

THE METROLINA REGIONAL SCHOLARS' ACADEMY, INC.

Open and Closed Session

Meeting of the Board of Directors

Conference Room, Metrolina Regional Scholars' Academy

Monday, January 26, 2016, 6:30 p.m.

Voting Members Present

Lee Keel, Chair
Renee Alsop
Jack Wagler
Makila Scruggs
Katherine Pair
Manish Mittal

Michael Matthews
Jen McClave
Noelle Sproul
Rob Watson
Karen Cleary

Call to Order and Mission Statement. The meeting was called to order at 6:32p.m.

Approval of the Meeting Minutes of November 23, 2015.

Action: Ms. Sproul moved to approve the minutes with discussed wording change. Ms. Alsop seconded the motion and the Board approved.

Announcements & Adoption of the Agenda.

Action: Ms. Sproul moved to approve the agenda. Ms. Cleary seconded the motion and the Board approved.

Executive Director's Report.

Enrollment. Based on suggestions from Mr. Keel, Ms. Cuneo will change the report going forward to be able to show trends over time.

- There were two withdrawals (6th grade & 7th grade)
- Ms. Cuneo received feedback from the families, but neither participated in a formal exit interview which had been offered to them.

Admissions. Ms. Cuneo updated the board on the status of admissions.

- The Administration is expecting about 300 applicants.
- 80 children participated in the group test, but the results are not in yet.
- The Admissions Committee is meeting the second week of February. Written procedures are in place and the committee is comprised as policy dictates.

Other

- The Science Fair was a success. There were outside experts as judges, and sponsors were very involved.
- Wake Academy (a private school for gifted students) came to visit to observe our operations.
- Five teachers will be presenting at the NCAGT conference in March, three will be first-time presenters. Ms. Pieper/Ms. Gutt will present on Singapore Math, Ms. Turner/Ms. Bernard will present on using a workshop model, Ms. Gee will present on the use of Socratic seminar. Ms. Hinkelman presented about using theater in the gifted classroom at NAGC.

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Finance Committee Update

Mr. Watson presented the financial reports

Compliance report. Mr. Watson explained that we must provide certified proof of our debt ratios in order to be in compliance with our mortgage agreement. We are in a strong position.

Snapshot (see attached):

- Regarding our Budget: We received more state funding than expected and had additional rental revenues. (\$123K up on a budget perspective, \$119K on actual basis)
- ADM will be 369 – this will stay the same for state money for rest of year.

Amendments:

Mr. Watson explained requested budget amendments (see attachment).

Action: Motion to approve amendment Ms. Scruggs, Mr. Wagler seconded.

Policy Committee Update

Ms. Scruggs shared policies for first review.

Employment-at-will (see attached):

Action: Mr. Watson moved to approve the Employment-at-will policy with wording change. Ms. Sproul seconded the motion, and the Board approved.

Recruitment & Selection policy (see attached):

Action: Ms. Sproul moved to approve the Recruitment and Selection policy. Ms. Alsop seconded the motion and the Board approved..

Employee Discipline & Non-renewal (see attached):

The Board discussed the policy and had some questions to be researched before adoption

- Go back to check if aligns with Employee handbook.
- Explore how to address paid versus unpaid suspension.
- Consider when Board should be made aware of discipline.

The Board will revisit at next meeting.

Equal Opportunity and Non-Harassment Policy (see attached)

This policy is directed toward employees. The board discussed some adjustments:

- Add steps for reporting (after ED, Board Chair).
- Add Reference to Discipline policy.

The board will review next meeting.

Parent Communication Policy (see attached)

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Action: Mr. Watson moved to approve the policy with discussed changes. The motion was seconded by Ms. Alsop and approved by the Board.

Student Records Policy (see attached):

The board recommended considering adding a time limit of one year, or such is required by law, to amending student records.

Action: Ms. Alsop moved to approve the policy with proposed change. Mr. Wagler seconded the motion and the Board approved.

Hiring Committee Update:

Ms. Alsop updated the Board:

- Application deadline was Jan 5.
- The Committee is conducting first round of interviews this week and will meet again in early February to narrow down to 2-3 finalists.
- Final interview/school community visits in mid-February.

Town Hall

Currently, the next Town Hall event is scheduled in March. Due to low turn-out at past Town Halls and the fact that there has been increased communication from the Board in other avenues (newsletters, Facebook), the Board decided to decrease to once a year. They will continue to seek other informal ways to "humanize" the Board and to get the school community involved in board projects (i.e. strategic planning, hiring).

Other

The Board agrees that Executive Director has authority and flexibility to make decisions regarding inclement weather and calendar adjustments.

Community Comments:

- Mrs. Miller finds board write-ups in newsletter valuable.

Motion to Convene in Closed Session. Ms. Scruggs moved to convene in closed session pursuant to the following statutes was made by, seconded by Ms. Sproul, and approved by the Board:

- a. Pursuant to N.C.G.S. §143-318.11(a)(1), to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, such privilege or confidentiality arising under the Family Educational Rights and Privacy Act (20 U.S.C. §1232g) or N.C.G.S. Ch. 126, Art. 7, and
- b. to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee pursuant to N.C.G.S. §143-318.11 (a)(6).

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*The closed session minutes are filed in the office of the Executive Director of the
Metrolina Regional Scholars' Academy, Inc.*

Open Session

Board Calendar & Planning for Next Meeting

Motion to Adjourn. Ms. Scruggs moved to adjourn and Ms. Alsop seconded the motion.

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Budget Amendments

Budget Amendments - Meeting on
01/26/2016

	<u>Original</u>	<u>Adjusted</u>	<u>Difference</u>	
Revenue				
Rev -Rental of Sch Property	8,800.00	10,000.00	1,200.00	more rental activity than expected
Rev - Contributions/Donations	575,000.00	526,392.37	(48,607.63)	to reduce contributions to \$530,000 and to allocate the contributions between stock contributions and other
Rev - Stock Contributions	-	3,607.63	3,607.63	to reduce contributions to \$530,000 and to allocate the contributions between stock contributions and other
Rev - Unrealized Gain or Loss 6049	-	143.38	<u>143.38</u>	to record gain on the sale of stocks and mutual funds
Total Revenue			<u>(43,656.62)</u>	
Expenses				
#1 Salary - Facility Rental Coordinator	331.94	1,500.00	1,168.06	due to the increase in rental activity
#2 Benefits - Unemployment Cost	19,000.00	22,000.00	3,000.00	to adjust to projected
#3 Instructional Supplies - Science				
Restricted	-	6,062.58	6,062.58	to adjust to tie to revenue (rolled over funds from last year)
#6 EC OT Services	-	3,000.00	<u>3,000.00</u>	additional money needs to be spent on EC services that exceeds our budgets amount of 060 funds
Total Expenses			<u>13,230.64</u>	
Net change to budget surplus (deficit)			(56,887.26)	

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EMPLOYMENT-AT-WILL

Except as limited by any contract entered into by an employee with Metrolina Regional Scholars Academy, all employees are terminable at will and may be terminated at any time. As a general rule, at-will employees may, in turn, voluntarily resign their employment with the Board of Directors at any time.

The policies, procedures and regulations of the Board of Directors are not intended to be, nor do they constitute, an express or implied contract of any kind in favor of employees, nor shall any employee or applicant for employment have any contractual rights, claims or privileges against the Board of Directors by virtue of such policies, procedures and regulations.

Date Adopted:

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RECRUITMENT AND SELECTION

The quality of the educational program of this school is dependent upon the employment and retention of the best qualified personnel. High quality of personnel will be achieved by giving careful consideration to qualifications and by providing attractive salaries and benefits, adequate facilities and good working conditions. The Board encourages men and women to enter the field of education in this community and to make it their career. Currently employed personnel share the responsibility for supporting this position.

The Board follows the practice of employing personnel without regard to sex, race, religion, national origin, age or handicap.

Factors which influence the selection of instructional personnel are:

- a. Training, skills and experience
- b. Professional competence
- c. Suitability for the position

All certified and administrative personnel selected for employment must be recommended by the Executive Director to the Board.

It is the responsibility of the Executive Director to manage recruitment and to carry out procedures for selection and screening of applicants as follows:

- a. Applications will be systematically received and processed so that they may be available for openings as they occur and so that applicants may at appropriate times determine the status of their applications.
- b. Appropriate persons will be called upon for advice and aid in the selection process. Existing staff members will participate in the interviewing process as much as the Executive Director can manage.
- c. All who participate in the evaluative screening and selection from among final candidates will be continuously made aware of all aspects of the Board's policy of non-discrimination in employment.
- d. From the finalists selected in the screening process, the Executive Director names the individual applicant to be recommended for election.

The Director reserves the right to recommend election without regard to the screening processes when it is in the best interest of the school. If the Director exercised this right, the Board will be informed.

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EMPLOYEE DISCIPLINE AND NON-RENEWAL

The Board acknowledges that the most important aspect of attaining excellence in education is the quality of the teaching staff and the administrative staff. With that in mind, the Board hereby adopts as policy and states its determination to strive for such excellence, and further declares its intent to employ teachers and administrators who possess, have exhibited, and who continue to strive for excellence in their preparation for, performance of, and contribution toward the educational process.

Hereafter, "At Standard" performance shall be considered the minimum acceptable standard of performance for teachers and administrators in the school system; however, "At Standard" performance shall not constitute any assurance to any teacher or administrator of rights to or consideration for employment or reemployment.

Subjective and objective appraisals of preparation for, performance of, and contribution toward the educational process and the needs of the school system shall be considered by the Board in making decisions to employ or to reemploy teachers and administrators.

A. Discipline

This policy applies to any and all employee conduct that the Scholars Academy administration, in its sole discretion, determines must be addressed by discipline. Of course, no discipline policy can be expected to address each and every situation requiring corrective action that may arise in the workplace. Therefore, Scholars Academy takes a comprehensive approach regarding discipline and will attempt to consider all relevant factors before making decisions regarding discipline.

Scholars Academy will normally adhere to the following progressive disciplinary process, absent egregious circumstances. In egregious circumstances, the administrative team may determine to take action more quickly or to skip certain steps in this process.

1. Verbal Warning: An employee will be given a verbal warning when he or she engages in problematic behavior.
2. Written Warning: A written warning is more serious than a verbal warning. A written warning will be given when an employee engages in conduct that justifies a written warning or the employee engages in unacceptable behavior within a close amount of time following a verbal warning. Written warnings will be placed in the personnel file for the remainder of the then-current school year (and longer, if determined to be warranted by the Executive Director).
3. Suspension: A suspension from position is more serious than a written warning. An employee will be suspended when he or she engages in conduct that justifies a suspension or the employee engages in unacceptable behavior within a close period of time to a written warning.
4. Termination: An employee will be terminated when he or she engages in conduct that justifies termination or does not correct the matter that resulted in less severe discipline.

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While Scholars Academy will generally take disciplinary action in a progressive manner, it reserves the right, in its sole discretion, to decide whether and what disciplinary action will be taken in a given situation.

B. Basis for Nonrenewal

The Board upon the Executive Director's recommendation, may refuse to renew the contract of any teacher or administrator, or to reemploy any teacher or administrator who is not under contract, for any cause it deems sufficient; provided, however, that the cause may not be arbitrary, capricious, discriminatory, or for personal or political reasons, or because the teacher or administrator engaged in activities that are protected by law.

C. Notice of Nonrenewal

If the Board has decided that it will not renew the contract of a professional employee for the following school year, the Executive Director shall notify the professional of this fact by June 1.

Date Adopted:

Date Amended:

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EQUAL OPPORTUNITY AND NON-HARASSMENT

Scholars Academy hereby adopts the following Equal Opportunity and Non-Harassment Policy as part of its ongoing commitment toward maintaining both work and school environments free of discrimination and harassment for all employees and students. Its primary purpose is to assure responsive, consistent and timely resolution of individual and group concerns.

EQUAL OPPORTUNITY

It is the policy of the Board that all applicants for employment and employees will not be discriminated against on the basis of race, color, religion, gender identity, sexual orientation, age, national origin or disability. This policy applies to all personnel actions, including recruiting, hiring, assignments, promotions, evaluations, transfers, compensation, training, discipline, termination and other terms and conditions of employment.

Moreover, no person shall be discriminated against in any educational program, activity or service based on any of the above classifications.

HARASSMENT

The Board forbids harassment of any applicant for employment, employee or student on the basis of race, color, religion, gender identity, sexual orientation, age, national origin or disability.

Harassment is conduct that has the purpose or effect of substantially interfering with an employee's employment or student's educational opportunity, creates an intimidating, hostile or offensive work or school environment, or otherwise affects an employee's employment or student's educational opportunities.

Harassment may include, but is not limited to:

Verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender identity, sexual orientation, national origin, age or disability or that of his or her relatives, friends or associates;

Epithets, insults, jokes, slurs, negative stereotyping or threatening, intimidating or hostile acts that relate to race, color, religion, gender identity, sexual orientation, national origin, age or disability, or

Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender identity, sexual orientation, national origin, age or disability that is placed, disseminated or circulated in the workplace.

SEXUAL HARASSMENT

The Board forbids sexual harassment of any applicant for employment, employee or student.

For purposes of this policy, unwelcome sexual advances, requests for sexual favors and other unwelcome conduct of a sexual nature constitute prohibited sexual harassment if:

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Submission to or tolerance of such conduct is made either an explicit or implicit condition of employment, job advancement or award of grades or other measures of student achievement;

Submission to or tolerance or rejection of such conduct is used as a basis for an employment decision affecting an employee or any decision affecting a student;

The conduct has the purpose or effect of substantially interfering with an employee's or student's performance;

The conduct creates an intimidating, hostile or offensive work or school environment; or

The conduct otherwise adversely affects an employee's employment or student's educational opportunities.

If for some reason an employee has initially welcomed prior sexual advances or conduct by active participation in or encouragement of such activity, he or she should specifically inform the alleged harasser that such conduct is no longer welcome in order for any subsequent conduct to be deemed unwelcome. Failure to give such notice in no way prevents the school from taking appropriate disciplinary action against the alleged harasser for his or her behavior.

The Board prohibits any conduct of a sexual nature directed toward students by faculty, administrators or employees and shall presume that any such conduct is unwelcome.

REPORTING

It is the policy of the Board to encourage all applicants for employment, employees and students who believe that they have been subjected to discrimination or harassment, including sexual harassment, to report such actions.

When possible, the Board prefers that complaints of this nature be resolved informally by reporting such complaints to the Executive Director or the chair of the Board if informal resolution is not achieved, the complaint will be resolved in accordance with the procedure for resolution of complaints set forth in the Equal Opportunity and Non-Harassment Complaint Procedure accompanying this policy.

NON-RETALIATION

The Board requires all employees to cooperate in the reporting and investigation of all EEO complaints. Accordingly, any attempt to coerce, intimidate or retaliate against anyone who complains of discrimination or harassment or who assists in an investigation will not be tolerated and will result in disciplinary action, up to and including termination, subject to applicable procedural requirements.

DISCIPLINE

All employees are expected to comply with the requirements and procedures stated in this policy. Any employee found to have engaged in discriminatory conduct or harassment or who has violated this policy in any way will be disciplined, up to and including termination, subject to applicable procedural requirements. Conduct of a sexual nature by an employee directed toward students will also be reported to local law

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enforcement agencies and to the State Department of Public Instruction as may be required by law. Conduct of a criminal, sexual nature directed toward employees will be reported to local law enforcement agencies.

SCOPE OF POLICY

Nothing in this policy is intended to nor does it in any way impose any additional liabilities, requirements or obligations on the Board or the school beyond those liabilities, requirements and obligations imposed by applicable law.

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Student Records Policy

Metrolina Regional Scholars Academy adheres to the [Family Educational Rights and Privacy Act of 1974](http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html), also known as the Buckley Amendment or FERPA (<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>), a federal law that affords parents and students who are 18 years of age or older ("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 after the day the school receives a request for access. Parents or eligible students should submit to the school Executive Director, or his/her designee, a written request that identifies the records 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 is inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the school to amend a record should write the Executive Director, or his/her designee, clearly identify the part of the record they want changed and specify why it should be changed. 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 provide written consent before the school discloses personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-59

The Executive Director, or his/her designee will coordinate the inspection and review procedures for student education records.

Disclosure with Prior Consent of the Parent/Legal Guardian.

In all other cases, Metrolina Regional Scholars Academy will not release personally identifiable student information in education records or allow access to those records without prior consent of the parent/legal

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guardian. Such consent must be written, signed and dated, and must specify the records to be disclosed, the party to whom the records are to be disclosed, and the purpose of the disclosure.

Records of Disclosures.

Metrolina Regional Scholars Academy will maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student, as well as the names of State and local educational authorities and Federal officials and agencies listed in Section 99.31(a)(3) that may make further disclosures of personally identifiable information from the student's education records without consent under Section 99.33(b), with the education records of the student as long as the records are maintained. For each such request or disclosure the record must include: (1) the parties who have requested or received Personally Identifiable Information from the education records; and (2) the legitimate interests the parties had in requesting or obtaining the information.

Metrolina Regional Scholars Academy will maintain with the student's education records a record for each disclosure request and each disclosure, except disclosures:

1. pursuant to the written consent of the parent/legal guardian
2. to instructional or administrative officials of Metrolina Regional Scholars Academy with a legitimate educational interest;
3. of directory information; or
4. to a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement subpoena when the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

Metrolina Regional Scholars Academy will record the following information when it discloses Personally Identifiable Information from education records under the health or safety emergency exception in 34 CFR Section 99.31(a)(10) and Section 99.36:

1. The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
2. The parties to whom the agency or institution disclosed the information.

Notice.

Metrolina Regional Scholars Academy provides official notice to parents/legal guardians of their rights under FERPA by publishing such notice in the Parent/Student Handbook.

Student Records; Maintenance; Contents; Confidentiality.

5. (a) The official record of each student enrolled in Metrolina Regional Scholars Academy shall be maintained in the school's files for five years after the student withdraws unless the Board determines that such files may be filed in another location designated by the Board for that purpose.
6. (b) The official record shall contain, as a minimum, adequate identification data including date of birth, attendance data, grading and promotion data, and such other factual information as may be deemed appropriate by the local board of education having jurisdiction over the school wherein the record is maintained. Each student's official record also shall include notice of any long-term suspension or expulsion imposed pursuant to G.S. 115C-390.7 through G.S. 115C-390.11 and the conduct for which the student was suspended or expelled.

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7. (c) The official record of each student is not a public record as the term "public record" is defined by G.S. 132-1. The official record shall not be subject to inspection and examination as authorized by G.S. 132-6.
8. (d) The actual address and telephone number of a student who is a participant in the Address Confidentiality Program established pursuant to Chapter 15C of the General Statutes or a student with a parent who is a participant in the Address Confidentiality Program established pursuant to Chapter 15C of the General Statutes shall be kept confidential from the public and shall not be disclosed except as provided in Chapter 15C of the General Statutes. (1975, c. 624, ss. 1, 2; 1981, c. 423, s. 1; 1985, c. 268; c. 416; 1997-443, s. 8.29(s); 2001-195, s. 1; 2002-171, s. 6; 2011-282, s. 13.)
- (e) Annual Parental Notification. Metrolina Scholars Academy shall annually provide parents, by a method reasonably designed to provide actual notice, information on parental rights under State and federal law with regards to student records and opt-out opportunities for disclosure of directory information as provided under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and notice and opt-out opportunities for surveys covered by the Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h.

§ 115C-403. Flagging and verification of student records; Notification of law enforcement agencies.

Upon notification by a law enforcement agency or the North Carolina Center for Missing Persons of a child's disappearance, the superintendent of a local school administrative unit or his designee shall flag or mark the record of any child who is currently or was previously enrolled in a school of that unit and who is reported as missing. The flag or mark shall be made in such a manner that when a copy of or information regarding the record is requested, school personnel are alerted to the fact that the record is that of a missing child.

Before providing a copy of the school record or other information concerning the child whose record is flagged pursuant to this section, the superintendent or his designee shall notify the agency that requested that the record be flagged of every inquiry made concerning the flagged record, and shall provide a copy to the agency of any written request for information concerning the flagged record.

Student Transfers.

When any child transfers from one school system to another school system, the receiving school shall, within 30 days of the child's enrollment, obtain the child's record from the school from which the child is transferring. If the child's parent, custodian, or guardian provides a copy of the child's record from the school from which the child is transferring, the receiving school shall, within 30 days of the child's enrollment, request written verification of the school record by contacting the school or institution named on the transferring child's record. Upon receipt of a request, the principal or the principal's designee of the school from which the child is transferring shall not withhold the record or verification for any reason, except as is authorized under the Family Educational Rights and Privacy Act. Any information received indicating that the transferring child is a missing child shall be reported to the North Carolina Center for Missing Persons. (1989, c. 331, s. 1; 1998-220, s. 12.)

Directory Information.

Directory Information is excluded from FERPA's protection from release and can be released without parental or student consent. Directory information includes: student name; address; phone number; participation in school clubs, activities and sports; height and weight for athletic participation; attendance;

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degrees/awards; major field of study; and similar information. Scholars' Academy may also release Directory Information to the press if deemed in the best interest of the student.

If a parent/legal guardian does not want some or all of this information about his/her child released, a parent/legal guardian may prevent its disclosure by sending a written request to the Executive Director prior to October 1 of each school year.

Records Transferred - Moving to New District.

Upon request, Metrolina Regional Scholars Academy discloses education records without consent to officials of another school in which a student seeks or intends to enroll. Discipline records are part of a student's educational record and will be released along with all other records, including students transferring to or from nonpublic schools.

Access to Pupil Records in Custody Situation.

When a child's parents do not live together, both parents have the right of access to all information relating to their child's education unless there is a current court order on file at Scholars Academy which specifically prohibits it.