involvement is needed or desired
 - If not, make sure to communicate with the student regarding what name, pronouns, etc. to use with parents
 - S-BULY/R: "When contacting the parent or guardian of a transgender or gender nonconforming student, school personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student, parent, or guardian has specified otherwise."

Parents have rights

- FERPA –parent has right to access student's education records
 - Preferred name in PowerSchool

Other Considerations

Title IX

- Students who believe they have been discriminated against can file a complaint with Office of Civil Rights (OCR).
- Make sure complaint procedure is accessible and known to transgender students.
- U.S. Department of Education can sue and/or seek to deny federal funding.

QUESTIONS?

Workplace Accommodations

Presented by Oksana Cody

Americans with Disabilities Act of 1990

- Prohibits employers from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.
- Places an **affirmative duty** on employers to make reasonable accommodations which will enable qualified individuals to perform the essential functions of their job, absent undue hardship.

Reasonable Accommodations

- Any change or adjustment to a job or work environment that effectively permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of the job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Examples:

- Job restructuring
- Part-time or modified work schedules
- Modification of equipment or devices
- Modification of examinations
- Modifications to policy (e.g., attendance or dress codes)
- Accessibility to work-related areas and events
- Job-protected leave beyond that permitted by federal, state/local law and company medical leave policy
- Reassignment to vacant position

Interactive Process

- **P-MEDI – Medical Impairment of Employees**
 - **P-MEDI/R – ADA Accommodations Process**
- 1. Request for an accommodation**
 1. No magic words
 2. Questionnaire: What is the limitation? What is the work-related barrier?
 - 2. Interactive process** - Employer must, in good faith, engage in an interactive process that involves communicating with the individual and/or individual's health care provider about identifying an effective accommodation.
 1. Explore accommodation options
 2. Choose an accommodation
 3. Implement the accommodation
 4. Monitor the accommodation – Duty to accommodate is continuing and should be reevaluated for effectiveness and burden.

Undue Hardship

- When an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business.
- Factors: cost of the accommodation, the employer's size, financial resources and the nature and structure of its operation
- What is generally NOT a reasonable accommodation: creating a new job, bumping another employee from their position, eliminating essential functions, lowering production or performance standards, excusing misconduct, creating a light-duty position.

Violations of the ADA

Monetary damages

- Ex: Compensatory, Punitive, Front Pay, Back Pay, Attorneys' Fees and Costs

Nonmonetary damages

- Ex: Reinstatement, Instatement, Positive/Neutral Reference Letter, Reasonable Accommodation, Modified Policies, Training
- **P-GRVE – Grievances by Employees**
 - **Three-step process before appeal to the Board permitted**

QUESTIONS?

Legislative Review

Presented by Hope Root and Charles Jeter



HB 103 – 2022 Appropriations Act

Section 7.13 - Virtual Education and Remote Academies

- **Virtual Education**

- School districts can continue providing remote instruction for severe weather and other emergencies, using the same number of maximum days or hours allowed during the 2021-2022 school year.

- **Virtual Schools**

- Virtual schools assigned a separate school code by May 1, 2021, can continue providing virtual instruction under their virtual instruction plan previously submitted to DPI.
- Beginning with the 2023-2024 school year, districts can apply to the State Board of Education for approval of new remote academies.

HB 103 – 2022 Appropriations Act

Section 7.7 - Standards of Student Conduct

- Beginning July 1, 2023, when making material changes to student discipline policies, School Board must first consult with teachers, school-based administrators, parents, and local law enforcement agencies, and must consider existing federal guidance regarding school discipline and the discipline of students with disabilities.
- Beginning July 1, 2023, Board:
 - Must provide DPI with a copy of their most up-to-date student discipline policies and Code of Student Conduct by Sept. 1 each year.
 - Must make discipline policies, procedures, or rules available to students and parents and include the full range of responses to a violation.
 - May require students and parents to sign an acknowledgement that they have received a copy of such policies, procedures, or rules.

None of these requirements regulate the Board's discretion to devise, impose, and enforce personal appearance codes.



HB 159 – Education Law Changes

Section 4. - School Threat Assessment Survey

- All school districts must report to the Center for Safer Schools by Nov. 15, 2022, information regarding violence and threats in schools
 - Systems, policies, procedures, or precautions to identify and address a student who may pose a risk of violence or other harm to themselves or others
 - The number and nature of threats identified under this system
 - The response to any identified threat and the result of that response
 - Whether each school in the school district has a School Risk Management Plan and the number of drills conducted under the plan
 - Any other systems, policies, procedures, or precautions the school district or school undertakes to minimize violence and threats
- No later than Feb. 15, 2023, the Center for Safer Schools, in consultation with NCDPI, must provide recommendations to the General Assembly on a system to identify and assess threats for public schools statewide and additional funding needed to support the system.



HB 159 – Education Law Changes

Section 2.1 - Removes codified reference to PowerSchool

- Beginning with the 2022-2023 school year, this change would allow school districts to use another *student information system* instead of being required to utilize PowerSchool.

Section 2.8 - Extend Principal License Exemption

- Extends the principal licensure waiver from Aug. 31, 2022, to Aug. 31, 2024. Includes waiver eligibility requirements for individuals in the process of becoming a licensed school administrator.

SB 496 – DOI Omnibus Bill

Section 6. (a) – Public School Insurance Reporting Changes

- Requires school districts to provide the Commissioner of Insurance with a list of all insurable buildings, equipment and contents of the buildings, and their insurable values **by Oct. 1 each year**. Requires school districts to provide the commissioner with copies of insurance policies when purchasing insurance from a duly licensed and authorized company. If a policy purchased from a company is canceled, terminated, or changed, **requires school districts to notify the commissioner within five days** of the effective date of the cancellation, termination, or change.

HB 103 – 2022 Appropriations Act

Section 7A.1 – Teacher Salary Schedule

Provides an average 4.2% teacher raise (as compared to the 2021-2022 fiscal year), including step increases for state-funded teachers. The “A” teacher salary schedule is as follows:

Years of Experience	Annual Salary 2021-2022	Adjusted Annual Salary 2022-2023	% Increase from 2021-2022 to 2022-2023
0	35,460	37,000	7.2%
1	36,470	38,000	6.9
2	37,480	39,000	6.7
3	38,490	40,000	6.5
4	39,510	41,000	6.3
5	40,520	42,000	6.1
6	41,530	43,000	5.9
7	42,550	44,000	5.8
8	43,560	45,000	5.6
9	44,570	46,000	5.5
10	45,590	47,000	5.3
11	46,600	48,000	5.2
12	47,610	49,000	5.0
13	48,620	50,000	4.9
14	49,640	51,000	4.8
15 - 24	50,650	52,000	2.7
25 or more	52,680	54,000	2.5



HB 103 – 2022 Appropriations Act

Section 7A.4 - Principal Salary Schedule

- Provides state-funded principals with a 4% raise in the 2022-2023 fiscal year as compared to 2021-2022 fiscal year.

Section 7A.7 - Central Office Salaries

- Provides state-funded central office staff with a 4% raise for the 2022-2023 fiscal year as compared to 2021-2022 fiscal year.

Section 7A.8 - Noncertified Personnel Salaries

- Provides state-funded noncertified public-school employees the greater of a 4% raise (as compared to 2021-2022 fiscal year) or \$15 per hour in the 2022-2023 fiscal year.

HB 103 – 2022 Appropriations Act

Section 7A.2 - Bonuses for Teachers Based on Student Growth

- Requires the State Board of Education to establish a two-tiered teacher bonus program for the 2022-2023 fiscal year based on student growth data from the 2021-2022 school year.
 - Maximum individual teacher bonus of \$3,500 for statewide growth improvement
 - Maximum individual teacher bonus of \$3,500 for local growth improvement

Section 7A.5. (a) - Bonuses for Principals on Student Growth

- The Department of Public Instruction shall administer a bonus in the 2022-2023 fiscal year to any principal who supervised a school as a principal for a majority of the previous school year based on school growth in the state during the previous school year, as follows:

Growth	Bonus
Top 5%	\$15,000
Top 10%	\$10,000
Top 15%	\$5,000
Top 20%	\$2,500
Top 50%	\$1,000

HB 103 – 2022 Appropriations Act

Section 7A.4. (a) – Principal Salary Schedule

- The following annual salary schedule for principals shall apply for the 2022-2023 fiscal year, beginning July 1, 2022:

ADM	Base	Met Growth	Exceeded Growth
0 – 200	\$72,621	\$79,883	\$87,145
201 – 400	\$76,252	\$83,877	\$91,502
401 – 700	\$79,883	\$87,871	\$95,860
701 – 1,000	\$83,514	\$91,865	\$100,217
1,001 – 1,600	\$87,145	\$95,860	\$104,574
1,601 +	\$90,776	\$99,854	\$108,931

QUESTIONS?