

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

UNION COUNTY

FILED

23 CVS 69

2023 JAN -9 P 1:17

DOMINIQUE MORRISON, HONEYSUCKLE)
FARMS RIDING ACADEMY LLC, and)
FRANCIS WARD)

Plaintiffs,)

v.)

UNION COUNTY BOARD OF EDUCATION,)
and Rev. John J. Kirkpatrick IV, Matt Helms,)
Gary Sides, Sandra Greene, Joseph Morreale,)
Kathy Heintel, Rev. Jimmy H. Bention Sr.,)
Todd Price, and Sarah May, in their official)
capacities as members of the Union County)
Board of Education)

Defendants.)

**VERIFIED COMPLAINT FOR
DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF**

On December 13, 2022, the Union County Board of Education (“Board”) voted in a special remote-held session to adopt an illegal school calendar for the 2023-24 School Year which will open schools on August 9, 2023 — three weeks earlier than allowed by state law under N.C. Gen. Stat. § 115C-84.2(d). The meeting lasted less than 15 minutes and was without opportunity for public comment, despite previously sharing two proposed calendars with parents just weeks before this vote which complied with the law.

The Board adopted this calendar in intentional violation of the law and in violation of their oath of office to uphold the laws of this State. The action of the Board’s members could even constitute a criminal misdemeanor which may subject them to removal from office.

N.C. Gen. Stat. § 115C-84.2(d) is no different than many other State statutes which govern the State’s educational system. Local boards of education are not free to pick and choose which laws they want to follow. For example, this same calendar statute requires every school district to

have a minimum of 1,025 hours or 185 days of calendar instruction every year -- a board of education cannot merely decide to only provide 950 hours or 150 days of instruction because they think that would be sufficient and would cost less. They must follow the law as written.

Plaintiffs in this action include parents in Union County with children in the Union County public school system, and a business which provides summer camps to students which will be significantly harmed by the illegal calendar if it is not stopped. Plaintiffs hereby seek a declaratory judgment that the Board's calendar adopted on December 13, 2022, violates state law, and preliminary and permanent injunctive relief enjoining the Board from using this illegal calendar.

Parties, Jurisdiction, and Venue

1. Plaintiff Dominique Morrison is a citizen and resident of Union County, North Carolina. She is a parent of students attending Union County public school system.

2. Plaintiff Honeysuckle Riding Academy, LLC is a North Carolina Limited Liability Company operated and owned by Ms. Morrison. It offers horse riding lessons and camps. The summer camp class and riding season, including the first three weeks of August, is a critical time for her business to be able to earn enough revenue to feed its horses and stay operational to serve the community.

3. Plaintiff Francis Ward is a citizen and resident of Union County, North Carolina. He is a parent of students attending Union County public school system.

4. Defendant Union County Board of Education ("Board") is a government entity which governs the Union County public school system.

5. Defendants Rev. John J. Kirkpatrick IV, Matt Helms, Gary Sides, Sandra Greene, Joseph Morreale, Kathy Heintel, Rev. Jimmy H. Bention Sr., Todd Price, and Sarah May, are the

members of the Union County Board of Education, as listed on the Board's website (<https://www.ucps.k12.nc.us/Page/192>). The Board members are sued in their official capacities.

6. Venue is proper in Union County because Defendants are located in Union County, and the acts challenged in this action took place in Union County.

FACTUAL BACKGROUND

7. Under state law, N.C. Gen. Stat. § 115C-84.2(d) ("School Calendar Law") mandates that the school year for North Carolina public schools must begin no earlier than the Monday closest to August 26. In 2023, that date will be Monday, August 28, 2023.

8. N.C. Gen. Stat. § 115C-84.2 is one of many statutes in Chapter 115C which prescribe rules for local boards of education to follow. These statutes are not discretionary. For example:

- N.C. Gen. Stat. § 115C-107.6 requires districts to provide for the education of children with disabilities.
- N.C. Gen. Stat. § 115C-47(10) requires local boards to meet class size requirements for kindergarten to third class set forth in N.C. Gen. Stat. § 115C-301.
- N.C. Gen. Stat. § 115C-157 requires districts to offer career and technical education instruction to students.
- N.C. Gen. Stat. § 115C-84.2(a) requires every school district to have a minimum of 1,025 hours or 185 days of calendar instruction every year.

9. The School Calendar Law requires boards of education to consult with parents and school personnel in the development of the school calendar. N.C. Gen. Stat. § 115C-84.2(a).

10. In Union County, to comply with this consultation requirement, an email was sent to parents on November 15, 2022, with a link to two proposed calendars, asking parents to vote on their choice. Both of these calendars had start dates of August 28, 2023, in compliance with the law. A copy of that email and the two calendars proposed is attached as **Exhibit A**.

11. The email noted that the survey of parents would close on November 28, 2022, and the results would be shared with the Board of Education and district leadership. The email also stated that “the Board of Education will discuss the calendar in January and approval is expected in February 2023.”

12. Instead of doing what it said it would do in this email, on December 6, 2022, the Board held a regularly scheduled public meeting, which included an item on its consent agenda for approval of its academic calendar for the 2023-24 school year. A copy of that agenda is attached as **Exhibit B** (see pages 7-8).

13. A PowerPoint presentation was attached to the December 6, 2022, meeting agenda which included a “Draft Calendar Proposal.” Like the calendars shared with parents in the November 15 email, that calendar started the first day of classes on August 28, 2023, in compliance with the law. A copy of that PowerPoint is attached as **Exhibit C**.

14. The PowerPoint states that a District Calendar Committee was developed to review calendars, and that the public had an opportunity to vote on the calendar they wanted. (**Exhibit C** at page 2.)

15. The PowerPoint also directly noted the “statutory requirement” that the calendar must have a “start date no earlier than the Monday closest to August 26.” (**Exhibit C** at page 3). It is also that there are no “educational purpose waivers for exemption of the opening and/or closing dates.”

16. However, when this item came up at the December 6, 2022 meeting, an “alternative motion” was suddenly made and passed--without advance notice -- to direct the Board’s staff to prepare a calendar which starts on August 9 – three weeks earlier than allowed by law.

17. Board members at the meeting in fact acknowledged that such a calendar would violate the law. There was some discussion that “other districts” had recently adopted illegal calendars and “nothing happened” to them.

18. One board member also admitted this new calendar could adversely affect people with vacations already planned for August 2023.

19. It was also noted at the Board meeting the calendar could be adopted at a special remote meeting the following week.

20. Video of the December 6, 2022 Board discussion is available on YouTube at <https://www.youtube.com/watch?v=nnt02VwoaCM>, starting at approximately 1:14:45, where the entire discussion of the calendar is less than five minutes.

21. On December 13, 2022, the Board then held a special remote meeting which lasted less than 15 minutes. The Board voted unanimously to adopt a school calendar for 2023-24 which starts on August 9, 2023, acknowledging it would be in violation of State law.

22. During the meeting, a few comments on the YouTube stream asked why the new calendar had not been presented to the community, and that the “lack of transparency among the Board is a bit troubling.” See screenshot at **Exhibit D**.

23. It is not clear what public notice was given for the December 13, 2022 meeting; Plaintiffs reserve their right to amend this Complaint should it be discovered that proper notice of an open meeting was not given.

24. Video of this December 13, 2022 meeting can be found at: <https://www.youtube.com/@UCPSBOE/streams>.

25. A copy of the calendar adopted at this meeting is attached to the Complaint as **Exhibit E**. The calendar states on its face “Approved by the Board of Education on December 13th 2022”. It is on the school system’s website as the official calendar for 2023-24 as found at: <https://www.ucps.k12.nc.us/page/2#calendar1/20221219/month>.

26. The calendar adopted by the Board has a start date for students of Wednesday August 9, 2023. The calendar adopted is not either of the legal calendars shared with parents just weeks before that they had been asked to vote on.

27. Dominique Morrison found out about the vote of the Board on December 13 to adopt an illegal calendar, and was immediately troubled.

28. Ms. Morrison attempted to reach out to school board members she knew to explain her concerns. This change to the calendar will severely impact her ability to hold summer horse-riding camps for as many weeks as she normally holds them. The loss of those August weeks will cause her to lose critical revenue which she depends on as part of her annual operations. Even in future summers (should this calendar stay in place), she would be harmed, due to holidays such as Memorial Day which adversely impact the ability to hold camps.

29. Morrison and her business have relied on the School Calendar Law in developing a successful business, and the violation of the law will cause her and her company harm.

30. Francis Ward found out about the illegal vote on December 13, and was immediately concerned, as he knew it was in violation of the law.

31. Morrison and Ward will also be harmed because they have children who are students in the Union County school district. Despite being illegal, the Board is now telling students and parents that they must report for school on August 9, 2023, three weeks earlier than allowed by State law. The new calendar is already on the school system’s website.

32. The parents of Union County students including Morrison and Ward rely on the Board following state law in planning their summers, both for work and other family activities.

33. The Board has asserted that it believes this calendar is “better” for students because it allegedly syncs with the local college community calendar – although that applies to only those high school students who take community college classes. However, the Board does not have the ability or power to violate state law at its own choosing – it is required to follow the educational laws of this state.

34. Even if the Board disagrees with the law, and even if the Board advocates for changes in the law, it must follow the law as written while it is effective. Indeed, under the criminal laws of this State, the willful failure of a “school board member” to follow the law is a criminal Class 1 misdemeanor under N.C. Gen. Stat. § 14-230, which can be punishable by removal from office by order of the Court.

COUNT I – CLAIM FOR DECLARATORY JUDGMENT

35. The allegations contained in the prior and subsequent paragraphs of this Complaint are hereby re-alleged and incorporated by reference as if set forth verbatim herein.

36. Plaintiffs seek a declaration under N.C. Gen. Stat. § 1-253 *et seq.* that the School Calendar adopted by the Board on December 13, 2022 violates N.C. Gen. Stat. § 115C-84.2(d) and is therefore invalid.

37. The Board has already admitted in public meetings that this calendar violates the law.

38. The Board is required to follow N.C. Gen. Stat. § 115C-84.2(d) by law. The Board cannot pick and choose which mandatory duties under Chapter 115C it will decide to follow.

39. There are no disputed issues of fact or questions on law, and a prompt declaration by this Court is requested.

COUNT II – PRELIMINARY AND PERMANENT INJUNCTION

40. The allegations contained in the prior and subsequent paragraphs of this Complaint are hereby re-alleged and incorporated by reference as if set forth verbatim herein.

41. Preliminary seek a preliminary and permanent injunction that enjoins the Board from enforcing the illegal school calendar adopted on December 13, 2022, or adopting any other calendar which violates the school calendar law.

42. Immediate action is required to prevent further disruption and damage to Plaintiffs.

43. There is a high likelihood of success on the merits of this claim, and Plaintiffs will be irreparably harmed if Defendants are not enjoined.

44. Plaintiff Morrison and her business are being prevented from scheduling and planning camps in August due to the Board's adoption of the illegal calendar.

45. Without a preliminary injunction the parents and businesses of Union County will be adversely affected trying to plan to accommodate a calendar in planning their summer which violates the law.

46. In addition, and in the alternative, Plaintiffs ask that a permanent injunction be immediately entered in this matter, since there are no genuine issues of fact or law in dispute.

47. The injunctive relief requested is in the public interest.

COUNT III – ATTORNEYS' FEES

48. The allegations contained in the prior and subsequent paragraphs of this Complaint are hereby re-alleged and incorporated by reference as if set forth verbatim herein.

49. There is no valid legal defense to the school calendar adopted in Union County on December 13, 2022.

50. N.C. Gen. Stat. § 115C-84.2(d) sets forth an unambiguous limit on the authority of Defendants to adopt a school calendar, which was willfully violated.

51. There is a complete absence of a justiciable issue of either law or fact to be raised by the Defendants in this case.

52. Pursuant to N.C. Gen. Stat. § 6-21.7 and/or § 6-21.5, Plaintiffs are entitled to a full award of all reasonable attorneys' fees and costs incurred in bringing this matter.

53. An award of attorneys' fees is also required in the interest of justice to discourage continued violations of N.C. Gen. Stat. § 115C-84.2(d).

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully pray unto the Court that they receive the following relief:

1. That a declaratory judgment be entered in favor of Plaintiffs declaring that the Board's school calendar adopted on December 13, 2022, is illegal and invalid and violates N.C. Gen. Stat. § 115C-84.2(d).

2. That a preliminary and permanent and injunction be entered in favor of Plaintiffs enjoining the Board from enforcing the school calendar adopted on December 13, 2022, or adopting any calendar which violates § 115C-84.2(d).

3. Award Plaintiffs their costs, including without limitation reasonable and necessary attorneys' fees as allowed by law pursuant to N.C. Gen. Stat. § 6-21.7 and/or § 6-21.5 or other applicable law; and

4. Such other and further relief as provided by law or as the Court deems just and proper.

This the 9th day of January, 2023.

SMITH, ANDERSON, BLOUNT, DORSETT,
MITCHELL & JERNIGAN, LLP



J. Mitchell Armbruster
N.C. State Bar No. 26422
P.O. Box 2611
Raleigh, NC 27602-2611
Telephone: (919) 821-1220
Fax: (919) 821-6800
Email: marmbruster@smithlaw.com

VERIFICATION

Dominique Morrison being first duly sworn, deposes and says that she has read the foregoing Verified Complaint and knows the contents thereof, and that the allegations in it are true of her own knowledge and belief, except as to those matters and things stated therein upon information and belief, and as to those such matters and things, she believes them to be true. She signs this verification on behalf of herself and on behalf of Honeysuckle Riding Academy, LLC

Dominique Morrison
Dominique Morrison

Subscribed and sworn to before me,
this the 4 day of January, 2023.

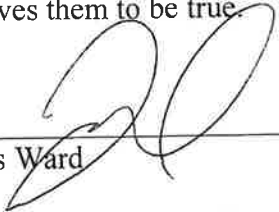
Helisia Wright
Notary Public

My Commission expires: March 15, 2027

HELISIA WRIGHT
Notary Public, North Carolina
Union County
My Commission Expires
March 15, 2027


VERIFICATION

Francis Ward being first duly sworn, deposes and says that he has read the foregoing Verified Complaint and knows the contents thereof, and that the allegations in it are true of his own knowledge and belief, except as to those matters and things stated therein upon information and belief, and as to those such matters and things, he believes them to be true.



Francis Ward

Subscribed and sworn to before me,
this the 5th day of Jan., 2023



Notary Public

DEBBIE CASTILLO-CUADRA
NOTARY PUBLIC
Union County
North Carolina
My Commission Expires 11/02/2026

My Commission expires: 11.02.2024

EXHIBIT A

Subject: FW: 2023-2024 Calendar Survey
Attachments: Union-DraftA.jpg; Union-DraftB.jpg

On Tue, Nov 15, 2022, 9:10 AM UNION COUNTY PUBLIC SCHOOLS <information@ucps.k12.nc.us> wrote:



Good morning,

Union County Public Schools is conducting a survey to get input for the 2023 - 2024 academic calendar. Visit [this page](#) to review the draft calendars and to submit your preference.

The survey will close Monday, Nov. 28 at 11:59 p.m. Survey results will be shared with the Board of Education and the district's senior leadership team. The Board of Education will discuss the calendar in January and approval is expected in February 2023.

Thank you.

This e-mail has been sent to you by UNION COUNTY PUBLIC SCHOOLS. To maximize their communication with you, you may be receiving this e-mail in addition to a phone call with the same message. If you no longer wish to receive email notifications from UNION COUNTY PUBLIC SCHOOLS, please [click here](#) to unsubscribe.

To view the UNION COUNTY PUBLIC SCHOOLS privacy policy, please [click here](#)

Union County Public Schools

Draft A

August 2023

S	M	T	W	Th	F	S
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	★	29	30	31		

September 2023

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	/	21
22	23	24	25	26	27	28
29	30	31				

Notes:

- / Early Release
- Required Teacher Workday (7)
- Optional Teacher Workday (11)
- Holiday (11)
- Annual Leave Day (10)

November 2023

S	M	T	W	Th	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024

S	M	T	W	Th	F	S
		1	2	3		
4	5	6	7	8	9	10
11	12	13	14	15	/	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	/	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2024

S	M	T	W	Th	F	S
						6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	/	27
28	29	30				

May 2024

S	M	T	W	Th	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2024

S	M	T	W	Th	F	S
						1
2	3	4	5	6	★	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 2024

S	M	T	W	Th	F	S
						6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			



Students do not attend school on Annual Leave Days, Holidays, or Teacher Workdays.

215 Calendar Days for Staff
176 Instructional Days
88 Student Days 1st Semester
88 Student Days 2nd Semester

Make-up Days:
Saturdays and/or Extended school days may be used for make-up as determined appropriate by the superintendent.

Additional day may be added at the Superintendents discretion

Union County Public Schools

Draft B

August 2023

S	M	T	W	Th	F	S
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	★	29	30	31		

September 2023

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	/	28
29	30	31				

November 2023

S	M	T	W	Th	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024

S	M	T	W	Th	F	S
		1	2	3		
4	5	6	7	8	9	10
11	12	13	14	15	/	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	/	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2024

S	M	T	W	Th	F	S
						6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	/	27
28	29	30				

May 2024

S	M	T	W	Th	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2024

S	M	T	W	Th	F	S
						1
2	3	4	5	6	★	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 2024

S	M	T	W	Th	F	S
						6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Notes:

- / Early Release
- Required Teacher Workday (7)
- Optional Teacher Workday (11)
- Holiday (11)
- Annual Leave Day (10)



First and Last Day of School
End of Grading Period

Students do not attend school on
Annual Leave Days, Holidays, or
Teacher Workdays.

215 Calendar Days for Staff

176 Instructional Days

88 Student Days 1st Semester

88 Student Days 2nd Semester

Make-up Days:

Saturdays and/or Extended
school days may be used for make-
up as determined appropriate by
the superintendent.

Additional day may be added at the
Superintendents discretion

EXHIBIT B



**Tuesday, December 6, 2022
Agenda - Open Session**

**Union County Board of Education
Professional Development Center
721 Brewer Drive
Monroe, NC 28112
Open Session - 7:00 p.m.**

1. Preliminary Items

Subject A. Invocation - Union County Sheriff's Office

Meeting Dec 6, 2022 - Agenda - Open Session
Category 1. Preliminary Items
Type Discussion

Subject B. Call to Order - Andrew Houlihan

Meeting Dec 6, 2022 - Agenda - Open Session
Category 1. Preliminary Items
Type Action, Procedural

Subject C. Pledge of Allegiance - Piedmont High School

Meeting Dec 6, 2022 - Agenda - Open Session
Category 1. Preliminary Items
Type Procedural

Subject D. Approval of Agenda

Meeting Dec 6, 2022 - Agenda - Open Session
Category 1. Preliminary Items
Type Action

2. Swearing in Elected Members - Wendy Maynard

Subject A. District 1 - John Kirkpatrick

Meeting Dec 6, 2022 - Agenda - Open Session
Category 2. Swearing in Elected Members - Wendy Maynard
Type Procedural

Subject **B. District 3 - Gary Sides**
Meeting Dec 6, 2022 - Agenda - Open Session
Category 2. Swearing in Elected Members - Wendy Maynard
Type Procedural

Subject **C. District 4 - Sandra Greene**
Meeting Dec 6, 2022 - Agenda - Open Session
Category 2. Swearing in Elected Members - Wendy Maynard
Type Procedural

Subject **D. District 6 - Kathy Heintel**
Meeting Dec 6, 2022 - Agenda - Open Session
Category 2. Swearing in Elected Members - Wendy Maynard
Type Procedural

Subject **E. At Large - Jimmy Bention, Sr.**
Meeting Dec 6, 2022 - Agenda - Open Session
Category 2. Swearing in Elected Members - Wendy Maynard
Type Procedural

3. Election of Officers

Subject **A. Board Chair**
Meeting Dec 6, 2022 - Agenda - Open Session
Category 3. Election of Officers
Type Action, Procedural

Subject **B. Board Vice Chair**
Meeting Dec 6, 2022 - Agenda - Open Session
Category 3. Election of Officers
Type Action, Procedural

4. John H. Crowder Service Award

Subject **A. Monroe High School - John Kirkpatrick**
Meeting Dec 6, 2022 - Agenda - Open Session

Category 4. John H. Crowder Service Award
Type Information, Recognition

5. Recognitions

Subject A. Influencers - Bashawn Harris
Meeting Dec 6, 2022 - Agenda - Open Session
Category 5. Recognitions
Type Recognition

6. Comments - Public

Subject A. Guidelines
Meeting Dec 6, 2022 - Agenda - Open Session
Category 6. Comments - Public
Type Information

File Attachments
[Board Chair Introduction to Public Comments 2022.pdf \(84 KB\)](#)

Subject B. Public Comments Sign Up List
Meeting Dec 6, 2022 - Agenda - Open Session
Category 6. Comments - Public
Type Information

File Attachments
[BOE Public Comments - December 2022.pdf \(71 KB\)](#)

7. Open Session Meeting Minutes

Subject A. Minutes from November 1, 2022
Meeting Dec 6, 2022 - Agenda - Open Session
Category 7. Open Session Meeting Minutes
Type Action, Minutes

File Attachments
[11-1-22 BOE Minutes \(Open\).pdf \(118 KB\)](#)

8. Consent Agenda

Subject A. Approval of Consent Agenda

Meeting Dec 6, 2022 - Agenda - Open Session
 Category 8. Consent Agenda
 Type Action (Consent)

Subject B. Personnel Agenda and Addendum

Meeting Dec 6, 2022 - Agenda - Open Session
 Category 8. Consent Agenda
 Type Action (Consent)

File Attachments
[12-06-22 Personnel for BOE Approval.pdf \(71 KB\)](#)

Subject C. Gifts Memo

Meeting Dec 6, 2022 - Agenda - Open Session
 Category 8. Consent Agenda
 Type

File Attachments
[12-2022 Gifts Memo.pdf \(316 KB\)](#)

Subject D. Sole Source Purchase - Safe & Civil Schools

Meeting Dec 6, 2022 - Agenda - Open Session
 Category 8. Consent Agenda
 Type Action (Consent)

File Attachments
[BOE Sole Source Purchase Request - Safe and Civil Schools.pdf \(269 KB\)](#)

Subject E. 2022-2023 NC Star School Improvement Plans

Meeting Dec 6, 2022 - Agenda - Open Session
 Category 8. Consent Agenda
 Type Action (Consent)

File Attachments
[BOE 2022-2023 NCStar School Improvement Plans.pdf \(248 KB\)](#)

Subject F. 2023-2024 High School Program of Studies

Meeting Dec 6, 2022 - Agenda - Open Session
Category 8. Consent Agenda
Type Action (Consent)

File Attachments
[BOE 2023-2024 High School Program of Studies.pdf \(244 KB\)](#)

Subject G. Public Impact Executive Coaching Proposal

Meeting Dec 6, 2022 - Agenda - Open Session
Category 8. Consent Agenda
Type Action (Consent)

File Attachments
[BOE Public Impact Executive Coaching Proposal.pdf \(243 KB\)](#)

Subject H. Cuthbertson High and Marvin Ridge High Track bids

Meeting Dec 6, 2022 - Agenda - Open Session
Category 8. Consent Agenda
Type Action (Consent)
Dollar Amount \$1,232,465.00

File Attachments
[Track bids.pdf \(291 KB\)](#)

Subject I. Piedmont Middle School HVAC Bids

Meeting Dec 6, 2022 - Agenda - Open Session
Category 8. Consent Agenda
Type Action (Consent)
Dollar Amount \$247,700.00

File Attachments
[Piedmont Middle HVAC Bids.pdf \(270 KB\)](#)

Subject J. Water Heater Systems Bid

Meeting Dec 6, 2022 - Agenda - Open Session
Category 8. Consent Agenda

Type Action (Consent)

Dollar Amount \$121,623.27

File Attachments
[Water Heater Bids.pdf \(1,191 KB\)](#)

Subject K. CMAR Proposal

Meeting Dec 6, 2022 - Agenda - Open Session

Category 8. Consent Agenda

Type Action (Consent)

File Attachments
[CMAR Binder.pdf \(3,088 KB\)](#)

Subject L. Policy 2-23 Disposing of Personal Property

Meeting Dec 6, 2022 - Agenda - Open Session

Category 8. Consent Agenda

Type Action (Consent)

File Attachments
[2-23 Disposing of Personal Property Rev 9-2022.pdf \(29 KB\)](#)

Subject M. Policy 4-8 Child Abuse and Related Threats to Children

Meeting Dec 6, 2022 - Agenda - Open Session

Category 8. Consent Agenda

Type Action (Consent)

There is a minor definition change and additional legal reference in blue font.

File Attachments
[4-8 Child Abuse and Related Threats to Children rev 10-22.pdf \(132 KB\)](#)

Subject N. Policy 4-17 Student Sex Offenders

Meeting Dec 6, 2022 - Agenda - Open Session

Category 8. Consent Agenda

Type Action (Consent)

File Attachments
[4-17 STUDENT SEX OFFENDER Rev 9-22.pdf \(69 KB\)](#)

Subject **O. Policy 7-10 Use of Unmanned Aircraft Systems (Drones)**

Meeting Dec 6, 2022 - Agenda - Open Session

Category 8. Consent Agenda

Type Action (Consent)

File Attachments

[7-10 Use of Unmanned Aircraft Systems \(Drones\) Rev 9-22.pdf \(97 KB\)](#)**Subject** **P. FY2024 Budget Calendar**

Meeting Dec 6, 2022 - Agenda - Open Session

Category 8. Consent Agenda

Type Action (Consent)

File Attachments

[FY23-24 Draft Budget Calendar 12.06.2022.pdf \(138 KB\)](#)**Subject** **Q. After School Program Proposed Incentive Plan**

Meeting Dec 6, 2022 - Agenda - Open Session

Category 8. Consent Agenda

Type Action (Consent)

File Attachments

[After School Program Incentive Plan 12.06.2022.pdf \(158 KB\)](#)[ASP Employee Incentive Plan Chart 12.06.2022.pdf \(119 KB\)](#)**Subject** **R. School Nutrition Services Proposed Incentive Plan**

Meeting Dec 6, 2022 - Agenda - Open Session

Category 8. Consent Agenda

Type Action (Consent)

File Attachments

[School Nutrition Services Incentive Plan 12.06.2022.pdf \(386 KB\)](#)**Subject** **S. Academic Calendar**

Meeting Dec 6, 2022 - Agenda - Open Session

Category 8. Consent Agenda

Type Action (Consent)

File Attachments
[2023-2024 UCPS Calendar SPTT.pdf \(208 KB\)](#)

9. Superintendent's Report

10. Schools of Choice 2023-2024

Subject A. Choice Schools 2023-2024
Meeting Dec 6, 2022 - Agenda - Open Session
Category 10. Schools of Choice 2023-2024
Type Action

File Attachments
[2023-2024 Choice Schools.pdf \(37 KB\)](#)
[Choice Schools 2022-23.pdf \(170 KB\)](#)
[Supporting Documents - Emails.pdf \(438 KB\)](#)

11. Policies and Administrative Guidelines for First Review

Subject A. Policy 3-16 Leave and Benefits and the Administrative Guidelines
Meeting Dec 6, 2022 - Agenda - Open Session
Category 11. Policies and Administrative Guidelines for First Review
Type Discussion, Information

The Administrative Guidelines have some revisions proposed by staff to comply with current practice, some recommended by the NC School Boards Association due to revisions, and some word choice changes. There are no recommended changes to the Policy.

File Attachments
[3-16 Leave and Benefits Approved 11.8.18.pdf \(77 KB\)](#)
[3-16 Types of Leave Administrative Guidelines rev 10-22.pdf \(238 KB\)](#)

Subject B. Policy 5-1 Selection of Instructional Materials
Meeting Dec 6, 2022 - Agenda - Open Session
Category 11. Policies and Administrative Guidelines for First Review
Type Discussion, Information
 Request from Mr. Sides at the 10/6/22 BOE meeting.

File Attachments
[5-1 SELECTION OF INSTRUCTIONAL MATERIALS Post PCM 11-22.pdf \(140 KB\)](#)

Subject C. Proposed New Policy - Sale, Disposal, and Lease of Real Property

Meeting Dec 6, 2022 - Agenda - Open Session

Category 11. Policies and Administrative Guidelines for First Review

Type Discussion, Information

This policy is being proposed as surplus personal property is being address and this proposed policy will not address the sale, disposal, etc. of real property.

File Attachments

[Proposed New Policy - Sale, Disposal, and Lease of Real Property.pdf \(34 KB\)](#)

12. Comments - Board

Subject A. Comments from BOE members

Meeting Dec 6, 2022 - Agenda - Open Session

Category 12. Comments - Board

Type Information

13. Announcements

Subject A. Announcements from BOE members

Meeting Dec 6, 2022 - Agenda - Open Session

Category 13. Announcements

Type Information

14. Adjournment

Subject A. Adjourn Meeting

Meeting Dec 6, 2022 - Agenda - Open Session

Category 14. Adjournment

Type Action

15. FYI

Subject A. Resignations and Retiree Summary

Meeting Dec 6, 2022 - Agenda - Open Session

Category 15. FYI

Type Information

File Attachments

[12-06-2022 Resignation and Retirement Summary.pdf \(14 KB\)](#)

Subject B. COVID Relief Funding Update - October 2022

Meeting Dec 6, 2022 - Agenda - Open Session

Category 15. FYI

Type Information

File Attachments

- [BOE COVID Funding Update 10.31.22 SM.pdf \(594 KB\)](#)
- [covid funds exp psu prc 04PFY2023 10.31.22.pdf \(209 KB\)](#)

Subject C. Report of Claims Settled

Meeting Dec 6, 2022 - Agenda - Open Session

Category 15. FYI

Type

File Attachments

- [Report of Claims Settled \(1\).pdf \(274 KB\)](#)


EXHIBIT C



2023 2024 UCPS
UNIVERSITY CITY PUBLIC SCHOOLS
Draft Calendar Proposa



UCPS Calendar Process

- All schools met with leadership teams to discuss calendar priorities
- District Calendar Committee was developed to review the Draft Calendars 
- Public will vote on calendars starting November 15th – November 28th
- Presentation to the SPTT Committee on November 30th

Statutory Requirements

- Start date no earlier than the Monday closest to August 26 and end date no later than the Friday closest to June 11.
- There are no educational purpose waivers for exemption of the opening and/or closing dates.
- All schools within the district must be closed all day for purposes of determining eligibility for a weather related waiver (delayed starts or early dismissals of two or more hours no longer apply).
- Covers at least nine calendar months.
- Must have a minimum of 185 days OR 1,025 hours of instruction. (1056)
- Must have at least nine (9) teacher workdays.
- Local Boards shall designate two (2) workdays on which teachers may take accumulated vacation leave.
- Have a minimum of ten (10) annual vacation leave days.
- Have the same or an equivalent number of legal holidays occurring within the school calendar as those designated by the State Personnel Commission for State employees.
- School shall not be held on Sunday.
- Veterans Day shall be a holiday for all public school personnel and for all public school students.
- Total number of days for staff must equal 215 days.

Union County Public Schools 2023 – 2024 (Draft B)

August 2023						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	★	29	30	31		

September 2023						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	/	28
29	30	31				

November 2023						
S	M	T	W	Th	F	S
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024						
S	M	T	W	Th	F	S
						6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024						
S	M	T	W	Th	F	S
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4	5	6	7	8	9	10
11	12	13	14	15	/	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024						
S	M	T	W	Th	F	S
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10	11	12	13	14	/	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						








April 2024						
S	M	T	W	Th	F	S
						6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	/	27
28	29	30				

May 2024						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2024						
S	M	T	W	Th	F	S
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2	3	4	5	6	★	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 2024						
S	M	T	W	Th	F	S
						6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Notes:

-  Early Release
-  Required Teacher Workday (7)
-  Optional Teacher Workday (11)
-  Holiday (11)
-  Annual Leave Day (10)
-  First and Last Day of School
-  End of Grading Period

Students do not attend school on Annual Leave Days, Holidays, or Teacher Workdays.

215 Calendar Days for Staff
 176 Instructional Days
 88 Student Days 1st Semester
 88 Student Days 2nd Semester

Make-up Days:
 Saturdays and/or Extended school days may be used for make-up as determined appropriate by the superintendent.

Additional day may be added at the Superintendents discretion

Next steps:

- **Approval from SPTT Committee**
- **Present recommendation to full BOE in December**

EXHIBIT D

Top chat replay >

Zoom meeting interface showing a grid of 12 participants. The participants are: Kathy Heintel, Joe Morroale, Gary Sides, Sarah May, JONA THAN TYSON, John J. Kirkpatrick, President Jimmy H., Sandra Greene, bashawnhamis, and Drew Houlahan. The Zoom logo is visible at the bottom of the grid. Playback controls at the bottom show a play button, a progress bar at 12:45 / 17:47, and a full screen icon.

Union County Board of Education Special Called Meeting (Dec 13, 2022)

Union County Board of Education

4.13k subscribers

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676 views Streamed 2 days ago

- Brid [redacted] Any community comments re: the calendar?
 - Brid [redacted] Why wasn't the calendar presented to the community?
 - Brid [redacted] The lack of transparency among the Board is a bit troubling.
 - Brid [redacted] Have you spoken to the parents of the community?
 - Jason [redacted] Very troubling and disappointed
- Hide chat replay

EXHIBIT E

2023-2024 Traditional School Academic Calendar

August 2023

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2023

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2023

S	M	T	W	Th	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024

S	M	T	W	Th	F	S
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29						

March 2024

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2024

S	M	T	W	Th	F	S
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 2024

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2024

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July 2024

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

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- HS Exams

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