



**AGENDA
BOARD OF TRUSTEES
OAK POINTE ELEMENTARY SCHOOL'S THEATER
NOVEMBER 11, 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. Legal matter: construction
3. Welcoming remarks at 7 p.m.
4. Invocation – Jim Turner
5. Pledge of Allegiance – Mitchell Cook and Abby Tam, students at Oak Pointe Elementary School
6. School Board Spotlight
7. Welcome and brief overview of Oak Pointe Elementary School by Cassy Paschal, principal
8. Election of Board Officers
9. Approval of the agenda
10. Approval of the minutes of the October 28, 2013 board meeting
11. Superintendent's report
 - a. Report Card Ratings
 - b. Update on Bullying

- c. Financial Services
 - (1) Comprehensive Annual Financial Report (Exhibit B)
 - (2) Report on Sale of Bonds

12. Public participation*

ACTION AGENDA

- 13. Items considered in executive session
- 14. Approval of appointments to the Comprehensive Health Education Advisory Committee (Exhibit C)
- 15. Second reading approval of proposed revisions to add ECAC "Vandalism" (Exhibit D)
- 16. Second reading approval of proposed revisions to "E" board policies (Exhibit E):
 - 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 EEAE "Student Conduct on Buses" and EEAE-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"
- 17. First reading of proposed revisions to "E" board policies (Exhibit F):

- a. Replace EE "Food Services Management" and EEA "Free and Reduced Price Food Service" with EF "Food Services"
 - b. Add EFE "Competitive Food Sales/Vending Machines"
 - c. Add EGAD "Copyright Compliance" and EGAD-R "Copyright Compliance"
18. First reading approval of proposed revisions to "I" board policies (Exhibit G):
- a. Replace IFAB "Supplementary Materials Selection, Adoption and Use" and IFAB-R "Supplementary Materials Selection, Adoption and Use" with IJK "Supplementary Materials Selection and Adoption"
19. First reading approval of proposed revisions to "K" board policies (Exhibit H):
- a. Replace KF-E(1) "Hourly Fee Schedule for Selected Use of District Five Facilities" with KF-E(1) "Hourly Fee Schedule for Selected Use of District Five Facilities"
20. Approval of Course Catalog requests (Exhibit I)

DISCUSSION AGENDA

21. 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

22. The next regular scheduled board meeting will be December 9, 2013 at the Center for Advanced Technical Studies.

*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.



Minutes/ October 28, 2013

The Board of Trustees of School District Five of Lexington and Richland Counties met at Irmo Middle School with the following members present:

Mrs. Beth Burn Watson, Vice Chairman
Mrs. Ellen Baumgardner, Secretary
Mrs. Jondy Loveless
Mr. Jim Turner
Mr. Ed White

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

Vice Chairman Beth Watson called the meeting to order and gave welcoming remarks.

The Invocation was given by Ed White. The Pledge of Allegiance was led by Josalyn Helrigel and Devante Richardson, students at Irmo Middle School.

A welcome and brief overview of Irmo Middle School was given by Robert Jackson, principal.

During the Superintendent's Report, Keith McAlister presented the Monthly Update (Exhibit B); Karl Fulmer and Keith McAlister presented the Bond Referendum Update (Exhibit C); and Karl Fulmer presented the Monthly Financial Reports (Exhibit D).

During the public participation, Erin Bain spoke regarding a proposed schedule change at Irmo High School; Kim Murphy spoke regarding the annual budget board policy; and Michael Cate spoke in support of the Board of Trustees.

Karl Fulmer presented proposed revisions to "E" board policies (Exhibit L): Replace EE "Food Services Management" and EEA "Free and Reduced Price Food Service" with EF "Food Services"; Add EFE "Competitive Food Sales/Vending Machines"; and Add EGAD "Copyright Compliance" and EGAD-R "Copyright Compliance".

Karl Fulmer presented proposed revisions to "I" board policies (Exhibit M): Replace IFAB "Supplementary Materials Selection, Adoption and Use" and IFAB-R "Supplementary Materials Selection, Adoption and Use" with IJK "Supplementary Materials Selection and Adoption".

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

Karl Fulmer presented proposed revisions to "K" board policies (Exhibit N): Replace KF-E(1) "Hourly Fee Schedule for Selected Use of District Five Facilities" with KF-E(1) "Hourly Fee Schedule for Selected Use of District Five Facilities".

Christina Melton presented proposed Course catalog requests (Exhibit O).

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SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of October 28, 2013

	B A U M G A R D N E R	G A N T T	L O V E L E S S		T U R N E R	W A T S O N	W H I T E
1. M. Baumgardner S. Loveless Enter executive session to consider the following: a) selected employment items (Exhibit A)	X	A	X		X	X	X
2. M. Baumgardner S. Loveless Approve the agenda	X	A	X		X	X	X
3. M. Baumgardner S. Turner Approve the minutes of the October 14, 2013 board meeting	X	A	X		X	X	X
4. M. Baumgardner S. Turner Approve the selected employment items (Exhibit A)	X	A	X		X	X	X
5. M. Baumgardner S. White Approve the 2014-2015 proposed school calendar (Exhibit E)	X	A	X		X	X	X
6. M. Baumgardner S. White Second reading approval of proposed revisions to "D" board policies" (Exhibit F): 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"	X	A	X		X	X	X
7. M. Baumgardner S. Loveless Second reading approval of proposed revisions to "E" board policies (Exhibit G): 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 –	X	A	X		X	X	X

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SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of October 28, 2013

	B A U M G A R D N E R	G A N T T	L O V E L E S S		T U R N E R	W A T S O N	W H I T E
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 EBBB "Emergency Closings" and AFC "Emergency Closings" with EBCE "School Closings and Cancellations"; Replace EBBB-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"							
8. M. Baumgardner S. Turner Approve first reading of proposed revisions to add ECAC "Vandalism" (Exhibit H)	X	A	X		X	X	X
9. M. Baumgardner S. White First reading approval of proposed revisions to "E" board policies (Exhibit I): 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"							

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SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of October 28, 2013

	B A U M G A R D N E R	G A N T T	L O V E L E S S		T U R N E R	W A T S O N	W H I T E
Program Acknowledgement Form"; Replace EDCB "Student Transportation Safety/Bus Conduct" with EEAE "Student Conduct on Buses" and EEAE-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" M. Turner S. Baumgardner Substitute page 7 with the handout Vote on original motion	X	A			X	X	X
10. M. Baumgardner S. Turner Approve the Magnet Programs at Dutch Fork Elementary, Seven Oaks Elementary and Irmo High (Exhibit J)	X	A			X	X	X
11. M. Baumgardner S. Loveless Approval of new Magnet Courses related to the MSAP grant (Exhibit K)	X	A			X	X	X
12. M. Baumgardner S. White Adjourn at 8:36 p.m.	X	A			X	X	X

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EXHIBIT **B**

MEMORANDUM

To: Members of the Board of Trustees

Through: Stephen Hefner, Ed.D.
Superintendent

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

Date: November 11, 2013

Re: Comprehensive Annual Financial Report (CAFR)

Attached is the 2012-2013 Comprehensive Annual Financial Report (CAFR). A representative from the district's auditing firm (Derrick, Stubbs & Stith) will be at the meeting to present the report.

KF/tl

Attachment



MEMORANDUM

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

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

Date: November 6, 2013

Re: November 11, 2013 Board Meeting, Approval
Comprehensive Health Education Board Advisory Committee

Attached are the names and accompanying applicant information of individuals who have agreed to serve on the Comprehensive Health Education Board Advisory Committee (CHEBAC) for 2013-2014. I respectfully request the Board's approval of the committee.

Beth Boland and I will be present at the Board meeting to answer any questions that you may have.

CHEBAC Committee

Category	Applicant	Experience/Qualifications based upon letter of interest	Reappointment
Parent (2 required)	Axa Carnes	• Child at DFMS and DFHS • Interested in mental health issues • Currently employed as a foreign language teacher at DFHS	
	Ava Dean	• Child at Harbison West, serves on SIC • Nurse, Healthy Palmetto Project Manager, focus on nutrition and physical activity for diabetes prevention • Concerned about childhood obesity	

Clergy (3 required)	Doug Graul	• Head Pastor	X
	St. John's Evangelical Lutheran Church		
	Tim Walker	• Student pastor	
	Chapin United Methodist Church		
	Rev. Dr. James Cooper	• Head Pastor	
	Pine Grove AME Church		

Health Professional (2 required)	Michelle Terrell	- Interested in continuing to serve - Registered nurse - Has children in the district	X
	Dr. Anita Hood	- District Volunteer of the Year - Physician - Advisor and educator for USC Honors College	

Other Person Not Employed in District (2 required)	Michael Cates	Current volunteer in district	
	Bunnie Ward	- District Volunteer of the Year - Director of the United Way, Midlands Chapter	

Teacher (2 required)	Terry Rowell Dutch Fork High School	Biology teacher at DFHS	X
	Kimberly Roller Irmo High School	- Biology teacher - Has served on the committee in past years as well as worked on the curriculum committee for comprehensive health	

Student (2 required)	Rachel Gruber Chapin High School	- Honors anatomy student - Teacher recommendation - Extremely well-organized, excellent work ethic - Interested in health issues	
	DeVon Chapman Dutch Fork High School	Student body president	



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: November 11, 2013

RE: Board Policies – Second Reading Section E

Issue: Proposed addition to Board Policies – Section E

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

- Add ECAC "Vandalism"

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

KF/tl

Attachments – Recommended Policy – Section E

VANDALISM

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

Purpose: To establish the basic structure for dealing with vandalism to district property/personal 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/personal 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/personal 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 any time of the day or night and damages school or anyone's personal property will be guilty of trespassing and vandalism and therefore subject to disciplinary action. Any student of the district who willfully damages school or personal property while participating in or attending a school sponsored event away from school will be guilty of vandalism and therefore 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.

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: November 11, 2013

RE: Board Policies – Second 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 EEAE "Student Conduct on Buses" and EEAE-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 Board give second reading approval to the proposed additions/revisions to selected "E" policies.

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, ^

CURRENT POLICY

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.

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

CURRENT POLICY

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

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

CURRENT POLICY

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

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

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.

CURRENT POLICY

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

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

MATERIALS AND EQUIPMENT MANAGEMENT

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

The district prohibits the use of district equipment for personal or non-district purposes. Therefore, the district discourages employees from using any district equipment for personal, non-district use, whether on or away from district premises. 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.

PAGE 2 - ED-R - MATERIALS AND EQUIPMENT MANAGEMENT

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

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, ^

CURRENT ADMINISTRATIVE RULE

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

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

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 and non-governmental units, subject to approval of superintendent.

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 in conjunction with special programs sponsored by the district and when assigned responsibility for the supervision of students riding the bus.

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.

CURRENT POLICY

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.](#)

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

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 within 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

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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.

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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 within 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.

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- 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.

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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.

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

School District Five of Lexington and Richland Counties (see next page)

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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
- 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.

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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.
- 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.

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- 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)

CURRENT POLICY

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

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

CURRENT POLICY

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

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

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.

To ensure safe and orderly operation of the bus, the bus driver is responsible for the conduct of all bus riders. 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.

PAGE 2 - EEAEC-R - STUDENT CONDUCT ON BUSES

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 ^

CURRENT POLICY

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.

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

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 may 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, ^

PAGE 2 - EI - INSURANCE PROGRAM/RISK MANAGEMENT

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.

CURRENT POLICY

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

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

CURRENT POLICY

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](#)

SCHOOL DISTRICT FIVE OF LEXINGTON AND 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: November 11, 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 EE "Food Services Management" and EEA "Free and Reduced Price Food Service" with EF "Food Services"
- Add EFE "Competitive Food Sales/Vending Machines"
- Add EGAD "Copyright Compliance" and EGAD-R "Copyright Compliance"

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

FOOD SERVICES

Code **EF** Issued **DRAFT/06**

Purpose: To establish the board's vision and the basic structure for district student nutrition program.

The district participates in the national school lunch program and provides nutritional, well-balanced breakfasts and lunches in all schools.

The purpose of the district food program is as follows.

- to maintain and improve the health and physical fitness of the school child by providing him/her with an adequate meal
- to provide a satisfactory learning experience in the food program which will contribute to the overall development of the child
- to provide free or reduced-price meals for students from economically deprived families

The board, with the recommendation of the director of student nutrition, sets meal prices for students and adults, if meal prices are set above the amount required by USDA.

The principals, in consultation with the director of student nutrition, are responsible for the overall operation of the cafeteria in their schools. Individual school lunchroom managers work under the supervision of school principals.

The student nutrition program will be operated under the general recommendations and standards established by the South Carolina State Board of Education in compliance with USDA regulations.

The district will not deny any child who a principal or teacher believes is improperly nourished a free lunch, milk or other food simply because the district has not received proper application from the child's parent/legal guardian.

The administration will establish rules and procedures which conform with state and federal requirements regarding participation in programs for free and reduced price meals and supplementary food. The administration will report such regulations to the board from time to time for its approval.

Free and reduced lunch applications are available electronically, located on the district's website. Applications are also available at the district office and the schools.

Adopted 1973; Revised 11/16/81, 1/21/85, 2/6/89, 4/2/90, ^

A. Federal law:

1. Section 10(a) of the Child Nutrition Act of 1996 (CNA), as amended by P.L.95-166 in 1997.
2. National School Lunch Program Regulations, Section 210.11.
3. School Breakfast Program Regulations, Section 220.12.

B. S. C. Code of Laws, 1976 as amended:

1. Students Health and Fitness Act of 2005, Sections 59-10-310 through 380 - Nutrition standards.

CURRENT POLICY

Policy EE Food Services Management

Issued 4/90

The purpose of the School Food Service Program in School District Five is to improve and maintain the health and nutrition of students by serving adequate, attractive and moderately priced lunches which meet requirements established by the National School Lunch Act.

No schools offering a lunch program shall allow the operation of a canteen during school hours.

(Cf. JGH)

Adopted 1973; Revised 11/16/81, 1/21/85, 2/6/89, 4/2/90

Constitutional and Statutory Provisions:

S.C. Code, 1976, as amended:

Section 59-63-760 - State school lunch policy.

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

Policy EEA Free and Reduced Price Food Service

Issued 4/90

In compliance with federal regulations, applications for free and/or reduced price meals will be given to parents to be completed and returned to the teacher. Applications will be given each student at the beginning of the school year and on request thereafter. Each student who enrolls during the school year will be furnished an application. The coordinator of food services is designated as the official representative for determining eligibility for free and/or reduced-priced lunches in each school.

(Also [JGHA](#))

Adopted 8/1/73; Revised 11/16/81, 1/25/88, 4/2/90

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

COMPETITIVE FOOD SALES/VENDING MACHINES

Code **EFE** Issued **DRAFT/06**

Purpose: To establish the basic structure for the sale of competitive foods at school.

Good nutrition is essential to peak academic performance for students and to long-term health. The district supports nutrition programs and nutrition education as an integral part of a high-quality education.

To ensure that foods served at schools address modern nutritional needs and to protect the health of students, the principal/director of student nutrition will exercise control over the sale of non-cafeteria/competitive food. For purposes of this policy, "competitive food" means any food that is sold in competition with the school lunch or breakfast program.

The district will permit vending machines and the sale of competitive foods in the middle schools, high schools and career centers in accordance with this policy.

Schools will not operate any vending machines unless they are a part of the student nutrition program, that are accessible to students on any school campus during periods of the school day when lunch or breakfast is being served.

Schools may offer or sell other non-cafeteria/competitive foods to students on campus at times when lunch or breakfast is not being served.

The director of student nutrition is responsible for ensuring that foods from vending machines and/or other non-cafeteria/competitive foods are sold in compliance with federal and state guidelines and district policy.

The board authorizes the superintendent and chief financial officer to close a canteen or discontinue the sale of competitive foods if not properly operated.

Adopted ^

Legal references:

A. S. C. Code of Laws, 1976 as amended:

1. Students Health and Fitness Act of 2005, Sections 59-10-310 through 380 - Nutrition standards.

COPYRIGHT COMPLIANCE

Code **EGAD** Issued **DRAFT/06**

These guidelines represent School District Five of Lexington and Richland Counties' understanding of the Fair Use Guidelines for Educational, Multimedia (1996) and Digital Millennium Copyright Act (1998) as applied to education.

Section 107 of the Copyright Act of 1976 provides educators with four factors to consider when determining if they are infringing on copyright.

In essence, the four factors of fair use are as follows.

- The purpose and character of the use must be nonprofit and educational in nature.
- The copyrighted work should be published (author intended it for the public eye).
- The amount and substantiality of the portion used in relation to the work as a whole (excerpts are favored).
- The effect of the use upon the potential market for or value of the copyrighted work.

Educators need to follow the fair use guidelines whenever using copyrighted materials in any manner.

Copying print material

Photocopying - single copies (teacher/classroom use)

For teaching or research, a teacher may make a single copy of any of the following.

- one chapter from a book
- one article from a periodical or newspaper
- one short story, short essay or short poem, even if they are contained in a collection
- one chart, graph, diagram, drawing, cartoon or picture from a book or periodical

If a teacher needs a larger portion of the work than allowed, the item should be purchased. In general, consumable materials (workbooks, standardized testing materials, etc.) may not be copied. However, some consumable materials are reproducible. Individuals should follow copyright restrictions or permissions printed in the book or periodical.

Photocopying - multiple copies (teacher/classroom use)

Teachers may make multiple copies for classroom use provided they meet the standards for spontaneity (teachable moment), cumulative effect (cannot substitute copying for purchase) and brevity.

- a complete poem of less than 250 words
- an excerpt from a longer poem, not to exceed 250 words
- a complete article, story or essay of less than 2500 words

- excerpt from a larger article, story or essay not to exceed 1000 words or 10 percent of the whole, whichever is less
- two pages of a picture book, as long as the two pages do not contain more than 10 percent of the text
- one chart, graph, diagram, drawing, cartoon or picture per book, periodical or source, so long as they are copied exactly and not altered in any way
- special works containing prose, poetry and illustrations, but limited to no more than 10 percent of total
- multiple copies can be made for one class
- each copy must include a notice of copyright
- copying may not replace purchase of books or periodicals

Limits to preceding photocopying

- copying is made for one course only
- one work from a single author
- no more than three authors from a collective work
- no more than nine instances of multiple copying in one term
- copying does not replace or substitute for anthologies
- same item not reproduced term to term
- no charge made to students beyond actual photocopy cost

Photocopying of out-of-print material

Out of print is not necessarily out of copyright; if copyright is still in effect, permission must be requested.

Using audiovisual works

Fair use exemption for schools requires the following.

- The presentation must be part of the current teaching unit.
- The presentation must occur in the course of face-to-face teaching activities, not used as entertainment or reward.
- The presentation must take place in a classroom or similar place for instruction (including the library).
- The presentation must be of a legally acquired (or legally copied) copy of the work.

Music for educational use

Sheet music

- emergency copying (providing replacement copies are purchased)
- excerpts of no more than 10 percent of the whole work
- editing as long as the fundamental character of the work is not distorted or lyrics altered or added

Sound recordings

- A single copy of student performances may be made for evaluation or rehearsal purposes.
- A single copy of copyrighted music owned by the school or the individual teacher may also be made, as long it is only used for aural exercises or examinations.

Off-air recording (VHF and UHF channels received via antenna or cable)

- Privilege is only for nonprofit educational institutions.
- Programs taped must be used directly for instruction and not for entertainment.
- Programs may only be taped from open-air broadcast stations for which no payment is made to receive programs.
- Programs taped may be kept 45 calendar days after taping and then they must be erased.
- During the 45-day period, programs may only be used with students during the first 10 consecutive school days.
- During the first 10 consecutive days, tapes may be used once in teaching activities and repeated once for reinforcement.
- After the first 10 days, tapes can be used for teacher evaluation purposes.
- At the end of 45 days, the tapes must be erased.
- Recordings may only be made at the request of teachers.
- No broadcast program may be recorded off-air more than once for the same teacher, no matter how many times it is broadcast.
- Limited number of copies may be made to service all teachers requesting use, but all are governed by the same 10-day use, 45-day erasure period.
- Programs must be recorded in their entirety and may not be altered (edited).

Satellite or cable channel recording (Disney, Discovery Channel, History Channel, etc.)

- requires permission of the copyright holder
- payment of appropriate fees for satellite broadcasts
- permissible when copyright holder offers rights without requesting (ex., cable in the classroom programming; C-Span; special satellite broadcasts)
- may tape programs from cable that may also be received on local, open air broadcast stations (same channel that can be received with "rabbit ears" is carried on "cable")
- cable channels have their own guidelines and restrictions on a program-by-program basis
- many offer educator guides that list the available rights for each program and provide addresses so that permission and supplemental materials may be requested

Note: It is illegal to copy an entire AV work or convert it to another format (e.g., videotape to DVD, DVD to media file, etc.) without written permission from the copyright holder.

Utilizing videotapes with the home use only warning label

- Purchased videos may be used for direct instruction only and may not be used for entertainment.

- Rental videos may be used for face-to-face teaching activity only and may not be used for entertainment.
- Libraries may acquire and loan videos.
- Libraries wishing to make videos available for public viewing in the library must obtain public performance rights.

Using videos on closed circuit systems

It is permissible to show the following types of video programs on a CCTV system within a single institution. All programs may only be used for direct instruction, not entertainment.

- videos purchased by the educational institution with closed circuit rights
- videos for which the copyright holder has granted closed circuit use rights (ex., cable in the classroom programming)
- videos produced by the institution and not containing copyrighted material (unless permission has been obtained)
- simultaneous transmission of live broadcasts
- programs provided by state department of education - instructional television

Under limited circumstances, libraries may duplicate videotapes. According to Section 108(h), videotapes may be reproduced if certain conditions are met.

- It serves the purpose of preservation, scholarship or research.
- It is housed in the library.
- A copy of the work cannot be obtained at a reasonable price.

Multimedia

Portion limitations - motion media

May take up to 10 percent or three minutes, whichever is less, in the aggregate of a copyrighted motion media work.

Portion limitations - text material

- May take up to 10 percent or 1,000 words, whichever is less, in the aggregate, from a copyrighted work consisting of text material.
- May use an entire poem of 250 words or less; no more than three poems from one poet or five poems from different poets from an anthology.
- Poems longer than 250 words; may use 250 words, but no more than three excerpts by a poet or five excerpts from different poets from a single anthology.

Portion limitations - music, lyrics, music video

- May use up to 10 percent of a copyrighted musical composition, but no more than 30 seconds.
- May use up to 10 percent of a body of sound recordings, but no more than 30 seconds.
- Any alterations to a musical work will not change the basic melody of the fundamental character of the work.

Portion limitations - illustrations and photographs

- When using photographs or illustrations from a published collective work, not more than 10 percent or 15 images, whichever is less, may be used.
- No more than five images by an artist or photographer may be used.

Portion and copy limitations - numerical data sets (spreadsheets/databases)

- May take up to 10 percent or 2500 fields, whichever is less, from a copyrighted database or data table.
- **Teachers Educators** may make two use copies of the work they produced, only one of which may be placed on reserve.
- One additional, preservation copy may be made which may be used to generate replacement copies in the event a use copy is lost, stolen or damaged.

Creating multimedia – **teachers educators**

- **Teachers Educators** may create, perform and display multimedia productions which contain portions of copyrighted material for educational uses, for purposes of face-to-face instruction, assigning students to self-study, for remote instruction to students, at peer conferences and may retain for their professional portfolio.
- **Teachers Educators** may use their productions up to two years after the first instructional use with a class. It may be retained indefinitely for portfolio use.
- Use beyond two years requires obtaining permission for each copyrighted portion incorporated in the production.
- If at any time the **teacher educator** wants to commercially reproduce or distribute the work, he/she must obtain copyright permission for all copyrighted material and approval of immediate supervisor.

Creating multimedia-students

- Students may create, perform and display their own multimedia productions for educational uses only in the course for which they were created and may retain for portfolio use.
- Students may only use their productions for and during the course for which it was prepared. However, they may retain, indefinitely, productions for their personal portfolio as examples of their academic work for later personal issues.

Important reminders

- Exercise caution in using digital material downloaded from the Internet. Some copyrighted works cannot be reused without permission or royalty payment. Also, many websites contain material posted without authorization from the copyright holder.
- Credit the sources and display the copyright notice and copyright ownership information; this information may be shown in a credit section.
- A notice that "certain materials are included under the fair use exemption of the U.S. Copyright Law and have been prepared according to the educational multimedia fair use guidelines and are restricted from further use" must be included on the opening screen of the multimedia project and any accompanying print material.

- Alterations of copyrighted works must support specific instructional objectives. Make note that alterations have been made.
- Fair use guidelines do not preempt or supersede license agreements and contractual obligations.

Making copies of computer software

By law, the legitimate owner of a legitimate copy of the software may do the following.

- Make a copy or adaptation of the program in order to be able to use the program with the machine.
- Make a copy for archival (preservation) purposes (cannot be used as another working copy).
- **Standalone software must** be installed on only one computer. Disks and manuals for that software must be present in the classroom.
- Software for multiple users (lab packs, site licenses, network versions) may only be installed on the number of computers specified in the license.
- Shareware copies are only legal for 30 days. After that, they must be purchased.
- When using **clip art from any source**, please refer to the software documentation or usage guidelines on the web site. Acceptable usage varies.
- Whenever possible, use royalty-free and public domain graphics.

Copying from CD-Rom sources

An individual may copy information from CD-Rom periodicals, encyclopedias and other printed works, applying the photocopying guidelines.

Copying from the Internet

Unless otherwise stated, one should assume that all materials on the Internet, including web sites, are copyrighted and that existing copyright guidelines apply. When in doubt, permission should be secured from the copyright holder.

Adopted 6/16/86; Revised ^

Legal references:

A. Federal legislation:

1. Copyright Act of 1976, Title 17 USC Section 101 *et seq.*, effective January 1, 1978.
2. H. R. Rep No. 94-1476, 94th Congress 2d Session, 63 (September 3, 1976).

COPYRIGHT COMPLIANCE

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

The district will maintain detailed regulations governing the use of copyrighted materials in each school library media center. It is the responsibility of the school principal to schedule an annual review of the copyright law at school staff orientation. It is the responsibility of the library media specialist to keep the school staff informed on the use of copyrighted materials.

Fair use

In determining whether use of copyrighted materials without permission in any particular case is "fair use," the following factors are to be considered.

- the purpose and character of the use, including whether it is for nonprofit/public educational purpose(s)
- the nature of the copyrighted materials
- the amount and substantiality of the portion used as compared to the copyrighted materials as a whole
- the effect of the use on the potential market for, or value of, the copyrighted materials

Permission for reproduction

- Written permission from the copyright holder should always be obtained and submitted to a supervisor prior to the use of the material. Permission to copy must include this information.
 - title, author and/or editor, and edition of materials to be duplicated
 - exact material to be used giving amount, page numbers, chapters and, if possible, a photocopy of the material
 - number of copies to be made
 - use to be made of duplicated materials
 - form of distribution (classroom, newsletter, electronic, etc.)
 - whether or not the material is to be sold
 - type of reprint (ditto, photocopy, offset, typeset, electronic, etc.)
- If written permission for reproduction is not received, the copyrighted material may not be used.
- Credit the source of all copyrighted material by indicating the copyright symbol and year, © 20__, and the copyright owner's name on the materials. State "with permission" if permission for reproduction has been granted.

Guidelines for reproduction and use of copyrighted material, electronic or in print

- Teachers may make or have made a single copy of the following for instructional uses.
 - a chapter from a book
 - an article from a newspaper or periodical
 - a short story, essay or short poem, whether or not from a collective work
 - a chart

PAGE 2 - EGAD-R - COPYRIGHT COMPLIANCE

- graph
 - diagram
 - drawing cartoon
 - picture from a book, periodical or newspaper
- Teachers may make multiple copies (not to exceed one per student) of the following for classroom use or discussion provided all of these requirements are met.
 - The copying meets the tests of brevity and spontaneity as defined below.
 - The copying meets the cumulative effect test as defined below.
 - Each copy includes a notice of copyright.

Brevity

- a complete poem of less than 250 words
- an excerpt of no more than 250 words from a longer poem
- a complete prose work if it is less than 2,500 words
- an excerpt of no more than 500 words from a prose work of between 2,500 and 5,000 words
- an excerpt of not more than 10 percent of a prose work of between 5,000 and 10,000 words
- an excerpt of not more than 1,000 words from a prose work which is greater than 10,000 words
- one illustration per book or periodical use
- not more than two pages and 10 percent of the words of "special works" which are poetic or prose works which combine illustrations and less than 2,500 words (such as many children's books)

NOTE: Numerical limits may be exceeded in order to complete a line of poetry or a paragraph of prose.

Spontaneity

- The copying must be at the instance and inspiration of the individual teacher.
- The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are too close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative effect

- The copying of the material must be for only one course in the school in which copies are made.
- Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.
- Not more than nine instances of such multiple copying for one course may occur during one class term.

NOTE: The limitations stated in the last two items above will not apply to current news periodicals and newspapers and current news sections of other periodicals.

- Performances by teachers or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

PAGE 3 - EGAD-R - COPYRIGHT COMPLIANCE

- Teachers may use copyrighted material in projectors for instructional purposes.
- The right to change the chart, picture, cartoon or illustration into a poster, slide, transparency, video or wall graphic (also called the right of adaptation) rests with the copyright holder. Modification of the original does not protect the user from liability.

Guidelines for reproduction and use of copyrighted music

- Teachers may make a single copy of a song, movement or short section from a printed musical work that is unavailable except in a larger work for purposes of preparing for instruction.
- Teachers may make multiple copies for classroom use of an excerpt of not more than 10 percent of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement or song.
- In an emergency, teachers may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available, provided purchased replacement copies will be substituted in due course.
- Teachers may make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal.
- Teachers may make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions.
- Teachers may edit or simplify purchased copies of music provided that the fundamental character of the music is not distorted. Lyrics will not be altered or added if none exist.
- Performance by teachers or students of copyrighted musical works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose will be instructional rather than for entertainment.
- Performances of non-dramatic musical works which are copyrighted are permitted without the authorization of the copyright owner under the following conditions.
 - The performance is not for a commercial purpose.
 - None of the performers, promoters or organizers is compensated.
 - Admission fees are used for educational or charitable purposes only.

All other musical performances require permission from the copyright owner.

Guidelines for off-air recording

- *Instructional television programs*
 - Unlimited use designates a series that is leased or owned by the department of education. Programs in the series may be taped off-air and retained on tape for as long as the series is contained in the resources book.
 - Designated time period use designates a series that may be taped off-air and retained on tape for as long as that series airs on the school television schedule. Broadcast and record rights are negotiated periodically; school personnel are notified when the tapes are to be

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erased. The South Carolina State Department of Education Office of Instructional Technology prints in its resources catalog the specific rights for each series.

The office of instructional technology has no copyright jurisdiction over programs not airing on the ITV schedule. It does, however, have jurisdiction over the use of state-owned equipment for airing these programs and has adopted the following policy concerning ITFS and district taping centers.

State owned and supplied equipment in these operations may only be used to record, transmit or broadcast state board of education approved resources (those contained each year in the ITV/R resources book or otherwise added during a year to the ITV schedule by the office of instructional technology.

- *Non-school television programs*
 - A broadcast may be recorded simultaneously with the broadcast transmission and retained for a period of 45 calendar days after the date of recording. Recordings must be erased or destroyed at the end of the 45 days.
 - Teachers may use broadcast recordings once in the course of relevant teaching activities, and repeat the use once for instructional reinforcement during the first ten consecutive school days within the 45-day retention period.
 - After the first 10 consecutive school days, recordings may only be used up to the end of the 45-day retention period for evaluation purposes by teachers. This evaluation is to be used to determine the likelihood of using programs in the series or in purchasing a copy of the program.
 - Broadcast recordings must be done only at the request of individual teachers. Recordings may not be made in anticipation of requests and no program may be recorded more than once at the request of the same teacher, regardless of the number of times the program is broadcast.
 - A limited number of copies may be reproduced from each recording to meet the needs of teachers under these guidelines. Each such copy will be subject to all provisions governing the original off-air recording.
 - The content of recordings may not be altered or merged, but recordings need not be used in their entirety.
 - All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.
 - Off-air recording guidelines apply only to non-profit educational institutions.

Guidelines for reproduction and use of copyrighted audiovisual material

No type of audiovisual work may be copied in any form without permission from the copyright holder. However, a teacher may make a single copy of an entire recording or a portion thereof, but only for the purpose of constructing aural exercises or examinations. Such copies must be retained by the school and/or by the teacher, and may not be used in a performance.

Audiovisual/videos

The audiovisual section of the copyright provides a type of fair use exemption for schools. All of the following conditions must be met before a performance is considered exempt from public performance requirements.

PAGE 5 - EGAD-R - COPYRIGHT COMPLIANCE

- The performance must be presented by instructors of students.
- The performance must occur in the course of face-to-face teaching activities.
- The performance must take place in a classroom or similar place for instruction (including the library).
- The performance must be of a legally acquired (or legally copied) copy of the work. (The presenter is protected from liability for illegal copies if the presenter is unaware that the copies were not legally acquired or made.)

The teacher must use videotapes in accordance with labels on audiovisual materials. Restrictions printed on videotapes are binding. Use is subject to licensing or other written permission.

Guidelines for reproduction and use of copyrighted materials in library

- A library may make a single copy of the following.
 - an unpublished work which is in its collection
 - a published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that an unused replacement cannot be obtained at a fair price.
- A library may provide a single copy of copyrighted material at no cost to a student or staff member. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy will contain the notice of copyright and the student or staff member will be notified that the copy is to be used only for private study, scholarship or research. Any other use may subject the person to liability for copyright infringement.
- At the request of a teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in the sections on material in print.

Guidelines for reproduction and use of microcomputer software

The owner of a copy of a computer program may make or authorize the making of another copy or adaptation of that computer program under these circumstances.

- A new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and it is used in no other manner.
- Such new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.

Plagiarism and copyright infringement

Employees will not plagiarize works found on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were the writer's.

Employees will respect the rights of copyright owners. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies appropriate use of that work, employees must follow the expressed requirements. If an employee is unsure whether or not a work can be used, he/she should request in writing permission from the copyright owner.

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Employees will not copy/install district owned software on personal computers at work or at home. This is a violation of the Federal copyright law.

Employees will not install single user software on more than one machine. This is in violation of the Federal copyright law.

Employees will not install personal software and/or personal computer equipment on district owned computers and/or the district network system.

Copying limitations

Circumstances will arise when personnel are uncertain whether or not copying is prohibited. In those circumstances the superintendent (or designated copyright compliance officer) should be contacted. Nonetheless, the following prohibitions have been expressly stated in federal guidelines.

- Reproduction of copyrighted material will not be used to create or substitute for anthologies, compilations or collective works.
- Unless expressly permitted by agreement with the publisher and authorized by district action, there will be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets and the like.
- Personnel will not do the following.
 - Use copies to substitute for the purchase of books, periodicals, music recordings or other copyright material except as permitted by district procedure.
 - Copy or use the same item from term to term without the copyright owner's permission.
 - Copy or use more than nine instances of multiple copying of protected material in any one term.
 - Copy or use more than one short work or two excerpts from works of the same author in any one term.
 - Copy or use protected material without including a notice of copyright. The following is a satisfactory notice.

THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW.

- Personnel will not reproduce or use copyrighted material at the direction of someone in higher authority or copy or use such material in emulation of some other teacher's use of copyrighted material without permission of the copyright owner.

Issued ^



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: November 11, 2013

RE: Board Policies – First Reading - Section I

Issue: Proposed addition to Board Policies – Section I

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

- Replace IFAB "Supplementary Materials Selection, Adoption and Use" and IFAB-R "Supplementary Materials Selection, Adoption and Use" with IJK "Supplementary Materials Selection and Adoption"

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

KF/tl

Attachments – Current Board Policies/Recommended Policies – Section I

SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

Code **IJK** Issued **DRAFT/07**

Purpose: To establish the board's vision for the selection and adoption of supplementary materials.

For the purpose of this policy, supplementary materials are any instructional materials other than textbooks including, but not limited to, the following.

- books
- periodicals
- newspapers
- press cuttings
- pictures
- diagrams
- maps
- charts
- photocopies
- slides
- filmstrips
- films
- records
- audiotapes
- videotapes
- computer programs
- CD Roms
- Electronic materials

The board believes that the availability of a carefully selected and widely varied collection of supplementary materials enhances students' opportunity to acquire knowledge, to learn how to learn, to learn for self-knowledge and to learn for self-cultivation.

The principal must approve supplementary materials.

Adopted 6/16/86; Revised ^

CURRENT POLICY

Policy IFAB Supplementary Materials Selection, Adoption and Use

Issued 6/86

Supplementary materials may be used to enrich, implement and extend the learning process, and to remediate learning deficiencies. Selection of appropriate supplementary materials shall be made by the principal/director of each school, from recommendations by faculty members.

Duplicating Materials for Classroom Use

The board recognizes that the 1976 Federal Copyright Law makes it illegal to duplicate copyrighted materials without permission, except for certain exempt purposes. The board further realizes that severe penalties are provided for unauthorized copying of audio, visual, or printed materials unless the copying falls within the bounds of the "fair use" doctrine. The board, therefore, informs all personnel that unauthorized reproduction and/or use of copyrighted materials is illegal, unethical and not permitted by the board and that violations of the copyright law may result in criminal or civil suits and/or suspension or dismissal from employment in the system.

Any time materials are copied, permission should be requested from the copyright holder, even if the materials copied fall under the fair use standard. If permission is later denied, the copied works can be destroyed. If approved, the user may keep the materials for as long as the permission is in effect.

To protect staff members and the district against legal redress for alleged violation of the copyright laws, the staff shall be informed annually about the provisions of the law. In addition, those responsible for determining that the action is within the law shall be:

The person requesting reproduction of print material, and

The person making the reproduction of audio-visual or computer software.

Requests to reproduce materials on district equipment will not be honored unless the reproduction is legally permissible.

Records shall be kept for one year of any copyrighted material that is reproduced so that it is known who requested and made the copy, when its to be used, and when it is destroyed if applicable.

Adopted 6/16/86

Constitutional and Statutory Provisions:

Copyright Act of 1976, [Title 17 USC Section 101 et seq.](#), effective January 1, 1978

H.R. Rep No. 94-1476, 94th Congress 2d Session, 63 (September 3, 1976)

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

CURRENT ADMINISTRATIVE RULE

AR IFAB-R Supplementary Materials Selection, Adoption and Use

Issued 6/86

The detailed regulations governing the use of copyrighted materials will be maintained in the library media center. The school principal shall schedule an annual review of the copyright law at school staff orientation. The media specialist shall keep the school staff informed on the use of copyrighted materials. The superintendent shall schedule an annual review of the copyright law for all district office certified and secretarial/clerical personnel.

Reproduction of copyrighted material for educational and scholarly uses permitted for purposes of criticism, comment, news reporting, teaching, scholarship or research and is not an infringement of copyright if the conditions of "fair use" are met. In determining whether use of copyrighted materials without permission in any particular case is a "fair use", the following factors are to be considered.

The purpose and character of the use, including whether it is for nonprofit/public educational purpose(s).

The nature of the copyrighted materials.

The amount and substantiality of the portion used as compared to the copyrighted materials as a whole.

The effect of the use on the potential market for, or value of, the copyrighted materials.

Guidelines for reproduction and use of copyrighted material in print

Teachers and students may make or have made a single copy of the following for instructional uses:

A chapter from a book.

An article from a newspaper or periodical.

A short story, essay, or short poem, whether or not from collective work.

A chart, graph, diagram, drawing cartoon or picture from book, periodical or newspaper.

Teachers may make multiple copies (not to exceed one per student) of the following for classroom use or discussion, provided that (i) the copying meets the tests of brevity and spontaneity as defined below; and (ii) meets the cumulative effect test as defined below; and (iii) each copy includes a notice of copyright.

Brevity

A complete poem of less than 250 words.

An excerpt of no more than 250 words from a longer poem.

A complete prose work if it is less than 2,500 words.

An excerpt of no more than 500 words from a prose work of between 2,500 and 5,000 words.

An excerpt of not more than 10% of a prose work of between 5,000 and 10,000 words.

An excerpt of not more than 1,000 words from a prose work which is greater than 10,000 words.

One illustration per book or periodical issue.

No more than two pages and 10% of the words of "special works which are poetic or prose works which combine illustrations and less than 2,500 words (such as many children's books).

NOTE: Numerical limits may be exceeded in order to complete a line of poetry or a paragraph of prose.

Spontaneity

The copying must be at the instance and inspiration of the individual teacher, and

The inspiration and decision to use the work and the moment obits use for maximum teaching effectiveness are too close intimaes that it would be unreasonable to expect a timely reply toad request for permission.

Cumulative Effect

The copying of the material must be for only one course in the school in which copies are made.

Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.

Not more than nine instances of such multiple copying for one course may occur during one class term.

NOTE: The limitations stated in b and c above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.

Performance by teachers or students of copyrighted dramatic works without authorization from the copyright owner are permitted apart of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

Teachers may use copyrighted material in opaque projectors for instructional purposes.

Guidelines for reproduction and use of copyrighted music

Teachers may make a single copy of a song, movement, or short section from a printed musical work that is unavailable except in a larger work for purposes of preparing for instruction.

Teachers may make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement or song.

In an emergency, teachers may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available, provided purchased replacement copies shall be substituted in due course

Teachers may make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal.

Teachers may make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions.

Teachers may edit or simplify purchased copies of music provided that the fundamental character of the music is not distorted. Lyrics shall not be altered or added if none exist.

Performance by teachers or students of copyrighted musical works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

Performances of non-dramatic musical works which are copyrighted are permitted without the authorization of the copyright owner, provided that:

- the performance is not for a commercial purpose;
- none of the performers, promoters or organizers are compensated;
- admission fees are used for educational or charitable purposes only.

All other musical performances require permission from the copy- right owner.

Guidelines for off-air recording

Instructional television programs

Media specialists and coordinators of television centers shall be responsible for the taping of instructional television programs and erasing the tapes as specified by the South Carolina Department of Education in its annual publication, South Carolina Instructional TV and Radio Resources

Non-school television programs

Guidelines have been established that allow the limited taping of non-school television programs from commercial stations by educational institutions. Media specialists shall tape non-school television programs only when they are assured that the guidelines below are met or permission has been granted by the copyright holder and approval has been obtained from the principal or his/her designee.

A broadcast may be recorded simultaneously with the broadcast transmission and retained for a period of 45 calendar days after the date of recording. Recordings must be erased or destroyed at the end of the 45 days.

Teachers may use broadcast recordings once in the course of relevant teaching activities and repeat the use once for instructional reinforcement, during the first 10 consecutive school days within the 45 day retention period.

After the first 10 consecutive school days, recordings may only be used up to the end of the 45-day retention period for evaluation purposes by teachers. This evaluation is to be used to determine the likelihood of using of programs in the series or in purchasing a copy of the program.

Broadcast recordings must be done only at the request of individual teachers. Recordings may not be made in anticipation of requests, and no program may be recorded more than once at the request of the same teacher, regardless of the number of times the program is broadcast.

A limited number of copies may be reproduced from each recording to meet the needs of teachers under these guidelines. Each such copy shall be subject to all provisions governing the original off-air recording.

The content of recordings may not be altered or merged, but recordings need not be used in their entirety.

All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

Off-air recording guidelines apply only to non-profit educational institutions.

Only school owned and supplied equipment may be used to record, transmit or broadcast such programs. Equipment owned or supplied by the state may be used only for the recording, transmitting, or broadcasting of instructional television programs unless permission is granted by the State Department of Education, Office of Instructional Technology.

These guidelines apply only to non-profit educational institutions; therefore, use of a television program (in a classroom) that has-been recorded by an individual "at-home" shall be prohibited.

Use of video tapes in the classroom that have been purchased or rented by a teacher must be approved by the principal or his/her designee.

Guidelines for reproduction and use of copyrighted audio-visual material

No type of audiovisual work may be copied in any form without permission from the copyright holder. However, a teacher may make a single copy of an entire recording or a portion thereof, but only for the purpose of constructing aural exercises or examinations. Such copies must be retained by the school and/or by the teacher, and may not be used in a performance.

Guidelines for reproduction and use of copyrighted materials in the media center

A media center may make a single copy of:

- an unpublished work which is in its collection
- a published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that an unused replacement cannot be obtained at a fair price.

A media center may provide a single copy of copyrighted material at no cost to a student or staff members. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance the entire work may be copied. In any case, the copy shall contain the notice of copyright and the student or staff members shall be notified that the copy is to be used only for private study, scholarship or research. Any other use may subject the person to liability for copyright infringement.

At the request of a teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in the sections on material in print.

Neither media specialists nor media center employees are liable for the unsupervised use of coin-operated copying machines located on media center premises provided that the machine displays a notice that making a copy may be subject to the copyright law. However, the person making the copy is not excused from the provisions of the copyright law.

Guidelines for reproduction and use of microcomputer software

The owner of a copy of a computer program may make or authorize the making of another copy or adaptation of that computer program provided:

That such a new copy or adaptation is created as an essential step-in the utilization of the computer program in conjunction with machine and that it is used in no other manner; and

That such new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.

Copying limitations

Circumstances will arise when personnel are uncertain whether or not copying is prohibited. In those circumstances the superintendent or his/her designee should be contacted. Nonetheless, the following prohibitions have been expressly stated in federal guidelines:

Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.

Unless expressly permitted by agreement with the publisher and authorized by district action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets and the like.

Personnel shall not

- use copies to substitute for the purchase of books, periodicals, music recordings or other copyright material except as permitted by district procedure
- copy or use the same item from term to term without the copyright owner's permission
- copy or use more than nine instances of multiple copying of protected material in any one term
- copy or use more than one short work or two excerpts from works of the same author in any one term
- copy or use protected material without including a notice of copyright. The following is a satisfactory notice:

NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW.

Personnel shall not reproduce or use copyrighted material at the direction of someone in higher authority or

copy or use such material in emulation of some other teacher's use of copyrighted material without permission of the copyright owner.

Permission for reproduction

Written permission from the copyright holder should always be obtained prior to the use of the material. Permission to copy must include:

Title, author and/or editor, and edition of materials to be duplicated.

Exact material to be used, giving amount, page numbers, chapters and, if possible, a photocopy of the material.

Number of copies to be made.

Use to be made of duplicated materials.

Form of distribution (classroom, newsletter, etc.).

Whether or not the material is to be sold.

Type of reprint (ditto, photocopy, offset, typeset, etc.).

If written permission for reproduction is not received, the copyrighted material may not be used.

Credit the source of all copyrighted material by indicating the copyright symbol and year, c 19__, and the copyright owner's name on the materials; state "with permission" if permission for reproduction has been granted.

Issued 6/16/86

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES



EXHIBIT H

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: November 11, 2013

RE: Board Policies – First Reading - Section K

Issue: Proposed revision to Board Policies – Section K

Background: Attached for your consideration are the recommended revisions for the following policy:

- Replace KF-E(1) "Hourly Fee Schedule For Selected Use of District Five Facilities" with KF-E(1) "Hourly Fee Schedule For Selected Use of District Five Facilities"

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

KF/tl

Attachments – Current Board Policy/Recommended Policy – Section K

HOURLY FEE SCHEDULE *
FOR SELECTED USE OF DISTRICT FIVE FACILITIES

SCHOOL	CLASSROOM/ LAB/UNIT	GYMNASIUM	CAFETERIA**		MULTI-PURPOSE ROOM (Libraries/Theaters/ Education Production Facilities)	CUSTODIAL AND/OR CAFETERIA PERSONNEL (Hourly Rate - Two hour minimum)
			(without kitchen)	(with kitchen)		
Elementary schools	\$30	\$50	\$50	\$60	\$60	\$30
Alternative Academy	\$30	\$60	n/a	n/a	n/a	\$30
Chapin Middle School	\$30	\$70	\$70	\$85	\$60	\$30
CrossRoads Middle School	\$30	\$70	\$70	\$85	\$60	\$30
Dutch Fork Middle & Irmo Middle Schools	\$30	\$70	\$70	\$85	\$85	\$30
Chapin High School	\$30	\$50/\$95***	\$70	\$85	\$90	\$30
Dutch Fork High School	\$30	\$50/\$120***	\$90	\$110	\$110	\$30
Irmo High School/Annex	\$30	\$50/\$120***	\$90	\$110	\$110	\$30
Spring Hill High School	\$30	\$50/\$120***	\$90	\$110	\$200	\$30
The Center for Advanced Technological Studies	n/a	n/a	n/a	n/a	\$200	\$30
Auditoriums -Dutch Fork High School/Irmo Elementary	\$110 per hour (two-hour minimum)					

* A maximum 30-minute "grace period" for each usage will be granted for logistical coordination prior to the imposition of another hourly charge; custodians will be commensurately compensated for all on-site time.

** Use of kitchen facilities will require the cafeteria manager/operator or other such person designated by the school principal/director.

*** The first number indicates costs for the practice/physical education gymnasium, while the second number relates to the main gymnasium facility.

n/a - Not available.

Issued 10/24/83; Revised 1/21/85, 3/20/89, 3/2/92, 8/12/96, 7/24/00, 7/23/07, 6/14/10, 2/11/13

HOURLY FEE SCHEDULE *
FOR SELECTED USE OF DISTRICT FIVE FACILITIES

SCHOOL	CLASSROOM/ LAB/UNIT	GYMNASIUM	CAFETERIA**		MULTI-PURPOSE ROOM (Libraries/Theaters/ Education Production Facilities)	CUSTODIAL AND/OR CAFETERIA PERSONNEL (Hourly Rate - Two hour minimum)
			(without kitchen)	(with kitchen)		
Elementary schools	\$30	\$50	\$50	\$60	\$60	\$30
Alternative Academy	\$30	\$60	n/a	n/a	n/a	\$30
Chapin Middle School	\$30	\$70	\$70	\$85	\$60	\$30
CrossRoads Middle School	\$30	\$70	\$70	\$85	\$60	\$30
Dutch Fork Middle & Irmo Middle Schools	\$30	\$70	\$70	\$85	\$85	\$30
Chapin High School	\$30	\$50/\$95***	\$70	\$85	\$90	\$30
Dutch Fork High School	\$30	\$50/\$120***	\$90	\$110	\$110	\$30
Irmo High School/Annex	\$30	\$50/\$120***	\$90	\$110	\$110	\$30
Spring Hill High School	\$30	\$50/\$120***	\$90	\$110	\$110	\$30
The Center for Advanced Technological Studies	n/a	n/a	n/a	n/a	\$110	\$30
Auditoriums -Dutch Fork High School/Irmo Elementary	\$110 per hour (two-hour minimum)					

* A maximum 30-minute "grace period" for each usage will be granted for logistical coordination prior to the imposition of another hourly charge; custodians will be commensurately compensated for all on-site time.

** Use of kitchen facilities will require the cafeteria manager/operator or other such person designated by the school principal/director.

*** The first number indicates costs for the practice/physical education gymnasium, while the second number relates to the main gymnasium facility.

n/a - Not available.

Issued 10/24/83; Revised 1/21/85, 3/20/89, 3/2/92, 8/12/96, 7/24/00, 7/23/07, 6/14/10, 2/11/13



MEMORANDUM

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

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

Date: November 5, 2013

Re: November 11, 2013 Board Meeting, Approval
Course Catalog Request

Attached for your information are proposed district-wide course offerings which Administration recommends adding to the District Course Catalog.

The Administration respectfully requests Board approval of these courses.

Beth Boland, Science, PE and Health Coordinator, and I will be in attendance at the November 11 Board Meeting should you have any questions regarding these courses.

District-wide Local Board Approval Request

Weight Training 1 (CHS, DFHS, IHS, SHHS)

Grade: 9

Semester(s): 1 to 2

Credit: ½ to 1 Elective

Prerequisite: Head Coach Signature or Guidance Counselor Recommendation

This course is designed for motivated students who want to improve their personal fitness. Physical training (weight training and conditioning) is the focus of the class. Emphasis will be placed on the proper development of weight-training techniques and improving the student's physical fitness (cardiovascular fitness, muscular endurance, muscular strength, flexibility, and body composition). Assessment is based on participation, student improvement, and knowledge of technique and safety. **This is an elective course and does NOT meet the graduation requirement for physical education.**

Weight Training 2 (CHS, DFHS, IHS, SHHS)

Grade: 9, 10, 11, 12

Semester(s): 1 to 2

Credit: ½ to 1 Elective

Prerequisite: Head Coach Signature or Guidance Counselor Recommendation

This course is designed for motivated students who want to improve their personal fitness. Physical training (weight training and conditioning) is the focus of the class. Emphasis will be placed on the proper development of weight-training techniques and improving the student's physical fitness (cardiovascular fitness, muscular endurance, muscular strength, flexibility, and body composition). Assessment is based on participation, student improvement, and knowledge of technique and safety. **This is an elective course and does NOT meet the graduation requirement for physical education.**

Weight Training 3 (CHS, DFHS, IHS, SHHS)

Grade: 9, 10, 11, 12

Semester(s): 1 to 2

Credit: ½ to 1 Elective

Prerequisite: Head Coach Signature or Guidance Counselor Recommendation

This course is designed for motivated students who want to improve their personal fitness. Physical training (weight training and conditioning) is the focus of the class. Emphasis will be placed on the proper development of weight-training techniques and improving the student's physical fitness (cardiovascular fitness, muscular endurance, muscular strength, flexibility, and body composition). Assessment is based on participation, student improvement, and knowledge of technique and safety. **This is an elective course and does NOT meet the graduation requirement for physical education.**

Weight Training 4 (CHS, DFHS, IHS, SHHS)

Grade: 9, 10, 11, 12

Semester(s): 1 to 2

Credit: ½ to 1 Elective

Prerequisite: Head Coach Signature or Guidance Counselor Recommendation

This course is designed for motivated students who want to improve their personal fitness. Physical training (weight training and conditioning) is the focus of the class. Emphasis will be placed on the proper development of weight-training techniques and improving the student's physical fitness (cardiovascular fitness, muscular endurance, muscular strength, flexibility, and body composition). Assessment is based on participation, student improvement, and knowledge of technique and safety. **This is an elective course and does NOT meet the graduation requirement for physical education.**