district five
OF LEXINGTON & RICHLAND COUNTIES

AGENDA
BOARD OF TRUSTEES
SPRING HILL HIGH SCHOOL'S MULTI-PURPOSE ROOM
OCTOBER 14, 2013

1. Call to order at 5:30 p.m.

2. Enter executive session to consider the following:

   a. Selected employment items (Exhibit A)
   b. Contractual matter regarding construction management

3. Welcoming remarks at 7 p.m.

4 Invocation – Mrs. Ellen Baumgardner, Board Secretary

5. Pledge of Allegiance – Chandler Sizer, student council public relations officer, Spring Hill High School

6. School Board Spotlight

7. Approval of the agenda

8. Approval of the minutes of the September 23, 2013 board meeting

9. Welcome and brief overview of Spring Hill High School by Dr. Michael Lofton, principal

10. Superintendent's report

    a. Report on World Languages/ESOL

11. Public participation*

ACTION AGENDA

12. Items considered in executive session

13. Approval of Chinese Textbook Adoption (Exhibit B)

14. Second reading approval of proposed revisions to "K" policies (Exhibit C):
    a. Replace KJ "Advertising, Distribution of Promotional Materials and Vending Agreements on School Property and at School-Sponsored Events" and KHC "Distribution of Promotional Materials" with KHEA "Advertising, Distribution of Promotional Materials and Vending Agreements on School Property at School-Sponsored Events"
    b. Replace LDAJA "Interrogations and Searches" with KLG "Relations with Law Enforcement Authorities"

15. Second reading approval of proposed revisions to "J" board policies (Exhibit D):
    a. Replace JCDAE "Urinalysis Drug Testing for Certain Expelled Students Attending the Alternative School" with JICHA "Urinalysis Drug Testing for Certain Expelled Students Attending the Academy for Success"
    b. Delete Administrative Rule JCDAE-R "Urinalysis Drug Testing for Certain Expelled Students Attending the Alternative School

16. First reading approval of proposed revisions to "D" board policies" (Exhibit E):
    a. Replace DC "Taxing and Borrowing", DCB "Fiscal Year, DCCA "Budget Deadlines and schedules", DCCB "Staff Involvement in Budget Preparation" and DCCC "Dissemination of Budget Information" with DB "Annual Budget"

17. First reading approval of proposed revisions to "E" board policies (Exhibit F):
    a. Replace EA "Business Management Goals and Objectives" with EA "Support Services Goals/Priority Objectives"
    b. Add EB "Environmental and Safety Program"
    c. Add EBAB "Hazardous Materials"
    d. Replace JGCC "Communicable Diseases" and JGCC-R "Communicable Diseases – Students" with EBBA "Prevention of Disease/Infection Transmission"
    e. Replace EBBC "Emergency Drills" and JGFA "Emergency Drills" with EBC "Emergencies"
    f. Replace EBBC "Emergency Drills" and JGFA "Emergency Drills" with EBCB "Safety Drills"
    g. Replace EBBD "Emergency Closings" and AFC "Emergency Closings" with EBCE "School Closings and Cancellations"; Replace EBBD-R "Emergency School Closing" and AFC-R "Emergency School Closing" with EBCE-R "School Closings and Cancellations"; and Replace "EBBD-E "Parent/Guardian Emergency Dismissal Information" and AFC-E "Parent/Guardian Emergency Dismissal Information" with EBCE-E "Parent/Legal Guardian Emergency Dismissal Information"
    h. Add EC "Buildings/Grounds/Property Management"
    i. Replace EBC "Security (of School Properties) with ECA "Security"
    j. Add ECAC "Vandalism"

18. Approval of the proposed Superintendent's Goals for 2013-2014 (Exhibit G)

DISCUSSION AGENDA

19. Approval of the refunding of Series 2009 B Taxable Build America Bonds as provided in the attached resolution (Exhibit H)

20. 2014-2015 proposed school calendar (Exhibit I)

21. Proposed revisions to "E" board policies (Exhibit J):
    a. Replace EBG "Repairs (and Maintenance)", EBI "Long-Range Maintenance Program (Improvement and Alteration of Buildings and Grounds)" and EBG-R "Repairs (and Maintenance)" with ECB "Buildings and Grounds Maintenance"
    b. Replace EC "Equipment Supplies and Management" with ED "Materials and Equipment Management" ; and Replace EC-R "Equipment and Supplies Management" with ED-R "Materials and Equipment Management"
    c. Replace ECG "Centralized Inventory of Equipment" with EDA "Centralized Inventory of Equipment"
    d. Add EDE "Waste Management and Recycling"
    e. Replace ED "Student Transportation Management" with EEA "Student Transportation"
    f. Add EEAC "Bus Scheduling and Routing"
    g. Replace ED-2 "Alcohol And Controlled Substances Testing" and ED-2-R "Alcohol And Controlled Substances Testing" with EEAE "Bus Safety Program", EEAE-R "Bus Safety Program" and EEAE-E "Drug And Alcohol Testing Program Acknowledgement Form"
    h. Replace EDCB "Student Transportation Safety/Bus Conduct" with EEAEC "Student Conduct on Buses" and EEAEC-R "Student Conduct on Buses"
    i. Add EEAG "Student Transportation in Private Vehicles"
    j. Add EHB "Data/Records Retention"
    k. Replace EGA "Staff Insurance Program" and EGAA "Worker's Compensation" with EI "Insurance Program/Risk

22. Update on Magnet Grant (Exhibit K)

23. Adjourn by 9:30 p.m. **
    **Any items to be submitted by board members for the record must be turned in within 15 minutes of the adjournment.

FOR YOUR INFORMATION

24. The next regular scheduled board meeting will be October 28, 2013 at Irmo Middle School.

*The Board welcomes and encourages public participation and includes an opportunity during its meetings for the public to do so. We respectfully ask that you adhere to the procedures and the decorum provided in board policy BEDH "Public Participation at Meetings". We ask that you sign-up to speak before the meeting begins and that you provide us your name, address and topic of input. Your comments should be limited to three minutes. Questions asked during public participation and placed in writing will receive a written response in a timely manner. Comments, questions and opinions are appreciated but should always be presented in a manner that reflects the respect and dignity expected by our community. Personal attacks on members of the community, the Board, or the staff of the school system will not be allowed.

district five
OF LEXINGTON & RICHLAND COUNTIES

Minutes/ September 23, 2013

The Board of Trustees of School District Five of Lexington and Richland Counties met at the Dutch Fork High School with the following members present:

Mr. Robert Gantt, Chairman
Mrs. Beth Burn Watson, Vice Chairman
Mrs. Ellen Baumgardner, Secretary
Mrs. Jondy Loveless
Mr. Jim Turner
Mr. Ed White
Dr. Stephen Hefner, District Superintendent

The following staff were in attendance:

Dr. Angela Bain, Chief Human Resource Services Officer
Mr. Mark Bounds, Chief Information Officer
Dr. Karl Fulmer, Chief Financial Services Officer
Mr. Michael Harris, Chief Student Services Officer
Mr. Keith McAlister, Director of New Design and Construction
Dr. Christina Melton, Chief Instructional Services Officer

Chairman Gantt called the meeting to order and gave welcoming remarks.

The Invocation was given by Beth Burn Watson. The Pledge of Allegiance was led by Devon Chatman, student body president at Dutch Fork High School.

The School Board Spotlight was led by Robert Gantt, Beth Burn Watson and Ellen Baumgardner.

A welcome and brief overview of Dutch Fork High School was given by Dr. Greg Owings, principal.

During the superintendent's report, Mark Bounds gave an update on the Freedom from Religion Foundation v. School District Five of Lexington and Richland Counties; Keith McAlister and Chris Whitley presented the monthly update on new design and construction (Exhibit B); and Dr. Fulmer presented the monthly financial reports – August 2013 (Exhibit C).

During the public participation, Paula Hite spoke regarding the Education Foundation Auction.

Dr. Hefner presented the proposed Superintendent's Goals for 2013-2014 (Exhibit H).

Mark Bounds presented the 2014-2015 proposed school calendar (Exhibit I).

Dr. Fulmer and Michael Harris presented proposed revisions to "D" and "E" policies: (Exhibit J) a) replace DC "Taxing and Borrowing", DCB "Fiscal Year, DCCA "Budget Deadlines and schedules", DCCB "Staff Involvement in Budget Preparation" and DCCC "Dissemination of

Budget Information" with DB "Annual Budget"; b) replace EA "Business Management Goals and Objectives" with EA "Support Services Goals/Priority Objectives"; c) add EB "Environmental and Safety Program"; d) add EBAB "Hazardous Materials"; e) replace JGCC "Communicable Diseases" and JGCC-R "Communicable Diseases – Students"with EBBA "Prevention of Disease/Infection Transmission"; f) replace EBBC "Emergency Drills" and JGFA "Emergency Drills" with EBC "Emergencies"; g) replace EBBC "Emergency Drills" and JGFA "Emergency Drills" with EBCB "Safety Drills"; h) replace EBBD "Emergency Closings" and AFC "Emergency Closings" with EBCE "School Closings and Cancellations"; Replace EBBD-R "Emergency School Closing" and AFC-R "Emergency School Closing" with EBCE-R "School Closings and Cancellations"; and Replace "EBBD-E "Parent/Guardian Emergency Dismissal Information" and AFC-E "Parent/Guardian Emergency Dismissal Information" with EBCE-E "Parent/Legal Guardian Emergency Dismissal Information"; i) add EC "Buildings/Grounds/Property Management"; j) replace EBC "Security (of School Properties) with ECA "Security"; and k) add ECAC "Vandalism".

Dr. Christina Melton and Kathy Stafford presented the Chinese Textbook Adoption recommendation (Exhibit K).

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of September 23, 2013

	BAUMGARDNER	GANTT	LOVELESS		TURNER	WATSON	WHITE
1. M. Baumgardner S. Turner Enter executive session to consider the following: a) selected employment items (Exhibit A); b) contractual matter regarding construction management; and c) legal matter regarding construction at Spring Hill High School	X	X	X		X	X	X
2. M. Watson S. Baumgardner Approve the agenda	X	X	X		X	X	X
3. M. Baumgardner S. Loveless Approve the minutes of the September 9, 2013 board meeting	X	X	X		X	X	X
4. M. Watson S. Baumgardner Approve the selected employment items (Exhibit A)	X	X	X		X	X	X
5. M. Watson S. Baumgardner Second reading approval of proposed revisions to "K" policies (Exhibit D):a) replace LEB "Parents' Organizations" with KBE "Relations with Parent Organizations"; b) add KC "Career and Technology Education Planning and Appeals"; c) replace LC "School-Business-Community Partnerships" with KCA "School-Community Relations Goals/Priority Objectives"; d) replace KE "Student Mentoring Program" with KCAA "Student Mentoring Program"; e) replace KNBA "Complaints About Instructional Materials" and IFAD "Complaints About Instructional Materials" with KEC "Public Concerns and Complaints About Instructional Resources"; f) replace KNBA-R "Complaints About Instructional Materials" and IFAD-R "Complaints About Instructional Materials" with KEC-R "Public Concerns and Complaints About Instructional Resources"; g) replace KNBA-E "Individual School Letterhead" and IFAD-E "Sample" with KEC-E "Citizen's Request for Review of Education Materials"; h) replace KCC "Business	X	X	X		X	X	X

A = Absent
AB = Abstain
N = No
X = Yes
R = Recuse

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of September 23, 2013

		BAUMGARDNER	GANTT	LOVELESS		TURNER	WATSON	WHITE
	Partnerships" with KG "Business Partnerships"; i) replace KIA "Political Campaign Materials Distribution/Staff Participation in Political Activities" with KHE "Political Campaign Materials Distribution/Staff Participation in Political Activities"; and j) replace KM "Visitors to the Schools" with KI "Visitors"							
6.	M. Watson S. Baumgardner First reading approval of proposed revisions to "K" policies (Exhibit E): a) replace KJ "Advertising, Distribution of Promotional Materials and Vending Agreements on School Property and at School-Sponsored Events" and KHC "Distribution of Promotional Materials" with KHEA "Advertising, Distribution of Promotional Materials and Vending Agreements on School Property at School-Sponsored Events"; and b) replace LDAJA "Interrogations and Searches" with KLG "Relations with Law Enforcement Authorities"	X	X	X		X	X	X
7.	M. Watson S. Loveless First reading approval of proposed revisions to "J" board policies: (Exhibit F): a) replace JCDAE "Urinalysis Drug Testing for Certain Expelled Students Attending the Alternative School" with JICHA "Urinalysis Drug Testing for Certain Expelled Students Attending the Academy for Success" ; and b) delete Administrative Rule JCDAE-R "Urinalysis Drug Testing for Certain Expelled Students Attending the Alternative School	X	X	X		X	X	X
8.	M. Watson S. Baumgardner Approve the 2013 SCSBA Delegate Assembly (Exhibit G)	X	X	X		X	X	X
9.	M. Watson S. Baumgardner Reconvene in executive session to consider 2b) contractual matter regarding construction management	X	X	X		X	X	X
10.	M. Watson S. Baumgardner	X	X	X		X	X	X

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SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of September 23, 2013

	BAUMGARDNER	GANTT	LOVELESS		TURNER	WATSON	WHITE
Adjourn at 10:15 p.m.							

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Exhibit B

EXHIBIT B

district five
OF LEXINGTON & RICHLAND COUNTIES

MEMORANDUM

TO: Members of the Board of Trustees
Stephen Hefner, Ed. D., Superintendent

FROM: Christina Melton, Ed. D.
Chief Instructional Officer

Date: October 7, 2013

Re: October 14, 2013 Board Meeting, Approval
Chinese Textbook Adoption Recommendation

After a careful review of all state adopted textbooks, the textbook adoption committees, composed of parents, teachers, and subject area coordinators are bringing the attached Chinese textbook recommendation for School District Five to you for your approval.

Secondary World Languages Coordinator, Kathy Stafford, will be present to answer any questions you may have regarding this adoption.

School District Five of Lexington & Richland Counties

Recommendation Instructional Materials Adoption

Subject: Chinese Grade level/Cluster: 1 and 2

Title: Zhen Bang Author: Margaret M. Wong: Tiffany Fang

Publisher: EMC Publishing Copyright Date: 2012

Comments should reflect the criteria indicated on the appraisal form.

I. Organization

A. Text facilitates correlation with other disciplines.

B. Text is adaptable to a variety of teaching techniques and individual needs.

C. Skill development is sequential and clearly defined.

D. Format is consistent and logical with titles, subheadings and appropriate cross referencing.

E. Table of Contents, Indexes and Appendixes facilitate learning.

II. Content

A. Text correlates to objectives/standards.

B. Content is current and accurate along with realistic and relevant problem-solving situations.

C. Text facilitates the evaluation of student progress.

D. Text is suitable for the interests and needs of the intended group.

E. Text enhances awareness of political, social, and /or cultural differences/similarities.

III. Style

A. Reading level is appropriate for the designated group.

B. Text is attractive in appearance and has a durable binding.

C. Activities meet student interests and ability levels.

D. Vocabulary, sentence structure, and paragraphs are appropriate.

E. Student directions are concise and understandable.

IV. Illustrations

A. Pictorial representations are properly labeled, attractive, and are easily interpreted.

B. Pictorial representations extend and enrich the content.

C. Charts, diagrams, maps, and other pictorial material are abundant and easily read.

D. Representation of ethnic grouping are adequate and appropriate.

E. Representation of gender groupings are adequate and appropriate.

V. Instructional Supplements

A. Practice exercises and application activities for skill/concept mastery are sufficient.

B. Activities for student needs and abilities are appropriate.

C. Quality guides, handbooks, manuals and keys are provided.

D. Materials/activities for subject area correlation are available.

E. Technological resources are provided or suggested.

Committee Chairperson Kathy Stafford Date 9-17-13

Adopted 4/28/86; Revised 6/3/96

Exhibit C

EXHIBIT C

district five
OF LEXINGTON & RICHLAND COUNTIES

Memorandum

To: Members of the Board of Trustees

Through: Dr. Stephen W. Hefner
Superintendent

From: Mark A. Bounds
Chief Information Officer

Date: October 9, 2013

Re: Board Policies – Section K

Issue: Proposed additions and revisions to Board Policies – Section K

Background: Attached for your consideration are the recommended new policies and revisions from the South Carolina School Boards Association for the following policies:

- Replace KJ "Advertising, Distribution of Promotional Materials and Vending Agreements on School Property and at School-Sponsored Events" and KHC "Distribution of Promotional Materials" with KHEA "Advertising Distribution of Promotional Materials and Vending Agreements on School Property at School-Sponsored Events"
- Replace LDAJA "Interrogations and Searches" with KLG "Relations with Law Enforcement Authorities"

Recommendation: Administration recommends that the Board give second reading approval to the proposed additions/revisions to selected "K" policies.

MB/aw

Attachments - Current Board Policies/Recommended Policies – Section K

ADVERTISING, DISTRIBUTION OF PROMOTIONAL MATERIALS AND VENDING AGREEMENTS ON SCHOOL PROPERTY AND AT SCHOOL-SPONSORED EVENTS

Code **KHEA** *Issued* **DRAFT/08**

Purpose: To establish the basic structure for advertising, distribution of promotional materials, and vending agreements and the revenues that these activities may generate.

Definitions

For the purpose of this policy, the following definitions will apply.

- Advertisements are defined as visual signs and other notices intended to call attention to a product or service that are erected on or affixed to district real or non-real property.
- Promotional materials are defined as pamphlets, flyers, brochures and other items containing descriptions or advertising that are distributed to the recipients.
- Vending is defined as the sale or donation of any item for use or consumption by the purchaser.
- Sponsor means any person or organization that pays for or carries out a project or activity in return for advertising.

Guidelines

Advertisements, promotional materials and/or vending items cannot undermine or detract from the district's educational mission.

Corporate involvement in the district's affairs must support and enhance the educational goals of the district.

The board and the superintendent retain the authority at all times to review and evaluate any materials, agreements, programs or relationships with a corporate entity to ensure that they are consistent with the district's educational goals.

The board and the superintendent retain the authority to determine that all aspects of such materials, agreements, programs and relationships are tasteful; appropriate for the educational environment; do not violate any district policies; and meet all local, state and federal legal requirements as well as the ethical standards and requirements of the district.

The board and the superintendent or his/her designee retain the authority and right for final approval of any and all agreements established with corporate entities.

The superintendent must have on file a report concerning all commercial agreements covered by this policy. The report must include a list of the agreements, the subject matter of the agreement, the schools involved and the revenue produced under each agreement. This information was moved and placed under 'guidelines."

All sponsored and/or donated materials must meet the same standards used for selection and procurement of the curriculum materials. Schools and teachers retain discretion in the use of corporate sponsored materials.

PAGE 2 - KHEA - ADVERTISING, DISTRIBUTION OF PROMOTIONAL MATERIALS AND VENDING AGREEMENTS ON SCHOOL PROPERTY AND AT SCHOOL-SPONSORED EVENTS

Students cannot be required to observe, listen to or read advertisements or promotional materials. The district will not provide any non-district entity access to a "captive audience."

Administrative procedures

All agreements allowing any entity to advertise, distribute promotional materials or engage in vending on school property must be in writing. These agreements must identify the parties involved, include a description of any advertising or promotional materials, and include a list of vending items to be sold.

Where the agreement anticipates generation of revenue or donation of tangible items, the principal may grant final approval to such agreements whose value is under $10,000; agreements over $10,000 but less than $25,000 must be approved by the superintendent or his/her designee; agreements over $25,000 must be approved by the superintendent and board, unless otherwise provided for in the procurement laws, rules, regulations and policies applicable to the district. On term agreements, the required approval authority will be determined by the anticipated total revenue for the entire term of the agreement.

School administrators, teachers, booster clubs and other district personnel and organizations may recommend that the district enter into agreements regarding advertising, distribution of promotional items or vending activities. Recommendations must be submitted to the superintendent, his/her designee or a committee that the superintendent may establish to review such proposed agreements.

Any agreement for advertising, promotional or vending programs which obligates the district to the expenditure of more than $1,000 through a capital expenditure or a general fund, a payment upon termination or otherwise must be approved by the board.

Revenue

All revenue collected pursuant to any advertising approved by the superintendent and the board will be placed in a school account and will be expended for the general benefit of the school as approved by the principal. Collections and expenditures of all such revenues must be accounted for in an annual audit submitted to the board. Revenues generated from PTAs, PTOs and club-sponsored activities at school-sponsored functions will be retained by the club. Revenue generated from sponsorships, donations and assessments will also be retained by the organization and/or club.

The superintendent will present to the board an annual report detailing the use and disposition of all property donated to the district pursuant to agreements made under this policy.

PAGE 3 - KHEA - ADVERTISING, DISTRIBUTION OF PROMOTIONAL MATERIALS AND VENDING AGREEMENTS ON SCHOOL PROPERTY AND AT SCHOOL-SPONSORED EVENTS

Contract terms

Contracts executed under this policy will conform to standard terms and conditions established by the superintendent or his/her designee and the district's legal counsel. The established terms and conditions are effective the current year only. Multiple year contracts must be approved by the superintendent or his/her designee.

Adopted 9/13/99; Revised 6/28/04, 8/14/06, ^

Legal references:

A. Court cases:
   1. Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, 373 F. 3d 589 (4th Cir. 2004).
   2. Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, -- F.3d - -, 2006 WL 2294272, C.A. 4 (Md.), August 10, 2006.

Policy KJ Advertising, Distribution of Promotional Materials and Vending Agreements on School Property and at School-Sponsored Events
Issued 8/06

Purpose

The purpose of this policy is to provide guidelines to School District Five of Lexington and Richland Counties on the issues of advertisements, distribution of promotional materials, vending and revenues that these activities may generate.

Definitions

For the purpose of this policy, the following definitions will apply.

- Advertisements are defined as visual signs and other notices intended to call attention to a product or service that are erected on or affixed to district real or non-real property.
- Promotional materials are defined as pamphlets, flyers, brochures and other items containing descriptions or advertising that are distributed to the recipients.
- Vending is defined as the sale or donation of any item for use or consumption by the purchaser.
- Sponsor means any person or organization that pays for or carries out a project or activity in return for advertising.

Guidelines

Advertisements, promotional materials and/or vending items cannot undermine or detract from the district's educational mission.

Corporate involvement in the district's affairs must support and enhance the educational goals of the district.

The board of trustees and the superintendent retain the authority at all times to review and evaluate any material, agreement, program or relationship with a corporate entity to ensure that they are consistent with the district's educational goals.

The board of trustees and the superintendent retain the authority to determine that all aspects of such materials, agreements, programs and relationships are tasteful; appropriate for the educational environment; do not violate any district policies; and meet all local, state and federal legal requirements as well as the ethical standards and requirements of the district.

The board of trustees and the superintendent or his/her designee retain the authority and right for final approval of any and all agreements established with corporate entities.

All sponsored and/or donated materials must meet the same standards used for selection and procurement of the curriculum materials. Schools and teachers retain discretion in the use of corporate sponsored materials.

Students cannot be required to observe, listen to or read advertisements or promotional materials. The district will not provide any non-district entity access to a "captive audience."

Administrative procedures

All agreements allowing any entity to advertise, distribute promotional materials or engage in vending on school property must be in writing. These agreements must identify the parties involved, include a

description of any advertising or promotional materials and include a list of vending items to be sold.

Where the agreement anticipates generation of revenue or donation of tangible items, the principal may grant final approval to such agreements whose value is under $10,000; agreements over $10,000 but less than $25,000 must be approved by the superintendent or his/her designee; agreements over $25,000 must be approved by the superintendent and board, unless otherwise provided for in the procurement laws, rules, regulations and policies applicable to the district. On term agreements, the required approval authority will be determined by the anticipated total revenue for the entire term of the agreement.

School administrators, teachers, booster clubs and other district personnel and organizations may recommend that the district enter into agreements regarding advertising, distribution of promotional items or vending activities. Recommendations must be submitted to the superintendent, his/her designee or a committee that the superintendent may establish to review such proposed agreements.

Any agreement for advertising, promotional or vending programs which obligates the district to the expenditure of more than $1,000 through a capital expenditure or a general fund, a payment upon termination or otherwise must be approved by the board of trustees.

Revenue

All revenue collected pursuant to any advertising approved by the superintendent and the board will be placed in a school account and will be expended for the general benefit of the school as approved by the principal. Collections and expenditures of all such revenues must be accounted for in an annual audit submitted to the board. Revenues generated from PTAs, PTOs and club-sponsored activities at school-sponsored functions will be retained by the club. Revenue generated from sponsorships, donations and assessments will also be retained by the organization and/or club.

The superintendent will present to the board an annual report detailing the use and disposition of all property donated to the district pursuant to agreements made under this policy.

Report to the board

The superintendent must submit a report to the board each fiscal year concerning all commercial agreements covered by this policy. The report must include a list of the agreements, the subject matter of the agreement, the schools involved and the revenue produced under each agreement.

Contract terms

Contracts executed under this policy will conform to standard terms and conditions established by the superintendent or his/her designee and the district's legal counsel.

Adopted 6/28/04; Revised 8/14/06

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

Policy KHC Distribution of Promotional Materials
Issued 9/99

Faculty and students may not be used in any manner for advertising, promoting or distributing the interests of any business or non-school agency or organization without the approval of the director of community services and the school principal. Materials being approved must meet the following criteria.

Materials from non-profit organizations may be approved providing the information being communicated clearly provides a much-needed service to parents and students.

School business partnerships are designed to strengthen the school program. Business partners who have entered into a formal partnership with the school may receive approval to distribute information that will benefit the school in a clear and substantial manner.

Approved information directed toward faculty members from businesses and commercial organizations may be placed in faculty distribution boxes at the principal's discretion, or may be placed in appropriate areas where faculty and staff members may pick them up if they so desire.

Information from non-profit organizations and agencies that will assist faculty and staff as they serve students may be placed in faculty distribution boxes.

Adopted 9/13/99

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

Code **KLG** *Issued* **DRAFT/08**

Purpose: To establish the basic structure for the district's relations with law enforcement authorities.

1. Law Enforcement Point of Contact
The district's primary point of contact with law enforcement agencies will be the district's Coordinator of Security. School principals and administrators will be the primary points of contact at the school-level. However, all district employees will assist and cooperate with School Resource Officers (SRO(s) and other Law Enforcement Agencies (LEA(s). To the extent possible, school and district staff shall attempt to keep law enforcement patrol routines, assignments, and specific locations at any given time confidential. Suspicious questions pertaining to this type of information should be forwarded to the district's Coordinator of Security who will notify the appropriate LEA. Media and similar inquiries about the specific location of law enforcement officers at a given time or patrol routines should be forwarded to the district's Chief Information Officer.

2. Routine Law Enforcement Calls for Service
Routine calls for law enforcement services that are not urgent or time-sensitive during school hours will normally originate from the school administration. However, all employees, students, and visitors are encouraged to report suspicious persons, activities, items or crimes to their SRO or LEA in a timely manner.

3. SRO(s)
SROs are Certified Class 1 law enforcement officers who have additional school related training and are a great resource to both the schools and their LEA. SROs work at the school in accordance with the District-SRO Agreement, but are under the primary direction and authority of their LEAs chain of command. SROs must follow appropriate policies and procedures, as well as, relevant local, state, and federal laws. SROs have law enforcement jurisdiction at their school and anywhere in the state when they are traveling with their school or at school sponsored events. Staff should report, coordinate and cooperate routinely with SROs on law enforcement, safety, crime, drug prevention, traffic, training, teaching and mentoring activities as indicated in the District-SRO Agreement.

4. Calls for SRO or Law Enforcement Services
School employees or students may request law enforcement services directly from their SRO via radio, phone, in person or any other method. However, when there is an emergency or a need for an immediate law enforcement response and the SRO cannot be immediately reached, the school administration or other individual must call 911. When law enforcement officers respond to the school, the school administration must ensure that the District Office is notified immediately.

5. Emergency Law Enforcement Calls for Service
Any school district employee may call law enforcement directly at any time should they determine the need for assistance. School employees who call law enforcement during school hours must immediately inform the school administration. If there is an urgent response by law enforcement to the school; school administration will ensure that the appropriate school staff and District Office staff are notified immediately.

6. Law Enforcement Activity or Crime in the Vicinity of a School

If there is a crime in progress or law enforcement activity on or in close proximity of a school, school administration will take appropriate protective action and seek the advice of their SRO, local law enforcement or public safety authorities. In the event of a modified or full lockdown, school administration must notify their SRO and the District Office immediately. In the event that a school is in lockdown or modified lockdown, the District Office will contact the transportation office and other District Office personnel as necessary.

7. Law Enforcement Incident Command Post

In the event of major incident at or near a school, law enforcement or public safety may set up an Incident Command Post to assist with the incident management, coordination, scene safety, and communication. The person in charge of the Incident Command Post is called the Incident Commander. The principal or his/her designee will be available to serve as a school Liaison Officer to the Incident Command Post. Additionally, the district's Coordinator of Security and public information staff may respond to or be requested to assist at the Incident Command Post.

8. *Student Crime Stoppers* and Crime Tips

All district administrators and staff will advertise and strongly encourage the use of the student Crime Stoppers program and other related reward or positive behavior programs that are available at their school and in the district. Students can communicate with student Crime Stoppers using a phone, online, or various media 24 hours a day/seven days a week. The call is always anonymous. A cash award may be given out anonymously should the tip be verified. School administration will inform students each semester that reporting crimes and potential crimes is for everyone's safety. Administrators will communicate to students that they can always tell a parent or trusted adult, school staff member, law enforcement, or contact student Crime Stoppers in the event that they have knowledge about a threat, crime, or any potentially dangerous situation.

9. Reporting Suspicious or Dangerous Activity to Law Enforcement

It is the duty of every district employee, volunteer, or student to report suspicious people, activities, or items to the school administration and law enforcement immediately. Staff and students are encouraged to collect pertinent facts, such as: tag numbers, vehicle and suspect descriptions, as well as, the time, date, and location of the observances. The school administration will also report suspected dangerous or suspicious criminal activity to the district's Coordinator of Security immediately.

10. Law Enforcement School Volunteers

School and district administrators are encouraged to invite and recruit current or retired law enforcement officers in good standing to serve as school volunteers in a non-paid and non-benefitted "security capacity." If a law enforcement officer wishes to volunteer at the school, he/she must submit a volunteer application to the school administration. The application must be sent to the Public Information Office for processing. If approval is given, the law enforcement volunteer may work as a volunteer in the school in or out of uniform in accordance with their agency's policy and procedures, and with their agency's permission. However, they must have law enforcement identification and credentials ready to show, if necessary. The law enforcement volunteer works at the school at the direction and pleasure of the principal, and in coordination with the district's Coordinator of Security and SRO. Law enforcement volunteers must check-in with the school front office and SRO upon their arrival and departure. Law enforcement volunteers are considered "outside law enforcement" for the purposes of this policy. Other non-law enforcement volunteers may also serve in a non-paid and non-benefitted "security assistance role" at the discretion of the principal. However, they must apply using the normal volunteer process, cannot be armed in any way, and have no authority beyond that of any other school volunteer.

11. Outside Law Enforcement - Official Business at a School
Except for routine patrol, if law enforcement officers, other than those assigned or temporarily assigned by the district or school to work at the school, wish to come to a school facility during school hours to conduct an investigation or official business, they must first contact the SRO and school administrator to present their purpose and authority.

12. Interrogations of a Student Suspect
When a law enforcement officer, other than an SRO or officer assigned by the school or district to work at the school, wishes to question a student suspect on campus during school hours, a school or district administrator must be present during the questioning. This does not prevent SROs or other law enforcement officers from interviewing students during the "information gathering" portion of a criminal investigation.

13. Custodial Arrests
If custody and/or arrest is involved and/or an official warrant or pick-up order has been issued by a judge for a student, the principal will assist the law enforcement officer in assuring that all procedural safeguards as prescribed by law are observed. School officials must attempt to notify parents/legal guardians if their child is taken into law enforcement custody during school hours, or when they are under their direct supervision. If a staff member is arrested on campus for any reason, the school administration must notify their supervisor and the district's Coordinator of Security and public information office immediately.

14. Duty to Report Certain Crimes
As per state law, all school district employees must immediately report to law enforcement and their administrator any crime. Additionally, all school employees must immediately report to law enforcement and school administration any illegal or dangerous firearm, dangerous activity, suspected bombs, bomb threats, hazardous devices, or similar items immediately. The school administration will contact the district office immediately.

15. Criminal Evidence
All school employees will make every effort to protect crime scenes, physical evidence of a crime, or potential criminal evidence by not disturbing the evidence until a law enforcement officer can be consulted. School staff should not interfere or disturb evidence except for life safety or school safety purposes. Graffiti should be reported to the appropriate SRO or LEA, and the graffiti should be read, recorded, and only then removed. Vehicles involved in traffic accidents should only be moved for life safety purposes or when authorized by a law enforcement officer. If a student or staff member is reported or believed to be sexually assaulted, then staff will deter an alleged victim from bathing or washing, or changing clothes, except for life safety purposes, until they can be seen by trained medical staff and law enforcement at a hospital or other medical facility.

16. Criminal Incident Reports
All crimes that occur on campus must be reported to the SRO or local law enforcement as quickly as possible. The principal will collect a copy of all SRO incident reports, and other reports related to their campus when they become available. They must submit a copy of these reports to the district's Coordinator of Security within 2 school days. The principal and the district's Coordinator of Security will monitor these reports and consider these reports during the development of district and school plans, budgets, and operations.

17. Traffic Law Enforcement
Local law enforcement, including but not limited to, school resource, patrol, and traffic officers are granted full authority to patrol and enforce traffic and parking laws at any school district facility at any time. Traffic accidents that occur on school property should be reported to the school administration and SRO or appropriate LEA. If there are injuries, the employee must ensure that the proper first responder is notified as quickly as possible. The school administration will notify staff, public safety, and the District Office immediately.

18. Law Enforcement Crossing Guard Services

The Coordinator of Transportation will be the primary district point of contact with the appropriate LEA school crossing guards and their supervisors. The Coordinator of Transportation will review pedestrian safety, traffic, population, and bus patterns with their LEAs to determine crossing guard locations.

19. Requests for Law Enforcement for Bus Related Incidents

In the event there is a bus accident or other need for a law enforcement response to a school bus, the driver will ensure that the appropriate law enforcement is requested immediately. The Coordinator of Transportation will ensure that the district leadership is notified immediately of any bus accident or any law enforcement emergency response to a school bus incident.

20. Law Enforcement Canine Services

School principals are encouraged to use local law enforcement canine resources and should request drug, bomb, gun detection or other canines as appropriate. The principal will ensure that the school staff coordinates with law enforcement canine handlers in an appropriate and safe manner before a scheduled search. In the event that an emergency bomb detection or tracking dog search is taking place at the school, the school administration will alert appropriate staff, take appropriate life safety measures, assist the canine units as requested, and inform the District Office.

(District should add agreed-upon list here or a reference to specifics of other policies.)

Adopted 4/28/75; Revised 11/16/81, 9/11/95, ^

Legal references:

A. S.C. Code, 1976, as amended:
   1. Section 59-24-60 - Requires administrators to contact law enforcement.

Policy LDAJA Interrogations and Searches

Issued 9/95

The Board recognizes that the Fourth Amendment protects citizens, including students, from unreasonable searches. However, the district considers any person entering the premises of any school in the district, including visitors, as consenting to a reasonable search of his/her person and personal property. Accordingly, district officials are authorized to conduct reasonable searches according to the procedures set forth in administrative rule JCAB-R. The district will post appropriate notice on school property notifying individuals of this fact. In conducting the search, school officials will make every effort to protect the privacy interests of individuals. The district's express intention for this policy is to enhance security in the schools and prevent students from violating Board policies, school rules and state laws.

The district will conduct searches involving the use of metal detectors in accordance with the procedures outlined in policy JCAC and administrative Rule JCAC-R.

Police interrogations

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is therefore the implicit responsibility of the school administration to protect each student under its control according to the following criteria.

When law enforcement officers find it necessary to question students during the school day, the school principal or his/her designee will be present. The questioning will be done in the administrator's office. Personnel will make every reasonable effort to contact the parent/legal guardian and request his/her attendance.

If custody and/or arrest is involved and/or an official warrant has been issued, the principal/director will cooperate with the officer. Personnel will make reasonable efforts to contact the parent/legal guardian to make them aware of the situation.

(Also JCAB)

Adopted 4/28/75; Revised 11/16/81, 9/11/95

Constitutional and Statutory Provisions:

S.C. Code, 1976, as amended

Section 59-19-90 (3) - Regulation of student conduct.

1994 Act 373 - Allows searches.

New Jersey v. T.L.O., 469 U.S. 325 (1985).

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

Exhibit D

EXHIBIT D

district five
OF LEXINGTON & RICHLAND COUNTIES

MEMORANDUM

TO: Members of the Board of Trustees
Stephen Hefner, Ed.D., Superintendent

FROM: Michael R. Harris
Chief Student Services Officer

DATE: October 3, 2013

RE: October 14, 2013 Board Meeting, Second and Final Reading.
Proposed Revisions to Board Policy JCDAE "Urinalysis Drug Testing for Certain Expelled Students Attending the Alternative School"

- REPLACE - JCDAE "Urinalysis Drug Testing for Certain Expelled Students Attending the Alternative School" WITH "JICHA "Urinalysis Drug Testing for Certain Expelled Students Attending the Academy for Success"
- DELETE – "Administrative Rule JCDAE-R" "Urinalysis Drug Testing for Certain Expelled Students Attending the Alternative School"

Recommendation:

The administration recommends that the proposed revisions proceed to Board approval.

Attachments

Replaces Policy (JCDAE) – Urinalysis Drug Testing for Certain Expelled Students Attending the Alternative School

Urinalysis Drug Testing for Certain Expelled Students Attending the Academy for Success

Code JICHA **Final**

Purpose: To establish the basic structure for urinalysis drug and alcohol testing for certain expelled students.

The board recognizes that the Fourth Amendment protects citizens, including students from unreasonable searches. In accordance with the United States Supreme Court decision in Vernonia School District 47J v. Acton, the district will require urinalysis drug and alcohol testing of students who have been expelled from the district's regular school program or any district school for any drug or alcohol offense and who are eligible to enroll and accepted to attend the district's Academy for Success program. School officials will make every effort to protect the privacy interest of those students who are required to provide results of urinalysis drug and alcohol testing. The testing will be at the expense of the parent/legal guardian and the results will not be turned over to law enforcement authorities unless there is a subpoena or a court order.

The board's express intention for this policy is to discourage students from using drugs and alcohol, to protect their health and safety, and to provide drug and alcohol users with opportunities to participate in rehabilitation and assistance programs in conjunction with local substance abuse assistance agencies.

Adopted

Lexington/Richland School District Five

CURRENT POLICY

Policy »JCDAE « Urinalysis Drug Testing for Certain Expelled Students Attending the Alternative School

Issued 6/97

The Board of Trustees recognizes that the Fourth Amendment protects citizens, including students, from unreasonable searches. The Board also recognizes that drug use by its students is a problem which needs to be addressed.

Accordingly, all students who are expelled from the district's regular school program for violations of the district's policies regarding drug offenses, and who are eligible and accepted to attend the district alternative school, will be required to submit to urinalysis drug testing prior to their acceptance into the alternative school, and while the student is attending the alternative school. in conducting the urinalysis drug testing, school officials shall make every effort to protect the privacy interests of individuals.

The Board intends this policy to do the following.

Discourage students from using drugs.

Protect the health and safety of all students.

Provide drug users with assistance programs.

The district will not turn the testing results over to law enforcement authorities unless they present a subpoena or a court order.

Adopted 6/2/97

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

CURRENT ADM RULE
(RECOMMEND DELETION)

AR »JCDAE «-R Regulations for Urinalysis Drug Testing for Certain Expelled Students Attending the District's Alternative School

Issued 6/97

The district authorizes the hearing office to conduct urinalysis drug testing of students who have been expelled from the district's regular program for drug offenses, and who desire to enroll in and attend the district alternative school according to the following procedures. These students will have been properly approved by the Board of Trustees and accepted by the alternative school.

Students subject to urinalysis drug testing

Any student who has been expelled from school for a violation of the district's policies regarding drug offenses, and who wishes to attend the district alternative school, must sign and have his/her parent guardian sign a form consenting to urinalysis drug testing. The refusal of a student and/or his/her parent/guardian to sign the consent form prior to enrollment in the alternative school will preclude the student from attending the alternative school during the term of his/her expulsion.

Selection of students to be tested

Each student expelled for a drug offense will be required to present a recent (within the past 10 days) drug screen prior to acceptance into the alternative school. The student and his/her parent/guardian will bear the expense of that initial screen. A copy of this test result is to be presented to the district hearing officer prior to enrollment in the alternative school if the student has been accepted to enroll. The results of this screen will be used by the district as a "baseline" for interpreting further test results during the student's tenure at the alternative school. At any time that an accepted student's screen is above the baseline test, he/she will be given the opportunity to take a second test within 48 hours at parent expense. if the first and second screens are above the baseline or do not show a decrease, the student will be recommended for dismissal from the alternative school. Any student who does not submit to such a screen will not be permitted to attend the alternative school.

In addition, once each week during the school year, the names of the students eligible for drug screens will be placed in a "pool." The director of the alternative school will randomly draw the names of one to three students each week. Those students selected will be assigned a code number which will be used to identify the student's urine specimen(s) and all reports on drug tests. The alternative school director will contact each chosen student's parent/guardian and request the screening.

The student will be given the form to take to the lab. The district will maintain a confidential record of students' names and code numbers. Prior to being tested, a student must also complete a form, with his/her code number listed at the top, indicating any prescription medications he/she is taking at the time of the testing, and must provide verification by producing either a copy of the prescription or a doctor's statement. Students will be given the option of submitting this information directly to the testing lab indicating so on the form. Students who select this option will be responsible for ensuring the testing lab receives this information. Students who fail to notify the laboratory of any prescription medications they are taking run the risk of a positive test result.

Collection of urine samples

Students who are selected for testing will be taken by their parent/guardian for a drug screen the same day they are notified of their selection or the next day. (The district will bear the expense of this screen.) The students will be required to have the screens done at a testing facility specified by the district. The district will select a facility which offers the lowest possible cut-off screen.

Laboratory receipt of and testing of urine samples

The urine samples will be routinely tested for drugs, including amphetamines, cocaine and marijuana. The district may request that the laboratory test for the presence of other drugs, but the identity of a particular student will not determine which drugs will be tested.

The lab is authorized to mail the testing results only to the district hearing officer or the superintendent. in addition, the lab is authorized to provide test results to district personnel by telephone only if the requesting official recites a code number confirming his/her authority to receive the results. The results will not be turned over to law enforcement authorities. The results will be maintained for one year only.

Student and parent/guardian notification of testing results

If a student's sample tests positive, a follow-up test will be permitted, if the parent/guardian chooses, within 48 hours of the receipt of the result to confirm the original result. All follow-up tests will be at the expense of the student and his/her parent/guardian. if the follow-up test is negative, no further action will be taken. if the follow-up test is positive, the district will notify the student and his/her parent/guardian and schedule a meeting with the district hearing officer and the student and his/her parent/guardian within three school days of the district's receipt of the test results.

At the meeting, the student may present, if he/she chooses, a medical review officer's interpretation of all test results. That interpretation will not, however, be binding on the school district, but may, within discretion of the hearing officer, be considered. After consideration of such information, the hearing officer may dismiss the student from the alternative school or may take other action.

Such students will also be given information about drug assistance programs. Students who are expelled for any drug related offense are required to complete LRADAC's ScIP program or another approved alcohol and other drug program prior to applying for re-admission into the district following the expulsion term (Policy JCDA-R) and are encouraged to participate in them at their own expense.

Adopted 6/2/97

H

Exhibit E

EXHIBIT E

district five
OF LEXINGTON & RICHLAND COUNTIES

MEMORANDUM

TO: Members of the Board of Trustees

THROUGH: Stephen W. Hefner, Ed.D.,
Superintendent

FROM: Karl E. Fulmer, Ed.D.
Chief Financial Officer

DATE: October 14, 2013

RE: Board Policies – First Reading Section D

Issue: Proposed addition to Board Policies – Section D

Background: Attached for your consideration is the recommended new policy from the South Carolina School Boards Association for the following policies:

- Replace DC "Taxing and Borrowing", DCB "Fiscal Year", DCCA "Budget Deadlines and Schedules", DCCB "Staff Involvement in Budget Preparation" and DCCC "Dissemination of Budget Information" with DB "Annual Budget"

Recommendation: Administration recommends that the Board give first reading approval to the proposed additions/revisions to the selected "D" policy.

KF/tl

Attachments – Current Board Policies/Recommended Policies – Section D

ANNUAL BUDGET

Code **DB** *Issued* **DRAFT/12**

Purpose: To establish the board's vision for the annual budget.

The annual budget is the financial plan for the operation of the school system. The annual operating budget (General Fund Budget) should express and implement programs and activities of the school district. Planning the budget is a continuous process that involves long-term thought, study and deliberation by the superintendent, board, administrative staff, faculty and citizens of the district.

The budget provides the framework for both expenditures and revenues for the year. It translates into financial terms the educational programs and priorities for the system.

The board will establish budget priorities for each fiscal year (July 1 - June 30). These priorities will be based upon the needs identified by the superintendent during the budget planning process as determined by the following.

- needs of the district so that all segments of the district programs are treated equitably within the available resources
- state and/or federal legal requirements for funding of programs
- requirements and regulations of the regional accrediting agency
- availability of fiscal and other non-economic resources
- maintenance of approximately two month's operating expenses in the general fund balance from one fiscal year to the next

The superintendent will have overall responsibility for budget preparation and will submit an annual budget to the board for first reading no later than the first board meeting in May.

In case the budget does not receive approval by June 30, the board will adopt a continuing resolution based on last year's operating budget until the budget can be approved.

Budget deadlines and schedules

During the month of February of each year, the district department heads and principals will present the budget requests of their departments to the district executive staff. At that time they will be afforded the opportunity to justify the line items of their respective budgets.

After all hearings are completed, all requested items are consolidated into a proposed operational budget, the finance office will compute income estimates and the additional mills, if any, necessary to meet the proposed budget requirements.

The superintendent will present for discussion a detailed line item budget for the following school year along with a suggested schedule for budget study and adoption. Included in this budget proposal will be an estimate of revenue necessary to finance the proposed budget. The board of trustees will consider the proposed budget and convene for a reading of the discussion budget proposal. Additional budget meetings will be held in accordance with the previously agreed upon schedule. If necessary, district personnel, in consultation with the principals and district department heads, may adjust the proposed budget in accordance with the estimated revenue from the millage approved by the board. The proposal becomes the operational budget for the following school year upon approval by the board.

 (see next page)

PAGE 2 - DB - ANNUAL BUDGET

Approval of the annual school district operating budget and the annual capital expenditure budget as well as establishment of the tax millage for the operating budget will require a favorable vote of the board on two separate readings at separate meetings.

The board must notify the auditors of Lexington County and Richland County by July 1 as to the number of mills approved by the board for the operation of schools for the following year.

Notice of budget adoption

Before adopting the General Fund Budget for the next fiscal year, the district Board of Trustees will hold a public hearing on the budget and advertise the hearing in at least one South Carolina newspaper of general circulation in the area. The notice must appear not less than 15 days in advance of the public hearing. The notice must be a minimum of two columns wide with a bold heading.

The notice must include the following.

- governing entity's name
- time, date and location of the public hearing on the budget
- total revenues and expenditures from the current operating fiscal year's budget of the governing entity
- proposed total projected revenue and operating expenditures for the next fiscal year as estimated in the next year's budget for the governing entity
- proposed or estimated percentage change in estimated operating budgets between the current fiscal year and the proposed budget
- millage for the current fiscal year
- estimated millage in dollars as necessary for the next fiscal year's proposed budget

Limitations on millage increases

The board of trustees in School District Five of Lexington and Richland Counties, is authorized by South Carolina law to levy school taxes. The board can only increase millage above the rate imposed for the prior tax year by the percentage increase in the consumer price index over the previous calendar year plus the percentage increase in the previous year in the population of the school district as determined by the state budget and control board.

The millage rate limitation may be suspended and the millage rate may be increased upon a two-thirds vote of the membership of the board for any of the following statutory purposes.

- deficiency of the preceding year
- any catastrophic event outside the control of the governing body such as a natural disaster, severe weather event, act of God, or act of terrorism, fire, war or riot
- compliance with a court order or decree
- taxpayer closure due to circumstances outside the control of the governing body that decreases by 10 percent or more the amount of revenue payable to the taxing jurisdiction in the preceding year
- compliance with a regulation promulgated or stature enacted by the federal or state government after June 7, 2006, for which an appropriation or a method for obtaining an appropriation is not provided by the federal or state government

A millage rate increase imposed under any of the above reasons will appear separately on the tax bill as a separate surcharge with an explanation and not included in the millage subject to the CPI plus population growth factor. The surcharge will continue only for the years necessary to pay for the reason imposed.

In addition, the millage limitation does not apply to millage levied to pay bonded indebtedness or real property lease-purchase payments.

 (see next page)

PAGE 3 - DB - ANNUAL BUDGET

Adopted 2/24/69; Revised 8/1/73, 9/18/78, 11/16/81, 1/25/88, 4/2/90, 6/17/91, ^

Legal references:

A. S. C. Code of Laws, 1976, as amended:
   1. Section 6-1-80 - Budget adoption.
   2. Section 6-1-300, et seq.- Authority of local governments to assess taxes and fees.

B. S.C. Acts and Joints Resolutions:
   1. 1971 Act 61 - Relating to tax millage in Lexington County.
   2. 1979 Act 280 - Determination of school tax levies.
   3. 1994 Act 601 - Abolished the Lexington County Board of Education and devolved its duties and responsibilities on the respective district boards.

TAXING AND BORROWING

Code **DC** *Issued* **6/07**

Purpose: To establish the basic structure for the board's authority to tax and borrow funds for the maintenance and operation of the school district.

Annual tax levy

Each school district's taxing authority is established by state law. In School District Five of Lexington and Richland Counties, that authority is vested in the board within statutory limitations.

Borrowing

The board is permitted, by law, to borrow money in anticipation of collection of taxes. The purpose of such borrowing is to secure funds for district operations. The board must approve the issuance of tax anticipation notes.

Sale of bonds

In order to obtain funds for capital improvements, the board may, from time to time, issue bonds. The limit of district bonded indebtedness is subject to the provisions of Article X of the South Carolina Constitution.

In order for the district to sell bonds in excess of the limitation, the community must vote for a referendum allowing such sale.

Adopted 8/1/73; Revised 11/16/81, 6/25/07

Legal references:

A. S. C. Constitution:
   1. Article X, Section 15(6) - Provides for maximum debt limit of eight percent.
   2. Article X, Section 15(7) - Provides for borrowing in anticipation of collection of ad valorem taxes.

B. S. C. Code, 1976, as amended:
   1. Sections 11-27-10 through 11-27-100 - Effect of Article X of S.C. Constitution (see above) on statutes prior to its ratification. See especially Section 11-27-50 regarding the effect of Article X on school district bonds.
   2. Sections 59-71-10 through 59-71-190 - (The School Bond Act) - Statutes regulating the issuance of general obligation bonds by school districts. In effect prior to the ratification of Article X of S.C. Constitution.
   3. Section 59-13-70 - Superintendent will keep record of school district bonds.

C. Acts and Joint Resolutions:
   1. 1971 Act 61 - Relating to tax millage in Lexington County.
   2. 1979 Act 280 - Determination of school tax levies.
   3. 1994 Act 601 - Abolished the Lexington County Board of Education and devolved its duties and responsibilities on the respective district boards.

Policy DCB Fiscal Year

Issued 8/73

The fiscal year of the district begins on July 1 and extends through the following June 30.

Adopted 8/1/73

Constitutional & Statutory Provisions:

S.C. Code, 1976, as amended:

Section 11-9-80 Fiscal Year.

Policy DCCA Budget Deadlines and Schedules

Issued 6/91

By February of each year, the district department heads and principals will present the budget requests of their departments to the district finance committee. At that time they will be afforded the opportunity to justify the line items of their respective budgets.

After all hearings are completed, all requested items are consolidated into a proposed operational budget. The business department establishes predicted income estimates and the additional mills, if any, necessary to meet the proposed budget requirements.

The superintendent will present a detailed line item budget for the following school year along with a suggested schedule for budget study and adoption. Included in this line item budget proposal may be an estimate of revenue necessary to finance the proposed budget. The procedure of the board of trustees is for each board member to consider the proposed budget for approximately two weeks, after which time they reconvene for first reading on the budget proposal. Additional budget meetings will be held in accordance with the previously agreed upon schedule. If necessary, the district personnel, in consultation with the principals and district department heads, adjust the proposed budget in accordance with the predicted revenue from the millage approved by the board of trustees. The proposal becomes the operational budget for the following school year upon approval by the board of trustees.

Approval of the annual school district operating budget and the annual capital expenditure budget as well as establishment of the tax millage for the operating budget will require a favorable vote of the board of trustees on two separate readings at separate meetings.

Under state law the board of trustees must notify the auditors of Lexington County and Richland County by June 1 as to the number of mills approved by the board of trustees for the operation of schools for the following year.

Adopted 8/1/73; Revised 11/16/81, 4/2/90; 6/17/91

Policy DCCB Staff Involvement in Budget Preparation

Issued 8/73

The district administration believes that staff participation in formulating the annual operating budget is vital to the efficient operation of the educational program. In the practical application of this philosophy, district department heads and principals/directors are instructed to utilize their entire staffs in preparing the budget and to make preparation of the budget a continuous process throughout the school year.

Cross Ref.: (Also GAB)

Adopted 8/1/73

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

Policy DCCC Dissemination of Budget Information

Issued 4/90

In order to disseminate to the residents of School District Five financial information relative to its operational budget, and acting in accordance with the provisions established in the South Carolina Education Finance Act of 1977, the Freedom of Information Act and the provisions contained in the confidentiality of records laws, the following policy will be followed.

- SECTION I: There will be available for public examination, inspection and/or reproduction in the manner set forth in Section II the following budget and financial information of the district:

  A complete line-item copy of the budget approved for that year which will include, but not be limited to, all departments and schools of the district and an itemized list of the mean salaries paid to the superintendents, supervisors, administrators, principals, consultants, counselors and teachers employed by the district.

  Included in the financial information will be a complete list of compensation including reimbursement for expenses, et al., if any, paid by the district in the previous year directly to any board members of the district.

  Also included in the financial information will appear a breakdown of the revenues received by the district during the previous year and anticipated revenues during the coming year to include tax revenues by county, miscellaneous revenues and state revenues. However, in the event that the district has not received the final revenue information from the department of education and/or the County Treasurers of Lexington and Richland Counties in time for inclusion in the financial document placed on public display, the latest revenue receipts will be used.

- SECTION II: Financial information set forth in Section I will be disseminated to the public in the following manner:

  The financial information set forth in Section I will be placed on display in the office of the assistant superintendent for business management in the district's administration building for inspection

  and/or reproduction. Anyone requesting to review this document may do so. Duplicated copies will be provided at a fair cost to be established by the business department of the district.

  In addition to the copy of financial data set forth in Section II, one copy of the line-item budget for the respective school will be provided each school principal. Advisory councils will have access to this document.

  After the budget and financial information have been finalized and put on public display for inspection and/or scrutiny, a notice of advertisement, so stating, will be placed in a newspaper of general circulation within the district.

Upon completion, a copy of the District Five annual budget digest for distribution to the general public will be placed in each public library which serves School District Five, along with a cover letter stating that more detailed information is available in the School District Five administrative building.

(Cf. KCB)

Adopted 9/18/78; Revised 11/16/81, 1/25/88, 4/2/90

Constitutional and Statutory Provisions:

S.C. Code, 1976, as amended:

Section 30-4-20 et seq. - S. C. Freedom of Information Act, especially Section 30-4-40 (6) regarding disclosure of salaries.

Section 59-20-80 - Public availability of budgets.

Exhibit F

EXHIBIT F

district five
OF LEXINGTON & RICHLAND COUNTIES

MEMORANDUM

TO: Members of the Board of Trustees

THROUGH: Stephen W. Hefner, Ed.D.
Superintendent

FROM: Karl E. Fulmer, Ed.D.
Chief Financial Officer

DATE: October 14, 2013

RE: Board Policies – First Reading Section E

Issue: Proposed addition to Board Policies – Section E

Background: Attached for your consideration are the recommended new policies and revisions from the South Carolina School Boards Association for the following policies:

- Replace EA "Business Management Goals and Objectives" with EA "Support Services Goals/Priority Objectives"
- Add EB "Environmental and Safety Program"
- Add EBAB "Hazardous Materials"
- Replace JGCC "Communicable Diseases" and JGCC-R "Communicable Diseases – Students" with EBBA "Prevention of Disease/Infection Transmission"
- Replace EBBC "Emergency Drills" and JGFA "Emergency Drills" with EBC "Emergencies"
- Replace EBBC "Emergency Drills" and JGFA "Emergency Drills" with EBCB "Safety Drills"
- Replace EBBD "Emergency Closings" and AFC "Emergency Closings" with EBCE "School Closings and Cancellations"; Replace EBBD-R "Emergency School Closing" and AFC-R "Emergency School Closing" with EBCE-R "School Closings and Cancellations"; and Replace "EBBD-E "Parent/Guardian Emergency Dismissal Information" and AFC-E "Parent/Guardian Emergency Dismissal Information" with EBCE-E "Parent/Legal Guardian Emergency Dismissal Information"
- Add EC "Buildings/Grounds/Property Management"
- Replace EBC "Security (of School Properties) with ECA "Security"
- Add ECAC "Vandalism"

Recommendation: Administration recommends that the Board give first reading approval to the proposed additions/revisions to selected "E" policies.

KF/tl

Attachments – Current Board Policies/Recommended Policies – Section E

SUPPORT SERVICES GOALS/PRIORITY OBJECTIVES

Code **EA** *Issued* **DRAFT/06**

Purpose: To establish the board's vision for the role of support services in the operation of the district.

Support services are essential to the successful function of a school system. The administration must design school business and other support operations to support a quality educational program. Education is the district's central function. All support services must be provided, guided and evaluated by this requirement.

In order to provide support services that are truly supportive of the educational program, the board establishes these broad goals.

- to provide a physical environment for teaching and learning that is safe and pleasant for students, staff and public
- to provide safe transportation for students to and from school and healthy meals for students
- to provide an efficient and effective system for financial management and accountability
- to provide support services with timely and high quality resources and assistance in the areas of accounting, transportation, student nutrition and maintenance

Adopted 2/17/75; Revised ^

Policy EA Business Management Goals and Objectives

Business operations of the school system are an essential component of effective administration. The Board serves as trustee of school facilities and overseer of school business operations for the purpose of providing the facilities and services that will support a viable educational program.

The Board expects the operation and maintenance of the school plants, equipment, and services to reach high standards of safety in order to promote the health and security of pupils and staff, and to purposefully reflect the educational and occupational aspirations of the community.

Adopted 2/17/75

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

ENVIRONMENTAL AND SAFETY PROGRAM

Code **EB** *Issued* **DRAFT/06**

Purpose: To establish the board's vision for the district's environmental and safety program.

The district will take precautions to protect the safety of all students, employees, visitors and others present on district property or at school-sponsored events.

The practice of safety is an integral part of the instructional program – including ***environmental safety,*** fire prevention, emergency procedures and drills, driver education, and traffic and pedestrian safety. The district safety plan will be reviewed annually and updated to ensure it is current.

In addition, the district will require all individuals or companies under contract while performing work for the district, to follow the districts environmental and safety guidelines and procedures.

Adopted ^

HAZARDOUS MATERIALS

Code **EBAB** *Issued* **DRAFT/12**

Purpose: To establish the basic structure for dealing with hazardous substances.

The board is committed to creating and maintaining a safe and healthy environment for students, staff and community persons who use district facilities. The board, superintendent and district employees share the responsibility of maintaining healthful and safe conditions in the school buildings.

The board also recognizes that the daily operations of the district's schools entail the use of many potentially hazardous substances. Hazardous materials are defined as any substance or mixture of substances that constitutes a fire, explosive, reactive or health hazard.

Such substances may include, but are not limited to the following.

- art supplies (for example, rubber cement, spray paints, chemical-based marking pens)
- paint thinners
- solvents (for example, gasoline, turpentine, mineral spirits)
- pesticides
- underground storage tank hazardous materials
- compressed gases and other liquids, compounds, solids or hazardous chemicals which might be toxic, poisonous or cause serious bodily injury

Insofar as possible, the superintendent or his/her designee will minimize the quantities of hazardous substances stored on school property. Hazardous materials on school property must be inventoried, used, stored and regularly disposed of in a safe and legal manner.

The board encourages staff to substitute less dangerous materials for hazardous ones whenever possible.

The board directs the superintendent or his/her designee to provide district personnel with procedures that address the purchase, storage, use, transportation and disposal of hazardous materials. The procedures will stress instruction in the importance of proper handling, storage, disposal and protection of all potentially hazardous substances. The procedures will also include emergency response and evacuation plans.

Adopted ^

PREVENTION OF DISEASE/INFECTION TRANSMISSION

Code **EBBA** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for a healthful school environment.

The board is committed to providing a healthful environment for all students and employees. To prevent disease transmission and promote a healthy educational/social environment in the district, the board has adopted and the district has implemented a model exposure-control plan for all employees. This plan includes appropriate training for all employees as well as universal precautions that all employees must take when dealing with blood and other bodily fluids. A copy of the plan is on file in the office of the superintendent.

The district takes action with respect to students or employees found to have a communicable disease. Such action will be consistent with rights afforded individuals under state and federal statutory, regulatory and Constitutional provisions. The district will treat each case on an individual basis.

The district will continue to revise and update its policy and procedures in accordance with policy changes through the National Center for Disease Control and the South Carolina Department of Health and Environmental Control.

Adopted 2/24/69; Revised 8/1/73, 11/21/88, 5/3/93, ^

Legal references:

A. South Carolina Code, 1976, as amended:
   1. Section 44-29-200 - Attendance of teachers or pupils with contagious or infectious disease may be prohibited.

B. Department of Health and Environmental Control Regulations:
   1. R-61-20 - Communicable diseases.

NOT CURRENT POLICY

Descriptor Term:	Descriptor Code:	Issued Date:
COMMUNICABLE DISEASES	JGCC	8/15/82
	Rescinds: JGCC	Issued: 8/1/73

All schools shall comply with local and state health department regulations relative to communicable disease.

All schools shall comply with South Carolina state law relative to attendance of persons affected.

The principal of any school in this district is empowered to send home any student enrolled in his school who is suspected of having a communicable disease and to prevent the student's return until he is furnished with a doctor's certificate attesting that the student is not infected with a communicable disease.

Adopted 2/24/69; revised 8/1/73

Constitutional & Statutory Provisions:

A. S. C. Code, 1976, as amended:
   1) Section 44-29-190 and 200 - Prohibit attendance of pupils with contagious diseases.

NOT CURRENT ADMINISTRATIVE RULE

COMMUNICABLE DISEASES - STUDENTS

HIV infection

Decisions regarding the type of educational setting for a student with AIDS or HIV infection will be made on a case-by-case basis.

A recommendation will be made by a committee consisting of the following people: the student's parent(s) or legal guardian, the student's physician, a physician from the district's health advisory council and/or a department of health and environmental control professional, the principal, the school nurse, and the district superintendent or his/her designee. The superintendent or designee will serve as chair and spokesperson of the committee.

The superintendent, after review with legal counsel, will make a decision based on the committee's recommendation and will advise the board of his/her decision. Parents or guardians have the right to appeal the decision of the superintendent to the board.

The number of personnel who are aware of the child's identity and medical condition must be kept to a minimum. The members of the committee and others involved in the care and education of the student must respect the child's right to privacy and to confidentiality of health records.

Adopted 5/3/93

EMERGENCIES

Code **EBC** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for preparation for, and reaction to, emergencies by the administration.

Each school in the district has an emergency preparedness plan that has been developed in cooperation with local law enforcement and other emergency response agencies.

The district will not disclose any information related to security plans or devices proposed, adopted, installed or utilized by the schools to the public.

Adopted 2/24/69; Revised 11/16/81, 5/3/93, ^

Legal references:

A. S. C. Code, 1976, as amended:
   1. Section 30-4-20(c) - Public records.
   2. Section 59-5-65 - Powers and responsibilities of state board of education.
   3. Section 59-63-310, et seq. - Safe Schools Act of 1990.
   4. Section 59-23-10 - School required to provide ample means of escape from fire or stampedes from other causes.
   5. Section 59-23-40 - School buildings . . . shall conform to building code.
   6. Sections 59-63-910 through 59-63-930 - Fire drills.

B. State Board of Education Regulations:
   1. R-43-166 - Student and school safety; emergency and disaster plans.
   2. R-43-181 - Building and grounds management - fire prevention.

Policy EBBC Emergency Drills

Issued 6/93

Fire and tornado drills will be conducted in all schools according to the regulations of the State of South Carolina. A minimum of one fire drill per month and at least two annual tornado drills will be held in each school building under the direction of the principal.

The school district and each of the schools will have a written emergency preparedness plan.

(Also JGFA)

Adopted 2/24/69; Revised 11/16/81, 5/3/93

Constitutional and Statutory Provisions:

S.C. Code, 1976, as amended:

Sections 59-63-910 through 59-63-930 - Fire drills.

State Board of Education Regulations

R-43-182 - Emergency drills.

Policy JGFA Emergency Drills

Issued 6/93

Fire and tornado drills will be conducted in all schools according to the regulations of the State of South Carolina. A minimum of one fire drill per month and at least two annual tornado drills will be held in each school building under the direction of the principal.

The school district and each of the schools will have a written emergency preparedness plan.

(Also EBBC)

Adopted 2/24/69; Revised 11/16/81, 5/3/93

Constitutional and Statutory Provisions:

S.C. Code, 1976, as amended:

Sections 59-63-910 through 59-63-930 - Fire drills.

State Board of Education Regulations

R-43-182 - Emergency drills.

SAFETY DRILLS

Code **EBCB** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for the conduct of school safety drills.

Fire drills

Schools will conduct fire drills at least once each month without notice. The staff will fully cooperate to carry out this legal requirement and will train students in prompt and orderly evacuation.

Tornado drills and other disasters

The district will develop and review annually a safety preparedness plan to provide for the protection of students in the event of any disaster that may threaten the school community. Each school will conduct at least one emergency drill within the first month of school to ensure safety against such disasters.

Adopted 2/24/69: Revised 11/16/81, 5/3/93, ^

Legal references:

A. S. C. Code, 1976, as amended:
   1. Section 59-23-10 - School required to provide ample means of escape from fire or stampedes from other causes.
   2. Section 59-23-40 - School buildings . . . shall conform to building code.
   3. Sections 59-63-910 through 59-63-930 - Fire drills.

B. State Board of Education Regulations:
   1. R-43-166 - Student and school safety.
   2. R-43-181 - Building and grounds management - fire prevention.

Policy EBBC Emergency Drills

Issued 6/93

Fire and tornado drills will be conducted in all schools according to the regulations of the State of South Carolina. A minimum of one fire drill per month and at least two annual tornado drills will be held in each school building under the direction of the principal.

The school district and each of the schools will have a written emergency preparedness plan.

(Also JGFA)

Adopted 2/24/69; Revised 11/16/81, 5/3/93

Constitutional and Statutory Provisions:

S.C. Code, 1976, as amended:

Sections 59-63-910 through 59-63-930 - Fire drills.

State Board of Education Regulations

R-43-182 - Emergency drills.

Policy JGFA Emergency Drills

Issued 6/93

Fire and tornado drills will be conducted in all schools according to the regulations of the State of South Carolina. A minimum of one fire drill per month and at least two annual tornado drills will be held in each school building under the direction of the principal.

The school district and each of the schools will have a written emergency preparedness plan.

(Also EBBC)

Adopted 2/24/69; Revised 11/16/81, 5/3/93

Constitutional and Statutory Provisions:

S.C. Code, 1976, as amended:

Sections 59-63-910 through 59-63-930 - Fire drills.

State Board of Education Regulations

R-43-182 - Emergency drills.

SCHOOL CLOSINGS AND CANCELLATIONS

Code **EBCE** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for dealing with school closings in the event of emergency or other specified situations.

The superintendent is empowered to close the schools in the event of hazardous weather, epidemics or other emergencies which threaten the safety or health of students or staff members. The superintendent will take such action only after consultation with knowledgeable authorities.

The superintendent also has the authority to delay the opening of any or all schools or to dismiss them early, due to weather conditions or other emergencies.

If school is to be closed, a decision will be made as soon as possible and every effort will be made to notify the parents/legal guardians of all students directly through an emergency or alternate telephone number, electronic media, or through the news media. In cases where parents/legal guardians have given special instructions in the event of such an emergency closing, those instructions will be followed by the school. If for some reason this is not possible, the student will remain at the school, or the designated alternate site for that school, until the student is picked up.

Any school days missed due to snow or other extreme weather conditions must be made up (see policy IC).

Adopted 8/1/73; Revised 11/16/81, 1/21/85, 4/2/90, 11/25/02, ^

Legal references:

A. S.C. Code, 1976, as amended:
   1. Section 59-1-430 - Provides that all missed school days must be made up.

Policy EBBD Emergency Closings

Issued 11/02

The superintendent is empowered to close the schools in the event of hazardous weather, epidemics or other emergencies which threaten the safety or health of the students or staff members.

It is understood that the superintendent will take such action only after consultation with knowledgeable authorities.

If school is to be closed, a decision will be made as soon as possible and every effort will be made to notify the parents or guardians of all students either directly through an emergency or alternate telephone number or through the news media. In cases where parents or guardians have given special instructions in the event of such an emergency closing, those instructions will be followed by the school. If for some reason this is not possible, the student will remain at the school, or the designated alternate site for that school, until the student is picked up.

Any school days missed due to snow or other extreme weather conditions must be made up. Make-up days for students will not be scheduled on Saturdays.

(Also AFC)

Adopted 8/1/73; Revised 11/16/81, 1/21/85, 4/2/90, 11/25/02

EMERGENCY CLOSINGS

Code **AFC** Issued **11/02**

The superintendent is empowered to close the schools in the event of hazardous weather, epidemics or other emergencies which threaten the safety or health of the students or staff members.

It is understood that the superintendent will take such action only after consultation with knowledgeable authorities.

If school is to be closed, a decision will be made as soon as possible and every effort will be made to notify the parents or guardians of all students either directly through an emergency or alternate telephone number or through the news media. In cases where parents or guardians have given special instructions in the event of such an emergency closing, those instructions will be followed by the school. If for some reason this is not possible, the student will remain at the school, or the designated alternate site for that school, until the student is picked up.

Any school days missed due to snow or other extreme weather conditions must be made up. Make-up days for students will not be scheduled on Saturdays.

(Also EBBD)

Adopted 8/1/73; Revised 11/16/81, 1/21/85, 4/2/90, 11/25/02

SCHOOL CLOSINGS AND CANCELLATIONS

Code **EBCE-R** *Issued* **DRAFT/06**

Procedures for school dismissal/cancellation due to inclement weather or other emergencies

District wide early morning school cancellation

When possible, decisions to cancel or delay schools will be made the evening prior to the cancellation or delay.

However, t~~T~~he transportation office will make a recommendation to the superintendent by 6 a.m. as to whether roads are suitable for school bus traffic. If the superintendent determines that school should be canceled, he/she will notify the ***chief information officer*** who will, by 6:30 a.m., notify emergency preparedness, local television and radio stations and initiate the telephone chain ***to principals and will take other appropriate actions to notify employees and parents.***

Bus drivers and all other employees should listen to the local media and check the District website if the weather is sufficiently threatening. If school is to be closed, an announcement will be made by 6:30 a.m.

District wide mid-day closing

In the event that bad weather forces a mid-day closing, the director of transportation will confer with the superintendent who will contact the chief information officer. The chief information officer will notify local media and the emergency preparedness departments and initiate the telephone chain.

After a reasonable amount of time has elapsed, students who have not been picked up will be transported to an alternate school site, along with the appropriate number of staff. The students will remain at the alternate school site until they have been picked up. The alternate school site will be the same site named in the school's emergency plan and will be heavily advertised to parents.

Single school early dismissal

In the event of an emergency, such as the loss of power or water for an extended period of time, schools will use the attached form to determine the method parents have selected for their children to come home. The local media will be notified and other forms of mass communication, such as email and mobile phones, will be utilized if feasible under the circumstances to notify parents, guardians and other contacts listed on the form.

After a reasonable amount of time has elapsed, students who have not been picked up will be transported to an alternate school site, along with the appropriate number of staff. The students will remain at the alternate school site until they have been picked up. The alternate school site will be the same site named in the school's emergency plan and will be heavily advertised to parents.

Issued 11/25/02; Revised ^

AR EBBD-R Emergency School Closing

Issued 11/02

Procedures for school dismissal/cancellation due to inclement weather or other emergencies

District wide early morning school cancellation

The transportation office will make a recommendation to the superintendent by 6 a.m. as to whether roads are suitable for school bus traffic. If the superintendent determines that school should be canceled, he/she will notify the director of community services who will, by 6:30 a.m., notify emergency preparedness, local television and radio stations and initiate the telephone chain.

Bus drivers and all other employees should listen to the local media and check the Dial Five Information Line (781-8666) if the weather is sufficiently threatening. If school is to be closed, an announcement will be made by 6:30 a.m.

District wide mid-day closing

In the event that bad weather forces a mid-day closing, the director of transportation will confer with the superintendent who will contact the director of community services. The director of community services will notify local media and the emergency preparedness departments and initiate the telephone chain.

After a reasonable amount of time has elapsed, students who have not been picked up will be transported to an alternate school site, along with the appropriate number of staff. The students will remain at the alternate school site until they have been picked up. The alternate school site will be the same site named in the school's emergency plan and will be heavily advertised to parents.

Elementary single school early dismissal

In the event of an emergency, such as the loss of power or water for an extended period of time, elementary schools will use the attached form to determine the method parents have selected for their children to come home. The local media will be notified and other forms of mass communication, such as email and mobile phones, will be utilized if feasible under the circumstances to notify parents, guardians and other contacts listed on the form.

After a reasonable amount of time has elapsed, students who have not been picked up will be transported to an alternate school site, along with the appropriate number of staff. The students will remain at the alternate school site until they have been picked up. The alternate school site will be the same site named in the school's emergency plan and will be heavily advertised to parents.

(Also AFC-R)

Issued 11/25/02

EMERGENCY SCHOOL CLOSING

Code **AFC-R** Issued **11/02**

Procedures for school dismissal/cancellation due to inclement weather or other emergencies

District wide early morning school cancellation

The transportation office will make a recommendation to the superintendent by 6 a.m. as to whether roads are suitable for school bus traffic. If the superintendent determines that school should be canceled, he/she will notify the director of community services who will, by 6:30 a.m., notify emergency preparedness, local television and radio stations and initiate the telephone chain.

Bus drivers and all other employees should listen to the local media and check the Dial Five Information Line (781-8666) if the weather is sufficiently threatening. If school is to be closed, an announcement will be made by 6:30 a.m.

District wide mid-day closing

In the event that bad weather forces a mid-day closing, the director of transportation will confer with the superintendent who will contact the director of community services. The director of community services will notify local media and the emergency preparedness departments and initiate the telephone chain.

After a reasonable amount of time has elapsed, students who have not been picked up will be transported to an alternate school site, along with the appropriate number of staff. The students will remain at the alternate school site until they have been picked up. The alternate school site will be the same site named in the school's emergency plan and will be heavily advertised to parents.

Elementary single school early dismissal

In the event of an emergency, such as the loss of power or water for an extended period of time, elementary schools will use the attached form to determine the method parents have selected for their children to come home. The local media will be notified and other forms of mass communication, such as email and mobile phones, will be utilized if feasible under the circumstances to notify parents, guardians and other contacts listed on the form.

After a reasonable amount of time has elapsed, students who have not been picked up will be transported to an alternate school site, along with the appropriate number of staff. The students will remain at the alternate school site until they have been picked up. The alternate school site will be the same site named in the school's emergency plan and will be heavily advertised to parents.

(Also EBBD-R)

Issued 11/25/02

PARENT/LEGAL GUARDIAN EMERGENCY DISMISSAL INFORMATION

**Note: District Five will make every effort to notify parents/legal guardians of an emergency school closing either through electronic media, news media or by calling emergency or alternate emergency numbers.*

Child's name _____ Grade _____ Homeroom teacher _____

Please indicate ONE of the following, in the event of an emergency school closing.

Please send my child home as indicated below.

_____ Ride the school bus home as usual..

_____ Walk/ride home from school as usual.

_____ Be picked up as usual in the carpool line.

_____ Ride the _____ day care bus.
(name)

Day care phone _____ Day care contact name _____

_____ Ride home with _____ (family or friend). Phone _____
(name)

_____ If none of the above, please indicate special instructions in the event of an emergency early dismissal. (If you need to be notified before your child's release then you will be responsible for your child's transportation - school bus and day care bus transportation will not be delayed.)

_____

_____

_____

_____

_____

Emergency contact information

Parent/Legal guardian work number _____ Name _____

Parent/Legal guardian work number _____ Name _____

Parent/Legal guardian cell/beeper number _____ Name _____

Parent/Legal guardian cell/beeper number _____ Name _____

E-Mail address _____ E-Mail address _____

Emergency telephone number _____ Name _____

Family/Friend back-up emergency number _____ Name _____

Family/Friend back-up emergency number _____ Name _____

I have discussed this procedure with my child and he/she knows what to do in case of an emergency. I understand that it is my responsibility to inform the records clerk at the school if there is a change in the above emergency contact information.

_____ _____
Signature of parent/legal guardian Student's signature

Approved 11/25/02; Revised ^

FILE: EBBD-E Parent/Guardian Emergency Dismissal Information

*Note: District Five will make every effort to notify parents of an emergency school closing either through the media or by calling emergency or alternate emergency numbers.

Child's name _____ Grade _____

Homeroom teacher _____

Please indicate ONE of the following, in the event of an emergency school closing.

Please send my child home as indicated below.

_____ Ride the school bus home as usual..

_____ Walk/ride home from school as usual.

_____ Be picked up as usual in the carpool line.

_____ Ride the _____ day care bus.

(name)

Day care phone _____

Day care contact name _____

_____ Ride home with _____(family or friend).

(name)

Phone _____

_____ If none of the above, please indicate special instructions in the event of an emergency early dismissal. (If you need to be notified before your child's release then you will be responsible for your child's transportation - school bus and day care bus transportation will not be delayed.)

_____

_____

_____

_____

_____

_____

_____

Emergency contact information

Parent/Guardian work number _____

Name _____

Parent/Guardian work number _____

Name _____

Parent/Guardian cell/beeper number _____

Name _____

Parent/Guardian cell/beeper number _____

Name _____

E-Mail address _____

E-Mail address _____

Emergency telephone number _____

Name _____

Family/Friend back-up emergency number _____

Name _____

Family/Friend back-up emergency number_____

Name _____

I have discussed this procedure with my child and he/she knows what to do in case of an emergency. I understand that it is my responsibility to inform the records clerk at the school if there is a change in the above emergency contact information.

_____

_____ _____

Signature of parent/guardian Student's signature

(Also AFC-E)

Approved 11/25/02

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

FILE: AFC-E

PARENT/GUARDIAN EMERGENCY DISMISSAL INFORMATION

**Note: District Five will make every effort to notify parents of an emergency school closing either through the media or by calling emergency or alternate emergency numbers.*

Child's name _____ Grade _____ Homeroom teacher _____

Please indicate ONE of the following, in the event of an emergency school closing.

Please send my child home as indicated below.

_____ Ride the school bus home as usual..

_____ Walk/ride home from school as usual.

_____ Be picked up as usual in the carpool line.

_____ Ride the _____ day care bus.
(name)
Day care phone _____ Day care contact name _____

_____ Ride home with _____(family or friend). Phone _____
(name)

_____ If none of the above, please indicate special instructions in the event of an emergency early dismissal. (If you need to be notified before your child's release then you will be responsible for your child's transportation – school bus and day care bus transportation will not be delayed.)

_____
_____
_____
_____
_____
_____
_____

Emergency contact information

Parent/Guardian work number _____ Name _____

Parent/Guardian work number _____ Name _____

Parent/Guardian cell/beeper number _____ Name _____

Parent/Guardian cell/beeper number _____ Name _____

E-Mail address _____ E-Mail address _____

Emergency telephone number _____ Name _____

Family/Friend back-up emergency number _____ Name _____

Family/Friend back-up emergency number _____ Name _____

I have discussed this procedure with my child and he/she knows what to do in case of an emergency. I understand that it is my responsibility to inform the records clerk at the school if there is a change in the above emergency contact information.

_____ _____
Signature of parent/guardian Student's signature

(Also EBBD-E)

Approved 11/25/02

School District Five of Lexington and Richland Counties

BUILDINGS/GROUNDS/PROPERTY MANAGEMENT

Code **EC** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for the management of district property.

The care, custody and safekeeping of school property are the general responsibility of the superintendent. Within separate schools, the principal will be responsible for the proper care and maintenance of the buildings, equipment and grounds.

The principal will establish such procedures and employ such means from time to time as may be necessary to accomplish the following.

- Provide accurate information in regard to the nature, condition, location and value of school property.
- Safeguard schools against loss, damage or undue depreciation.
- Recover and restore to usefulness any school property which may be lost, stolen or damaged.
- Do everything necessary to ensure the proper maintenance and safekeeping of school property.

Adopted ^

Legal references:

A. State Board of Education Regulations:
   1. R-43-180 - Building and grounds maintenance.

SECURITY

Code **ECA** *Issued* **Final**

Purpose: To establish the basic structure for the security and safety of district students, employees, facilities and grounds, buses and district events and sanctioned activities.

1. District Level Security Planning and Responsibilities
A district position shall be responsible for coordinating security and safety, and emergency management and planning at the district-level. The district-level security and safety manager will coordinate district-level comprehensive safety plans with state and local law enforcement, emergency management and public safety officials, with input from staff, parents, and students to ensure that these plans are reviewed or revised annually, and that relevant parts of the security and safety plans are distributed to school administrators and appropriate district coordinators annually. District level coordinators and staff will attend relevant training and assist with the implementation of district security and safety policies and procedures. The district security and safety manager may liaison and serve as the district's representative within the National Incident Management System structure with public safety during emergency incidents or large events. The district security and safety manager is authorized to take appropriate and legal action to protect life safety and property at all school district property, buses, events and sanctioned events.

2. School Level Security Planning and Responsibilities
Each School Principal is responsible for developing an individual comprehensive school-level security and safety plan that is done in conjunction with the district's plan, yet addresses threats or situations unique to that particular school. Principals shall cooperate and coordinate at the school-level with their assigned School Resource Officer, the district security and safety manager, and local public safety agencies. School Principals shall ensure that there is a process to ensure that their teachers, coaches, and other staff are trained and follow relevant district and school-level security and safety procedures, take part in drills, and that they take appropriate measures to protect all life safety and property at their school.

3. Teachers Security and Safety Responsibilities
Teachers, coaches, and instructional staff must participate in drills, attend mandatory training, and learn relevant safety and security procedures. Teachers and coaches are responsible for sharing relevant safety and drill information with their classroom students at the start of each semester, and throughout the school year as needed. Teachers and coaches should also train their students on safety equipment relevant to their particular classrooms or area of instruction. Teachers and coaches should personally follow district and school level security procedures, such as wearing their IDs, locking doors, and taking reasonable measures to protect personal and district-owned property while on campus. Teachers and coaches shall take reasonable measures to ensure that students are advised and are able to secure their valuables, such as expensive technology, during their class, activity, or practice periods. All instructional staff should also encourage students to report crimes, bullying, or threats to a school staff member, school resource officer, or anonymously via the "Student Crimestoppers" phone or text lines, which are monitored 24 hours a day.

4. Security Authority
Security and law enforcement officers contracted by the school or district and all on-duty local law enforcement officers shall have the authority to enforce all laws, to include traffic and parking laws, on any school or district property, district events, or district sanctioned events. The district executive staff, school principals, transportation director, security and safety coordinator, and School Resource Officers are empowered to swear out warrants and issue no trespass notices

against any person(s) who willfully and unnecessarily interferes with the peace and operation of their school or district facility, bus activity, or event, or loiters without permission, acts in an obnoxious or disruptive manner, or otherwise performs illegal acts on school district property or events. The district-level security and safety coordinator is the district's security and emergency manager, and shall have all the rights and privileges allowed by state law on district five property, buses, events and district sanction events, and may enter all areas, events, and emergency scenes in the performance of official duties.

5. Security Reporting
All district employees are required to contact law enforcement authorities immediately upon notice that a person is engaging in or has engaged in criminal activities on school property, or at a school sanctioned or sponsored activity, that does in fact result in injury or serious threat of injury to the person or to another person, or his/her property. All school district employees are required to immediately report serious crimes and follow the mandatory reporting laws regarding abused or missing children and child sexual assault to law enforcement without delay. The reporting of these crimes to district or school staff does not relieve the individual employee of their burden and their responsibility to report these crimes to law enforcement without delay. The School Principal or designee should ensure that crimes and emergencies are reported to law enforcement and the district in a timely manner as per the district level procedures.

6. Security Responsibilities of All Supervisors
School and district managers shall ensure that the staff under their supervision follow district and school security procedures, such as wearing their identification badges at all times while on-duty, locking doors, gates, and rooms as directed, and protecting district issued property, keys, passwords, and alarm codes. School district managers shall ensure that their staff take reasonable actions to protect district property, their own personal property, and that of their students while on district five grounds and they follow security procedures as directed. Managers should council, take corrective or disciplinary action against employees that do not follow security and safety procedures, perform their duties and jobs in an unsafe manner, or fail to practice due diligence to protect life and property.

7. Physical Security
The district maintains school buildings and grounds for the education and recreation of the school children in the district. No one may use the buildings or grounds in a way that would interfere with security or safety, or their most effective use for the benefit of the school children.

8. After Hours Security
Each School Principal shall ensure that their school has written school-specific procedures for addressing emergencies that might occur during activities scheduled after the regular school day ends, on the weekend, or during other periods beyond the regular school day. The principal is responsible for seeing that all doors are locked, equipment is shut off and windows are secured at the close of the school day. Employees designated by the principal who work after the principal leaves must accept full responsibility in these matters, and report crimes, trespassers or suspicious person, and emergencies to the appropriate public safety agency.

9. Security and Safety of School Facilities and Equipment
The District Facilities Managers at the district-level and each Principal at the school–level, shall ensure that their School Facilities Managers ensures that the following equipment is checked on a regular and routine basis, and is repaired, to include, but is not limited to the following:

- Locks on all entrance doors;
- Locks on all classroom doors;
- Locks on fences, gates, and stadiums;
- Locks on mechanical and technology room doors;
- Locks on hazardous material storage areas;
- Classroom/office lights;
- Stairway and hallway lights;
- All outside lighting;
- Emergency lights;

- PA system;
- Electrical systems and generators;
- Parking areas to ensure high visibility, trees, shrubbery, etc;
- Student pick-up and drop-off areas;
- Bus loading and unloading areas;
- Pathways used by students with disabilities;
- Exit doors to ensure they are free of items that might obscure the visibility of signs;
- Security camera lenses;
- Security alarm systems;
- Stairway handrails, steps, etc.;

And in accordance with state laws:

- Fire Alarm Systems and Sprinkler Systems.

Each Building or School Facilities Manager should make any needed repairs, or where appropriate report the work request to their vendor or to the District Facilities Department in a timely manner. The District Facilities Manager shall have a process to ensure that the above items are inspected and reported by School Facilities Managers routinely and regularly.

10. The Director of Student Nutrition at the district-level and the School Cafeteria Manager at the school-level shall have a process to ensure that the following items are inspected in accordance with local and state laws, and that they are repaired or replaced if necessary in a timely manner:

- Kitchen hoods;
- Kitchen fire suppression systems; and,
- Kitchen health and sanitation equipment.

11. The District Technology Director at the district-level and the School Principal or media designee at the school-level shall ensure that the following items are inspected regularly and routinely:

- Camera software, computers, servers, and networked cameras; and
- Lobby guard machines, software, and label printers;

The School Principal or media designee must report all repair or replacement needs via the appropriate procedure to the District Technology Department or the appropriate vendor in a timely manner.

Adopted 1/17/72; Revised 11/16/81, 5/7/90, ^

Legal references:

A. S. C. Code, 1976, as amended:
   1. Section 16-17-420 - Authority to take appropriate action.
   2. Section 59-19-90(5) - General authority to manage and control property of district.
   3. Section 59-19-120 and 59-19-140 - Specific rule-making powers regarding district property.
4. Section 59-24-60 - Requires administration to contact law enforcement.
5. Section 20-7-510, et seq. - Regarding duty of school authorities to report suspected cases of abuse and neglect.
6. Section 16-3-612 - South Carolina Teacher Protection Act of 2004.
7. S.C. General Assembly Proviso IA.EIA. (SDE-EIA:XII.A.1 – Aid to Districts Draw Down).

Policy EBC Security (of School Properties)

Issued 5/90

School buildings and grounds are maintained for the education and recreation of the school children in this district. No use shall be made of the buildings or grounds which would interfere with their most effective use for the benefit of the school children. The School District Five Board of Trustees shall take all necessary steps to safeguard all property in its area. To this end, the aid of police and other law enforcement agencies shall be enlisted. The board shall fully cooperate with these agencies in the discharge of their duties.

In order that burglary in school buildings might be discouraged, no teacher or other personnel shall leave money in classrooms or in the lounges of the buildings. The principal/director shall inform all pupils and school personnel of this policy at the beginning of each school year.

Non-authorized Persons On School Property

The principal/director is empowered to take appropriate action against non-students who invade the building, grounds or other school property. Such action shall include the right to call in police authorities and swear out warrants. The authority for such is Section 16-17-420 of the South Carolina Code of Laws: "Disturbing school---It shall be unlawful: (1) For any person willfully or unnecessarily (a) to interfere with or disturb in any way or in any place the students or teachers of any school in School District Five, (b) to loiter about such school premises or (c) to act in an obnoxious manner thereon; or (2) for any person to (a) enter upon any such premises or (b) loiter around the premises, except on business, without the permission of the principal (director) or person in charge. Any person violating any of the provisions of this section shall be guilty of a misdemeanor..."

Adopted 1/17/72; Revised 11/16/81, 5/7/90

VANDALISM

Code **ECAC** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for dealing with vandalism to district property.

The school district's buildings and grounds are built and maintained with taxes. All repairs must be paid for in the same way. The board urges every citizen of the district to cooperate in reporting any incidents of vandalism to district property and the name of the person(s) believed to be responsible.

The administration will take all necessary steps and seek police cooperation and action to protect school property from theft and vandalism.

The principal will report damage of any nature to school property, whether willful or otherwise, to the superintendent or his/her designee. The principal will also report break-ins to the superintendent or his/her designee and will report all suspected incidences of theft and vandalism to appropriate law enforcement authorities. Each employee of the district will report to the principal of the school every incident of vandalism known to the employee and, if known, the names of those responsible.

Any student of the district who enters or comes upon school grounds ***or who willfully damages property while participating in or attending a school sponsored event away from the school*** any time of the day or night and does damage to anyone's personal property ~~on school grounds~~ or property belonging to the school will be trespassing and subject to disciplinary action. The student(s) and parents/legal guardian will be responsible for the damage and may be required to pay for repairs and or replacement of the damaged property.

Adopted ^

Legal references:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 16-7-170 - Entering building for purpose of destroying records or other property.
   2. Section 16-11-520 - Malicious injury to tree, house, outside fence or fixture; trespass upon real property.
   3. Section 16-11-530 - Malicious injury to real property; school trustees deemed owner of school property.
   4. Section 22-3-710 - Proceedings commenced on information.

Exhibit G

Superintendent's Goal

(Proposed September 23, 2013)

Timeline: July 1, 2013 – June 30, 2014

Goal 1: Sustain and enhance the District's record of excellence in student achievement as measured by:

i. a performance among the top 10% of districts on the ESEA accountability system,
ii. a performance among the top 10% of districts on the state accountability system,
iii. SAT scores which exceed the state and national averages, and
iv. ACT scores which exceed the state and national averages.

Goal 2: Ensure the District's instructional program is comprehensive and prepares our students for both post-secondary education and employment that will provide them with long-term security as measured by:

i. a district-wide graduation rate that exceeds the national average,
ii. a CATE completer rate that exceeds the state average, and
iii. the creation of the Office of Early Intervention Services and enhanced early intervention programs and services.

Goal 3: Continue the transition to newly-adopted state ELA and mathematics standards and newly-adopted state assessment system as measured by:

i. the ongoing comprehensive professional development for administrators, certified and support personnel, and
ii. the development of comprehensive curricula which are aligned to the new state standards and assessment instrument.

Goal 4: Continue to expand our access to and utilization of technology to improve teaching and learning as measured by:

i. the successful implementation of Year 2 activities of the five-year district technology plan.

Goal 5: Proceed with "all deliberate speed" on our new facilities construction/facilities improvement program as measured by:

i. the satisfactory progress on renovations and additions at Chapin High School,
ii. the satisfactory progress on renovations and additions at Irmo High School,
iii. the satisfactory progress on renovations and additions at Dutch Fork High School, and
iv. the satisfactory progress on the construction of the new middle school.

Goal 6: Reinforce our efforts to ensure the safety of our students and staff as measured by:

i. the ongoing actions to review and improve our safety and security systems and procedures,
ii. the strong relationship with all first responder agencies and organizations, and
iii. the professional development training for all staff members designed to ensure that all students and staff feel valued and safe,

Goal 7: Continue to improve the emotional, psychological, and physical well-being of our students and staff as measured by:

i. the successful implementation of initiatives to promote healthier staff and students, and
ii. the successful implementation of NAEYC standards in district-wide 4K early intervention programs.

Goal 8: Expand an effective communication system for the District with its employees, parents, students, and community as measured by:

i. the enhancement of the district's communication and public relations strategies and increased positive public relations results, and
ii. the ongoing effective communication with all key stakeholder groups.

Superintendent's Goals

(Proposed October 14, 2013)

Timeline: July 1, 2013 – June 30, 2014

Goal 1: Sustain and enhance the District's record of excellence in student achievement as measured by:

i. a performance among the top 10% of districts on the ESEA accountability system,
ii. a performance among the top 10% of districts on the state accountability system,
iii. SAT scores which exceed the state and national averages,
iv. ACT scores which exceed the state and national averages,
v. a district-wide graduation rate and a graduation rate at each high school that exceeds the national average,
vi. a district-wide dropout rate and a dropout rate at each high school that is less than the national average,
vii. a CATE completer rate that exceeds the state average, and
viii. the creation of the Office of Early Intervention Services and enhanced early intervention programs and services.

Goal 2: Continue the transition to newly-adopted state ELA and mathematics standards and newly- adopted state assessment system as measured by:

i. the ongoing comprehensive professional development for administrators, certified and support personnel, and
ii. the development of comprehensive curricula which are aligned to the new state standards and assessment instrument.

Goal 3: Continue to expand our access to and utilization of technology to improve teaching and learning as measured by:

i. the successful implementation of Year 2 activities of the five-year district technology plan.

Goal 4: Proceed with "all deliberate speed" on our new facilities construction/facilities improvement program as measured by:

i. the significant progress on renovations and additions at Chapin High School,
ii. the significant progress on renovations and additions at Irmo High School,
iii. the significant progress on renovations and additions at Dutch Fork High School, and
iv. the significant progress on the construction of the new middle school.

Goal 5: Reinforce our efforts to ensure the safety of our students and staff as measured by:

i. the ongoing actions to review and improve our safety and security systems and procedures,
ii. the strong relationship with all first responder agencies and organizations, and
iii. the professional development training (to include bullying and cyber-bullying) for all staff members designed to ensure that all students and staff feel valued and safe,

Goal 6: Continue to improve the emotional, psychological, and physical well-being of our students and staff as measured by:

i. the successful implementation of initiatives to promote healthier staff and students, and
ii. the successful implementation of NAEYC standards in district-wide 4K early intervention programs.

Goal 7: Expand an effective communication system for the District with its employees, parents, students, and community as measured by:

i. the enhancement of the district's communication and public relations strategies and increased positive public relations results,
ii. the ongoing effective communication with all key stakeholder groups, and
iii. the assurance that every school and the District office have a welcoming environment.

Goal 8: Build the District's reputation as being environmentally responsible as measured by:

i. an ongoing and expanding recycling program, and
ii. the expansion of existing environmental stewardship programs and introduction of new environmental stewardship initiatives.

Exhibit H

EXHIBIT H

district five
OF LEXINGTON & RICHLAND COUNTIES

MEMORANDUM

To: Members of the Board of Trustees
Stephen Hefner, Ed.D., Superintendent

From: Karl E. Fulmer, Ed.D.
Chief Financial Officer

Date: October 9, 2013

Re: Board Meeting – October 14, 2013
Discussion Reading – Resolution for Sale of General Obligation Refunding Bonds

---

Attached is the Resolution authorizing the issuance and sale of not exceeding $40,750,000 general obligation refunding bonds, Series 2013A, or such other appropriate series designation, of School District No. 5 of Lexington County and Richland County, South Carolina; fixing the form and details of the bonds; authorizing the superintendent to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto.

Ms. Frannie Heizer of McNair Law Firm and Mr. Mike Gallagher of Southwest Securities, Inc. will be in attendance at the meeting.

RECOMMENDATION:

The administration recommends the Resolution for Sale of General Obligation Refunding Bonds be approved.

KEF:tl

Attachment

A RESOLUTION

AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING $40,750,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013A, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE SUPERINTENDENT TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1. Findings and Determinations. The Board of Trustees (the "Board"), as the governing body of School District No. 5 of Lexington County and Richland County, South Carolina (the "School District"), hereby finds and determines:

(a) The School District was organized by action of the Lexington County Board of Education in 1951 and the Richland County Board of Education in 1952. The School District is also known as Richland-Lexington School District No. 5. The Board is the governing body of the School District.

(b) Article X, Section 15 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution") provides that after November 30, 1982, the governing body of any school district may incur general obligation debt in an amount not exceeding eight percent of the assessed value of all taxable property of such school district upon such terms and conditions as the General Assembly may prescribe. Such Article further provides that if general obligation debt is authorized by a majority vote of the qualified electors of the school district voting in a referendum authorized by law, there shall be no conditions or restrictions limiting the incurring of such indebtedness except as specified in such Article.

(c) Title 59, Chapter 71, Article 1, Code of Laws of South Carolina 1976, as amended (the "School Bond Act") provides that the board of trustees of any school district may issue general obligation bonds of such school district for the purpose of defraying the cost of capital improvements to any amount not exceeding the constitutional debt limitation applicable to such school district. The School Bond Act requires the County Board of Trustees wherein the School District is located, if there is such, to approve the issuance of such bonds.

(d) Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended ("Title 11, Chapter 27"), provides that if an election be prescribed by the provisions of the School Bond Act but is not required by the provisions of Article X of the Constitution, then in every such instance, no election need be held and the remaining provisions of the School Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions. Title 11, Chapter 27 further provides that any school district of the state may issue bonds in fully-registered form.

(e) In a referendum (the "Referendum") held in the School District on November 4, 2008, the following question was submitted to the qualified electors of the School District:

> Shall the Board of Trustees of School District No. 5 of Lexington County and Richland County, South Carolina (the "School District") be empowered to issue, at one time or from time to time, general obligation bonds of the School District, in the principal amount of not exceeding $243,665,000, the proceeds of which shall be used to finance the costs (including architectural, engineering, legal and related fees) of acquiring land, constructing, improving, equipping, expanding, renovating and repairing school facilities within the School District as follows:
>
> ***Constructing and equipping (including technology) the following schools***:
>
> A new high school, a new career and technical education facility, a new middle school and a new elementary school
>
> ***Additions, renovations, improvements and modifications, including technology and other equipment for the following schools***:
>
> Leaphart Elementary School, Seven Oaks Elementary School, Irmo Elementary School, Chapin Elementary School, Irmo High School, Dutch Fork High School and Chapin High School?

The Referendum was duly conducted and a majority of the qualified electors of the School District voted in favor of the issuance of the general obligation bonds.

(f) Pursuant to the American Reinvestment and Recovery Act, South Carolina constitutional and statutory authorizations, the Referendum and a resolution adopted by the Board, the School District issued its $40,000,000 General Obligation Bonds, Taxable Series 2009B (Build America Bonds – Direct Payment to Issuer) dated July 21, 2009 (the "2009 Bonds").

(g) Sections 11-21-10 to 11-21-80 of the Code of Laws of South Carolina 1976, as amended, empower any "public agency" to utilize the provisions of Article 5, Chapter 15, Title 11 (the "Refunding Act") of the Code of Laws of South Carolina 1976, as amended, to effect the refunding of any outstanding general obligation bonds.

(h) The 2009 Bonds are currently outstanding in the amount of $39,850,000 (the "Bonds to be Refunded") and are subject to extraordinary redemption as follows: "The Bonds are subject to redemption by the School District, at its option, prior to maturity at any time or times at the redemption price of par plus accrued interest to the redemption date if and to the extent the federal government should not make the subsidy payment equal to 35% of the amount of interest paid on such taxable Bonds pursuant to the ARRA."

(i) As a result of Federal sequestration, the interest subsidy payment received by the Paying Agent for the 2009 Bonds for the September 1, 2013, interest payment, was reduced by 8.7% ($347,282.94 rather than $$380,375.62) of the amount of interest paid on the 2009 Bonds.

(j) Pursuant to a Resolution adopted by the Board on August 13, 2012, the Board adopted Written Procedures related to Tax-Exempt Debt.

(k) It is now in the best interest of the School District for the Board to provide for the issuance and sale of general obligation refunding bonds of the School District pursuant to the Constitution and laws of the State of South Carolina in the principal amount of not exceeding $40,750,000, the proceeds of which will be used for the purposes of refunding the Bonds to be Refunded, paying the costs of issuance of the Refunding Bonds and such other lawful purposes as the Board may determine.

Section 2. Authorizations and Details of Refunding Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued general obligation refunding bonds of the School District in the amount of not exceeding $40,750,000 to obtain funds for any one or more of the purposes mentioned in Section 1(k) above, including any financial and legal fees relating thereto and other incidental costs of issuing the Refunding Bonds (hereinafter defined). The Refunding Bonds shall be designated "$40,750,000 (or such lesser amount issued) General Obligation Refunding Bonds, Series 2013A (or such other appropriate series designation) of School District No. 5 of Lexington County and Richland County, South Carolina" (the "Refunding Bonds").

The refunding of the Bonds to be Refunded shall be effected with a portion of the proceeds of the Refunding Bonds which proceeds shall be used for the payment of the principal of such Bonds to be Refunded as and when such Bonds to be Refunded mature and are called for redemption in accordance with the provisions of the Resolution authorizing the Bonds to be Refunded, the redemption premium thereon, if any, and interest on such Bonds to be Refunded as and when the same becomes due. If necessary, notice of the aforesaid refunding for which a portion of the proceeds of the Refunding Bonds will be used shall be given in a financial paper published in the City of New York, State of New York.

If necessary, upon the delivery of the Refunding Bonds, the principal proceeds thereof, less any issuance expenses, shall be deposited with an escrow agent to be named (the "Escrow Agent") and held by it under a written escrow agreement (the "Escrow Agreement") in a special trust account until the redemption of the Bonds to be Refunded.

The Superintendent is hereby authorized and directed for and on behalf of the School District to execute such agreements and give such directions as shall be necessary to carry out the provisions of this Resolution, including the execution and delivery of the Escrow Agreement. The Escrow Agreement shall be dated the date of delivery of the Refunding Bonds to the initial purchasers thereof.

Upon the award of the Refunding Bonds, the School District shall designate the Bonds to be Refunded for redemption on a date determined by the Superintendent in accordance with the Resolution authorizing the Bonds to be Refunded.

If the Refunding Bonds are delivered within three days prior to the redemption date of the Bonds to be Refunded, the proceeds will be deposited with the Paying Agent for the Bonds to be Refunded rather than an escrow agent and held uninvested until needed to redeem the Bonds to be Refunded.

The Refunding Bonds shall be issued as fully-registered bonds; shall be dated as of their date of delivery; shall be in the denomination of $5,000 or any integral multiple thereof not exceeding the principal amount of the Refunding Bonds maturing in each year; shall be numbered from R-1 upward; shall bear interest at such times as hereafter designated by the Superintendent at such rate or rates as may be determined at the time of the sale thereof; and shall mature serially in successive annual installments as determined by the Superintendent.

Both the principal of and interest on the Refunding Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. Wells Fargo Bank, N.A., shall serve as Registrar/Paying Agent for the Refunding Bonds.

Section 3. Delegation of Authority to Determine Certain Matters Relating to the Refunding Bonds. The Board hereby delegates to the Superintendent the authority to determine (a) the par amount of the Refunding Bonds; (b) the maturity dates of the Refunding Bonds and the respective principal amounts maturing on such dates; (c) the interest payment dates of the Refunding Bonds; (d) redemption provisions, if any, for the Refunding Bonds; and (e) the date and time of sale of the Refunding Bonds. At the time of the sale, the School District reserves the right, in its sole discretion, either to decrease or increase the principal amount of the Refunding Bonds maturing in any year (all calculations to be rounded to the near $5,000), provided that any such decrease or increase shall not exceed 15% of the par amount of the Refunding Bonds maturing in any year.

The Board hereby delegates to the Superintendent or his lawfully authorized designee the authority to receive bids on behalf of the Board and the authority to award the sale of the Refunding Bonds to the lowest bidder therefor in accordance with the terms of the Official Notice of Sale for the Refunding Bonds, provided the true interest cost of the Refunding Bonds does not exceed four percent (4%) per annum. After the sale of the Refunding Bonds, the Superintendent or his lawfully authorized designee shall submit a written report to the Board setting forth the results of the sale of the Refunding Bonds.

In addition to the authority delegated above, the Superintendent or his lawfully authorized designee has the authority, upon recommendation from the School District's bond counsel and financial advisor, to sell the Refunding Bonds through a bank placement if it is determined to be in the best interest of the School District.

Section 4. Registration, Transfer and Exchange of Refunding Bonds. The School District shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Refunding Bonds. Upon presentation at its office for such purpose the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Refunding Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Refunding Bond shall be transferable only upon the registry books of the School District, which shall be kept for such purpose at the principal office of the Registrar/Paying Agent, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his or her duly authorized attorney. Upon the transfer of any such Refunding Bond, the Registrar/Paying Agent on behalf of the School District shall issue in the name of the transferee a new fully-registered Refunding Bond or Refunding Bonds of the same aggregate principal amount, interest rate and maturity as the surrendered Refunding Bond. Any Refunding Bond surrendered in exchange for a new registered Refunding Bond pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The School District and the Registrar/Paying Agent may deem or treat the person in whose name any fully-registered Refunding Bond shall be registered upon the registry books as the absolute owner of such Refunding Bond, whether such Refunding Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Refunding Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and

discharge the liability upon such Refunding Bond to the extent of the sum or sums so paid, and neither the School District nor the Registrar/Paying Agent shall be affected by any notice to the contrary. In all cases in which the privilege of transferring Refunding Bonds is exercised, the School District shall execute and the Registrar/Paying Agent shall authenticate and deliver Refunding Bonds in accordance with the provisions of this Resolution. Neither the School District nor the Registrar/Paying Agent shall be obliged to make any such transfer of Refunding Bonds during the fifteen (15) days preceding an interest payment date on such Refunding Bonds.

Section 5. Record Date. The School District hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Refunding Bonds, and such record date shall be the fifteenth (15th) day (whether or not a business day) preceding an interest payment date on such Refunding Bond or, in the case of any proposed redemption of Refunding Bonds, such record date shall be the fifteenth (15th) day (whether or not a business day) prior to the mailing of notice of redemption of Refunding Bonds.

Section 6. Mutilation, Loss, Theft or Destruction of Refunding Bonds. In case any Refunding Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the School District shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Refunding Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Refunding Bond, or in lieu of or in substitution for such lost, stolen or destroyed Refunding Bond. In any such event the applicant for the issuance of a substitute Refunding Bond shall furnish the School District and the Registrar evidence or proof satisfactory to the School District and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Refunding Bond, and of the ownership thereof, and also such security and indemnity as may be required by the laws of the State of South Carolina or such greater amount as may be required by the School District and the Registrar. Any duplicate Refunding Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Refunding Bond or in substitution for any allegedly lost, stolen or wholly-destroyed Refunding Bond shall be entitled to the identical benefits under this Resolution as was the original Refunding Bond in lieu of which such duplicate Refunding Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Refunding Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Refunding Bond shall be borne by the applicant therefor.

Section 7. Execution of Refunding Bonds. The Refunding Bonds shall be executed in the name of the School District with the manual or facsimile signature of the Chair of the Board attested by the manual or facsimile signature of the Secretary of the Board under a facsimile of the seal of the School District which shall be impressed, imprinted or reproduced thereon. The Refunding Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Refunding Bond shall bear a certificate of authentication manually executed by the Registrar/Paying Agent in substantially the form set forth herein.

Section 8. Form of Refunding Bonds. The Refunding Bonds shall be in substantially the form set forth as Appendix A attached hereto.

Section 9. Eligible Securities. The Refunding Bonds initially issued (the "Initial Refunding Bonds") will be eligible securities for the purposes of the book-entry system of transfer maintained by The

Depository Trust Company, New York, New York ("DTC"), and transfers of beneficial ownership of the Initial Refunding Bonds shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of $5,000 principal amount of Refunding Bonds of the same maturity or any integral multiple of $5,000.

The Initial Refunding Bonds shall be issued in fully-registered form, one Refunding Bond for each of the maturities of the Refunding Bonds, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Refunding Bonds becomes due, the School District shall transmit to DTC an amount equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Refunding Bonds or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Refunding Bonds or any portion thereof shall be sent to DTC in accordance with the provisions of this Resolution.

If (a) DTC determines not to continue to act as securities depository for the Refunding Bonds, or (b) the School District has advised DTC of its determination that DTC is incapable of discharging its duties, the School District shall attempt to retain another qualified securities depository to replace DTC. Upon receipt by the School District of the Initial Refunding Bonds together with an assignment duly executed by DTC, the School District shall execute and deliver to the successor securities depository Refunding Bonds of the same principal amount, interest rate and maturity registered in the name of such successor.

If the School District is unable to retain a qualified successor to DTC or the School District has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the Refunding Bonds might be adversely affected if the book-entry system of transfer is continued (the School District undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Refunding Bonds by mailing an appropriate notice to DTC, upon receipt by the School District of the Initial Refunding Bonds together with an assignment duly executed by DTC, the School District shall execute, authenticate and deliver to the DTC participants Refunding Bonds in fully-registered form, in substantially the form set forth in Section 8 of this Resolution in the denomination of $5,000 or any integral multiple thereof.

Section 10. Security for the Refunding Bonds. The full faith, credit, resources and taxing power of the School District are hereby irrevocably pledged for the payment of the principal and interest on the Refunding Bonds as they respectively mature and to create such sinking fund as may be necessary to provide for the prompt payment thereof. There shall be levied annually by the Auditors of Lexington County and Richland County and collected by the Treasurers of Lexington County and Richland County in the same manner as county taxes are levied and collected, a tax, without limit, on all taxable property in the School District sufficient to pay the principal and interest of the Refunding Bonds as they respectively mature and to create such sinking fund as may be necessary to provide for the prompt payment thereof.

The Auditors and Treasurers of Lexington County and Richland County, South Carolina, shall be notified as to the delivery of and payment for the Refunding Bonds and are hereby directed to levy and collect, respectively, on all taxable property in the School District, a tax, without limit, on all taxable property in the School District sufficient to pay the principal and interest of the Refunding Bonds as they respectively mature and to create such sinking fund as may be necessary to provide for the prompt payment thereof.

Section 11. Defeasance. The obligations of the School District under this Resolution and the pledges, covenants and agreements of the School District herein made or provided for, shall be fully discharged and satisfied as to any portion of the Refunding Bonds, and such Refunding Bond or Refunding Bonds shall no longer be deemed to be outstanding hereunder when:

(a) such Refunding Bond or Refunding Bonds shall have been purchased by the School District and surrendered to the School District for cancellation or otherwise surrendered to the School District or the Paying Agent and is canceled or subject to cancellation by the School District or the Paying Agent; or

(b) payment of the principal of and interest on such Refunding Bonds either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee in trust and irrevocably set aside exclusively for such payment (1) moneys sufficient to make such payment or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the corporate trustee. At such time as the Refunding Bonds shall no longer be deemed to be outstanding hereunder, such Refunding Bonds shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations as set forth in (ii) above, shall no longer be secured by or entitled to the benefits of this Resolution.

"Government Obligations" shall mean any of the following:

(a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America;

(b) non-callable, U.S. Treasury Securities - State and Local Government Series ("SLGS"); and

(c) general obligation bonds of the State, its institutions, agencies, school districts and political subdivisions.

Section 12. Exemption from State Taxes. Both the principal of and interest on the Refunding Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the Code of Laws of South Carolina, 1976, as amended, from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

Section 13. Sale of Refunding Bonds; Form of Notice of Sale. The Refunding Bonds shall be sold at public sale. A Notice of Sale shall be distributed to prospective bidders and a summary of such Notice of Sale shall be published in a newspaper having general circulation in the State of South Carolina or in a financial publication published in the City of New York, State of New York, or both, not less than seven (7) days prior to the date set for such sale. The Notice of Sale shall be in substantially the form set forth as Appendix B attached hereto.

Section 14. Preliminary and Official Statement. The Board hereby authorizes and directs the Superintendent to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to

prospective purchasers of the Refunding Bonds together with the Notice of Sale. The Board authorizes the Superintendent to designate the Preliminary Official Statement as "near final" for purposes of Rule 15c2-12 of the Securities Exchange Commission. The Superintendent is further authorized to see to the completion of the final form of the Official Statement upon the sale of the Refunding Bonds so that it may be provided to the purchaser of the Refunding Bonds.

Section 15. Filings with Central Repository. In compliance with Section 11-1-85 of the Code of Laws of South Carolina, 1976, as amended, the School District covenants that it will file or cause to be filed with a central repository for further availability in the secondary bond market when requested: (a) a copy of the annual audit of the School District within thirty (30) days of the School District's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, relevant information of an event which, in the opinion of the School District, adversely affects more than five percent (5%) of the School District's revenue or its tax base.

Section 16. Continuing Disclosure. In compliance with the Securities and Exchange Commission Rule 15c2-12 (the "Rule"), the School District covenants and agrees for the benefit of the holders from time to time of the Refunding Bonds to execute and deliver prior to closing, and to thereafter comply with the terms of, a Continuing Disclosure Agreement in substantially the form appearing as Appendix C to this Resolution. In the event of a failure of the School District to comply with any of the provisions of the Disclosure Dissemination Agent Agreement, an event of default under this Resolution shall not be deemed to have occurred. In such event, the sole remedy of any bondholder or beneficial owner shall be an action to compel performance by the School District.

Section 17. Deposit and Use of Proceeds. The proceeds derived from the sale of the Refunding Bonds necessary to refund the Bonds to be Refunded shall be deposited with an escrow agent to be named pursuant to the terms of the Refunding Trust Agreement between the escrow agent and the School District. The remaining proceeds, if any, shall be deposited with the Treasurer of Lexington County in a special fund to the credit of the School District and shall be applied solely to the purposes for which the Refunding Bonds have been issued, including payment of costs of issuance of the Refunding Bonds.

Section 18. Tax Covenants. The School District hereby covenants and agrees with the holders of the Refunding Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Refunding Bonds to become includable in the gross income of the bondholders for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Refunding Bonds. The School District further covenants and agrees with the holders of the Refunding Bonds that no use of the proceeds of the Refunding Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Refunding Bonds would have caused the Refunding Bonds to be "arbitrage bonds," as defined in Section 148 of the Code, and to that end the School District hereby shall:

(a) comply with the applicable provisions of Sections 103 and 141 through 150 of the Code and any regulations promulgated thereunder so long as the Refunding Bonds are outstanding;

(b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States; and

(c) make such reports of such information at the time and places required by the Code.

Section 19. Miscellaneous. The Board hereby authorizes the Superintendent or the Chair of the Board, the Secretary of the Board, the Superintendent and the Chief Financial Services Officer to execute such documents and instruments as may be necessary to effect the issuance of the Refunding Bonds.

The Board hereby retains McNair Law Firm, P.A. as Bond Counsel, Southwest Securities Inc., as Financial Advisor, and Amtec Compliance as Verification Agent in connection with the issuance of the Refunding Bonds. The Superintendent is authorized to execute such contracts, documents or engagement letters as may be necessary and appropriate to effectuate said engagements.

All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Refunding Bonds are, to the extent of such conflict, hereby repealed and this Resolution shall take effect and be in full force from and after its adoption.

Adopted this ___ day of October, 2013.

SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY, SOUTH CAROLINA

_____

Chair, Board of Trustees

(SEAL)

ATTEST:

_____

Secretary, Board of Trustees

Appendix A

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013A

No. R-

INTEREST RATE	MATURITY DATE	ORIGINAL ISSUE DATE	CUSIP
%			

REGISTERED HOLDER:

PRINCIPAL AMOUNT: DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that School District No. 5 of Lexington County and Richland County, South Carolina (the "School District"), is justly indebted and, for value received, hereby promises to pay to the registered holder named above, or registered assigns, the principal amount shown above on the maturity date shown above, upon presentation and surrender of this Bond at the principal office of _____, in _____, _____ (the "Paying Agent"), and to pay interest on such principal sum from the date hereof at the interest rate per annum shown above until this Bond matures. Interest on this Bond is payable _____ 1, _____ and semiannually thereafter on _____ 1 and _____ 1 of each year, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the School District maintained by the registrar, presently _____, in _____, _____ (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully-registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Resolution of the School District authorizing the Refunding Bonds, nor become valid or obligatory for any purpose, until the Certificate of Authentication hereon shall have been duly executed by the Registrar.

For the payment of the principal and interest on this Bond as it respectively matures and for the creation of such sinking fund as may be necessary therefor the full faith, credit, resources and taxing power of the School District are hereby irrevocably pledged, and there shall be levied annually by the Auditors of Lexington County and Richland County and collected by the Treasurers of Lexington County and Richland County, in the same manner as county taxes are levied and collected, a tax, without limit, on all taxable property in the School District sufficient to pay the principal and interest on this Bond as it respectively matures and to create such sinking fund as may be necessary therefor.

The Refunding Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One bond certificate with respect to each date on which the Refunding Bonds are stated to mature, registered in the name of the securities depository nominee, is being issued and required to be deposited with the securities depository and immobilized in its custody. The book-entry system will evidence positions held in the Refunding Bonds by the securities depository's participants, beneficial ownership of the Refunding Bonds in the principal amount of $5,000 or any multiple thereof being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the securities depository and its participants pursuant to rules and procedures established by the securities depository and its participants. The School District and the Registrar/Paying Agent will recognize the securities depository nominee, while the registered owner of this bond, as the owner of this bond for all purposes, including payments of principal of and redemption premium, if any, and interest on this bond, notices and voting. Transfer of principal and interest payments to participants of the securities depository will be the responsibility of the securities depository, and transfer of principal, redemption premium, if any, and interest payments to beneficial owners of the Refunding Bonds by participants of the securities depository will be the responsibility of such participants and other nominees of such beneficial owners. The School District will not be responsible or liable for such transfers of payments or for maintaining, supervision or reviewing the records maintained by the securities depository, the securities depository nominee, its participants or persons acting through such participants. While the securities depository nominee is the owner of this bond, notwithstanding, the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this bond shall be made in accordance with existing arrangements between the Registrar/Paying Agent or its successors under the Resolution and the securities depository.

This Bond is one of a series of Refunding Bonds of like date of original issue, tenor and effect, except as to number, date of maturity, denomination and rate of interest, aggregating _____ and no/100 Dollars ($_____), issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X, Section 15 of the Constitution of the State of South Carolina, 1895, as amended; Title 59, Chapter 71, Article 1, Code of Laws of South Carolina 1976, as amended; Title 11, Chapters 15 and 27, Code of Laws of South Carolina 1976, as amended of the Code of Laws of South Carolina 1976, as amended; the favorable results of a referendum, and a Resolution duly adopted by the Board of Trustees of the School District.

[Redemption Provisions]

This Bond is transferable as provided in the Resolution, only upon the books of the School District kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully-registered Bond or Refunding Bonds of the same aggregate principal amount, interest rate, and maturity shall be issued to the transferee in exchange therefor as provided in the Resolution. The School District, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the School District does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina; and, that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the School District sufficient to pay the principal and interest on this Bond as it respectively matures and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY, SOUTH CAROLINA, has caused this Bond to be signed with the facsimile signature of the Chair of the Board of Trustees of the School District, attested by the facsimile signature of the Secretary of the Board of Trustees of the School District and the seal of the School District impressed, imprinted or reproduced hereon.

SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY, SOUTH CAROLINA

_____

Chair, Board of Trustees

ATTEST:

_____

Secretary, Board of Trustees

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This Refunding Bond is one of the refunding bonds described in the within-mentioned Resolution of School District No. 5 o f Lexington County and Richland County, South Carolina.

_____,

as Registrar

By:_____

Authorized Officer

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common	UNIF GIFT MIN ACT -
TEN ENT - as tenants by the entireties	_____ Custodian _____ (Cust) (Minor) under Uniform Gifts to Minors Act _____ (state)
JT TEN - as joint tenants with right of survivorship and not as tenants in common	

Additional abbreviations may also be used though not in above list.

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____ (Name and Address of Transferee) _____the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:_____

_____	_____
Signature Guaranteed	(Authorized Officer)
_____	_____
Notice: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agents Medallion Program ("STAMP") or similar program.	Notice: The signature to this assignment must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

A copy of the final approving legal opinion to be rendered shall accompany each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the School District with a facsimile signature of the Secretary of the Board of Trustees of the School District. Said certificate shall be in substantially the following form:

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the final legal opinion (except for date and letterhead) of McNair Law Firm, P.A., Columbia, South Carolina, approving the issue of Refunding Bonds of which the within bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for the Refunding Bonds, and a copy of which is on file with School District No. 5 of Lexington County and Richland County, South Carolina.

SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY, SOUTH CAROLINA

By:_____
Secretary, Board of Trustees

Appendix B

FORM OF OFFICIAL NOTICE OF SALE

$_____ GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013A,
SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY,
SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that sealed bids, facsimile bids and electronic bids will be received by the Chief Operational Services Officer of School District No. 5 of Lexington County and Richland County, South Carolina (the "School District") in the School District offices, located at 1020 Dutch Fork Road, Irmo, South Carolina, until 11:00 a.m. (South Carolina time) on _____, _____ ___, 2013, at which time said proposals will be publicly opened for the purchase of $_____ General Obligation Refunding Bonds, Series 2013A, of the School District (the "Bonds").

Sealed Bids: Each hand delivered proposal shall be enclosed in a sealed envelope marked "Proposal for $_____ General Obligation Refunding Bonds, Series 2013A, School District No. 5 of Lexington County and Richland County, South Carolina" and should be directed to the Superintendent at the address in the first paragraph hereof.

Facsimile Bids: The School District will accept the facsimile transmission of a manually signed Official Bid Form at the risk of the Bidder. The School District shall not be responsible for the confidentiality of bids submitted by facsimile transmission. Any delay in receipt of a facsimile bid, and any incompleteness or illegible portions of such bid are the responsibility of the bidder. Bids by facsimile should be transmitted to the attention of Karl E. Fulmer, Chief Financial Services Officer, fax number (803) 476-8237.

Electronic Bids: Electronic proposals must be submitted through The Thomson Municipal Group Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from The Thomson Municipal Group, 395 Hudson Street, New York, New York 10014, Customer Support, telephone (212) 806-8304.

PROPOSALS MAY BE DELIVERED BY HAND, BY MAIL, BY FACSIMILE TRANSMISSION OR BY ELECTRONIC BID, BUT NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE SCHOOL DISTRICT AT THE PLACE, DATE AND TIME APPOINTED, AND THE SCHOOL DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY FAILURE, MISDIRECTION, DELAY OR ERROR RESULTING FROM THE SELECTION BY ANY BIDDER OF ANY PARTICULAR MEANS OF DELIVERY OF BIDS.

Book-Entry-Only Bonds: The Bonds will be issued in fully-registered form. One Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry-only form in the principal amount of $5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the Bond certificates representing each maturity with DTC. The Bonds will be dated _____, 2013 and will mature serially in successive annual installments on _____ 1 in each of the years and in the principal amounts as follows:

_____1 Principal Amount _____1 Principal Amount

The Bonds will bear interest from the date thereof payable semiannually on _____ 1 and _____ 1 of each year, commencing _____ 1, 2014.

[Redemption Provisions.]

Registrar/Paying Agent: Wells Fargo Bank, N.A., shall serve as Paying Agent for the Bonds.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of 1/20 or 1/8 of 1% with no greater difference than two percent (2%) between the highest and lowest rates of interest named by a bidder. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to such maturity date. A bid for less than all the Bonds, a bid at a price less than par will not be considered. In addition to the bid price, the successful bidder must pay accrued interest from the date of the Bonds to the date of full payment of the purchase price.

Bid Form: Each proposal should be enclosed in a sealed envelope marked "Proposal for $_____ General Obligation Refunding Bonds, Series 2013A of School District No. 5 of Lexington County and Richland County, South Carolina" and should be directed to the Superintendent at the address in the first paragraph hereof. It is requested but not required that you submit your bid on the Proposal for Purchase of Bonds supplied with the Official Statement.

Official Statement: Upon the award of the Bonds, the School District will prepare an official statement (the "Official Statement") in substantially the same form as the preliminary official statement subject to minor additions, deletions and revisions as required to complete the Official Statement. Within seven (7) business days after the award of the Bonds, the School District will deliver the Official Statement to the successful bidder in sufficient quantity to comply with Rule G-32 of the Municipal Securities Rulemaking Board. The successful bidder agrees to supply to the School District all necessary pricing information and any Underwriter identification necessary to complete the Official Statement within 24 hours after the award of the Bonds.

Security: The Bonds shall constitute binding general obligations of the School District, and the full faith, credit, resources and taxing power of the School District are irrevocably pledged for the payment of the principal and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary to provide for the prompt payment thereof. There shall be levied and collected annually upon all taxable property of the School District a tax, without limitation as to rate or amount, sufficient for such purposes.

Continuing Disclosure: In order to assist the bidders in complying with S.E.C. Rule 15c2-12(b)(5), the School District will undertake, pursuant to a resolution and a Disclosure Dissemination Agent Agreement, to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

Legal Opinion: The School District shall furnish upon delivery of the Bonds the final approving opinion of McNair Law Firm, P.A., Columbia, South Carolina, which opinion shall accompany each Bond, together with the usual closing documents, including a certificate that no litigation is pending affecting the Bonds.

Certificate as to Issue Price: The successful bidder must provide a certificate to the School District by the date of delivery of the Bonds, stating the initial reoffering price of The Bonds to the public (excluding bond houses and brokers) and the price at which a substantial amount of the Bonds were sold to the public, in form satisfactory to Bond Counsel. A sample copy of such a certificate may be obtained from Bond Counsel.

CUSIP Numbers: It is anticipated that CUSIP identification numbers will be set forth on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of its proposal. The CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the successful bidder.

Delivery: The Bonds will be delivered on or about _____, 2013 in New York, New York, at the expense of the School District or at such other place as may be agreed upon with the purchaser at the expense of the purchaser. The balance of the purchase price then due (including the amount of accrued interest) must be paid in federal funds or other immediately available funds.

Award of Bid. The Bonds will be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost (TIC) to the School District. The TIC will be the nominal interest rate which, when compounded semiannually and used to discount all debt service payments on the Bonds (computed at the interest rates specified in the bid and on the basis of a 360-day year of twelve 30-day months) to the dated date of the Bonds, results in an amount equal to the price bid for the Bonds. In the case of a tie bid, the winning bid will be awarded by lot. The School District reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 3:00 p.m., South Carolina time, on the date of the sale.

For the purpose of calculating the yield on the Bonds for federal tax purposes as a condition precedent to the award of the Bonds, the successful bidder will, within 30 minutes after being notified of its winning bid, advise the School District by telephone confirmed by facsimile transmission of the initial offering prices of the Bonds to the public (expressed as a price, exclusive of accrued interest, or yield per maturity).

Additional Information: A copy of the Preliminary Official Statement in deemed final form and the Official Notice of Sale are available via the internet at www.officialstatements.swst.com and will be furnished to any person interested in bidding for the Bonds upon request to McNair Law Firm, P. A., Post Office Box 11390, Columbia, South Carolina 29211, attention: Francenia B. Heizer, Esquire, telephone (803) 799-9800, e-mail: fheizer@mcnair.net. The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Notice of Sale as to the complete information concerning the Bonds. Persons seeking information should communicate with Persons seeking information should communicate with the School District's Bond Counsel, Francenia B. Heizer, Esquire, McNair Law Firm, P.A., Post Office Box 11390, Columbia, South Carolina, 29211, telephone (803) 799-9800, e-mail: fheizer@mcnair.net or with the School District's Financial Advisor, Brian G. Nurick, SVP/Managing Director of Public Finance, Southwest Securities Inc., 1219 Assembly Street, Suite 202, Columbia, South Carolina 29201, direct telephone (803) 733-1604, e-mail: brian.nurick@swst.com.

School District No. 5 of Lexington County and
Richland County, South Carolina

Appendix C

FOMRM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by School District No. 5 of Lexington County and Richland County, South Carolina (the "School District") in connection with the issuance of $_____ General Obligation Refunding Bonds, Series 2013A (the "Bonds"). The Bonds are being issued pursuant to a Resolution adopted by the Board of Trustees of the School District (the "Resolution"). The School District covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the School District for the benefit of the beneficial owners and in order to assist the Participating Underwriters (defined below) in complying with the Rule (defined below).

SECTION 2. Definitions. The following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the School District pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Bonds" shall mean the $_____ General Obligation Refunding Bonds, Series 2013A, School District No. 5 of Lexington County and Richland County, South Carolina, dated November ___, 2013.

"Dissemination Agent" shall mean the School District or any successor Dissemination Agent designated in writing by the School District and which has filed with the School District a written acceptance of such designation.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"Repository" shall mean for purposes of the Rule, the Electronic Municipal Market Access (EMMA) system created by the Municipal Securities Rulemaking Board.

"Participating Underwriter" shall mean PNC Capital Markets LLC and any other original underwriter of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

SECTION 3. Provision of Annual Reports.

(a) The School District shall, or shall cause the Dissemination Agent to provide, not later than February 1 of each year, commencing in 2014, to the Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. Not later than fifteen (15) business days prior to such date the School District shall provide the Annual Report to the Dissemination Agent, if other than the School District; provided, that if the audited financial statements required pursuant to Section 4 hereof to be included in the Annual Report are not available for inclusion in the Annual Report as of such date, unaudited financial statements of the School District may be included in such Annual Report in lieu thereof, and the School District shall replace such unaudited financial statements with audited financial statements within fifteen (15) days after such audited financial statements become available for distribution. The Annual Report may be submitted as a single document

or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the School District may be submitted separately from the balance of the Annual Report.

(b) If the School District is unable to provide to the Repository an Annual Report by the date required in subsection (a), the School District shall send a notice to the Repository, in substantially the form attached hereto as Exhibit A.

(c) The Dissemination Agent shall:

(1) determine each year prior to the date for providing the Annual Report the name and address of the Repository; and

(2) if the Dissemination Agent is other than the School District, file a report with the School District and (if the Dissemination Agent is not the Registrar) the Registrar certifying whether the Annual Report has been provided pursuant to this Disclosure Certificate, and, if provided, stating the date it was provided, and listing the Repository to which it was provided.

SECTION 4. Content of Annual Reports. The School District's Annual Report shall contain or incorporate by reference the most recent audited financial statements, which shall be prepared in conformity with generally accepted accounting principles (or, if not in such conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information) applicable to governmental entities such as the School District, and shall, in addition, contain or incorporate by reference the following:

(a) School District enrollment for the current fiscal year;
(b) Total anticipated state appropriations subject to withholding under Article X, Sec. 15, South Carolina Constitution for current fiscal year;
(c) Anticipated funding under Education Finance Act and Education Improvement Act for current fiscal year;
(d) Outstanding Indebtedness of the School District;
(e) Market Value/Assessment Summary of taxable property in School District;
(f) Tax levy for School District for current fiscal year;
(g) Tax collections for School District for preceding fiscal year; and
(h) Five largest taxpayers (including fee-in-lieu-of-tax) for School District for preceding fiscal year.

Any or all of the items listed above may be incorporated by reference from other documents, including official statements of debt issues with respect to which the School District is an "obligated person" (as defined by the Rule), which have been filed with the Repository or the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The School District shall clearly identify each such other document so incorporated by reference.

SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the School District shall give, or cause to be given, notice of the occurrence of any of the following events (the "Listed Events"):

(1) Principal and interest payment delinquencies;
(2) Non-payment related defaults;
(3) Unscheduled draws on debt service reserves reflecting financial difficulties;
(4) Unscheduled draws on credit enhancements reflecting financial difficulties;
(5) Substitution of credit or liquidity providers, or their failure to perform;
(6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
(7) Modifications to rights of security holders;
(8) Bond calls;
(9) Tender offers;
(10) Defeasances;
(11) Release, substitution, or sale of property securing repayment of the securities;
(12) Rating changes;
(13) Bankruptcy, insolvency, receivership or similar event of the School District;
(14) The consummation of a merger, consolidation, or acquisition involving the School District or the sale of all or substantially all of the assets of the School District other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;
(15) Appointment of a successor or additional trustee or the change of name of a trustee.

(b) Whenever the School District obtains knowledge of the occurrence of a Listed Event described in subsections (a)(2), (7), (8), (11), (14), or (15) above, the School District shall as soon as possible determine if such event would be material under applicable federal securities laws. If the School District determines that knowledge of the occurrence of such event would be material under applicable federal securities laws, the School District shall promptly, and no later than 10 days after the occurrence of the event, file a notice of such occurrence with the Repository.

(c) Whenever the School District obtains knowledge of the occurrence of a Listed Event described in subsections (a)(1), (3), (4), (5), (6), (9), (10), (12), or (13) above, the School District shall promptly, and no later than 10 days after the occurrence of the event, file a notice of such occurrence with the Repository.

(d) Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8), (9), and (10) above need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to owners of affected Bonds. For the purposes of the event identified in (a)(13) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the School District in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the School District, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of

an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the School District.

SECTION 6. Termination of Reporting Obligation. The School District's obligations under this Disclosure Certificate shall terminate upon the defeasance, prior redemption or payment in full of the Bond.

SECTION 7. Dissemination Agent. The School District may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The initial Dissemination Agent shall be the School District.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the School District may amend this Disclosure Certificate and any provision of this Disclosure Certificate may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to the School District, to the effect that such amendment or waiver would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule. In the event of any amendment or waiver of a provision of this Disclosure Certificate, the School District shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or wavier.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the School District from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the School District chooses to include any information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is specifically required by this Disclosure Certificate, the School District shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the School District, or the Dissemination Agent to comply with any provision of this Disclosure Certificate, any beneficial owner may take such actions as may be necessary and appropriate, including seeking injunctive relief or specific performance by court order, to cause the School District, or the Dissemination Agent, as the case may be, to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the School District, or the Dissemination Agent to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The provisions of this Section 11 shall apply if the Issuer is not the Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and to the extent permitted by applicable law and other public policy considerations, the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which they may incur arising out of or in the exercise or performance of their powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or

willful misconduct. The obligations of the Issuer under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the School District, the Dissemination Agent, the Participating Underwriters, and Holders from time to time of the Bonds and shall create no rights in any other person or entity.

SECTION 13. Counterparts. This Disclosure Certificate may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY, SOUTH CAROLINA

By:_____
District Superintendent

Dated: November ___, 2013

EXHIBIT A

NOTICE TO REPOSITORY OF FAILURE TO FILE ANNUAL REPORT

Name of School District:	School District No. 5 of Lexington County and Richland County, South Carolina
Name of Bond Issue:	$_____ General Obligation Refunding Bonds, Series 2013A, School District No. 5 of Lexington County and Richland County, South Carolina
Date of Issuance:	November ____, 2013

NOTICE IS HEREBY GIVEN that School District No. 5 of Lexington County and Richland County, South Carolina (the "School District") has not provided an Annual Report with respect to the above-named Bonds as required by Sections 3 and 4 of the Continuing Disclosure Certificate executed and delivered by the School District as Dissemination Agent. The School District has notified us in writing that the Annual Report will be filed by _____.

Dated:_____

SCHOOL DISTRICT NO. 5 OF LEXINGTON COUNTY AND RICHLAND COUNTY, SOUTH CAROLINA

Exhibit I

EXHIBIT I

district five
OF LEXINGTON & RICHLAND COUNTIES

Memorandum

To: Members of the Board of Trustees

Through: Dr. Stephen W. Hefner
Superintendent

From: Mark A. Bounds MAB
Chief Information Officer

Date: October 9, 2013

Re: 2014-2015 Proposed School Calendar

Attached is the 2014-2015 proposed school calendar. We have received input from our various advisory committees and staff members.

The proposed calendar will be on the agenda for discussion on October 9, 2013.

Thank you and please let me know if you have any questions.

MAB/aw

Attachment - 2014-2015 Proposed School Calendar

Lexington-Richland Five
2014-2015
Proposed School Calendar

July 2014

S	M	T	W	T	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		

August 2014

S	M	T	W	T	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 2014

S	M	T	W	T	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 2014

S	M	T	W	T	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 2014

S	M	T	W	T	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 2014

S	M	T	W	T	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			

*Dec. 22 and Dec. 23 (work days for 240-day employees)

July 4..... Independence Day Holiday

August 12 .....First Day for Teachers

August 12-15;18..... Teacher Work Day/Staff Dev.

August 19 .....First Day for Students

September 1.....Labor Day Holiday

October 13.....Teacher Workday/Staff Dev.

November 3.....Teacher Workday/Staff Dev.

November 26-28 .....Thanksgiving Holidays

December 22 – Jan. 2.....Winter Break
*December 22 & 23 (Work days for 240-day employees)

January 5 .....Students & Staff Return to School

January 16..... Teacher Workday/Staff Dev.

January 19.....Dr. M. L. King Holiday

February 16.....Teacher Workday/Staff Dev.

March 16.....Student & Teacher Holiday (severe weather make-up; if needed)

April 3-10.....Spring Break

May 25.....Memorial Day Holiday

June 1 .....Half Day for Students

June 2.....Half Day for Students

June 3..... Half Day for Students/Last Day for Students

June 4 .....Teacher Workday/Staff Dev.

June 4.....Last Day for Teachers

January 2015

S	M	T	W	T	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 2015

S	M	T	W	T	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

March 2015

S	M	T	W	T	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 2015

S	M	T	W	T	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		

May 2015

S	M	T	W	T	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 2015

S	M	T	W	T	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				

School Day	Schools & Offices Closed	Schools & Offices Open Teacher/Student Holiday	Staff Development /Teacher Work Day No School For Students	School Day End of Nine Weeks

Exhibit J

EXHIBIT J

district five
OF LEXINGTON & RICHLAND COUNTIES

MEMORANDUM

TO: Members of the Board of Trustees

THROUGH: Stephen W. Hefner, Ed.D.
Superintendent

FROM: Karl E. Fulmer, Ed.D.
Chief Financial Officer

DATE: October 14, 2013

RE: Board Policies – Discussion Reading - Section E

Issue: Proposed addition to Board Policies – Section E

Background: Attached for your consideration are the recommended new policies and revisions from the South Carolina School Boards Association for the following policies:

- Replace EBG "Repairs (and Maintenance)", EBI "Long-Range Maintenance Program (Improvement and Alteration of Buildings and Grounds)" and EBG-R "Repairs (and Maintenance)" with ECB "Buildings and Grounds Maintenance"
- Replace EC "Equipment Supplies and Management" with ED "Materials and Equipment Management" ; and Replace EC-R "Equipment and Supplies Management" with ED-R "Materials and Equipment Management"
- Replace ECG "Centralized Inventory of Equipment" with EDA "Centralized Inventory of Equipment"
- Add EDE "Waste Management and Recycling"
- Replace ED "Student Transportation Management" with EEA "Student Transportation"
- Add EEAC "Bus Scheduling and Routing"
- Replace ED-2 "Alcohol And Controlled Substances Testing" and ED-2-R "Alcohol And Controlled Substances Testing" with EEAE "Bus Safety Program", EEAE-R "Bus Safety Program" and EEAE-E "Drug And Alcohol Testing Program Acknowledgement Form"
- Replace EDCB "Student Transportation Safety/Bus Conduct" with EEAEC "Student Conduct on Buses" and EEAEC-R "Student Conduct on Buses"
- Add EEAG "Student Transportation in Private Vehicles"
- Add EHB "Data/Records Retention"
- Replace EGA "Staff Insurance Program" and EGAA "Worker's Compensation" with EI "Insurance Program/Risk Management"

Recommendation: Administration recommends that the proposed additions/revisions to selected "E" policies proceed to first reading approval.

KF/tl
Attachments – Current Board Policies/Recommended Policies – Section E

BUILDINGS AND GROUNDS MAINTENANCE

Code **ECB** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for maintaining and repairing district property.

The board is aware of the tremendous investment in school facilities. Therefore the district must establish a continuing program for the maintenance of all district property.

The superintendent is responsible for the overall maintenance of buildings and grounds. The school district will maintain plants and equipment in a safe and proper working condition that complies with all state safety regulations. The district will continually upgrade, remodel and repair buildings and equipment as needed.

The board, acting on recommendations from the superintendent, must approve the remodeling, reconditioning and improvement of school buildings.

Each building principal is responsible for operation and maintenance of his/her school and will supervise custodial staff members as they carry out regular operational and normal maintenance duties. Except in emergencies, the district will provide additional maintenance services only upon approval of the superintendent or his/her designee. The board will appropriate funds for maintenance items involving major repairs or renovation.

Volunteer assistance

All major improvements to school grounds that involve major grading or any substantial alteration or improvement of any building will require approval of the board, even though such improvements and alterations are made by parent teacher organizations, student or other groups and involve no expense to the district.

Such groups may be permitted to plant shrubbery and make minor landscaping improvements in school grounds upon the approval of the school principal and the superintendent.

Adopted 2/24/69; Revised 1973, 11/16/81,1/21/85, 4/2/90, ^

Policy EBG Repairs (and Maintenance)

Maintenance and Repairs

It is sound public and professional policy to keep all buildings and grounds in good repair.

The principal of each school shall exercise supervision over, and responsibility for, the care and maintenance of his physical plant and for the janitorial services in his building or buildings.

Adopted 2/24/69; Revised 1/21/85

Constitutional & Statutory Provisions:

S.C. Code, 1976, as amended:

Section 59-21-320 - State funds for capital improvements.

Policy EBI Long-Range Maintenance Program (Improvement and Alteration of Buildings and Grounds)

Volunteer Assistance

All major improvements to school grounds that involve major grading or any substantial alteration or improvement of any building will require approval of the Board, even though such improvements and alterations are made by parent-teacher organizations, student or other groups, and involve no expense to the district.

Such groups may be permitted to plant shrubbery and make minor landscaping improvements in school grounds upon the approval of the school principal and Superintendent.

Adopted 2/24/69; Revised 11/16/81

AR EBG-R Repairs (and Maintenance)

Issued 4/90

The principal/director will submit, on an official form, all requests for building repairs to the maintenance department.

The coordinator of maintenance shall be responsible for making maintenance assignments to the appropriate personnel and keeping maintenance records for each school

Issued 1973; Revised 11/16/81, 4/2/90

MATERIALS AND EQUIPMENT MANAGEMENT

Code **ED** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for management of district materials and equipment.

The superintendent is responsible for overall supervision of materials and equipment management. This includes purchasing, receiving, storing and maintenance.

Staff may requisition equipment and materials on special forms from the business office.

The superintendent or his/her designee will develop procedures for managing equipment and supplies.

Adopted 6/7/82; Revised 4/2/90, ^

Legal references:

A. S. C. Code, 1976, as amended:
   1. Section 59-19-130 - Acquisition of supplies and equipment.
   2. Section 59-19-140 - Use of equipment.

Policy EC Equipment and Supplies Management

Issued 4/90

Instructional Materials, Supplies, Equipment

Each principal/director shall have at his school at the beginning of each school term an adequate supply of textbooks and workbooks for the students in his school.

Each principal/director shall give special attention to providing the necessary supply of instructional materials required for a good teaching and learning program.

Principals/directors shall also be responsible for establishing suitable controls on textbooks rented or loaned to students. Teachers will keep records specifying the number of the book assigned each student and its condition at issuance. The South Carolina Department of Education, Office of Textbooks conducts inspection and inventory of these books on an annual basis.

Laboratory Equipment

Each teacher, including the laboratory teacher, is responsible for his/her respective equipment. This equipment cannot be taken out of the laboratory without teacher approval. All equipment (including shop equipment) taken from the laboratory must be signed for and returned according to instructions of the teacher.

If tools or equipment are missing, the teacher will make a report in writing to the principal.

Vehicles

All vehicles owned by the district, with the exception of the superintendent's automobile and other vehicles which have been approved by the board of trustees, will be appropriately marked with the logo and name of School District Five.

Adopted 6/7/82; Revised 4/2/90

MATERIALS AND EQUIPMENT MANAGEMENT

Code **ED-R** *Issued* **DRAFT/06**

The district prohibits the use of district equipment for personal purposes. In addition, the district does not encourage employees to take district equipment home for professional use. However, district needs may make such use appropriate. In such instances, employees must receive prior written approval from the superintendent or his/her designee.

Occasionally employees will be required to use district equipment in presentations, etc., away from the district. For the employee's protection in these instances, the district will assume responsibility for loss, damage or theft only if the superintendent or his/her designee gives prior written consent.

Definition of school equipment

For the purposes of this section, "equipment" is instructional materials, tools, technology hardware and movable furniture which have a normal life of more than one year, and which are not used up in instruction or the operation of the schools. Materials have a life of less than one year and are consumed in instruction and operation.

Requisition of equipment

Employees must requisition equipment on purchase order forms supplied by the school.

Ownership of equipment

Legally, all equipment purchased automatically becomes the property of the district. Employees may transfer equipment from a building only after consulting with the principal and securing the consent of the superintendent or his/her designee.

Loaned equipment

The district will not loan any equipment without written authorization from the superintendent or his/her designee.

- Equipment and materials may be used for PTA meetings.
- Equipment may also be used for public relations presentations in which an employee or board member of the district is so identified and is explaining a function of the curriculum to a segment of the lay public. If equipment is to be taken out of the district, the employee must comply with the procedures set forth above.
- School groups composed of students with a faculty sponsor may use district equipment for purposes related to the instructional program.
- Professional educational groups may use district equipment for purposes related to the instructional program.

The superintendent will make decisions for situations that do not fit the above conditions.

Borrowed equipment

The board will assume no responsibility for any equipment that is borrowed by sponsors, coaches or teachers in the conduct of their daily work or for any special project or use in the schools. This is also true of all equipment owned by teachers or left in the buildings during the summer months or during the year. Employees must return all borrowed property at the close of each school year. The responsibility for return rests definitely upon the employee and the principal involved.

Transferred equipment and property

Employees must not move furniture or equipment from one building to another without permission from the superintendent or his/her designee.

Summer storage of equipment

Employees must take special care when storing sensitive equipment during the summer months. Employees should store all such equipment in a locked, dry, safe place.

Care of equipment

Employees must take every precaution to maintain equipment at its full efficiency. Teachers and principals will encourage proper attitudes toward equipment and instructional supplies furnished by the school district. Only qualified people may use equipment which requires specialized knowledge.

Loss or damage of equipment

Parents/Legal guardians of minor children are responsible for all loss or damage of equipment caused by such students. Principals are authorized to make a reasonable charge for any damage to school equipment because of the negligence or carelessness of the individual student.

Issued 8/1/73; Revised 11/16/81, ^

AR EC-R Equipment and Supplies Management

Authorized Use of School Equipment

School telephones are installed for school business. Long distance personal calls may not be made on school telephones unless the call is charged to a number other than the school number.

All long distance calls must have the consent of the school principal/director, who will keep a log of such calls on a suitable form.

Adopted 8/1/73; Revised 11/16/81

CENTRALIZED INVENTORY OF EQUIPMENT

Code **EDA** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for a centralized inventory of equipment in the district.

The department of financial services will maintain an inventory of equipment with the assistance of the main office of each school or department. The purpose of this system is to account for property owned by the district. The system will assist in the control, efficient acquisition, and distribution of physical assets.

Definition

Property will be divided into two classifications: capitalized equipment and non-capitalized equipment.

Property owned by the district classified as capitalized equipment will be defined as any item which is basically non-consumable (expected to last a year) in nature with an original acquisition cost of $5,000.00 or more.

Property owned by the district classified as non-capitalized equipment will be defined as any item costing less than $5,000.00.

Responsible unit

The responsible unit for maintaining property records for capitalized inventory will be the department of financial services. Non-capitalized inventory will be maintained by the principal of each school.

Records to be maintained on equipment

- school where equipment is located
- description
- manufacturer and/or vendor
- serial number
- acquisition or estimated cost
- model number
- acquisition date or fiscal year of purchase, if available

Records to be maintained on furniture

Quantity totals by size and description of furniture items will be kept for schools by each principal.

Inventory audit

The inventory in each school will be selectively monitored and reconciled by the department of financial services. Additionally, the records will be audited by the district's external auditors.

Adopted 10/18/82; Revised 11/21/83, 3/19/85, 4/28/86, 2/6/89, 4/2/90, ^

Policy ECG Centralized Inventory of Equipment

Policy

The School District Five Department of Business Management will maintain an inventory of equipment with the assistance of the central office of each school. The purpose of this system is to account for property owned by the district. The system will assist in the control, efficient acquisition, and distribution of physical assets.

Definition

Property will be divided into two classifications: (1) capitalized equipment and (2) non-capitalized equipment.

Property owned by School District Five classified as capitalized equipment will be defined as any item which is basically non- consumable (expected to last a year) in nature with an original acquisition cost of $500 or more.

Property owned by School District Five classified as non-capitalized equipment will be defined as any item costing less than $500.

Responsible Unit

The responsible unit for maintaining the following property records inventory will be the department of business management.

Records to be Maintained on Equipment

- school where equipment is located
- description
- manufacturer and/or vendor
- serial number
- acquisition or estimated cost
- model number
- acquisition date or fiscal year of purchase, if available

Records to be Maintained on Furniture

Quantity totals by size, description and school location will be kept on furniture items.

Inventory Audit

The inventory in each school will be selectively monitored and reconciled by the District Five Department of Business Management. Additionally, the records will be audited by the district's external auditors and/or internal auditors.

Adopted 10/18/82; Revised 11/21/83, 3/19/85, 4/28/86, 2/6/89, 4/2/90

WASTE MANAGEMENT AND RECYCLING

Code **EDE** *Issued* **DRAFT/06**

Purpose: To establish the board's vision for resource conservation and a basic structure for waste management and recycling.

The board believes that resource conservation should be an integral part of the physical operation of the school district and of the school curriculum. The board is committed to the conservation of energy and other resources as a part of prudent financial management. Schools must set an example of stewardship of our natural resources and develop responsible citizenship in our students.

The board directs the superintendent to develop and implement an energy management program that will result in energy conservation throughout the district. The program will ensure that employees, students and users of facilities cooperate and support measures designed to conserve energy.

The program will integrate the concept of resource conservation, including waste reduction and recycling, into the environmental education curriculum at all levels of the school system.

Specifically, the program should be designed to decrease the amount of waste of consumable materials in the following areas.

- reduction of the consumption of consumable materials wherever possible
- full utilization of all materials prior to disposal
- minimization of the use of nonbiodegradable products wherever possible

To the extent practical, the district will consider generally accepted concepts and principles of ecology when writing bid specifications for material used by the school district. Personnel responsible for both utilization and purchasing will have a joint responsibility to consider ecological implications of such material.

Fitness and quality being equal, the district will purchase recycled products whenever available at no more than the total cost of nonrecycled products.

In addition, the school district will cooperate with, and participate in, recycling efforts made by local governmental units.

Adopted ^

STUDENT TRANSPORTATION

Code **EEA** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for management of student transportation.

The superintendent is responsible for the overall bus transportation in the school district.

The district will provide transportation to all eligible students within the boundaries provided for by state funds and state board of education regulations. The district will adhere to all applicable rules and regulations relative to the routing and operation of the transportation system.

In accordance with federal law, the district will also provide transportation to homeless students to and from their school of origin, students transferring from a Title I school identified for school improvement, a student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or a student transferring from a school identified as persistently dangerous for three consecutive years.

Students who travel to and from school on school buses or who make trips in connection with school sponsored activities are under school supervision.

Adults on school buses

Parents/Legal guardians and other adult school volunteers or employees may ride school buses under the following conditions.

- if a space is available (as determined by director of transportation)
- in conjunction with special programs sponsored by the district
- adults board (and get off) buses along the regularly scheduled route at regularly scheduled stops

The district will not re-route school buses to accommodate the pickup of adults authorized to ride buses under this policy.

Adopted 11/18/74; Revised 11/16/81, 1/21/85, 4/28/86, 4/16/90, ^

Legal references:

A. Federal Law:
   1. McKinney-Vento Homeless Education Improvements Act of 2001, P.L. 107-110, 42 U.S.C. Sections 11431-11435.
   2. No Child Left Behind Act of 2001, P.L. 107-110, Section 1116 and Title IX, Section 9532..

B. S.C. Code, 1976, as amended:
   1. Section 59-67-410, et seq. - School bus transportation.
   2. Section 59-67-545 - Authorizes certain adults to ride school buses.
   3. Section 56-5-2770 (F)- Signals and markings on school buses; meeting, overtaking and passing school bus.

C. State Board of Education Regulations:
   1. R-43-80 through R-43-82 - Transportation.

Policy ED Student Transportation Management

Issued 4/90

Transportation will be provided to all eligible students in grades K-12, within the boundaries provided for by state funds and state board of education regulations.

State funds are provided to transport all pupils who live more than 1-1/2 miles from the school. Also such funds are provided to ensure that there is a bus stop within one-half mile of each child's residence. Special school bus transportation due to hazardous conditions will be provided annually contingent upon action of the board of trustees.

Students who travel to and from school on school buses, or who make trips in connection with school sponsored activities, are under school supervision.

The school district maintains vehicle liability and accident insurance on all student activity vehicles owned or rented by the district.

(Cf. IFCB, Also JGE)

Adopted 11/18/74; Revised 11/16/81, 1/21/85, 4/28/86, 4/16/90

Constitutional & Statutory Provisions:

S.C. Code, 1976, as amended:

Section 59-67-410 et seq. - School Bus Transportation.

State Board of Education Regulations:

R-43-80 through R-43-82 - Transportation.

BUS SCHEDULING AND ROUTING

Code **EEAC** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for development of bus routes.

The district will establish bus routes throughout the district to best accommodate the majority of students eligible for school bus transportation to their particular schools. The transportation supervisor will supervise scheduling.

As specified by the state, all bus stops must be at least two-tenths of a mile apart. A bus may depart from its established route only in order to pick up a child who lives more than three-tenths of a mile beyond the route. During inclement weather the bus may make additional stops.

Adopted ^

Legal references:

A. S.C. Code of Laws, 1976 as amended:
   1. Section 59-67-420 - Extent of transportation to be provided.
   2. Section 56-5-2770(F)- Signals and markings on school buses; meeting, overtaking and passing school bus.

B. State Board of Education Regulations:
   1. R-43-80 through R-43-82 - Transportation.

BUS SAFETY PROGRAM

Code **EEAE** *Issued* **DRAFT/06**

Purpose: To establish a basic structure for a bus driver drug and alcohol misuse prevention program.

The Omnibus Transportation Employee Testing Act of 1991 requires alcohol and drug testing for persons required to have a commercial driver's license (CDL). The superintendent or his/her designee will implement this program.

The term "drugs" as used in this policy refers to controlled substances as covered by the Omnibus Act including marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

The district prohibits all employees subject to CDL requirements from the following.

- The use of drugs, unless a written prescription from a licensed doctor or osteopath is provided along with a written statement from said individual that the substance does not adversely affect the employee's ability to safely operate a motor vehicle or perform other safety-sensitive functions.
- Reporting for or remaining on duty when the driver uses any controlled substances.
- The use of alcohol under these conditions.
  - reporting for or remaining on duty while having a blood-alcohol concentration of .04 or greater
  - possessing alcohol while driving
  - using alcohol while driving
  - driving within four hours after using alcohol
  - using alcohol for eight hours following an accident, if the driver is required to take a post-accident alcohol test

Under the testing program, the district will do the following.

- Test drivers for controlled substances before employment. The district will also require pre-employment alcohol testing. Test drivers for alcohol and controlled substances after certain accidents; any time a supervisor has reasonable suspicion that a driver has violated federal rules; on a random, unannounced basis; and as part of a follow-up or return to duty program.

  Procedures for this testing will include an evidential breath-testing device for alcohol testing. Controlled substance testing will require urine specimen collection and testing by a laboratory certified by the U.S. Department of Health and Human Services.
- Notify the driver orally or in writing before performing an alcohol or drug test that federal regulations require this test.
- Maintain records of district alcohol misuse and drug use prevention programs.
- Prohibit a driver from working if the driver violates these rules.
- Provide detailed information about drug and alcohol misuse to employees, as well as copies of the district policy, testing requirements, and how and where drivers can get help for

 (see next page)

substance abuse. The district will maintain testing results and records under strict confidentiality and release them only in accordance with law.

- Furnish supervisors with at least one hour of training on alcohol misuse and another hour of training on drug misuse.

The district will pay for all pre-employment drug and alcohol testing costs. The district will pay for all current employee drug and alcohol testing including reasonable suspicion, random and post-accident testing.

The district will make all offers of employment or transfer to covered positions with the district contingent upon drug testing results. The district will not hire or transfer an individual who tests positive nor will the district consider individuals who refuse drug testing.

The district will regard current employees refusing to comply with testing requirements as testing positive. In accordance with board policy, the district will immediately discipline and may dismiss current employees who fall into this category.

Adopted 1/9/95; Revised ^

Legal references:

A. Federal legislation:
   1. Omnibus Employee Testing Act of 1991, Public Law 102-143, Title V.
   2. 49 CFR Part 40 - Procedures for Transportation and Workplace Drug and Alcohol Testing Programs; Part 382 - Controlled Substance and Alcohol Use and Testing; Part 391 - Qualification of Drivers.

B. State Board of Education Regulation:
   1. R 43-80 - Transportation regulation governing public pupil transportation services.

BUS SAFETY PROGRAM

Code **EEAE-R** *Issued* **DRAFT/06**

School bus drivers who operate a motor vehicle requiring a commercial driver's license (CDL) and other drivers who perform safety-sensitive functions are subject to a drug and alcohol testing program that fulfills the requirements of the Code of Federal Regulations, Title 49, Parts 40 and 382.

A district contact person designated by the superintendent will answer all questions regarding the board policy or regulation or the drug and alcohol testing program.

Definitions

Covered driver. Those individuals driving a vehicle weighing in excess of 26,001 pounds or a vehicle transporting 16 or more persons, including the driver and requiring a CDL to hold the driver position. (49 CFR 382.107) Covered drivers include coaches, teachers, administrators and others who drive a school vehicle meeting these requirements.

Safety-sensitive function. The on-duty functions of 1) waiting to be dispatched; 2) inspecting, servicing or conditioning vehicles or equipment; 3) driving: 4) duties other than driving performed in a vehicle; 5) unloading or supervising vehicles; 6) duties required after an accident; and 7) repairing, obtaining assistance or supervising disabled vehicles.

Testing company. An independent private company selected by the district to provide assistance to individual school districts in complying with the Omnibus Transportation Employee Testing Act of 1991.

Medical review officer (MRO). Physician employed by the testing company to perform certain services related to all covered employees.

Substance abuse professional. A licensed physician or a licensed or certified psychologist, social worker, employee assistance professional or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.

Required hours of compliance. Drivers covered by this policy must not consume alcohol 1) while performing a safety-sensitive function, 2) four hours prior to performing a safety-sensitive function, and 3) up to eight hours following a motor-vehicle accident or until the driver undergoes a post-accident test, whichever occurs first.

The law prohibits the use and ingestion of prohibited drugs at all times.

- *On-duty time.* All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident or follow-up testing as required by this law.
- *Stand-down.* The practice of temporarily removing an employee from the performance of safety-sensitive functions based on a report from a laboratory to the MRO of a confirmed positive test for a drug or a drug metabolite, an adulterated or a substituted test, before the MRO has completed verification of the test results.

Required tests

Pre-employment drug testing

- A driver applicant must take a drug test before being hired for a safety-sensitive position. Before any existing worker in a department of transportation driver position will be assigned, transferred or otherwise permitted to operate a commercial motor vehicle on behalf of the district for the first time, he/she must also submit to testing. Employment with the district is contingent upon the employee receiving negative drug test results.

- The applicant will receive written notification of the drug tests prior to taking the tests. The applicant will be asked to sign a general consent and release to be tested for drugs.

- An employee may be exempt from the pre-employment drug test if he/she participated in a drug testing program within 30 days prior to the application for employment and while participating in that program was tested for drugs within the last six months (from the date of application) or participated in a random drug testing program in the previous 12 months, provided that the district has been able to make all verifications required by law.

- If a district contracts with a private company to provide drivers more than once a year, the district will assure itself once every six months that the drivers participate in an alcohol and controlled substances testing program that meets the rules.

Pre-employment alcohol testing

- The district will require pre-employment alcohol testing in accordance with the following.

- All individuals considered for employment or transfer with the district and subject to federal regulations will be tested.

- All tests will be conducted using the alcohol testing procedures of the federal regulation.

- Such test must be conducted prior to the new or transferred employee's performance of safety-sensitive functions.

Post-accident drug testing

- Prior to performing safety-sensitive duties, drivers will receive instruction on post-accident procedures.

- Districts will conduct alcohol and controlled substance tests as soon after a motor-vehicle accident as is practicable on any driver under these conditions.

- who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life
- who receives a citation under state or local law for a moving traffic violation arising from the accident

- No such driver will use alcohol for eight hours after the accident or until he/she undergoes a post-alcohol test, whichever comes first.

- If an alcohol test is not administered within two hours or if a drug test is not administered within 32 hours, the district will prepare and maintain records explaining why the tests

were not conducted. There is no need to test for alcohol if the test is not administered within eight hours after the accident or within 32 hours for drugs.

- Tests conducted by authorized federal, state or local officials will fulfill post-accident testing requirements provided they conform to applicable legal requirements and are obtained by the district. Breath tests will validate only the alcohol test and cannot be used to fulfill drug testing obligations.
- Districts will deem drivers who do not remain readily available for testing as refusing to submit to testing.

Random tests

- Tests will be conducted on a random basis at unannounced times throughout the year.
- The selection of drivers will be by a scientifically valid random process and each driver will have an equal chance of being tested each time selections are made.
- The testing company will determine the number of drivers to be randomly tested. The minimum annual percentage rate for random alcohol testing will be 10 percent of the average number of driver positions. For controlled substance testing, the rate will be 50 percent.
- Tests for alcohol will be conducted just before, during or just after the performance of safety-sensitive functions. "During" is to enable detection of drivers who use alcohol on the job. The purpose of testing "just before" and "just after" is to avoid the problem of interrupting some safety-sensitive functions for the performance of a test (e.g., driving a school bus).
- Random tests for drugs do not have to be conducted in immediate time proximity to performing safety-sensitive functions. Once notified of selection for drug testing, an employee must proceed to a collection site.

Reasonable suspicion testing

- Reasonable suspicion observations will be based on specific, contemporaneous and articulable observations concerning the appearance, behavior, speech or body odor of a driver.
- Reasonable suspicion observations will be made only by a district supervisor or official who has received at least 60 minutes of training on the physical, behavioral, speech and performance indicators of alcohol misuse and an additional 60 minutes of training that covers these indicators of controlled substance use.
- The person making the determination that reasonable suspicion exists will not conduct the test.
- Alcohol tests will be authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the workday when the employee must comply with alcohol prohibitions. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the district will prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests will cease after eight hours.
- A supervisor or district official who makes a finding of reasonable suspicion must also make a written record of the observations leading to a reasonable suspicion drug test within 24

hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

Return to duty tests

- A drug or alcohol test will be conducted when a driver who has violated the district's drug or alcohol prohibition returns to performing safety-sensitive duties.
- A driver whose conduct involved misuse of drugs may not return to duty in a safety-sensitive function until the return to duty drug test produces a verified negative result.
- A driver whose conduct involved alcohol may not return to duty in a safety-sensitive position until the return to duty alcohol test produces a verified result that meets federal and district standards.

Follow-up tests

- After returning to duty, a driver is subject to six unannounced follow-up tests within 12 months for alcohol, drugs or both if the substance abuse professional determines both are necessary.
- The substance abuse professional can terminate the follow-up testing requirement after the first six tests have been completed or continue the follow-up testing for up to 60 months from the date of the driver's return to duty.
- Alcohol follow-up testing is done just before, during or just after performing a safety-sensitive function.

Stand-down

A covered employee will be subject to stand-down only with respect to the actual performance of safety-sensitive duties.

No adverse action affecting the employee's pay and benefits will be taken pending the completion of the MRO verification process. This includes continuing to pay the employee during the period of the stand-down in the same way the district would have paid him/her had the employee not been stood down.

The verification process will begin no later than the time an employee is temporarily removed from the performance of safety-sensitive functions. The period of stand-down for any employee will not exceed five days, unless the district is informed in writing by the MRO that a longer period is needed to complete the verification process.

In the event the MRO verifies the test negative or cancels it, the following will occur.

- The district will return the employee immediately to the performance of safety-sensitive functions.
- The employee will suffer no adverse personnel or financial consequences as a result.
- No individually identifiable record that the employee had a confirmed laboratory positive, adulterated or substituted test result is maintained. The district will maintain a record of the test only as a negative or cancelled test.

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The district may, in its continuing efforts to enhance safety, request a waiver of federal prohibitions against standing down an employee before the MRO has completed the verification process. The written waiver request will be directed to the appropriate federal administrator.

The district will not stand down an employee in the absence of a waiver or inconsistent with the terms of the waiver.

Testing procedures

Alcohol and split sample controlled substances testing will be conducted by the testing company.

Retention of records

An employer must maintain certain records pertaining to its alcohol misuse and controlled substance use prevention program for a specified period in a secure location with controlled access. The MRO/testing company will maintain copies of test results as a back-up.

There is a five-year record-keeping requirement for positive test results, refusals to take tests and other areas. The employer must maintain records related to the collection process for testing for two years. The employer will keep records of negative and canceled controlled substances test results and alcohol test results of less than 0.02 for a minimum of one year.

The employer will maintain driver drug and alcohol test results and records under strict confidentiality and release them only in accordance with law. Upon written request, a driver may receive copies of any records pertaining to his/her drug or alcohol tests. The employer will make records available to a subsequent employer or other identified persons only as expressly requested in writing by the driver.

The information an employer may release is limited to a positive controlled substances test result, alcohol test results of 0.04 or greater and refusals to be tested for the two years preceding the date of inquiry. The employer will obtain and review driver drug and alcohol test results and records no later than 14 days after the first time a driver performs safety-sensitive functions if it is not feasible to obtain the information beforehand. An employer may not permit a driver to perform safety-sensitive functions without obtaining the information.

Reporting

Each employer must generate and retain, at a minimum, an annual calendar year summary of the results of its alcohol and controlled substance prevention program. The federal government will randomly select a sample of employers to report data. The government will notify this group in January of the year in which the data are due. The report is due by the following March 15 in the format prescribed and provided by the Federal Highway Administration.

Notifications

Each driver will receive educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 382, together with a copy of the district's policy and regulations for meeting these requirements. The information will identify the following.

- the person(s) designated by the district to answer driver questions about the materials
- the categories of drivers who are subject to drug and alcohol testing requirements
- sufficient information about the safety-sensitive functions performed by employees to make clear for what period of the work day driver compliance is required

 (see next page)

- specific information concerning employee conduct that is prohibited
- circumstances under which a driver will be tested for drugs and/or alcohol
- procedures that will be used for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and insure that test results are attributed to the correct employee
- the requirement that a driver submit to drug and alcohol tests administered in accordance with federal regulations
- an explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences
- consequences for employees found to have violated the drug and alcohol prohibitions including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment
- consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04
- information concerning the effects of drugs and alcohol on an individual's health, work and personal life; external and internal signs and symptoms of a drug or alcohol problem and available methods of intervening when a drug or alcohol problem is suspected including confrontation, referral to an employee assistance program and/or referral to administrative officials

Each driver will sign a statement certifying that he/she has received a copy of the above materials.

The district will notify an applicant of the results of a pre-employment drug test *(option: alcohol test)* if the applicant requests such results within 60 calendar days of being notified of the disposition of the employment application.

The district will notify a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district will also tell the driver which controlled substances were verified as positive.

No employer having actual knowledge that a driver has used a controlled substance or tested positive for controlled substances will permit the driver to perform or continue to perform a safety-sensitive function.

Drivers will inform the district if at any time they are using a controlled substance prescribed by their physician for therapeutic purposes. Such a substance may be used only if the physician has advised the employee that it will not adversely affect the ability to safely perform safety-sensitive functions.

Voluntary self-identification program

The district will establish a voluntary self-identification program consistent with federal requirements. Accordingly, an employee who admits to alcohol misuse or drug use will not be subject to certain referral, evaluation and treatment requirements provided the following occurs.

- The admission is in accordance with the policy and administrative rule.
- The driver does not self-identify in order to avoid required testing.

 (see next page)

- The driver makes the admission prior to performing a safety-sensitive function (i.e., prior to reporting to duty).

The driver does not perform a safety-sensitive function until the district is satisfied that the employee has been evaluated and has successfully completed education or treatment in accordance with the district's self-identification program guidelines.

Adverse action on the part of the district against any employee making a voluntary admission of alcohol misuse or drug use consistent with this policy and administrative rule is prohibited. The district is committed to providing sufficient opportunity for the employee to seek evaluation, education or treatment to establish control over his/her drug or alcohol problem.

Following successful completion of an educational or treatment program, as determined by a drug and alcohol abuse evaluation expert (i.e., employee assistance professional, substance abuse professional or qualified drug and alcohol counselor), the employee will be permitted to return to duty. The district will ensure that prior to the employee participating in a safety-sensitive function, the employee will be required to undergo a return to duty testing with a result indicating a breath alcohol content of less than 0.02 and/or a verified negative test result for drug use, as appropriate. The district may incorporate employee monitoring and include other follow-up testing as a part of its return to duty procedures under this program.

Enforcement

- If the district determines a driver has an alcohol concentration of .02 or greater but less than .04, the driver will not perform safety-sensitive functions until the start of his/her regularly scheduled duty period, but not less than 24 hours after the administration of the test.

- Any driver who refuses to submit to a post-accident, random, reasonable suspicion or follow-up test will not perform or continue to perform safety-sensitive functions.

- A driver who in any way violates district prohibitions related to drugs and alcohol will receive from the district the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee will be evaluated by a substance abuse professional who will determine what help, if any, the driver needs in resolving such a problem.

The district may assign a driver prohibited from performing safety-sensitive functions to non-safety-sensitive functions until such time as the driver complies with the requirement for returning to duty.

Any substance abuse professional who determines that a driver needs assistance will not refer the driver to a private practice, person or organization in which he/she has a financial interest, except under circumstances allowed by law.

Nothing in this policy, its supporting regulations or the law relating to drug and alcohol testing limits or restricts the right of the superintendent to discipline a driver, up to and including termination, for conduct which violates the school district's policies and procedures.

Issued 1/9/95; Revised ^

FILE: EEAE-E

DRUG AND ALCOHOL TESTING PROGRAM ACKNOWLEDGEMENT FORM

I, _____, have received a copy, read and understand the drug and alcohol testing program policy and its supporting regulation. I consent to submit to the drug and alcohol testing program as required by the policy, regulation and the law.

I understand that if I violate the drug and alcohol testing program policy, regulation or the law, I may be subject to discipline up to and including termination or I may be required to successfully participate in a substance abuse treatment program approved by the board. If I am required to do the latter and fail to successfully participate in a substance abuse treatment program, I understand I may be subject to discipline up to and including termination. I also understand that if I am required to successfully participate in a substance abuse treatment program and I refuse to participate, I may be subject to discipline up to and including termination.

I further understand that I must inform my supervisor of any prescription medication I use. I understand that medical information and other drug and alcohol testing records concerning me are confidential and released in accordance with this policy, its supporting regulation and the law.

_____ _____

(Signature of employee) *(Date)*

Policy ED-2 Alcohol And Controlled Substances Testing

Issued 2/95

All district employees who drive buses or other district vehicles are not permitted to use alcohol or controlled substances while on duty or just prior to coming on duty. In compliance with the Omnibus Transportation Employee Testing Act of 1991, all employees who are required to hold commercial driver licenses will undergo alcohol and controlled substances testing as provided in the accompanying administrative rule. The district administration will be responsible for ensuring that all such employees receive appropriate education related to the requirements of this policy and its accompanying administrative rule, and that all recordkeeping and other requirements of the Act are fully met.

Adopted 1/9/95

AR ED-2-R Alcohol And Controlled Substances Testing

Issued 2/95

DEFINITIONS

Alcohol use. The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

Testing company. The independent private company selected by the South Carolina Department of Education to provide assistance to individual school districts in complying with the Omnibus Transportation Employee Testing Act of 1991.

Controlled substances. Marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines.

Driver. Any person who operates a commercial motor vehicle as defined in Section 382.107 of Title 49 of the Code of Federal Regulations.

Safety sensitive function. The on-duty functions of (1) waiting to be dispatched, (2) inspecting, servicing or conditioning vehicles or equipment, (3) driving, (4) duties other than driving performed in vehicles, (5) unloading or supervising vehicles, (6) duties required after an accident, (7) repairing, obtaining assistance or supervising disabled vehicles and (8) any other activities that could jeopardize the health and safety of students, employees, or the public.

Substance abuse professional. A licensed physician or a licensed or certified psychologist, social worker, employee assistance professional or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.

PROHIBITED CONDUCT

A driver who engages in prohibited conduct cannot perform safety-sensitive functions and will be subject to the provisions of the district's policy on alcohol and controlled substances testing, as well as other consequences prescribed by any other policy, law, or regulation. The following conduct is prohibited.

The use or possession of alcohol while on the job.

The use of alcohol within eight hours prior to performing a safety-sensitive function.

Having an alcohol concentration of any discernible amount while performing a safety-sensitive function.

The use of alcohol within eight hours following an accident or prior to taking a post-accident alcohol test, whichever occurs first.

Reporting for or remaining on duty after using controlled substances unless it was prescribed by a physician who advised the driver that it would not adversely affect his/her ability to perform safety-sensitive functions and the driver notified the district of its use.

Refusing to submit to a test required by the district's policy on alcohol and controlled substances testing.

REQUIRED TESTS

Preemployment testing. Either during the hiring process or prior to initially performing a safety-sensitive function, drivers must (1) take an alcohol test and show no discernible level of alcohol whatsoever and (2) must pass a controlled substances test.

The district may, at its discretion, choose not to administer a preemployment alcohol test if (1) the driver has

undergone an alcohol test within the previous six months that shows no discernible amount and (2) the district ensures that no known prior employer has records of an alcohol-related violation within the previous six months.

The district may, at its discretion, choose not to administer a preemployment controlled substances test if (1) the driver participated in a drug testing program that meets the requirements of the rules within the previous 30 days, and (2) the driver was tested for controlled substances within the previous six months or participated in a random controlled substances testing program for the previous 12 months, and (3) the district ensures that no known prior employer has records of a controlled substances violation within the previous six months.

If the district chooses not to perform preemployment testing it will, with the driver's written permission, contact the testing programs that the driver participated in and obtain (1) names and addresses of the programs, (2) verification that the driver participated in the programs, (3) verification that the programs conformed to the rules, (4) verification that the driver passed the tests and did not refuse to be tested, (5) the last date the driver was tested for alcohol or controlled substances, and (6) the results of tests taken within the previous six months and any violations.

Should the district ever decide to contract with a private company to provide drivers more than once a year, the district will assure itself once every six months that the drivers participate in an alcohol and controlled substances testing program that meets the rules.

Post-accident testing. As soon as practicable following an accident, the district will test for alcohol and controlled substances each surviving driver who either (1) performed a safety-sensitive function with respect to the vehicle if the accident involved the loss of human life or (2) received a citation under state or local law for a traffic violation arising from the accident.

Drivers will be instructed on post-accident procedures prior to performing safety-sensitive duties.

If an alcohol test is not administered within two hours following an accident, the district will prepare and maintain a record stating the reasons it was not promptly administered.

If an alcohol test is not administered within eight hours following an accident, the district will cease attempts to administer it and prepare and maintain a record stating the reasons it was not promptly administered.

If a controlled substances test is not administered within 32 hours following an accident the district will cease attempts to administer it and prepare and maintain a record stating the reasons the test was not promptly administered.

Alcohol or controlled substances tests administered by law enforcement officers or other government officials with the requisite authority will satisfy this rule, so long as the district obtains the results.

Drivers who do not remain readily available for testing will be deemed to have refused to submit to testing.

Random testing. The district will randomly select drivers at various times throughout the year for unannounced alcohol and controlled substances testing.

The selection of drivers will be by a scientifically valid method in which each driver has an equal chance of being tested each time selections are made.

The number of drivers to be randomly tested will be determined by the testing company.

Drivers selected for random testing will proceed to the test site immediately.

Drivers performing safety-sensitive functions at the time of notification will cease normal employment activities and proceed to the test site immediately.

The district will randomly test drivers for alcohol only if they are performing, about to perform, or have just ceased performing a safety-sensitive function.

Reasonable suspicion testing. The district will test a driver for alcohol or controlled substances if it has

reasonable suspicion that the driver is engaging in prohibited conduct as defined in this administrative rule.

Reasonable suspicion observations will be based on specific, contemporaneous, and articulable observations concerning the appearance, behavior, speech, or body odor of a driver.

Reasonable suspicion observations will be made only by a district supervisor or official who has received at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of alcohol misuse and an additional 60 minutes on controlled substances use.

The person making the determination that reasonable suspicion exists will not conduct the test.

Controlled substances

Reasonable suspicion observations leading to a controlled substances test will be recorded and signed by the person who made the observations within 24 hours of the observations or before the results of the test are released, whichever occurs first.

If it is determined that reasonable suspicion exists for controlled substances testing, the driver will not perform safety-sensitive functions until he or she passes a controlled substances test.

Alcohol

If it is determined that reasonable suspicion exists for alcohol testing, the driver will not perform safety-sensitive functions until (1) a test is administered and results in a finding that no alcohol can be detected or (2) 24 hours have elapsed following the reasonable suspicion determination.

Alcohol testing is authorized only if the observations are made during, just preceding, or just after the period of the work day that the driver is performing a safety-sensitive function.

If an alcohol test is not administered within two hours following the observations, the district will prepare and maintain on file a record stating the reasons the test was not promptly administered.

If an alcohol test is not administered within eight hours following the observations, the district will cease attempts to administer the test and prepare and maintain on file the same record.

Return-to-duty testing. A driver who violates an alcohol or controlled substances prohibition may not perform safety-sensitive functions until he or she undergoes an alcohol test and shows a result indicating a finding that no alcohol can be detected or passes a controlled substances test. The driver must also complete the other requirements set forth in this administrative rule prior to returning to duty.

Follow-up testing. If a substance abuse professional determines a driver needs assistance in resolving an alcohol or controlled substances problem, the district will subject the driver to unannounced follow-up tests as directed by the substance abuse professional.

Follow-up testing will consist of at least six tests in the first 12 months following return to duty and continue for at least 12 months but no longer than 60 months.

Follow-up alcohol testing will be administered only when the driver is performing, about to perform, or has just ceased performing a safety-sensitive function.

EMPLOYMENT IMPLICATIONS

District Five is not required to provide rehabilitation, pay for treatment, or reinstate the driver or employee in his or her safety-sensitive position if verification of alcohol or controlled substance misuse has occurred.

TESTING PROCEDURES

Alcohol and split sample controlled substances testing will be conducted by the Testing Company.

CONSEQUENCES OF PROHIBITED CONDUCT

A driver will cease performing safety-sensitive functions if the district determines that he or she engaged in

prohibited conduct as defined in this administrative rule.

The district will provide the driver with names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

A driver who is found to have engaged in prohibited conduct will be dismissed from employment.

HANDLING OF TEST RESULTS AND RECORDS

The district will not release a driver's test results or records to third persons or subsequent employers without the driver's written permission unless required to do so by regulation or law.

A driver may obtain copies of his/her records upon written request.

The district will maintain a written, confidential record of each past employer contacted with regard to a driver's test results or records.

Notwithstanding the above, test results and records will be given to Federal, State, or local officials with regulatory authority upon request.

RETENTION OF TEST RESULTS AND RECORDS

The independent private organization in possession of the contract will maintain all records and documents related to the district's policy on alcohol and controlled substances testing.

REPORTING OF TEST RESULTS IN A MANAGEMENT INFORMATION SYSTEM

The district will maintain a calendar year summary for each year containing information on positive controlled substances test results, alcohol test results indicating any level of concentration, and other violations of prohibitions.

ALCOHOL MISUSE AND CONTROLLED SUBSTANCES

The district will provide its drivers with educational materials that explain the district's policy on alcohol and controlled substances testing and the requirements herein.

Each driver will sign a statement certifying that he or she received a copy of these materials and that he or she fully understands the expected level of conduct and the consequences resulting from improper behavior or activities.

PAYMENT PROCEDURES

The district will compensate any testing organization used for all mandatory or optional services rendered.

OTHER DISCIPLINARY ACTION

Nothing in the district's policy on alcohol and controlled substances testing or this administrative rule will limit the right of the district, at its discretion, to terminate or otherwise discipline any driver for violating a provision of this administrative rule.

Adopted 1/9/95

STUDENT CONDUCT ON BUSES

Code **EEAEC** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for safe student transportation.

Safety is of prime importance for our students as we transport them to and from school and school-sponsored activities. Safety requires the cooperation of students, parents/legal guardians and school personnel.

The district charges students with the responsibility of conduct that will result in safe transportation, respect for school personnel and respect for other students. The school bus is an extension of school activity. Therefore, the board expects students to conduct themselves on the bus in a manner consistent with the established standards for safety and classroom behavior. All bus riders must cooperate fully with the bus driver and observe the bus rules.

The bus driver is responsible for supervision of students on the bus. The driver may stop the bus at any time when misbehavior or threatened misbehavior presents a hazard to safe driving.

The driver will report students who create a disturbance on school buses. The principal or his/her designee as authorized by state law and regulation, may suspend or deny bus transportation to a student whose conduct is persistently and/or flagrantly detrimental to safety and order on the bus.

The board supports the use of video cameras on school buses used for transportation to and from school as well as for field trips, curricular and extracurricular events. The district will use video cameras to monitor student behavior. The district may use video as evidence in a student disciplinary proceeding. The videos are student records subject to school district confidentiality, board policy and administrative regulations.

Adopted 3/29/82; Revised ^

Legal references:

A. S. C. Code, 1976, as amended:
   1. Section 59-67-240 - Disciplinary powers of bus driver.
   2. Section 59-67-250 - Posting of copies of relevant statutes.
   3. Section 59-67-470 - Superintendent to supervise conduct of pupils riding buses.

STUDENT CONDUCT ON BUSES

Code **EEAEC-R** *Issued* **DRAFT/06**

Use of video cameras

The board supports the use of video cameras as a means to monitor and maintain a safe environment for students and employees. The district may use video cameras on buses used for transportation to and from school, field trips, curricular and extracurricular events. The contents of the video may be used as evidence in a student disciplinary proceeding.

Student records

The content of the video is a student record subject to board policy and administrative regulations regarding confidential student records. Only those persons with a legitimate educational purpose may view the video.

Notice

The district will annually provide the following notice to students and parents.

> The School District Five of Lexington and Richland Counties Board of Trustees has authorized the use of video cameras on school district buses. The district will use the video cameras to monitor student behavior in order to maintain a safe environment. Students and parents are hereby notified that the content of the video may be used in a student disciplinary proceeding. The content of the video is a confidential student record. The district will retain the video with other student records only if necessary for use in a student disciplinary proceeding or other matter as determined by the administration. Parents/Legal guardians may request to view video of their child if the district uses the video in a disciplinary proceeding involving their child.

The following notice will also be placed on all school buses equipped with a video camera.

- This bus is equipped with a video/audio monitoring system.

Review of video

The school district will review video.

Only those individuals who have a legitimate educational purpose for doing so may view video. The district will keep a written log of those individuals viewing the video. The log will state the time, name of the individual viewing and the date the video was viewed.

Video monitoring system

Video cameras may be utilized on all state and district-owned school buses.

The superintendent, or his/her designee, in consultation with the building principals and transportation director, will determine how video cameras will be used and which school buses will be equipped with video equipment.

 (see next page)

Student conduct

The district prohibits students from tampering with video cameras on the school buses. The district will discipline students found in violation of this regulation in accordance with the student behavior code. Students and/or parents/guardians will reimburse the district for any repairs or replacement necessary as a result of the tampering.

Issued ^

Policy EDCB Student Transportation Safety/Bus Conduct

Students shall be instructed in bus safety rules and regulations under the administrative auspices of the administrator assigned these responsibilities.

Mutual responsibility for safe transportation is shared by the Board of Trustees with parents and students, inasmuch as the conduct of the children directly affects conditions of safety. Therefore, bus drivers shall report to the principal/director the names of children whose conduct interferes with safe driving or who act disruptively. The school principal/director will inform the child's parents and may, if he deems advisable, suspend a child from riding the school bus in accordance with state statutes.

Adopted 3/29/82

Cross Ref.: (Also JCDAD)

Constitutional & Statutory Provisions:

S.C. Code, as amended:

Section 59-67-240 - Disciplinary powers of bus driver.

Section 59-67-470 - Superintendent to supervise conduct of pupils riding buses.

STUDENT TRANSPORTATION IN PRIVATE VEHICLES

Code **EEAG** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for transporting students in private vehicles.

The superintendent or his/her designee may authorize the use of private passenger cars for the transportation of school children to and from school-sponsored activities. Private vehicles with capacities in excess of ten passengers will not be approved for use. The board does not encourage the use of private vehicles unless it is essential.

Adopted ^

S.C. Code of Laws,
56-5-195 – School bus safety standards
56-5-361 – Passenger car

DATA/RECORDS RETENTION

Code **EHB** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for maintenance and retention of district records.

District records are open to the public in compliance with the South Carolina Freedom of Information Act. Persons who wish to review those records must forward their requests to the superintendent or his/her designee.

Electronic communications which are sent or received by the board or district employees pertaining to the business of the district may be subject to disclosure and inspection as public records and subject to discovery during litigation as evidence in support of a claim.

The superintendent or his/her designee will maintain a system for the securing, cataloging and storing of all records that is in compliance with state and federal law.

Adopted ^

Legal references:

A. S. C. Code, 1976, as amended:
   1. Section 30-4-10, et seq. - South Carolina Freedom of Information Act.

B. Department of Archives and History Regulations:
   1. Regulation 12-901 through 12-906.16 - Article 9 - General retention schedules for school districts.

INSURANCE PROGRAM/RISK MANAGEMENT

Code **EI** *Issued* **DRAFT/06**

Purpose: To establish the basic structure for maintaining adequate insurance.

The superintendent will recommend to the board the purchase of adequate insurance to protect certain physical assets of the school system. The insurance will also protect personnel for civil liability and medical expenses to the extent of coverage.

The district will provide the health insurance program specified by the state of South Carolina to all full-time permanent employees of the district. (A full-time permanent employee is classified as an employee working a minimum of 30 hours per week in a permanent capacity such as teacher, aide, etc. Substitute teachers are not classified as permanent.)

Upon recommendation of the superintendent, the board will also authorize the individual purchase of other insurance protection including annuities by staff members, their spouses and families as well as for students. Staff members may use payroll deduction for certain approved insurance programs. The superintendent will develop and maintain procedures for provision of insurance and for payroll deduction.

Workers' compensation

The South Carolina Workers' Compensation Law is designed to provide medical and monetary benefits for an employee who sustains an accidental injury arising out of and in the course of his/her employment. The law provides medical care to bring about the earliest possible recovery from the injury, a percentage of wages and salary lost during the injured employee's disability, and, in case of death, compensation for the deceased employee's dependents.

Under the Workers' Compensation Law it is the responsibility of the school district to provide medical treatment for employees injured on the job. School employees must use those providers specified by the employer. Designation of medical treatment providers will be made by the school district in consultation with and upon the recommendation of the worker's compensation insurance carrier. The refusal of an employee to accept any medical, hospital, surgical or other treatment when provided by the employer will bar such employee from further compensation until such refusal ceases unless, in the opinion of the South Carolina Workers' Compensation Commission, the circumstances justified the refusal.

When an employee is absent from work as a result of accidental injury arising out of and in the course of his/her employment, available sick leave and annual leave and workers' compensation benefits can be coordinated to the extent such leave and benefits are available.

Every injured employee or his/her representative will immediately, on the occurrence of an accident or as soon thereafter as practicable, give or cause to be given to his/her principal or immediate supervisor and to the district office a notice of the accident.

Adopted 8/1/73; Revised 11/16/81, 1/21/85, 4/28/86, ^

Legal references:

A. S. C. Code, 1976, as amended:
   1. Section 11-9-610 - 680 - State sinking fund.
   2. Section 42-1-10, et seq. - The South Carolina Workers Compensation Law.

Policy EGA Staff Insurance Program

Issued 4/86

The insurance program specified by the state employees of South Carolina will be provided to all full-time permanent employees of the district. (A full-time permanent employee is classified as an employee working a minimum of 30 hours per week in a permanent capacity such as teacher, aide, etc.; substitute teachers are not classified as permanent.)

Adopted 8/1/73; Revised 11/16/81, 1/21/85, 4/28/86

Policy EGAA Worker's Compensation

As required by the State, the Board shall carry Worker's Compensation Insurance on all employees of the district.

Adopted 8/1/73; Revised 1/21/85

Constitutional & Statutory Provisions:

S.C. Code, 1976, as amended:

Title 42 - generally - Worker's Compensation

Exhibit K

EXHIBIT K

district five
OF LEXINGTON & RICHLAND COUNTIES

MEMORANDUM

TO: Members of the Board of Trustees
Stephen Hefner, Ed. D., Superintendent

FROM: Christina Melton, Ed. D.
Chief Instructional Officer

Date: October 7, 2013

Re: October 14, 2013 Board Meeting, Discussion Item
Magnet Program Update

District Five has been awarded a federal three-year grant totaling more than $10.3 million to fund magnet programs at Dutch Fork Elementary School, Seven Oaks Elementary School, Irmo Middle School, Irmo High School and Spring Hill High School.

The grant, funded by the U.S Department of Education through its Magnet School Assistance Program (MSAP), is one of 27 awarded across the nation. District Five is one of only two districts in South Carolina to receive the grant.

The MSAP aims to improve school diversity while growing students' knowledge of academic subjects and their grasp of marketable career skills.

In District Five, school magnet themes were developed in response to a community-wide survey administered during the fall of 2012. These expansions will broaden choice options as outlined in Dr. Hefner's Vision 2015.

Dutch Fork Elementary Academy for Environmental Science will use the rich local environment and school campus to study core subjects through the lens of the earth, water and space. DFES students will have opportunities to be guided in their learning by scientists, teachers, naturalists, historians, artists and musicians.

Seven Oaks Elementary MEDIA Magnet will foster a range of content and digital literacies among students through a MEDIA (Mass Communication, Engagement, Digital Media, Interactive Learning, Academics) theme that offers activities, centered in "real-world" project based and collaborative learning approaches in classrooms and at "work" in the TV/Radio studios.

Irmo International High School for the Arts will offer a rigorous, standards-based curriculum that challenges students intellectually and creatively through arts-infused learning embedded in a global approach. Teachers will deliver much of the curriculum within their content areas, including concepts, issues, and themes, through the lens of global world-wide Visual and Performing Arts.

The magnet programs at Irmo Middle School and Spring Hill High School, also included in the grant award, have previously received Board Approval. At the October 28, 2013 Board Meeting, approval will be respectfully requested for the magnet programs at DFES, SOES and IHS.

I will be in attendance at the October 14 Board Meeting should you have any questions regarding the Magnet Grant Award or District Five magnet programs.