

DARLINGTON COUNTY SCHOOL DISTRICT

PROCUREMENT CODE EXEMPTIONS

(July 1, 2022)

710. EXEMPTIONS. (SC Code §§ 11-35-710, 59-19-270)

The Board may exempt specific supplies, services, information technology, or construction from the purchasing procedures required in this Code or withdraw exemptions provided for in this section. Exemptions granted by the Board shall appear in any internal operating protocols or procedures adopted pursuant to Section 540.1(SC Code § 11-35-710). The District adopts the exemptions granted by the State Budget and Control Board both present and future. The following exemption categories are granted by the Board of Education:

1. **Copyrighted Educational Materials** to include, but not limited to:
 - a. Books, dictionaries, reference materials, textbooks, newspapers, diplomas, sheet music
 - b. Professional journals, technical pamphlets, periodicals, subscriptions
 - c. Educational films, filmstrips, slides and transparencies
 - d. Video tapes, cassettes, DVDs, CDs
 - e. Standardized testing materials, and services to score the tests
 - f. Goods and materials recommended by the State Department of Education for a prescribed curriculum (i.e., Montessori manipulatives and classroom furnishings)
 - g. Educational kits and replacement parts required for instruction (STEM, PLTW, ROTC, Health Sciences)

2. **Copyrighted Technology Materials** to include, but not limited to:
 - a. Computer assisted instructional materials, interactive video programs, web based instructional programs and other related materials made available by information technology that can only be obtained from the company providing the information or service
 - b. CD-ROM documents, data bases
 - c. District adopted instructional software, including site licenses, webinars or other support services or related information/materials only available or provided by the software Provider
 - d. License agreements/renewals for computer software after such software has been competitively bid as required by the Code and additional software features/options that are only available by the software provider.

3. **Medical and/or Psychological Services** to include, but not limited to:
 - a. Licensed/certified medical doctors, physicians, surgeons, doctors of osteopathy, physician assistants, nurses, pathologist, psychiatrists, psychologists, school psychologists, behaviorists, counselors, optometrists, dentists, etc.
 - b. Hospital, medical clinics and clinical services, occupational and physical therapy, orientation and mobility
 - c. Speech, language, audiological and related services
 - d. Long-term care medical or educational organizations and treatment programs
 - e. Hepatitis B and other vaccines
 - f. Medical devices required for instruction
 - g. Mental health organizations and services

4. **Governmental Services** to include, but not limited to:
 - a. Services and supplies provided by the Federal government, State agencies, county, city or town governments, and special purpose Districts
 - b. Payments of taxes, social security, annuities, credit unions
 - c. School Resource Officer services
 - d. Professional artists utilized by S.C. Arts Commission

5. **Educational Services** to include, but not limited to:
 - a. Contractual, cooperative agreements, services and supplies for provision of services to students
 - b. Tuitions paid to institutions of higher education
 - c. Evaluation services and expenses of visiting committees, such as the Southern Association of Colleges and Schools
 - d. Consultants for evaluation of academic programs
 - e. Professional artist services, including dancers, writers, poets, theatre groups, craftsmen, folk artists, and other such services
 - f. Executive search and recruitment services

6. **Policy and Legal Services** to include, but not limited to:
 - a. Attorney services (subject to Board approval), court recorders, expert witness services, bond rating services and costs associated with issuance or refinancing of bonds
 - b. Certified Public Accountants and auditing services (subject to Board Approval)
 - c. Legislative consultant (subject to Board Approval)
 - d. Finance Advisors, investment management, brokerage services (subject to Board approval)
 - e. Payment of bond rating services, and costs associated with issuance or refinancing of bonds, public accountants and banking services (subject to Board approval)
 - f. Insurance coverage, primary and reinsurance coverage
 - g. Board governance consultants and facilitators
 - h. Security Underwriters and similar services provided by professionals regulated by the National Association of Securities Dealers ("NASD")
 - i. Other professional services obtained on a fee basis
 - j. Terms of financing incidental to procurements such as lease-purchase or installment-purchase, provided competitive pricing from market participants is obtained in a manner that is commercially reasonable in the relevant financial market

7. **Staff Development** to include, but not limited to:
 - a. Training provided by consultants, certified teachers/trainers or District personnel
 - b. Training materials secured or prepared for instructional purposes
 - c. Workshop, webinars
 - d. Training facility rentals
 - e. Instructional training seminars or staff development offered by the District to employees and those contractual services necessary to provide the services for the seminar

8. **Student Services** to include, but not limited to:
 - a. Electronic and printed exams, test, testing materials, including scoring services and materials
 - b. Canine Drug and/or weapon detection services and related support services
 - c. Homebound services, home visits and home health services
 - d. Instruction provided by certified teachers
 - e. Interpreters, interpreter services, tutors
 - f. Employment sourcing services for instructional staff identified as critical needs

9. **Utilities and Energy Expenses** to include, but not limited to:
 - a. Fuel, propane, natural gas
 - b. Oil company credit card purchases of gas, oil, or fluids
 - c. Electric/power services
 - d. Water/sewer services and related costs
 - e. Solid waste fees

10. **Communication Expenses** to include, but not limited to:
 - a. Local & long distance telecommunication services
 - b. Telecommunication equipment, upgrades, maintenance & repair contracts
 - c. Lease of imbedded telephone systems
 - d. Cell phones & services
 - e. Cable & satellite TV
 - f. Internet connectivity

11. **Refunds** to include, but not limited to:
 - a. Refunds of health insurance, earnest monies, bid securities, or other funds temporarily entrusted to the District

12. **One of a Kind Items** to include, but not be limited to:
 - a. Paintings, sculptures, antiques, art reproductions, historical artifacts, other rare items
 - b. Scientific specimens, skeletal and taxidermy mounts, models, fossils, minerals, rocks, etc.
 - c. Previously owned (used) vehicles, portable classroom/office/restroom buildings, and instruments (subject to approval by the Chief Procurement Officer)
 - d. Band Uniforms (subject to approval by the Chief Procurement Officer)

13. **Emergency Repairs** to include, but not be limited to:
 - a. Repairs to life safety, fire, security systems and public address systems
 - b. Repairs to buses or other vehicles used to transport students or staff on District sponsored trips.
 - c. Environmental remediation services where the issues giving rise to remedial services disrupt the educational process

14. **Items Purchased for Resale**

15. **Livestock, Feed and Veterinary Supplies and Services**

16. **Mail and Delivery Services, Shipping and Postage related costs and Post Office Boxes**

17. **Perishable Foods** not subject to U.S Department of Agriculture procurement requirements to include, but not limited to:
 - a. Milk, Meats, Fish and Eggs
 - b. Catering services
 - c. Food items for nutritional instructional classes, after school programs and community schools.

18. **Travel Expenses** to include, but not be limited to:
 - a. Airline, car rental, bus, train, parking, taxis, etc.
 - b. Hotel accommodations
 - c. Meals/allowances
 - d. Conference/seminar and other registration/fees
 - e. Admission cost and fees

19. **Professional Dues and Membership Fees**

20. **Property Services** to include, but not be limited to:
 - a. Appraisals and related services
 - b. Leasing of public parking lots, lecture halls, theaters, arenas, athletic facilities, recreational areas, etc. for District sponsored events.

21. **Advertising**

22. **Pupil Activity Funds or Other Trust or Agency Funds** *(Except when used to procure capital equipment, site improvements, construction services, architects and other facility related services).*
 - a. Student Activity Funds
 - b. Daycare Funds
 - c. Donations for a specific purpose
 - d. Items purchase for resale (i.e, school store items, yearbooks, school pictures etc.)

23. **Professional Artists** to include, but not be limited to:
 - a. Writers and poets
 - b. Theater groups
 - c. Craftsmen and folk artist

24. **Clergy**

25. **Grant Specified Equipment and Services**
 - a. Purchase of grant specified and approved equipment, subcontracts and consultants required for the successful completion of the grant project and where competitive bidding is not required or practical (subject to Chief Procurement Officer approval)

26. **Confidential Goods and Services**
 - a. Goods and services of a confidential/sensitive nature that would cause injury to students, staff and/or District if procured through public solicitation, as recommended by administration and approved by Superintendent on an "as needed" basis

27. **Cooperative Purchase with Public Procurement Units:**
 - a. Procurements by the District through a **cooperative purchase** where the public procurement unit or external procurement activity administering the cooperative purchase complied with the requirements of the South Carolina Procurement Consolidated Code, or such other procurement code approved by the Office of General Services of the State Budget and Control Board

28. Budget and Control Board Exemptions:

The District also adopts the exemptions granted by the State Budget and Control Board, both present and future

29. Procurements by the District through a cooperative purchase where the public procurement unit or external procurement activity administering the cooperative purchase complied with the requirements of the South Carolina Procurement Consolidated Code, or such other procurement code approved by the Office of General Services of the State Budget and Control Board pursuant to S.C. Code Ann. § 11-35-70 (Supp. 2000).