



**Agenda**

Board of Trustees

Regular Meeting

The Center for Advanced Technical Studies, Multipurpose Room

Video Livestream: <https://lexrich5.rev.vbrick.com/#/webcasts/boardmeeting>

June 15, 2020

1. Call to order at 6:00 p.m.
2. Approval of the agenda
3. Return to unmodified Board Policy BEDH “Public Participation at Meetings”
4. Enter Executive Session to consider the following:
  - a. Selected employment items (*Exhibit A*) (Action)
  - b. Selected employment items (*Exhibit B*) (Information Only)
5. Call to order at 7:00 p.m.
6. Welcoming remarks – Michael Cates, Chairman, Board of Trustees
7. Invocation – Jan Hammond, Board of Trustees
8. Pledge of Allegiance – Jan Hammond, Board of Trustees
9. Superintendent’s Report
  - Update on Elementary School 13
10. Approval of the minutes of the May 18, 2020 board meeting
11. Approval of the minutes of the May 28, 2020 special-called board meeting
12. Public Participation\*

**ACTION AGENDA**

13. Action as Necessary or Appropriate on Matters Discussed in Executive Session
14. Rescind Emergency Resolution Re: 2019 Novel Coronavirus Response, Adopted April 6, 2020

15. Second reading approval of proposed revisions to board policy IHBF “Homebound Instruction” (*Exhibit C*)
16. Second reading approval of proposed revisions to board policy EF “Food Services” (*Exhibit D*)
17. Request to Suspend board policy JFABB “Admission of Foreign Exchange Students” due to COVID-19 Mandated Closure (*Exhibit E*)

#### **DISCUSSION AGENDA**

18. FY2020-21 General Fund Budget (*Exhibit F*)
19. Adjourn

#### **INFORMATION AGENDA**

20. Administrative Rule GDBC-R “Support Staff Supplementary Pay/Overtime”
21. Administrative Rule JFABB-R “Admission of Foreign Exchange Students”
22. Title I, Title II, and Title IV Programs for 2020-2021
23. The next regular scheduled board meeting will be July 13, 2020 at the District Office.

*\*The Board welcomes and encourages public participation. We respectfully ask that you adhere to the procedures and the decorum provided in board policy BEDH “Public Participation at Meetings”. Your comments should be limited to three minutes. Questions asked during public participation will be handled in accordance with board policy BEDH.*



**Minutes**  
**Board Meeting – May 18, 2020**

The Board of Trustees of School District Five of Lexington and Richland Counties conducted an in-person meeting at Spring Hill High School with the following members present:

Mr. Michael Cates, Chairman  
Ms. Beth Hutchison, Vice Chairman  
Mr. Robert Gantt, Secretary (via video/phone conference call)  
Mrs. Nikki Gardner  
Mrs. Jan Hammond  
Mr. Ken Loveless  
Mr. Ed White  
Dr. Christina Melton, District Superintendent

The following staff members attended virtually via video/phone conference call:

Mrs. Katrina Goggins, Director, Office of Communications  
Mr. Michael Guliano, Chief Instructional Officer  
Dr. Michael Harris, Chief Planning and Administrative Officer  
Dr. Allison Jacques, Chief Human Resources Officer  
Mr. Len Richardson, Chief Finance Officer

A livestream audio link was provided to the public for the meeting.

Chairman Cates called the meeting to order at 7:06 p.m. and offered welcoming remarks.

The Invocation was given by Nikki Gardner, Board of Trustees.

During the Superintendent's Report, Dr. Christina Melton provided an update on the COVID-19 mandatory closure. Dr. Melton provided an overview of the preparation that was underway for graduation ceremonies during the week of June 1. Dr. Melton celebrated the work that continues to take place throughout the district during this unprecedented closure.

The minutes from the April 27, 2020 board meeting were approved.

Action was taken as necessary or appropriate on matters discussed in Executive Session: a. Update on Legal matters in which the district is involved including: 2019-CP-32-04971, 2020-CP-40-00161, 2020-CP-40-02141; briefing on possible potential claims; b. Discussion of employment matter regarding employee grievance (*Exhibit A*); c. Selected employment items (*Exhibit B*) (Action); d. Selected employment items (*Exhibit C*) (Information Only).

Modifications of board policy BEDH “Public Participation at Meetings” was presented for approval.

A Continuing Resolution for Operating Budget FY2021 was presented for approval (*Exhibit D*).

Proposed revisions to board policy GCQC/GCQD “Resignation of Instructional Staff/Administrative Staff” (*Exhibit E*) was presented for approval.

A Medicaid Billing Extension Request (*Exhibit F*) was presented for approval.

A Banking Services Extension Request (*Exhibit G*) was presented for approval.

A request to name the Irmo High School Track and Field (*Exhibit H*) after the late Coach Mike Moore was presented for approval.

Proposed revisions to board policy IHBF “Homebound Instruction” (*Exhibit I*) were presented for discussion/first reading.

The meeting was adjourned at 8:54 p.m.

**Record of Voting**



**School District Five  
of  
Lexington and Richland Counties**

Meeting of May 18, 2020

	Cates	Gantt	Gardner	Hammond	Hutchison	Loveless	White
1. M. Hutchison                      S. Hammond  Approve the agenda	X	X	X	X	X	X	X
2. M. Hutchison                      S. Hammond  Enter executive session to consider the following:  a. Update on Legal matters in which the district is involved including: 2019-CP-32-04971, 2020-CP-40-00161, 2020-CP-40-02141; briefing on possible potential claims; b. Discussion of employment matter regarding employee grievance ( <i>Exhibit A</i> ); c. Selected employment items ( <i>Exhibit B</i> ) (Action); d. Selected employment items ( <i>Exhibit C</i> ) (Information Only).	X	X	X	X	X	X	X

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

	Cates	Gantt	Gardner	Hammond	Hutchison	Loveless	White
<p>3. M. -- S. -- (presumptive approval of minutes as presented)</p> <p>Approve the minutes of the April 27, 2020 board meeting</p>	X	X	X	X	X	X	X
<p>4. M. Hutchison S. Gardner</p> <p>In regards to the employee grievance - Exhibit A:</p> <p>I move that we deny the request that we hear an employee grievance. Because the grievance illustrates potential questions about policy and process which should be considered, I also move that the Administration evaluate the statements allegedly made and attempt to ascertain the source (if any) of the information discussed and report back to the Board in Executive Session during a July 2020 Board Meeting. If policies and/or procedures need to be addressed they should be placed on a public agenda as soon thereafter as practical.</p>	X	X	X	X	X	X	X
<p>5. M. Hutchison S. Hammond</p> <p>Approve selected employment items shown in Exhibit B</p>	X	X	X	X	X	X	X
<p>6. M. Cates S. Gardner</p> <p>Motion to Modify Policy BEDH "Public Participation at Meetings"</p> <p>I move the following: That we reinstate policy BEDH in a format designed to address the unique situation and circumstances imposed by the limitations of online meetings, the specifics will be as follows: The District will establish the following guidelines</p> <ol style="list-style-type: none"> <li>1. Members of the public can submit comments and/or questions by calling a district phone number and leaving a recording of their comments or questions.</li> <li>2. Only submissions made at the designated times (between the time that the Board agenda is posted and 12:00 PM on the date of the board meeting) will be played at the Board meeting.</li> <li>3. The submissions will be limited to a length of 2400KB, which approximates a three-minute recording. This</li> </ol>	X	X	X	X	X	X	X

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<p>recording length is per the limitations of our phone service provider.</p> <p>4. An automated message will provide members of the public with brief guidelines for submitting public participation comments and/or questions.</p> <p>5. Each submitter must provide his or her name.</p> <p>6. The submission may be on an agenda topic or a non-agenda topic.</p> <p>7. Each submitter will be allowed one submission per meeting.</p> <p>8. The District will treat each submission as if it were given during public participation and follow policy BEDH in addressing the submissions.</p>							
<p>7. M. Loveless S. Hammond</p> <p>Amended Motion to Modify Policy BEDH “Public Participation at Meetings”:</p> <p>Only submissions made at the designated times (between the time that the Board agenda is posted and up to 30 minutes before the board meeting) will be played at the Board meeting.</p>	N	N	N	N	N	X	N
<p>8. M. Hutchison S. Hammond</p> <p>Approve Continuing Resolution for Operating Budget FY2021 as shown in Exhibit D</p>	X	X	X	X	X	X	X
<p>9. M. Hutchison S. Gantt</p> <p>Approve proposed revisions to board policy GCQC/GCQD “Resignation of Instructional Staff/Administrative Staff” as shown in Exhibit E</p>	X	X	X	X	X	X	X
<p>10. M. Hutchison S. Gantt</p> <p>Approve Medicaid Billing Extension Request as shown in Exhibit F</p>	X	X	X	X	X	X	X
	Cates	Gantt	Gardner	Hammond	Hutchison	Loveless	White

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	Cates	Gantt	Gardner	Hammond	Hutchison	Loveless	White
11. M. Hammond S. Gardner  Approve Banking Services Extension Request as shown in Exhibit G	X	X	X	X	X	X	X
12. M. Hammond S. Loveless  Approve the request to name the Irmo High School Track and Field after the late Coach Mike Moore as shown in Exhibit H	X	X	X	X	X	X	X
13. M. Gardner S. Hammond  Adjourn the meeting at 8:54 p.m.	X	X	X	X	X	X	X

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***Minutes***  
***Special-Called Board Meeting – May 28, 2020***

The Board of Trustees of School District Five of Lexington and Richland Counties conducted a virtual meeting with the following members present:

- Mr. Michael Cates, Chairman
- Ms. Beth Hutchison, Vice Chairman
- Mr. Robert Gantt, Secretary
- Mrs. Nikki Gardner
- Mrs. Jan Hammond
- Mr. Ken Loveless
- Mr. Ed White
- Dr. Christina Melton, District Superintendent

The following staff members attended virtually:

- Mrs. Katrina Goggins, Director, Office of Communications
- Mr. Michael Guliano, Chief Instructional Officer
- Dr. Michael Harris, Chief Planning and Administrative Officer
- Dr. Allison Jacques, Chief Human Resources Officer
- Mr. Len Richardson, Chief Finance Officer

A livestream audio link was provided to the public for the meeting.

Chairman Cates called the meeting to order at 8:30 a.m.

The agenda was presented for approval.

Selected employment items were presented for approval as shown in Exhibit A (Action) and Exhibit B (Information Only).

The meeting was adjourned at 8:34 a.m.



Record of Voting



**School District Five  
of  
Lexington and Richland Counties**

Special-Called Meeting of  
May 28, 2020

		Cates	Gantt	Gardner	Hammond	Hutchison	Loveless	White
1.	M. Hutchison                      S. Gantt  Approve the agenda	X	X	X	X	X	X	X
2.	M. Hutchison                      S. Gardner  Approve selected employment items: a. Selected employment items ( <i>Exhibit A</i> ) (Action) b. Selected employment items ( <i>Exhibit B</i> ) (Information Only)	X	X	X	X	X	X	X
3.	M. White                                      S. Gantt  Adjourn the meeting at 8:34 a.m.	X	X	X	X	X	X	X

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**MEMORANDUM**

TO: Members of the Board of Trustees  
Christina S. Melton, Ed.D., Superintendent

FROM: Dr. Michael R. Harris  
Chief Planning and Administrative Officer

DATE: May 26, 2020

RE: June 15, 2020 Board Meeting, Second and Final Reading.  
Proposed Revisions to Board Policy IHBF “Homebound Instruction”

Recommendation:

The administration recommends that proposed revisions to Policy IHBF “Homebound Instruction” proceed for Board approval.

Attachments: Revised Policy IHBF “Medical Homebound Instruction”  
Current Policy IHBF “Homebound Instruction”

## MEDICAL HOMEBOUND INSTRUCTION

Code **IHBF**

Students who cannot attend public school because of illness, accident, or pregnancy, even with transportation, are eligible for medical homebound or hospitalized instruction.

The district will provide at least the minimum number of instruction hours as provided in current rules and regulations of the State Board of Education (SBE). All teachers providing medical homebound instruction to students residing in the district must hold a valid South Carolina teacher's certificate.

In order for a student to receive medical homebound instruction, the following conditions must exist:

- The student must be of legal school age.
- A physician, physician's assistant, or properly authorized advanced practice registered nurse (APRN) must certify that the student is unable to attend school but may profit from instruction given in the home or school. (This does not include any District Five staff with APRN designation).
- The homebound instruction must be approved by the superintendent or his/her designee on appropriate forms provided by the South Carolina Department of Education.
- The student must successfully complete the materials assigned and receive a passing grade from the student's classroom teacher or the homebound teacher in case of extended medical homebound instruction. This requirement is necessary in order for the student to advance to the next grade or to satisfy the state requirements for a state high school diploma.

A student is eligible for medical homebound instruction according to certain timelines as stated in SBE regulation.

Should an approved student not be provided the required periods of medical homebound instruction that he/she is entitled to receive, the student is eligible to have the medical homebound instruction made up by the district. This make-up may occur during the student's remaining eligibility for medical homebound instruction or may occur after the student returns to school. The school will not hold make-up periods during the regular school day. If the school delays the start of services for any reason and the student is still entitled to the services, the district must make up the missed instructional periods even if the regular school year has ended.

Medical and student records are confidential subject to the provisions of policy JRA, *Student Records* and its accompanying administrative rule.

### Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  1. Section 40-33-34(D)(2)(b) - APRNs may complete homebound certification unless otherwise provided in his/her practice agreement.
  2. Section 59-33-20(c) - Homebound instruction available to certain disabled children.
- B. S.C. State Board of Education Regulations:
  1. R43-241 - Medical homebound instruction.

## Policy IHBF Homebound Instruction

Issued 3/12

Purpose: To establish the basic structure for the district's provision of medical homebound instruction to students.

Students who cannot attend public school because of illness, accident or pregnancy, even with transportation, are eligible for medical homebound or hospitalized instruction.

The district will provide at least the minimum number of instruction hours as provided in current rules and regulations of the state board of education. All teachers providing medical homebound instruction to students residing in the district must hold a valid South Carolina teacher's certificate.

In order for a student to receive medical homebound instruction, the following conditions must exist.

- The student must be of legal school age.
- A physician must certify that the student is unable to attend school but may profit from instruction given in the home or school.
- The student must be approved by the superintendent or his/her designee on appropriate forms provided by the district and state department of education.
- The student must successfully complete the materials assigned and receive a passing grade from the student's classroom teacher or the homebound teacher in case of extended medical homebound instruction in order for the student to advance to the next grade or to satisfy the state requirements for a state high school diploma.

A student is eligible for medical homebound instruction according to certain timelines as stated in the state board of education regulation.

Should an approved student not be provided the required periods of medical homebound instruction that he/she is entitled to receive, the student is eligible to have the medical homebound instruction made up by the district. This make-up may occur during the student's remaining eligibility for medical homebound instruction or may occur after the student returns to school. The school will not hold make-up periods during the regular school day. If the school delays the start of services for any reason and the student is still entitled to the services, the district must make up the missed instructional periods even if the regular school year has ended.

Medical and student records are confidential subject to the provisions of [JRA](#) and .

Adopted 4/28/86; Revised 4/2/90, 3/16/92, 9/8/97, 3/26/12

Legal references:

S.C. Code, 1976, as amended:

[Section 59-21-540](#) - Special education services for which state aid allowed.

[Section 59-33-20\(c\)](#) - Homebound instruction available to certain handicapped children.

[Section 59-33-30](#) - Establishment by state board of education of program of specialized education for handicapped children; rules and regulations.

State Board of Education Regulations:

R-43-241 - Medical homebound instruction.

School District Five of Lexington and Richland Counties



**MEMORANDUM**

To: Members of the Board of Trustees

Through: Christina S. Melton, Ed.D., Superintendent  
A Len Richardson, Chief Finance & Operations Officer

From: Todd Bedenbaugh, *T.B.*  
Director of Student Nutrition

Date: June 9, 2020

Re: Board Policy – Section E “Business Management”; Policy EF “Food Services”  
Second (Final) Reading – June 15, 2020

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**Issue:** Proposed revisions to the Board Policy EF “Food Services”

**Recommendation:** The administration recommends that the proposed revisions receive Second (Final) Reading.

ALR:tl

Attachments – Proposed/Current Board Policy EF “Food Services”

## FOOD SERVICES

Code **EF** Issued **12/13**

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

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 to 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. Paper A applications are ~~made available at the schools upon request also available at the district office and the schools~~.

Adopted 1973; Revised 11/16/81, 1/21/85, 2/6/89, 4/2/90, 12/9/13

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Legal references:

- A. Federal Law:
  - 1. Child Nutrition Act of 1996 (CNA), 42 U.S.C.A. Section 1771, *et seq.*
  - 2. Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, 124 Stat. 3183.
- B. S. C. Code, 1976 as amended:
  - 1. Sections 59-10-310, *et seq.* - Nutrition standards.

## **PAGE 2 - EF - FOOD SERVICES**

**C. Federal Regulations:**

1. National School Lunch Program, 7 C.F.R. Section 210.10.
2. School Breakfast Program, 7 C.F.R. Section 220.8.

**D. State Board of Education Regulations:**

1. R43-168 - Nutrition standards for elementary (K-5) school food service meals and competitive foods.



## **FOOD SERVICES**

Code **EF** Issued **12/13**

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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 to 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, 12/9/13

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Legal references:

A. Federal Law:

1. Child Nutrition Act of 1996 (CNA), 42 U.S.C.A. Section 1771, *et seq.*
2. Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, 124 Stat. 3183.

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

1. Sections 59-10-310, *et seq.* - Nutrition standards.

C. Federal Regulations:

1. National School Lunch Program, 7 C.F.R. Section 210.10.

## **PAGE 2 - EF - FOOD SERVICES**

2. School Breakfast Program, 7 C.F.R. Section 220.8.
- D. State Board of Education Regulations:
  1. R43-168 - Nutrition standards for elementary (K-5) school food service meals and competitive foods.



**MEMORANDUM**

TO: Members of the Board of Trustees  
Christina S. Melton, Ed.D., Superintendent

FROM: Dr. Michael R. Harris  
Chief Planning and Administrative Officer

DATE: May 28, 2020

RE: June 15, 2020 Board Meeting, Request to Suspend Policy.  
Board Policy JFABB “Admission of Foreign Exchange Students”

The Admission of Foreign Exchange Students Policy and its accompanying Administrative Rule (JFBB and AR JFABB-R) establishes a basic structure for a one-year admission of foreign exchange students. To date, School District Five has recognized the cultural benefits of having foreign exchange student programs and has accepted up to five exchange students at Chapin High School; Dutch Fork High School and Irmo High School.

However, out of an abundance of caution and amid the continued spread of the Coronavirus (COVID-19) pandemic, the administration of School District Five has prepared to take every precaution to keep the students and staff safe.

Recommendation:

The administration recommends a one-year suspension of the Policy and Administrative Rule (JFBB and AR JFABB-R) Admission of Foreign Exchange Students.

Attachments: JFABB “Admission of Foreign Exchange Students”

## **Policy JFABB Admission of Foreign Exchange Students**

Issued 10/09

Purpose: To establish the basic structure for the admission of foreign exchange students.

Recognizing the cultural benefits of having foreign exchange student programs, the board authorizes the district to accept foreign exchange students into its schools.

The admission and tuition responsibilities of foreign exchange students will be in accordance with the procedures established in JFABB-R.

Adopted 9/11/00; Revised 10/26/09

School District Five of Lexington and Richland Counties

## **AR JFABB-R Admission of Foreign Exchange Students**

Issued 10/09

### **Procedures for admission of foreign and exchange students**

#### *Foreign exchange students*

Only students from United States Information Agency approved student exchange programs may be accepted.

All United States Information Agency regulations must be met prior to approval for enrollment and all policies must be followed after acceptance.

Only high school foreign exchange students may be accepted.

The student must meet the following criteria.

- Be a secondary school student in his/her home country who has not completed more than 11 years of primary and secondary school, exclusive of kindergarten, or be at least 15 years of age but not more than 18 and six months years of age at the time of initial school enrollment.
- Be a person who demonstrates maturity, good character and scholastic aptitude.
- Be a student who has not previously participated in an academic year or semester secondary school student exchange program in the United States.

Contingent upon the availability of space and a school's decision to participate in the foreign exchange program, the number of foreign exchange students will be limited to five students at Irmo High School, five students at Dutch Fork High School and five students at Chapin High School.

The student must be able to speak, write and understand English proficiently.

No foreign exchange student may be enrolled in the English speakers of other languages program.

The student will be awarded course credits, as earned.

No diploma will be issued to a foreign exchange student.

Foreign exchange students will not be classified as seniors nor may they participate in any graduation exercises.

Foreign exchange students must provide a transcript translated into English upon enrollment.

Students who are accepted through exchange programs will be expected to meet all academic, attendance and student discipline requirements as required of students enrolled in the district's high schools, including the requirement that the student cannot be enrolled if he/she has completed high school.

The principal of the school may withdraw attendance approval for a student who commits any severe discipline infraction.

Foreign exchange students may not enroll in a driver's education course.

Foreign exchange students will be allowed to participate in all extracurricular activities including athletics as they are eligible.

#### *Foreign students*

The September 1996 Illegal Immigration Reform and Immigration Responsibility Act (IIRIRA), Section 625, contains regulations regarding F-1 visa students.

- F-1 visa students may not attend public elementary schools.
- F-1 visa students may only attend secondary schools and their attendance cannot exceed one year.

Students who have visitor visa status may not enroll in the district schools.

Issued 9/11/00; Revised 4/25/05, 10/26/09


School District Five of Lexington and Richland Counties



**MEMORANDUM**

To: Members of the Board of Trustees

Through: Christian S. Melton, Ed.D., Superintendent

From: A. Len Richardson  
Chief Finance & Operations Officer 

Date: June 9, 2020

Re: Discussion Reading - Proposed FY 2020-2021 General Fund Budget  
Board Meeting – June 15, 2020

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The proposed FY 2020-2021 General Fund Budget will be presented.

ALR:tl



Memorandum

To: Members of the Board of Trustees

Through: Christina S. Melton, Ed.D.  
Superintendent

From: Allison Jacques, Ph.D. *Allison Jacques, Ph.D.*  
Chief Human Resources Officer

Date: June 11, 2020

Re: **INFORMATION ONLY**  
Revisions to Administrative Rule GDBC-R "Support Staff Supplementary Pay/Overtime"

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**INFORMATION ONLY:** Revisions to Administrative Rule GDBC-R "Support Staff Supplementary Pay/Overtime"

AJ/aw

Attachments - Revisions/Current Administrative Rule GDBC-R – "Support Staff Supplementary Pay/Overtime"



**PRESENTED AS INFORMATION: JUNE 15, 2020**

*Administrative Rule*

**SUPPORT STAFF SUPPLEMENTARY PAY/OVERTIME**

Code **GDBC-R** Issued \_\_\_\_\_

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**Minimum wage**

The minimum wage paid on an hour-by-hour basis to all employees, either full or part time, permanent or temporary will be at the approved rate as determined by the federal government, except under designated training and apprenticeship programs exempt under special U.S. Department of Labor certification.

**Workweek**

A workweek will be a continuous period of 168 hours in the form of seven consecutive 24-hour periods. The District workweek begins at 12:01 a.m. each Monday for all employees and runs for seven consecutive days. Each workweek stands alone for the purpose of determining overtime pay for non-exempt employees.

**Hours worked**

Hours worked means all hours during which the individual is required to be on duty - generally from the required starting time to normal quitting time. Meal periods of thirty minutes or longer do not count as hours worked unless the individual is required to be on duty or perform work duties during the meal period. Break periods of 20 minutes or longer do not count as work time.

**Travel**

Ordinary travel time from home to a base location or vice versa is not work time. Official travel that occurs during an individual's regular working hours will be considered hours worked.

**Leave**

Time taken for annual leave, sick leave, leave without pay or other leave taken for the purpose of jury duty, military assignment or because of death in the family will not be counted as time worked and is therefore not counted as compensable time for the purpose of overtime pay.

**Part time in different capacity**

~~If individuals are employed in one capacity but voluntarily work part time in a different capacity on an occasional or sporadic basis, the hours logged in the secondary capacity will not be counted as hours worked for overtime purposes.~~

**Substitution in same capacity**

~~Employees, at their own option but with the approval of the employer, may substitute during scheduled hours for other employees employed in the same capacity. In the case of such substitution, the hours involved are credited to the scheduled employee and not to the substitute employee. The employer need not maintain a record that the substitution has taken place.~~

**Overtime hours**

Overtime hours will be held to a minimum consistent with the needs and requirements of sound and orderly administration. All overtime hours worked by non-exempt employees must be scheduled and duly authorized by the employee's principal, or, at the District level, by the employee's immediate supervisor. Overtime hours worked over 40 hours during the workweek must be authorized in writing prior to the time the work is performed. Unauthorized overtime will not be tolerated.

With respect to the payment of overtime in money or in compensatory time, the District will have the discretion to determine which method of payment to choose. The District reserves the right to require employees taking compensatory time to schedule comp time in minimal increments of four hours. This requirement is subject to change by the District upon written notification to all affected employees.

Where an employee in a single workweek works at two or more different types of work for which different straight-time rates have been established, the employee's regular rate for that week is the weighted average of such rates. (That is, the earnings from all such rates are added together.) This total is then divided by the total number of hours worked at all jobs.

**Compensatory time off**

Non-exempt employees who work more than 40 hours during any workweek may be awarded compensatory time off (comp time). Comp time will be awarded at the rate of one and one-half hours for each hour of overtime worked in any given workweek.

- Comp time may be accrued to a maximum of 48 hours (32 overtime hours). Overtime work beyond this maximum accrual will be monetarily compensated at the rate of one and one-half times the individual's normal hourly rate of pay.
- Every effort will be made to permit the use of comp time at the time mutually agreed upon by the individual and his/her supervisor. However, where the individual's absence would unduly disrupt the District's operations, the District retains the right to postpone comp time usage.
- Time off later for working on an official holiday will not be considered compensatory time off but as a delayed holiday. Employees who are required to work on an announced holiday must be given equal time off within the same fiscal year.

**Monetary compensation**



Non-exempt employees who work in excess of 40 hours per workweek will be paid at one-and-one-half times their "regular rate" if the District elects to pay money rather than compensatory time or once the maximum amount of compensatory time has been accrued in the event the district has not designated comp time rather than monetary compensation. If an employee is paid on a salary basis, the salary is intended to compensate the employee for any straight-time hours worked during a particular workweek and the employee will be entitled to a half-time premium for hours worked over 40 in a particular workweek.

### **Termination**

Individuals with unused comp time who are terminated or who terminate their employment will be granted comp time prior to their final date of employment or monetarily paid for unused comp time at one and one-half times their final regular rate of pay or for the average rate of pay for the final three years of employment, whichever is higher. The District will have the discretion to determine which method of payment to choose.

### **Volunteers**

A volunteer is defined as an individual who receives no compensation or who is paid expenses, reasonable benefits or a nominal fee to perform the services for which the individual volunteered and such services are not the same type of services which the individual is employed to perform for the district. ~~District employees who work as volunteers will not be compensated for the time spent performing volunteer work.~~

### **Students**

Career and technology students performing work as part of a curriculum are students and not workers. Students helping in office capacities for short periods of time are volunteers and not employees.

### **Exemptions Exclusions**

Executive, administrative, and professional employees, including computer professionals, will be considered exempt from overtime payment or compensatory time accrual if they meet the salary and duties tests for exemption from coverage under the FLSA Fair Labor Standards Act and applicable Department of Labor regulations ~~all of the following respective duties tests for exemption from coverage under the law.~~

### **Highly compensated employees**

~~Employees who perform office or non-manual work and earn a salary of at least \$100,000 per year will be completely exempt from coverage in that they regularly and customarily perform at least one of the duties of an exempt executive, administrative or professional employee. The \$100,000 compensation can include bonuses and commissions, but not benefits.~~

**Executive**

~~The employee's primary duty consists of the following.~~

- ~~• Management of the enterprise or of a customarily recognized department or subdivision.~~
- ~~• The employee must customarily and regularly direct the work of at least two or more other employees.~~
- ~~• The employee must have the authority to hire or fire other employees; or whose suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees are given particular weight.~~

~~The employee must devote no more than 20 percent of his/her hours worked to activities not directly and closely related to the managerial duties.~~

~~The employee must be paid on a salary basis at a rate of at least \$455 a week exclusive of board, lodging or other facilities.~~

**Administrative**

~~The employee's primary duty consists of the following.~~

- ~~• performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers~~
- ~~• includes the exercise of discretion and independent judgment with respect to matters of significance~~

~~The employee must not spend more than 20 percent of the time worked in the workweek on work that is not directly and closely related to the administrative duties discussed above.~~

~~The employee must be paid on a salary or fee basis at a rate of not less than \$455 a week exclusive of board, lodging or other facilities.~~

**Professional**

~~The employee's primary duty consists of the following.~~

- ~~• work requiring advance knowledge (defined as work which is predominately intellectual in character and which includes work requiring consistent exercise of discretion and judgment) in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study~~
- ~~• work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor~~

~~The employee must do work that is predominately intellectual and varied as distinguished from routine mental, manual, mechanical or physical duties.~~

## PAGE 5 – GDBC-R – SUPPORT STAFF SUPPLEMENTARY PAY/OVERTIME

~~The employee must not spend more than 20 percent of the time worked in the workweek on activities not essentially a part of and necessarily incident to the professional duties.~~

~~The employee must be paid on a salary or fee basis at a rate of not less than \$455 a week exclusive of board, lodging or other facilities.~~

### **Permissible deductions**

~~The District can take deductions from an exempt employee's salary for violations of workplace conduct rules without risking the loss of the exempt employee's status.~~

### **Safe harbor rule**

~~The District will lose overtime exemptions if and when it has an actual practice of making improper deductions from an employee's salary. The District may utilize a "safe harbor" to reduce the risk that improper deductions will destroy an exemption by ensuring the following:~~

- ~~• has a clearly communicated policy prohibiting improper deductions and includes a complaint mechanism~~
- ~~• reimburses employees for any improper deductions~~
- ~~• makes a good faith commitment to comply with FLSA regulations in the future~~

~~The District will lose the protection of the "safe harbor" if it willfully violates the above provisions and continues to make improper deductions.~~

### **Improper Deductions**

The District prohibits improper pay deductions. Employees who believe that improper pay deductions have been taken should immediately report the concern to the Chief Human Resources Officer. Employees will be reimbursed for any improper pay deductions. If an employee's request for reimbursement of a deduction is denied, the employee may appeal that decision by following the grievance procedure set forth in District policy GBK.

Nothing in this policy shall prevent the District from properly charging absences against sick leave, personal leave, or other such leave or from making deductions from pay for unapproved or unpaid absences, as established in Board policy.

### **Record-keeping**

#### **Exempt employees**

The following records must be kept for each employee.

- name and identifying number
- home address
- birth date if the employee is under 19

## PAGE 6 – GDBC-R – SUPPORT STAFF SUPPLEMENTARY PAY/OVERTIME

- sex and occupation in which employed
- basis on which wages are paid, ensuring sufficient detail to permit calculation for each pay period of the employee's compensation.

### Non-exempt employees

The following records must be kept for each employee.

- name and identifying number
- home address
- sex and occupation in which employed
- time and day on which his/her workweek or work period begins and length of the work period
- regular rate of pay for any workweek or work period
- hours worked each day and each workweek or work period
- total daily, weekly or work period straight-time earnings (includes one time, but not time and one-half pay for overtime)
- overtime excess compensation (the "half time" or more extra compensation for overtime)
- total additions to or deductions from wages paid each pay period
- total wages paid each pay period
- date of payment and the pay period covered by the payment

### Retention of records

Preserved for ~~five~~ three years

- payroll records
- certificates, agreements, plans, notices, etc. (e.g. contracts, written agreements or memoranda summarizing the terms of oral agreements)
- sales and purchase records

### ~~Preserved for two years~~

- supplementary basic records such as basic employment and earnings records, wage rate tables and work time schedules
- order, shipping and billing records
- records of additions to or deductions from wages paid records which explain the basis for payment of any wage differential to employees of the opposite sex in the same establishment (~~29 C.F.R. Sec 516.6~~)

Issued 2/5/96; Revised 2/22/10, \_\_/\_\_/20

## AR GDBC-R Support Staff Supplementary Pay/Overtime

Issued 2/10

### **Minimum wage**

The **minimum** wage paid on an hour-by-hour basis to all employees either full or part time, permanent or temporary will be at the approved rate as determined by the federal government, except under designated training and apprenticeship programs exempt under special U.S. Department of Labor certification.

### **Workweek**

A workweek will be a continuous period of 168 hours in the form of seven consecutive 24-hour periods. The district workweek begins at 12:01 a.m. each Monday for all employees and runs for seven consecutive days. Each workweek stands alone for the purpose of determining overtime pay for non-exempt employees.

### **Hours worked**

Hours worked means all hours during which the individual is required to be on duty - generally from the required starting time to normal quitting time. Meal periods do not count as hours worked unless the individual is required to perform work duties during the meal period. Break periods of 20 minutes or longer do not count as work time.

### Travel

Ordinary travel time from home to a base location or vice versa is not work time. Official travel that occurs during an individual's regular working hours will be considered hours worked.

### Leave

Time taken for annual leave, sick leave, leave without pay or other leave taken for the purpose of jury duty, military assignment or because of death in the family will not be counted as time worked and is therefore not counted as compensable time for the purpose of overtime pay.

### Part time in different capacity

If individuals are employed in one capacity but voluntarily work part time in a different capacity on an occasional or sporadic basis, the hours logged in the secondary capacity will not be counted as hours worked for overtime purposes.

### Substitution in same capacity

Employees, at their own option but with the approval of the employer, may substitute during scheduled hours for other employees employed in the same capacity. In the case of such substitution, the hours involved are credited to the scheduled employee and not to the substitute employee. The employer need not maintain a record that the substitution has taken place.

### **Overtime hours**

Overtime hours will be held to a minimum consistent with the needs and requirements of sound and orderly administration. All overtime hours worked by non-exempt employees must be scheduled and duly authorized by the employee's principal, or, at the district level, by the employee's immediate supervisor. Overtime hours worked over 40 hours during the workweek must be authorized in writing prior to the time the work is performed. Unauthorized overtime will not be tolerated.

With respect to the payment of overtime in money or in compensatory time, the district will have the discretion to determine which method of payment to choose. The district reserves the right to require employees taking compensatory time to schedule comp time in minimal increments of four hours. This requirement is subject to change by the district upon written notification to all affected employees.

Where an employee in a single workweek works at two or more different types of work for which different straight-time rates have been established, the employee's regular rate for that week is the weighted average of such rates. (That is, the earnings from all such rates are added together.) This total is then divided by the total number of hours worked at all jobs.

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10

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#### Preserved for three years

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#### Preserved for two years

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- order, shipping and billing records
- records of additions to or deductions from wages paid
- records which explain the basis for payment of any wage differential to employees of the opposite sex in the same establishment ([29 C.F.R. Sec 516.6](#))

Issued 2/5/96; Revised 2/22/10

School District Five of Lexington and Richland Counties



**MEMORANDUM**

TO: Members of the Board of Trustees  
Christina S. Melton, Ed.D., Superintendent

FROM: Dr. Michael R. Harris  
Chief Planning and Administrative Officer

DATE: June 9, 2020

RE: June 15, 2020 Board Meeting, Information.  
Board Policy AR JFABB-R "Admission of Foreign Exchange Students"

Attachments: AR JFABB-R "Admission of Foreign Exchange Students"

## **AR JFABB-R Admission of Foreign Exchange Students**

Issued 10/09

### **Procedures for admission of foreign and exchange students**

#### **Foreign exchange students**

Only students from United States Information Agency approved student exchange programs may be accepted.

All United States Information Agency regulations must be met prior to approval for enrollment and all policies must be followed after acceptance.

Only high school foreign exchange students may be accepted.

The student must meet the following criteria.

- Be a secondary school student in his/her home country who has not completed more than 11 years of primary and secondary school, exclusive of kindergarten, or be at least 15 years of age but not more than 18 and six months years of age at the time of initial school enrollment.
- Be a person who demonstrates maturity, good character and scholastic aptitude.
- Be a student who has not previously participated in an academic year or semester secondary school student exchange program in the United States.

Contingent upon the availability of space and a school's decision to participate in the foreign exchange program, the number of foreign exchange students will be limited to five students at Irmo High School, five students at Dutch Fork High School and five students at Chapin High School.

The student must be able to speak, write and understand English proficiently.

No foreign exchange student may be enrolled in the English speakers of other languages program.

The student will be awarded course credits, as earned.

No diploma will be issued to a foreign exchange student.

Foreign exchange students will not be classified as seniors nor may they participate in any graduation exercises.

Foreign exchange students must provide a transcript translated into English upon enrollment.

Students who are accepted through exchange programs will be expected to meet all academic, attendance and student discipline requirements as required of students enrolled in the district's high schools, including the requirement that the student cannot be enrolled if he/she has completed high school.

The principal of the school may withdraw attendance approval for a student who commits any severe discipline infraction.

Foreign exchange students may not enroll in a driver's education course.

Foreign exchange students will be allowed to participate in all extracurricular activities including athletics as they are eligible.

#### **Foreign students**

The September 1996 Illegal Immigration Reform and Immigration Responsibility Act (IIRIRA), Section 625, contains regulations regarding F-1 visa students.

- F-1 visa students may not attend public elementary schools.
- F-1 visa students may only attend secondary schools and their attendance cannot exceed one year.

Students who have visitor visa status may not enroll in the district schools.

Issued 9/11/00; Revised 4/25/05, 10/26/09

School District Five of Lexington and Richland Counties



## MEMORANDUM

To: Members of the Board of Trustees  
Dr. Christina S. Melton, Superintendent

From: Michael Guliano, Chief Instructional Officer *MG*

Date: June 5, 2020

Re: June 15, 2020 Board Meeting – *Information*  
**Title I, Title II, and Title IV Programs for 2020-2021**

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Attached to this memo you will find information regarding the following:

- Title I 2020-21 Program
- Title II 2020-21 Program
- Title IV 2020-21 Program

I will be present at the Board Meeting to answer any questions you may have regarding this information.

Exhibits: Title I Program  
Title II and Title IV Programs



## Title I 2020-2021

### 2020-2021 Program Proposal

FY 20-21	(Projected) New Grant Funds	\$ 2,005,284.98
FY 19-20	(Projected) Carryover Funds	<u>\$ 200,000.00</u>
<b>Total 20-21 PROJECTED FUNDS</b>		<b>\$ 2,105,284.98</b>

#### Title I Served Schools:

*All of the following schools have 40% F/R lunch count, or higher and have conducted a Needs Assessment in their school to make the community decision for allocating Title I funds.*

<b>School</b>	<b>Title I Programs</b>
Seven Oaks Elementary	Reading Intervention Math Intervention
Harbison West Elementary	Reading Intervention Math Intervention Academic Tutoring
Leaphart Elementary	Reading Intervention Math Intervention Academic Tutoring
Nursery Road Elementary	Reading Intervention Math Intervention
H. E. Corley Elementary	Reading Intervention Math Intervention
Dutch Fork Elementary	Reading/Writing Intervention Math Intervention

*Title I funds will be expended for teachers' salaries/benefits, parent involvement needs, instructional materials and supplies, professional training, and academic tutoring (during the school year and/or during summer).*

#### Program Purposes:

*(As stated in Federal Regulations)*

Programs that provide extended learning time for disadvantaged children to assist in the acquisition of performance standards expected for all children. Programs may include extended school year; before- and after-school or summer programs; and, accelerated, high-quality curriculum including applied learning. Programs should minimize removing children from the regular classroom during regular school hours for instruction and should coordinate with and support the regular education program in the classroom. Programs supported by Title I funds may also include counseling, mentoring, and other pupil services; college and career awareness and preparation; services to transition students from school to work; services to assist preschool children; and, professional development opportunities to provide teachers with strategies to use in the classroom and with promoting parental involvement in their children's education.





**Title II, Part A Program**  
***Improving Teacher Quality***  
and  
**Title IV**  
***Student Support and Academic Enrichment***  
**2020-2021**

**2020-2021 PROGRAM PROPOSAL**

FY 20-21 ( <i>Projected</i> ) New Title II Grant Funds	\$ 300,000.00
FY 20-21 ( <i>Projected</i> ) New Title IV Grant Funds	\$ 0.00
FY 19-20 ( <i>Projected</i> ) Title II & IV Carryover Funds	<u>\$ 100,000.00</u>
<b>TOTAL 20-21 TOTAL <i>PROJECTED</i> FUNDS</b>	<b>\$ 400,000.00</b>

**Program Purposes:**

Per our District’s Strategic Plan, Title II monies will be used to support our district initiatives; professional development in the core content areas; paraprofessional training, as needed; and, recruitment and retention of highly qualified staff, as outlined in Title II guidelines.

District Five has opted to target Title IV funds for professional development activities to grow our teachers in content knowledge and teaching best practices. We target these funds for continued Data Team training and coaching, for instructional improvement based on data.