



Pursuing Excellence for Tomorrow's Challenges

2017-2018

Employee Handbook



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Visit the district's website at www.lexrich5.org for the most current copies of all District Five policies.

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Signature Page

I HAVE READ THE EMPLOYEE HANDBOOK AND UNDERSTAND
THAT THE DISTRICT'S HANDBOOK AND POLICY MANUAL ARE NOT
CONTRACTS.

Printed Name of Employee

Signature of Employee

School/Location

Date

Important Notice

This handbook and its contents are not intended, nor should they be interpreted, to create an expressed or implied contract of employment, but rather should be understood as a brief description of the benefits offered by District Five of Lexington and Richland Counties and an overview of its policies and rules. This handbook supersedes all previous handbooks or other documents that address the same subject matter as the policies and rules contained in this handbook. This handbook and the policies, rules, and benefits to which it refers or contains, may be amended, modified, or discontinued at any time by the District in its discretion.

***Equal Employment Opportunity Statement
and Policy of Non-discrimination on the Basis of Disability***

District Five of Lexington and Richland Counties does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability or handicap in employment or the provision of services. The Chief Human Resource Officer has been designated to coordinate compliance with the non-discrimination requirements contained in federal regulations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. Information concerning the provisions of the Rehabilitation Act and the Americans with Disabilities Act, and the rights provided there under, are available from the Civil Rights Coordinator, the Chief Human Resources Officer.

Additional copies of this handbook can be obtained from the Employee Intranet on the District Website.

General Information

District Mission

The mission of District Five of Lexington and Richland Counties, in partnership with the community, is to provide challenging curricula with high expectations for learning that develop productive citizens who can solve problems and contribute to a global society.

Vision

District Five of Lexington and Richland Counties will empower all students to meet or exceed expectations for academic, social, and emotional growth and success. We will provide opportunities for students to develop creative and critical problem-solving skills, as innovative learners, to meet dynamic global changes. We will maximize our use of resources through collaborative partnerships with our community, our business and education partners. District Five's students will be prepared to pursue excellence for tomorrow's challenges.

Accountability

District Five is accountable to the local community, the South Carolina Department of Education, and the United States Department of Education, all of who contribute to the funding of its programs.

Our seven-member Board of Trustees is elected by the local community to set policies, to oversee operations, and to hire and evaluate a superintendent, who is held accountable for all district employees. The superintendent delegates authority to various administrators and principals. Principals are held accountable for all that takes place in their buildings and on their grounds

District Overview

District Five of Lexington and Richland Counties is privileged to have some of the most outstanding teachers, support staff, and administrators in the country. Our district has a state and national reputation of excellence that is directly related to the expertise, commitment and resources available in our system.

District Five encompasses a land area of nearly 196 square miles, approximately one-half of which is situated in each of Lexington and Richland Counties. The school district consists of the northern portion of Lexington County lying north of Lake Murray and the Saluda River and the northwestern portion of Richland County lying south of the Broad River. The School District is primarily a residential suburb located to the northwest of the city of Columbia, the capital city of South Carolina. We serve more than 17,000 students. Included in District Five are the towns of Irmo and Chapin. The school district has three attendance areas: Chapin, Dutch Fork, and Irmo. District Five operates a total of twelve

elementary schools, two intermediate schools, three middle schools, four high schools, one center for career and technical studies and one academy for success.

District Five offers an educational program that challenges and stimulates thinking and problem solving and fosters superior achievement. Our comprehensive educational program focuses on both academic and personal success for all students from early childhood education through twelfth grade and including adult and community education programs. A variety of programs are offered to meet the diverse needs of our students.

We are an equal opportunity employer. District Five offers a variety of professional development opportunities to ensure our workforce is properly prepared to support a world-class education.

In the spring of 2015, District Five of Lexington and Richland Counties received systems reaccreditation through AdvancED, a worldwide accrediting agency. District Five of Lexington and Richland Counties services exceed the international averages for both classroom observations and operational standards. These results affirm that the 2500 employees and the District Five community are committed to its motto of "Pursuing Excellence for Tomorrow's Challenges."

Communications

The Office of Communications, located at the District Office, fields questions from the media, employees, students, and members of the community. Of particular interest to employees are the annual calendar, which identifies important dates throughout the school year, District Five News round-up, the D5 Facebook page, the online flyer distribution system, and the Employee Intranet. Our goal is to have open communication. The superintendent is active in the community and meets regularly with principals, teachers, parents and numerous District and community advising groups.

Inclement Weather Delay Procedures

In the event of a delayed school opening due to inclement weather, District Five will alert the local media and employees of report time. For example, when there is a one-hour delay, all staff will report one hour later than their usual time. When we have a two-hour delay, staff will report two hours later than their usual time. Adhering to these procedures eliminates confusion for staff and ensures schools are ready for their students.

information about delays and closings will be provided through the local media and through school or site notification procedures.

Blackboard Connect

Our district uses a telephone messaging system that helps us get messages to staff, students, and students' parents/guardians quickly by telephone. Use of the telephone messaging system must comply with the mandates of the Telephone Consumer Protection Act (TCPA) which specifies that the person assigned a cell phone number must give approval to receive automated phone calls and text messages.

Human Resources

Teacher Certification

Each teacher must maintain a valid South Carolina (SC) teacher certificate in the area employed issued by the Office of Educator Services from the South Carolina Department of Education. For all newly hired educators, a current copy of a valid SC teacher certificate must be submitted to the Office of Human Resources. Newly hired graduates should submit a teacher certificate immediately upon receipt and/or prior to the beginning of the current school year. A teacher certificate will be maintained in the teacher's personnel file.

Teachers are paid according to their class level and years of experience indicated on their SC teacher certificate.

The SC Department of Education website is available to assist teachers with a variety of information related to but not excluding certification add-on, certificate renewal, and forms. The website may be accessed at www.ed.sc.gov. A Request for Change/Action form must be submitted in order to begin a change/action process with the SC Department of Education. The call center at the SC Department of Education may

be contacted at (803) 896-0325, Monday through Friday, 8:30 AM – 4:30 PM (excluding state holidays).

Class Level/Years of Experience Upgrades

To begin the process for a teacher certificate upgrade, an updated teacher certificate must be submitted to the Office of Human Resources.

The Office of Human Resources bases the effective date of teacher certificate upgrades on the validity date shown on the updated teacher certificate. A change in salary cannot be made until the updated teacher certificate is received. If the SC Department of Education indicates a past validity date on the teacher certificate, teachers will receive retro pay. The new teacher certificate will be retained in the teacher's personnel file.

Guidelines for Earning a Year's Experience

The SC Department of Education grants one year's experience credit for certified employees. The district uses these criteria as the basis for earning a year's experience for all employees who work at least 80 percent of the day or year according to the following formula:

- 180-186 day employees must have 144 paid days
- 190-195 day employees must have 152 paid days
- 200-205 day employees must have 164 paid days
- 210-215 day employees must have 168 paid days

- 220-day employees must have 176 paid days
- 240-day employees must have 192 paid days

Part-time employees who work less than 80 percent of the day will earn experience for the year according to hours work. (e.g. 0.5 employees may be granted 0.5 year's experience if paid days service has been earned.)

Note: The Human Resources Office tracks work experience. The State Retirement System tracks retirement service credit. Requests to the State Retirement System must be in writing.

Teacher Evaluation

Teachers in School District Five of Lexington and Richland Counties are evaluated through the Enhanced ADEPT Plan of South Carolina in the following categories:

- Letters of Agreement
- Induction
- Annual Formal/Summative
- Annual GBE
- Continuing GBE
- Continuing GBE, Certificate Renewal Year
- Continuing Formal

Specific information about each of these categories can be found on the District's Intranet under Evaluation in the section reserved for Human Resources, by contacting school administrators, or through the Coordinator of Teacher Evaluation in the Department of Human Resources (803) 476-8197.

Paraprofessional (Instructional Assistants) Requirements

According to Title I of the Elementary and Secondary Education Act (ESEA), all instructional paraprofessionals in Title I schools or targeted assistance programs must complete at least one of the following three requirements:

- (1) At least two years of study (60 semester hours) at an accredited Institution of higher education;
- (2) An associate's degree (or higher);
- (3) An approved state or local academic assessment that measures the paraprofessional's knowledge of and ability to assist in instruction of the following subjects at the appropriate level: ParaPro Assessments (ETS) at www.ets.org. The minimum passing score on this test is 456.

Health Certificates

All employees are required to meet the guidelines for the screening and evaluation of tuberculosis according to District Five policy and South Carolina law. The Department of Health and Environmental Control (DHEC) is authorized to establish guidelines for the evaluation of school employees for tuberculosis as required by the law. The guidelines established by DHEC require that each employee have on file in the Human Resources Office documentation of a PPD tuberculin skin test prior to the first day the employee reports to work. The required form will be

completed by a Health Care Provider and employees will submit a copy of the completed form to the Office of Human Resources following an employment offer. The PPD test can be done at any public health center. All employees are also expected to maintain standards of physical and mental health conducive to the effective and efficient performance of their duties.

Bloodborne Pathogens Plan

The purpose of the Bloodborne Pathogens exposure control plan is to eliminate or minimize employee occupational exposure to blood or certain other body fluids and to comply with the OSHA (Occupational Safety and Health Authority) Blood borne Pathogens Standard, 29 CFR 1910.1030.

The school district is required to perform an exposure determination concerning which employees may be likely to incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). School District Five of Lexington and Richland Counties has determined that the following job classifications may be expected to incur such occupational exposure, regardless of frequency. This plan requires all new employees in the following categories to receive an in-service within 10 working days

of the first day of employment:

- School Health Nurses
- Designated CPR and First Aid Responders
- Teachers and Teacher Assistants in all Special Education classes
- Bus Drivers for students with handicapping conditions
- Teacher and Teacher Assistants in elementary schools.
- Coaches, Trainers, and Physical Education Teachers
- Principals, Assistant Principals, and Coordinators of Student Services
- Secretaries
- Custodians
- Student Nutrition Operators

Leave and Absences

(Policies GCC and GDC)

The continuous presence of employees promotes excellence in the instructional program by ensuring the following:

- Uninterrupted continuity of education
- Greater teacher-student contact time
- Appropriate role-model emulation
- Consistent classroom discipline
- Reduced costs

Therefore, the Board expects employees to be present at work every day. The Board recognizes, however, that certain absences are unavoidable. At such times, employees may take leave in accordance with Policies GCC and GDC and the procedures set forth in the accompanying administrative rules (GCC-R and GDC-R).

Granting Leave

In order to equitably provide a leave policy for all full-time employees of District Five of Lexington and Richland Counties that assures no reduction in benefits, and yet is legally consistent with the provisions set forth in the "Act to Provide Leave for Full-Time Public School Employees" (Section 59-1-400, S. C. Code, 1976), the following provisions are hereby established.

Current Allocation

At the beginning of each contract year, or from the date of employment if hired mid-year, the district will add the total of days the employee can potentially earn

to his/her leave balance. All active full-time employees (working at least 30 hours per week) earn $1\frac{1}{4}$ leave days on the last day of each full month employed as per the leave allocation chart below. Certified part-time employees (.5 FTE or greater) earn $\frac{1}{2}$ of the leave allowed.

Leave days are allocated as follows:

Employment Period	Sick Leave	Personal Leave
Nine Month	5	7
Ten Month	6	7
Eleven Month	7	7
Twelve Month	8	7

A leave day is the same length as the employee's work day. An employee who uses a leave day that has not yet been earned at the time that the employee separates from employment with the District will be required to reimburse the District for that day through a deduction from the employee's final paycheck. If the amount of the employee's final paycheck is insufficient to cover the amount due the District, the employee will be required to write a check to the District for the difference within ten calendar days after the employee's final work day.

Leave Accumulation

An employee who has unused leave days at the end of a fiscal year (June 30) will have those days carried over, up to a maximum of 90 days, which will be paid out at retirement (up to 45 personal and 45 sick days), but only if the employee meets the retirement

eligibility as per the South Carolina Retirement System criteria.

A bonus is paid for leave days over the 90 day balance at the end of each fiscal year at substitute daily rate of pay.

Any full-time employee who has unused leave at the end of a fiscal year and who subsequently becomes a part-time employee will retain accumulated leave.

Employees that transfer to another district may have leave transferred to the new district or state agency as long as that employer will accept the leave days.

Procedures Regarding Absences

An employee will notify his/her immediate supervisor as early as possible when it is necessary for him/her to be absent and enter the leave request into the Infinite Visions Portal (iVisions) for the approval process.

An employee who anticipates taking extended sick leave should submit the request for leave to his/her supervisor at least 30 calendar days prior to the effective date of the leave. The employee should contact the Benefits Department for the appropriate medical leave request forms and further details.

Any employee returning from an extended leave of absence must present a statement from the attending physician certifying the employee's clearance and ability to resume all of his/her full-time job responsibilities to the Benefits

Department prior to returning to work. Any restrictions must be reviewed before a return is allowed. Please also refer to the Family Medical Leave section.

Sick Leave use for family members is defined as caring for (or bereavement of):

- spouse
- son, son-in-law, stepson
- daughter, daughter-in-law, stepdaughter
- mother, mother-in-law, stepmother
- father, father-in-law, stepfather
- brother, brother-in-law, stepbrother
- sister, sister-in-law, stepsister
- grandparents, grandchildren
- guardian, ward or other relative living full-time in the employee's household at the time of illness.
- aunt, uncle, niece, nephew
- cousin

Use of Leave

Personal leave cannot be used during the following periods of the year without written pre-approval from the superintendent:

- the first five student attendance days of the academic year
- the last five student attendance days of the academic year
- in-service days
- three or more consecutive days
- the day before or after the following holidays - Thanksgiving, Winter Break, Spring Break.

Approval for personal leave during these days will be granted for emergencies and unusual circumstances, as determined by the superintendent.

Sick leave days may be used only for personal illness, family illness if the employee is responsible for providing care for the family member, for the birth or adoption of a child, or for a death in the family. The district may require a physician's statement from any employee who is absent for more than three consecutive days using sick leave.

Specifically, the district reserves the right to require that an employee submit a treating physician's statement verifying an illness along with entering the leave in Infinite Visions Portal (iVisions) when the employee has been on sick leave for more than three consecutive working days. The building principal or employee's immediate supervisor has the discretion to request such a statement.

Whenever possible, an employee should submit a written request to use leave to the employee's immediate supervisor for approval at least three work days in advance of the anticipated leave. Employees also should seek to secure a substitute in advance of taking leave. It is required that supervisors must pre-approve the use of three or more consecutive leave days. One-half day is the smallest denomination of leave time that may be taken by an employee, and must be pre-approved in writing by the employee's supervisor.

Enter the absence reason true to the actual reason for the absence. Leave will be used in the following order for medical reasons per the

leave chain system in IVEE:

- (1) Sick Leave
- (2) Personal Leave
- (3) Vacation

Entering personal leave because one is out of sick leave will appear as excessive personal absences.

Family and Medical Leave Act of 1993

The district will approve medical leave requests for eligible employees pursuant to the Family Medical Leave Act of 1993 (FMLA). FMLA requires employers with more than 50 employees in a 75 mile radius to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. Eligible employees are entitled to a maximum of 12 weeks of unpaid FMLA leave in a designated 12-month period. The district has designated a rolling 12-month period, defined as one year from the initial date of a leave granted under the FMLA.

The district will require employees taking leave pursuant to the FMLA to concurrently use the employee's accumulated leave days. Leave pay will not exceed an employee's total amount of earned leave during any 12-month period as defined in FMLA policy.

In order to be eligible for FMLA leave, an employee must have been employed by the district for a minimum of 12 months and have worked for at least 1250 hours during the 12 month period immediately preceding the period that the FMLA leave will

commence. During the 12-week FMLA leave, the district will continue to pay the district's share of the employee's health benefits.

In addition, the district will restore the employee to the same or a similar position under the FMLA. For further information on FMLA, see administrative rules GCC-R and GDC-R.

If an employee does not meet the eligibility requirements, the district may grant non-qualified FMLA leave. An employee requesting medical leave must contact the Benefits Department as soon as possible (within five days) to review the requirements for FMLA or non-qualified FMLA leave.

IMPORTANT NOTICE:

The State Department of Education grants one year's experience for 152 paid days service per school year for 190-day certified employees. If an employee is on medical leave for an extended period of time and does not work 152 day or have leave to cover those days, the teaching certificate cannot be updated for a year's credit.

Return from leave

The district will assign an employee who returns to work the same or similar duties that he/she performed prior to going on leave, if such assignment is in the best interest of the district. If the administration does not consider it to be in the best interest of the district to assign the employee to the position he/she had prior to going on leave or to a similar position, the district will offer the

employee a position for which he/she is qualified. The district will place the employee on the payroll at his/her pre-leave salary status.

Adjustments in pay

Any employee who is absent from work for any reason and who does not have any leave days available will have his/her salary adjusted to reflect a deduction in annual salary computed at the employee's daily rate. Such adjustment will be made in the pay period in which the absence occurs, or in the next pay period, at the district's discretion.

Sick leave bank

The district establishes a sick leave bank that will operate in accordance with the guidelines set forth in administrative rules GCC-R and GDC-R.

Termination for misuse of leave/excessive absence

Regular attendance is critical for all district employees. The district may terminate the employment of any employee who fails to comply with the requirements of board policy GCC or GDC and the accompanying administrative rules, who fails to report to work at the expiration of authorized leave, or who is unable to return to work at the end of a period of approved leave. Any employee who makes misrepresentations regarding a leave, and/or who misrepresents the purpose for which leave of absence is requested or obtained also may be terminated.

An employee who is excessively absent, as determined by the district, may be terminated, other

than an employee who is on approved leave pursuant to the FMLA or non-qualified FMLA. In accordance with the provisions of S.C. Code Ann. Section 59-1-400, the district also will not terminate a full-time employee who is absent with a continuing illness, as documented by a treating physician, for excessive absenteeism so long as the period of absence does not exceed a total of 91 work days.

Any employee who is absent beyond the 12-week period authorized by the medical leave requirements will be required to reimburse the district for all health insurance premiums, unless the employee has: 1) been granted extended leave; and 2) accumulated leave days to cover the absences, in which case the employee will only be required to pay his/her share.

The district is entitled to recover health care premiums paid during the leave if the employee fails to return from leave. However, recovery cannot occur if the employee fails to return because of the continuation, recurrence or onset of a serious health condition or due to circumstances beyond the control of the employee.

The district will not terminate from employment those employees under this policy who have accrued sick leave and who are using it in compliance with this policy. The district will not terminate from employment any such employee during a continuing sick leave of less than 91 work days.

Any employee who has exhausted all available leave may be subject to termination due to misuse of leave or excessive absence.

Vacation

All 240 day full time personnel will earn vacation days at a rate of one day for every 24 working days, for a maximum 10 vacation days per year. These vacation days are in addition to those periods when school is in recess as indicated by the district calendar.

An employee is expected to use vacation days during the fiscal year in which they are earned, but in any case no later than the end of the following fiscal year. Employees will be compensated for up to 20 unused vacation days at separation.

Military Leave

Leave for employees who are enlisted in the U.S. military reserves will be treated in accordance with applicable state and federal law. Up to 15 days are allowed for military training or call to duty, with military paperwork submitted in advance to support the dates per fiscal year. Up to an additional 30 days may be allowed with military orders as per policy.

District Approved Professional Leave

The board believes that it is desirable to provide professional leave in order to attract and retain staff to grow professionally and enhance their service to the schools of the district. The district may grant professional leave to an employee for the purpose of

attending activities designed to enhance competency or to improve the instructional or other programs offered by the district. Such leave will be handled in accordance with the guidelines set forth in administrative rule GCC-R.

Sabbaticals/Academic Leave

The board is committed to the principle of providing opportunities for the professional development of the district's certified staff. Therefore, an unpaid sabbatical leave of absence may, in the district's discretion, be granted pursuant to the guidelines set forth in administrative rule GCC-R.

Workers' Compensation

Coverage

The District provides Workers' Compensation insurance to cover all employees.

Reporting Requirements for Each Employee

Report to a supervisor as soon as possible all injuries or illnesses that occur at work or that are work related. Reports should be filed no later than the end of the day.

Reporting Requirements for Principals and Supervisors to the Benefits Department:

- Employee Incident Report and signed Medical Release
- Employer's First Report of Injury (Form 12-A) is electronically submitted
- The Notice to Provider physician's return to work statement

- Witness Statement (by eyewitnesses and/or others who have knowledge of incident)

Using Specified Providers

Workers' Compensation Insurance will provide medical treatment for employees injured at work because of work. However, district employees must use those providers, physicians, clinics, and others specified by the district. Workers' Compensation will not pay for services rendered by providers not specified by the district, except in emergency situations. Under these circumstances, principals and supervisors are empowered to grant approval for the use of alternate providers. When an employee loses time from work, the district may require that its designated physician examine an employee even though the employee has chosen to seek treatment at his own expense.

Compensation

An injured employee may elect to receive full compensation from the district by using their accrued leave or vacation time. The employee will not receive additional full-time compensation from Workers' Compensation but may be entitled to a reduced payment meeting certain criteria.

PEBA Insurance Coverage and Benefits

School District Five of Lexington and Richland Counties offers all employees in a full-time, permanent position, insurance coverage through the state insurance benefits program, which is administered by the South Carolina Public Employee Benefits Authority (PEBA), Employee Insurance Program division. Insurance options include health insurance, dental insurance, life insurance, long-term disability, and the *Money Plus* pre-tax program.

Part-time certified employees who work at least half time (0.5 FTE) are also eligible for health, dental and vision insurance at rates based on their contract hours. Variable hour employees who have worked an average of 30 hours a week over a monitored measurement period may be eligible for health insurance as per the Affordable Health Care Act.

Other supplemental insurance options, not administered by the State, include life insurance, short-term disability, and cancer policies offered by Colonial Supplemental Life.

All new hire employees eligible for benefits will attend an orientation appointment to review the benefits available to them including insurance coverage(s), retirement election(s), and leave entitlement. Employees receive an *Insurance Benefits Guide* produced annually. The PEBA Employee Insurance Program

website offers further information concerning premiums, provider directories, claim forms (if necessary), etc., and may be found at www.peba.sc.gov. Employees are encouraged to become familiar with what this website has to offer.

***All elements of the District's health insurance plan, including coverage levels, plan options, and eligibility determinations, are in compliance with the Patient Protection and Affordable Care Act. Questions regarding coverage or eligibility not answered by the Insurance Benefits Guide should be directed to the District's Benefits Specialist.**

Health and Dental

Group health insurance options include the State Standard & Savings Health Plans (administered by BlueCross BlueShield of SC). A Tricare supplemental plan is also offered. BlueCross BlueShield of SC also administers the State Dental and Dental Plus Plans.

The employee and employer supplement portions of health and dental premiums paid monthly on behalf of employees can be found on the SC Public Employee Benefit Authority website at: <http://www.peba.sc.gov>

Continuation of group health and/or dental coverage is available to all covered employees and/or their dependents if eligibility for coverage is lost due to a qualifying event. This continuation of coverage is provided through

COBRA (Consolidated Omnibus Budget Reconciliation Act). Details are outlined in the *Insurance Benefits Guide*.

Life Insurance

Full-time employees who elect health insurance receive an employer-funded basic life insurance policy in the amount of \$3,000. Additional life insurance may be purchased through the Minnesota Optional Life Program. Dependent Life Insurance is also offered for an employee's spouse and eligible dependent children.

Employees who are members of the PEBA South Carolina Retirement System or the State Optional Retirement Program are provided an in-service death benefit equal in value to their annual salary the year of their death, provided the employee was employed for one year prior to death. This is also employer funded.

Long Term Disability

Employees enrolled in health insurance receive an employer-funded basic long-term disability policy. For additional coverage, eligible employees may purchase a supplemental long-term disability policy. Standard Insurance Company administers these plans.

Money Plus Program

Money Plus is an Internal Revenue Service-approved benefits program administered by WageWorks (Fringe Benefits Management Company). This program offers tax savings

through the premium pre-tax feature, medical spending account, health savings account and the dependent care spending account.

Employee Assistance Program

An employee may need help when job performance and reliability suffer because of a personal, medical, or family problem. The district has contracted with the South Carolina Vocational Rehabilitation Department to provide free, confidential help for those employees who have personal problems that affect their work performance. A trained professional helps identify the problem and provides services designed to correct it. The following services are provided as needed:

- Counseling and guidance
- Medical or psychological help
- Treatment for alcohol or drug abuse
- Training in personal and social skills designed to help the employee on the job
- Help in matching abilities with job demands
- Referral to other helpful agencies or services

This program is available to every employee and family members ages 16 and above. Participation is voluntary. Confidentiality is guaranteed. To take advantage of this free program, contact the South Carolina Vocational Rehabilitation Department at 896-6322 or 896-6333 for Lexington County or 782-4239 for Richland County. Employees may go to either location.

PEBA Retirement System

All state employees must elect one of the retirement options if they make over \$100.00/month; unless they are in a temporary position, or hold substitute or bus driver only positions (not having any additional supplemental work or funds on file with the S. C. Retirement System administered by PEBA). Employees will contribute 9.00% of their gross income (pre-tax) and the district supplements an additional 5.00% as of 07/01/2017. The district also pays a percentage to cover the administration costs and the one year annual salary death benefit for employees.

The two plans to elect from are either the S. C. State Pension Plan (traditional plan) or the Optional Retirement Plan (ORP), electing one of four vendors for contributions to be invested (Metlife, MassMutual, TIAA-CREF, or Valic).

The employer contribution will be a part of the employee's account if they opt for one of the ORP vendors. It is not a part of an employee's account if they opt for the traditional SCRS pension plan because this plan is a guaranteed retirement pension for the rest of one's life or survivor's life, based on the elected payment option at time of retirement.

The pension plan is a defined benefit plan with additional benefits available (disability & survivor), wherein the ORP plan is a contribution plan subject to

stock market changes. More detailed information is important to understand before making a decision about a retirement election but employees only have 30 days from their date of hire to do so or they will be automatically enrolled in the SCRS traditional pension plan.

The orientation appointment with your Benefits Administrator will offer further details and you may also review the retirement website at www.peba.sc.gov which includes calculations to compare the plans and/or to purchase service time for the traditional plan.

Finance

Payment of Salaries

All employees are paid semi-monthly, on the fifteenth and thirtieth/thirty-first. As a general rule, if the pay day falls on a holiday, or a weekend, the district will pay employees on the last workday prior to the holiday or weekend. All employees will receive their annual contract salaries each month beginning as follows:

- 240-day employees:
Jul. 1 -Jun .30 (24 paychecks)
- 220- 225 day employees:
Aug. 15 –Jul.31 (24 paychecks)
- 190-day employees:
Aug. 31-Aug. 15 (24 paychecks)

If your contract changes to less than 240 days, you will receive your last check for the fiscal year on Jun30 and will not receive another check until August 15 or August 31. If you are a 200-225 day employee and your contract changes to 190 days or less, you will receive your last check for the fiscal year on July 31 and will not receive another check until August 31 of the new fiscal year.

The amount may vary in cases where employees miss work for unauthorized absences, docking or calculations due to status change during a particular pay period. Routine administrative processes will determine deductions.

Direct Deposit is mandatory in School District Five of Lexington and Richland Counties when you are hired. Enrollment in Direct Deposit requires the employee to sign an authorization form specifying the bank to where the deposit will be sent. Required forms are available from the District Payroll Department.

Withholding Tax

(Federal and State)

Employees who have not previously filed with the Payroll Office *Withholding Tax Exemption Certificate* form W-4 must do so before being placed on the payroll. Employees who have filed, but have since experienced a change in exemption status, should file new exemption certificates. Responsibility for accuracy of exemption certificates lies with the employee.

Social Security

As of July 1, 1955, all members of the South Carolina Retirement System were included in the Social Security Program. A copy of each employee's Social Security card must be recorded with Human Resources prior to the employee being placed on the payroll.

Tax-Sheltered Annuity

Payroll deduction is available for employees desiring to participate in a tax-sheltered annuity program or the South Carolina Deferred Compensation Plan. For additional information, contact the District Payroll Department.

District Tort Liability

All employees and agents of the district are protected by a General Tort Liability Policy.

2017-2018 Payroll Schedule

Pay Cycle	Pay Date		Cover Dates			Payroll Due Dates
1	7/14/2017		6/16/2017	6/30/2017		7/5/2017
2	7/31/2017		7/3/2017	7/14/2017		7/19/2017
3	8/15/2017		7/17/2017	7/31/2017		8/3/2017
4	8/31/2017		8/1/2017	8/15/2017		8/21/2017
5	9/15/2017		8/16/2017	8/31/2017		9/6/2016
6	9/29/2017		9/1/2017	9/15/2017		9/20/2017
7	10/13/2017		9/18/2017	9/29/2017		10/4/2017
8	10/31/2017		10/2/2017	10/13/2017		10/18/2017
9	11/15/2017		10/16/2017	10/31/2017		11/3/2017
10	11/30/2017		11/1/2017	11/13/2017		11/15/2017
11	12/15/2017		11/14/2017	11/27/2017		12/4/2017
12	12/29/2017		11/28/2017	12/6/2017		12/8/2017
13	1/12/2018		12/7/2017	12/15/2017		1/3/2018
14	1/31/2018		1/2/2018	1/12/2018		1/18/2018
15	2/15/2018		1/16/2018	1/31/2018		2/6/2018
16	2/28/2018		2/1/2018	2/15/2018		2/19/2018
17	3/15/2018		2/16/2018	2/28/2018		3/6/2018
18	3/30/2018		3/1/2018	3/13/2018		3/20/2018
19	4/13/2018		3/14/2018	3/26/2018		3/26/2018
20	4/30/2018		3/27/2018	4/13/2018		4/18/2018
21	5/15/2018		4/16/2018	4/30/2018		5/3/2018
22	5/31/2018		5/1/2018	5/15/2018		5/18/2018
23	6/15/2018		5/16/2018	5/31/2018		6/5/2018
24	6/29/2018		6/1/2018	6/15/2018		6/19/2018
PAYROLL SCHEDULE FOR 2018 - 2019						
1	7/13/2018		6/18/2018	6/29/2018		7/5/2018
2	7/31/2018		7/2/2018	7/13/2018		7/20/2018

**** Everything must be submitted to the Payroll Department
by 12:00 noon on the appropriate due dates above.**

Instruction

Records and Reports

Employees should give careful study and attention to records and reports. Most of these reports will deal with attendance, grading, and financial matters; therefore, accuracy is paramount. School employees are under bond, the premium for which is paid by the district. Confidentiality of records is to be maintained at all times; it must not be breached in any form of oral or written communication.

Student Progress

Utmost care must always be exercised in evaluating the work of each student. Individual capabilities must be considered. Instructional objectives based on South Carolina learning standards must always be flexible enough to award an acceptable level of individual performance. However, it is imperative that parents are made aware of individual performance and involved in their child's achievement.

Almost as important as the evaluation process is the communication with a student and his/her parents concerning his/her progress or lack of progress. No progress report with a failing grade should be received by a parent without having received prior communication from the teacher. Maintaining lines of open communication with parents to keep them apprised of the achievements of their children is second only to the teaching

process itself. Teachers should maintain a communication log of parent contact and copies of correspondence with parents.

Summer School

Summer school programs are provided for students to earn high school credits. The faculty for summer school programs is employed on a separate contract for the specific summer assignment. Teachers interested in being employed for summer school need to submit a letter of interest to the Chief Student Services Officer for high school assignments and the Director of Secondary Education in the Office of Instruction for middle school assignments.

Copyright

On January 1, 1978, the United States revised the copyright law and PL 94-553 became effective. According to the statute, anyone who violates any of the exclusive rights of a copyright owner has infringed on the copyright and thus is liable for actual damages up to \$50,000 for each violation.

Section 106 of PL 94-553 identifies the five fundamental rights given to copyright owners - the exclusive rights of reproduction, adaptation, publication, performance, and display. Section 107 provides fair use limitations on exclusive right. The section reads as follows:

"Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for

purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;*
- (2) the nature of the copyrighted work;*
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and*
- (4) the effect of the use upon the potential market for or value of the copyrighted work.*

The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors."

In an effort to offer some guidance to users in determining when the principles of the fair use doctrine apply, representatives of educator, author, and publisher organizations met and agreed to guidelines that state the minimum standards of educational fair use with respect to books and periodicals. Representatives of music publishers and music teachers developed guidelines that state minimum standards of educational fair use of music. A committee representing 19 organizations of publishers, librarians, media producers, educators, broadcasters, writers and others concerned with off-air center.

recording developed guidelines for off-air copying. Copies of these three sets of guidelines should be available in each school's media center.

School Attendance By Employees' Children

Any student in grades

Kindergarten – 12 whose parent or legal guardian is an employee of the District may attend another attendance area of the district according to provisions of Board Policy.

Any student whose parent or legal guardian is an employee of the district and lives in another district may attend a District school according to provisions of board policy JFAA.

Permission must be requested in writing annually to the district Chief Student Services Officer. If living outside the district, a written release must be obtained from the outside district.

Complaints About Instructional Materials

Teachers should refer any parent questions or complaints about instructional materials to the school principal. The principal will follow the provisions established according to Board Policy KEC: "Public Concerns and Complaints about Instructional Materials."

Certificate Renewal Regulations

It is now mandatory that districts renew certificates according to the Guidelines for Teacher Recertification documents provided by the Office of Educator

Certification, Recruitment and Preparation in the South Carolina Department of Education. The Certificate Renewal Plan Guidelines and all documents necessary for renewal are located on the Employee Intranet under the Instruction Division. Click on *Professional Development* and then *Certificate Renewal Plan* to review the matrix of options for accumulating points and the forms for each option.

Please remember that colleges do not send transcripts automatically. For transcript credit, the individual employee must request the transcript. Request an official college transcript immediately after grades are posted for completing coursework. Request that the transcript be sent to you. A transcript should not be sent to the State Department of Education or the District Office for renewal credit.

Please note: When using Option 1 for renewal, a transcript must also be included as documentation.

If the educator does not hold a Master's degree, she/he must take at least 3 hours of graduate credit for 60 of the required 120 renewal credits for renewal.

Renewals

It is the educator's responsibility to make sure he/she has all 120 renewal credits to avoid delay of certificate renewal. Educators should check the expiration date on their certificates. Certificate renewals will begin in January of the educator's expiration year.

Educators should submit the completed paperwork and documentation for the total of 120 points to their principal for review and approval. Educators should not meet with the Administrator before the total of 120 points is accumulated. The educator should maintain a file of renewal credits until all points are accumulated and documented; during the spring of the expiration year, the educator meets with his/her Administrator to review documentation and have option form(s) signed. Once completed, the educator contacts the Office of Professional Development for an appointment to complete the renewal process.

When the district certification officer reviews the documentation and determines validity of the total of 120 points, he/she will then renew the educator's certificate through the South Carolina Department of Education's Certification Portal System. Educators now access certificates on the SDE's website. The district will print a copy for the educator's personnel file. The office responsible for certificate renewals is the Office of Professional Development at 803-476-8177.

Beginning with the 2013-2014 school year, middle and high school certified educators are required to complete 2 hours of training in youth suicide awareness for the renewal of credentials in accordance to the Jason Flatt Act. The required 2 hours of training will count towards the 120 renewal credit

points specified in the Department of Education regulations for renewal of credentials.

Submitting Renewal Credits

An educator who is employed in a position that requires educator certification must maintain verification of having earned a minimum of 120 renewal credits through professional development activities that directly relate to the educator's professional growth and development plan, support the goals of the employing educational entity, and promote student achievement.

Certificate Renewal Plan

The following items will be included in the educator's renewal documentation:

1. The educator's professional development plan (GBE) which lists the educator's goals that directly relate to the professional development and growth of the educator, supports the goals of the district or educational entity, and promotes student achievement.
2. All completed Renewal Credit Approval and verification forms for the professional development activities to be used for credit to renew the certificate.
3. Verification/Documentation of successful completion of the professional activities to be used for re-certification. (Documentation must support each option. The South Carolina Department of Education's Renewal Matrix states the necessary

documentation to receive credit.) The educator is responsible for consulting the District Five website for these documents. They are located under the Employee Intranet under the Instruction/ Professional Development Certification Renewal tab.

4. Completed option form for each option used for renewal.

Technology

Proper use of technology can enhance teaching and learning. For our students to be successful in an ever changing and dynamic world they must be:

- Creators
- Communicators
- Collaborators
- Critical Thinkers

Technology is a valuable tool to help our students meet these world class skills. However, it must be used properly to optimize its potential and avoid unintended consequences.

School Board policy IJNDB Use of Technology Resources, provides specific guidance for the proper use of technology. It is important that you become familiar with this policy and fully comply with its tenets. The policy is provided in its entirety on pages 57-62 of the Board Policy section of this Handbook.

Technology – Supplemental Guidelines

The guidelines below expand on or clarify Policy IJNDB – Use of Technology.

While Policy IJNDB provides an excellent framework and overarching guide for the use of technology, there are some additional guidelines and

procedures that must be followed by all District Five employees. These guidelines are provided so the user is aware of the responsibilities he/she must assume. In general, these guidelines require efficient, ethical, and legal utilization of the technology resources.

Privileges

The use of the internet is a privilege, not a right. Violations of these guidelines may result in the loss of internet access privileges and appropriate discipline and/or legal procedures consistent with existing policies and procedures of District Five of Lexington and Richland Counties.

Network Etiquette

The user is expected to abide by the generally accepted rules of network etiquette. Etiquette rules include, but are not limited to, the following:

- The user must be polite. Do not use abusive or harsh language in messages to others.
- Appropriate language must be used. No swearing, use of vulgarities or any other inappropriate language is allowed. Illegal activities are strictly forbidden.
- The user should properly identify himself/herself including their position/title in every email correspondence.
- The user should not reveal his/her personal address or phone number or those of others.

Security

Security on any computer system is a high priority, especially when

the system involves many users. If the user feels he/she can identify a technology security problem he/she must notify the District Director of Technology and his/her school principal.

- The user must not use another individual's account without written permission from that individual.
- The user must not attempt to log on to the internet as a system administrator.
- Users may not share their password (or other person's passwords) with another person or leave an open file or session unattended or unsupervised. Account owners are ultimately responsible for all activity under their accounts.
- Users shall not seek information on, or obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the system or attempt to gain unauthorized access to the system.
- Communication may not be encrypted so as to avoid security review.
- Users should change passwords regularly and avoid easily guessed passwords.
- For security and administrative purposes, the District reserves the right for authorized personnel to review system use and file content including, without limitation, the content of any electronic mail.

Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the internet.

Vandalism

Vandalism may result in the loss of internet access privileges and appropriate discipline and/or legal procedures consistent with existing policies and procedures of District Five of Lexington and Richland Counties. This includes physical damage to any technology device as well as uploading or creation of computer viruses or other actions to slow, harm or disable a specific device, the District network or any other network.

Copyright

The unauthorized installation, use, storage or distribution of copyrighted software or materials on District computers is prohibited.

Cell Phone Usage

The use of cell phones in classrooms is prohibited except during a teacher or teacher assistant's planning or break time. Cell phones should be left off while teachers or teacher assistants are engaged in instruction or when students are in the room, unless prior permission has been obtained from the principal due to an emergency situation.

Social Media

- Employees should assume nothing is confidential on the internet or social media.
- All staff must recognize that they are being continuously observed by students, other employees, parents, and community members, and that their actions and demeanor may impair their effectiveness as an

employee.

- The personal life of an employee, including the employee's personal use of non-District issued electronic equipment outside of working hours (such as through social networking sites and personal portrayal on the internet), will be the concern of and warrant the attention of the Board if it impairs the employee's ability to effectively perform his/her job responsibilities or if it violates local, State, or federal law or contractual agreements. Unprofessional content or conduct on social media sites may subject the employee to disciplinary actions consistent with State law, federal law, and/or Board policy.
- All employees shall maintain a professional relationship with students at all times, both inside and outside of school. Social media must not be used to create relationships with students outside the professional relationship required to perform your job.
- No employee may engage in inappropriate conduct of a sexual nature with a student at any time. This includes electronically through such means as a telephone, cell phone, computer, personal data assistant, or other telecommunication device, including text messaging and social networking.
- Employees should not include any District student in social networking activities or provide students with access to their social networking activities through the internet. Employees should not "friend" District students on the internet or through social networking sites, either by allowing students access to the

employee's site, or the employee accessing the student's site.

- Employees should not share or post on the internet or on personal social networking sites student information, including student photographs, student work, or student activities without the prior approval of the school administration and the student's parent. This prohibition does not apply to sharing student's work or photographs through District approved means that are related to instruction.
- Employees must not conduct non-work related business during work hours. Employees should not access social networking sites, conduct internet searches that are not related to District business, or engage in the inappropriate use of other electronic forms of communication during work hours.

General Use

- Employees and students must use the District network while on school property. Use of mobile "hot spots" or other outside networks is prohibited. (policy JICJ)
- The Chief Finance Officer or designee must approve use of the system for charitable purposes in advance.
- The system constitutes public facilities and may not be used to support or oppose political candidates or ballot measures. (policy KHE)
- Diligent effort must be made to conserve system resources. For example, users should frequently delete E-mail and unused files. The District reserves the right to remove a user account on the system for any reason.

Selected Board Policies

The coding and table of contents used for the School Board Policies of District Five of Lexington and Richland Counties is a nationwide code and format established by the National School Boards Association. For example, the policy for File GCK in the National School Boards Association coding refers to “Professional Staff Assignments and Transfers” in school districts across the United States.

Policies designated with the GB prefix apply to all employees. A GC prefix refers to certified employees, and a GD prefix refers to support staff. A copy of all current District Five policies is available on the District’s website at www.lexrich5.org.

Employment Policies for All Employees:

For complete details of these policies, please refer to the District Five website under the tab “Board of Trustees.”

OPEN HIRING/EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

Code **GBA** Issued **8/08**

Purpose: To establish the basic structure for the hiring of all personnel.

The district is an equal opportunity employer.

As required by applicable state and federal laws, the district will recruit, hire, train, promote and make other employment decisions on the basis of individual merit and without discrimination because of race, religion, color, disability, gender, age, alienage or national origin.

The superintendent will establish guidelines for organization of the teaching, administrative and other certified staff. Through his/her staff, the superintendent will select, hire and promote such staff with approval of the board. The superintendent will select, hire and promote all other district employees. The superintendent will direct the work of support employees.

The district maintains a policy of equal opportunity in the following areas.

- recruitment
- selection and hiring criteria and practices
- transfer and promotion
- demotions, terminations, layoffs and recalls
- compensation
- working conditions
- benefits and privileges of employment
- training

Cf. AC, JB

Adopted 8/19/85; Revised 4/2/90, 3/16/92, 5/3/93, 8/25/08

Legal references:

A. United States Code:

1. Title VII of Civil Rights Act of 1964, as amended, 42 USC 2000e - Prohibits discrimination in employment on basis of race, color, national origin, religion or sex.
2. Section 504(b) of Rehabilitation Act of 1973 - Prohibits recipients of Federal assistance from discriminating in employment of handicapped.
3. Title IX of the Education Amendments of 1972, 20 USC 1681, et seq. - Prevents discrimination on the basis of sex by any educational program or activity receiving federal funds.
4. 42 USC, Section 12101-12213 - Americans with Disabilities Act of 1990.

SEXUAL DISCRIMINATION AND HARASSMENT

Code **GBAA** Issued **9/10**

Purpose: To establish the board's vision for a working environment free of sexual harassment.

Definition of sexual harassment

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature under the following circumstances.

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education
- submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education
- that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment)

Sexual harassment (staff)

The district will not tolerate or condone sexual harassment in the workplace. The board considers sexual harassment to be a major offense which may result in disciplinary action or dismissal of the offending employee.

Unwelcome sexual advances, requests for sexual favors, or other sexual conduct, either verbal or physical, constitutes sexual harassment under the following circumstances.

- The harasser requires the employee to submit to the conduct as an explicit or implicit condition of employment, status or promotion.
- The harasser uses the employee's submission to, or rejection of, the conduct as a basis for an employment decision.
- The harassment substantially interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment.
- The employee's submission to, or rejection of, the conduct is the basis for any decision affecting benefits, services, honors, programs or other available activities.

An employee who feels that he/she is being harassed should immediately report such incident to his/her immediate supervisor or the appropriate personnel department official. Nothing in district policy requires the employee alleging sexual harassment to present the matter to the person who is the subject of the complaint.

The district will promptly and thoroughly investigate all complaints of sexual harassment. All complaints will be confidential and only those persons necessary for the investigation and

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

PAGE 2 - GBAA - SEXUAL DISCRIMINATION AND HARASSMENT

resolution of the complaint will be given information about it. The district prohibits retaliation or reprisal in any form against an employee who has filed a complaint of sexual harassment.

Sexual harassment (students)

The district prohibits sexual harassment of students by district employees, other students or third parties. All students and employees must avoid any action or conduct which could be viewed as sexual harassment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the following occurs.

- Submission to such conduct is made either expressly or implicitly a term or condition of a student's education.
- Submission to or rejection of such conduct by an individual is used as the basis for any decisions affecting a student.
- Such conduct has the purpose or effect of unreasonably interfering with a student's education or creating an intimidating, hostile or offensive school environment.

Any student who feels he/she has been subjected to sexual harassment is encouraged to file a complaint in accordance with policy JI and administrative rule JI-R. All allegations will be investigated promptly and confidentially. The district prohibits retaliation or reprisal in any form against a student who has filed a complaint of sexual harassment.

Any employee or student who is found to have engaged in sexual harassment will be subject to disciplinary action, up to and including termination in the case of an employee, or expulsion in the case of a student. The district will take all other appropriate steps to correct or rectify the situation.

The administration will develop and distribute guidelines which implement the provisions of this policy concerning the reporting, investigation and resolution of complaints of sexual harassment.

Adopted 1/21/91; Revised 4/26/92, 2/1/93, 12/6/93, 5/22/95, 9/22/97, 9/23/02, 8/25/08, 9/27/10

Legal references:

A. Federal statutes:

1. Title IX of the Education Amendments of 1972, 20 USC Section 1681, et seq. - Prohibits discrimination on the basis of sex by any educational program or activity receiving federal funds.

B. Court cases:

1. United States Supreme Court: Jackson v. Birmingham Board of Education, No. 02-1672 (U.S. March 29, 2005).
2. Burlington Northern and Santa Fe Railway v. White, 126 S. Ct. 2405 (U.S. June 22, 2006).

STAFF ETHICS/CONFLICT OF INTEREST

Code **GBEA** Issued **8/08**

Purpose: To establish the basic structure for ethical conduct and the avoidance of conflicts of interest on the part of the district staff.

Staff members will not engage in any activity that conflicts or raises a reasonable question of conflict with their responsibilities in the district.

- No employee will engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.
- An employee will not engage in work of any type where information concerning a customer, client or employer originates from any information available to him/her through school sources.
- A professional employee will not sell instructional supplies, equipment or reference books in the attendance area served by his/her school nor will the employee furnish the names of students or parents to anyone selling these materials.

Nepotism

South Carolina law Section 59-25-10 provides that no board member's immediate family member may be employed as a teacher without the written consent of the board of trustees.

No employee who is an immediate family member (spouse, parent, child, sibling) of a board member/superintendent is eligible for position promotion during the tenure of such board member/superintendent.

When a board member's immediate family member is being recommended for any position in the district, the board member will disclose this to the other board members and recuse him/herself from the vote to hire that employee.

An individual who is a candidate for employment in the district will, upon offer of employment, disclose that he/she has an immediate family member who is an employee of the district.

The district will not place an employee in a position wherein an employee will exercise **direct** administrative or supervisory authority over a member of his/her immediate family. Supervisory authority includes principal and assistant principal in a school. Neither a board member nor an employee may participate in an action relating to the discipline of his/her immediate family member. This rule applies to all levels and categories of certified, administrative and support staff employees in the school district.

This prohibition of employment and/or promotion does not apply to individuals employed and/or promoted prior to the passage of this policy.

State ethics law

A public school employee is under the jurisdiction of the "Ethical Conduct of Public Officials and Employees," Section 8-13-700, et seq. S.C. Code of Laws, and is subject to the rules of conduct of the statute. Such rules include the following.

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

PAGE 2 - GBEA - STAFF ETHICS/CONFLICT OF INTEREST

A public employee must do the following.

- may not use his/her position or office for personal financial gain (Section 8-13-700)
- must report the receipt of anything of value worth \$25 or more under certain circumstances (Section 8-13-710)
- may not receive compensation to influence action (Section 8-13-705)
- may not receive additional monies as payment for advice or assistance given in the course of their employment (Section 8-13-720)
- may not receive anything of value for speaking before a public or private group if the employee is acting in an official capacity (Section 8-13-715)
- may not use government personnel, equipment or materials in an election campaign (Section 8-13-765)
- may not use or disclose confidential information gained in the course of employment (Section 8-13-725)
- may not cause the employment, appointment, promotion, transfer or advancement of a family member to a state or local office or position in which the public official, public member or public employee supervises or manages (Section 8-13-750)
- may not participate in an action relating to the discipline of the public official's, public member's or public employee's family member (Section 8-13-750)
- may not serve as a member or employee of a governmental regulatory commission that regulates any business with which the employee is associated (Section 8-13-730)
- may not represent another person before a governmental entity (Section 8-13-740)
- may not have an economic interest in a contract if the employee is authorized to perform an official function relating to the contract (Section 8-13-775)
- may not use or disclose confidential information in any way that would affect his/her economic interest (Section 8-13-725)

In cases where an employee is required to take action or make a decision which affects himself/herself or other individuals, the employee will take such steps as the Ethics Commission will prescribe to remove him/herself from the potential conflict of interest (Section 8-13-700).

The superintendent must file an annual statement of economic interest with the State Ethics Commission (Section 8-13-1110).

Adopted 11/16/81; Revised 4/6/92, 7/24/00, 8/25/08

Legal references:

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

1. Section 8-13-700, et seq. - State ethics law.
2. Section 59-15-10 - No employee may serve on the county board of education.
3. Section 59-19-300 - A board member may not receive pay as a teacher in same district where he/she serves on the board of trustees.
4. Section 59-31-590 - A teacher may not have pecuniary interest in textbook selection.
5. Section 59-25-10 - Employment of teachers related to board members or serving as board members.

School District Five of Lexington and Richland Counties

STAFF CONDUCT

Code **GBEB** Issued **2/09**

Purpose: To establish the board's vision for appropriate staff conduct.

The board reaffirms one of the oldest beliefs in education, which is "One of the best methods of instruction is that of setting a good example."

The board expects all staff of the district to strive to set the kind of example for students that will serve them well in their own conduct and behavior and subsequently contribute to an appropriate school atmosphere.

To that end, in dress, conduct and interpersonal relationships, all staff should recognize that they are being continuously observed by students and that their actions and demeanor will be reflected in the conduct of students.

The personal life of an employee will be the concern of and warrant the attention of the board only if the employee's actions or conduct adversely impacts the employee's ability to be effective in his/her position with the district or violates local, state or federal law or contractual agreements.

All employees will maintain appropriate professional relationships with students at all times, both inside and outside of school. No employee may engage in any conduct of a sexual nature with a student, without regard to the student's age or the place or manner of the conduct (personal contact, written contact or electronic contact).

No employee will commit or attempt to induce students or others to commit an act or acts of unlawful or immoral conduct which may be harmful to others or bring discredit to the district. If it appears an employee may have violated the law, the district will report the employee's conduct in accordance with applicable state and federal law and will cooperate with law enforcement agencies in any criminal investigation of the matter.

Employees of the district, while on duty and in the presence of students, will not use profanity, will not use tobacco in any form and will not consume or be under the influence of intoxicating beverages. Employees will not possess, use, transfer or sell illegal drugs and also will not transfer or sell any controlled substance..

Any violation of this policy by employees will be grounds for immediate suspension and possible termination of employment. In such cases, an employee will be informed of his/her right to any hearing or due process procedure that may be applicable under law or district policy.

The following list includes some of the actions or conduct by employees that will be considered misconduct while on duty on or off district premises. The district reserves the right to take employment action regarding other acts of employee misconduct in accordance with applicable laws and regulations.

- possessing, using, selling, manufacturing, distributing or dispensing any illegal drugs or alcohol while on duty on or off district property
- fighting or deliberately harming another person
- being absent without approval

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PAGE 2 - GBEB - STAFF CONDUCT

- refusing to follow a supervisor's instructions and directions
- failure to adhere to safety and health rules as established by state law and the district
- destroying school property intentionally
- using profane or offensive language which is unsuitable in the school setting
- engaging in any interaction/activity of a sexual nature or intent with a student
- possessing any type of weapon prohibited under either state law or the district's student code of conduct on school property
- using school property without proper authorization
- behaving in any inappropriate manner to the extent of adversely affecting the employee's ability to perform his/her work
- harassment, intimidation or bullying of a student, another employee or parent
- posting inappropriate personal information and/or pictures on any social networking website which results in a disruption of the school environment or which adversely impacts the employee's credibility or performance

Arrest of an employee

The board delegates specific authority to the superintendent or his/her designee to take appropriate employment action with regard to an employee who has been arrested.

Any employee who is arrested for any offense other than a minor traffic offense is expected to report the arrest to his/her immediate supervisor as soon as possible, and in no case later than three calendar days after the date of the arrest.

- Employees arrested for a misdemeanor offense which would indicate no danger or appearance of danger to students, co-employees or the district will normally not be subject to any employment action pending adjudication.
- Employees arrested for a misdemeanor offense which would indicate a possible danger or appearance of danger to the school district, co-employees or to students will normally be suspended with or without pay, as determined by the superintendent, pending adjudication.
- Employees arrested for a felony offense will normally be suspended with or without pay, as determined by the superintendent, pending adjudication.
- The district reserves the right to take other employment action, including termination, based on the specific circumstances of a situation.

Cf. GBEBB

Adopted 2/9/09

School District Five of Lexington and Richland Counties

STAFF CONDUCT WITH STUDENTS

Code **GBEBB** Issued **2/09**

Purpose: To establish the board's vision and the basic structure for appropriate staff conduct with students.

The relationship between staff members and students in the school district should be one of cooperation, understanding and mutual respect. All employees have the responsibility to provide an atmosphere conducive to learning, which should be accomplished through effective individual and group discipline. All students and staff members will treat each other with respect.

All employees are expected to exercise good judgment and maintain professional boundaries when interacting with students at all times and in all places.

Differences and problems that arise between an employee and student are typically best worked out by conferences between these two persons or between the employee and the parent/legal guardian of the student. However, employees and students should immediately report a violation or perceived violation of the district's nondiscrimination and anti-harassment policy regardless of whether a conference has been held.

Sexual misconduct

Any behavior of a sexual nature between a student and a staff member is strictly prohibited.

No employee may use his/her status as an employee to adversely influence a student of the district. No employee may date, make sexual advances toward or engage in any sexual relationship with a district student, regardless of the student's age, the perceived consensual nature of the relationship, where or how the advances are made or whether the employee directly supervises the student. Further, no employee may discuss or plan a future romantic or sexual relationship with a student. All employees possessing evidence of or witnessing such conduct will report it to the district's Title IX coordinator immediately. Employees who fail to report such conduct in accordance with this policy will be subject to disciplinary action, up to and including termination. After a thorough investigation and depending upon the nature of the charges, the district will take appropriate disciplinary action, up to and including dismissal, and, if necessary, contacting law enforcement officials.

Cf. AC, JB, GBAA, GBEB, JI, JLF

Adopted 2/24/69; Revised 8/1/73, 11/16/81, 2/9/09

Legal references:

A. Federal statutes:

1. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
2. Title IX of the Education Amendments of 1972, 20 USC Section 1681, et seq. - Prohibits discrimination on the basis of sex.

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

1. Section 16-3-655 - Criminal sexual conduct with a minor.
2. Section 16-3-800, et. seq. - Sexual performance by children.

School District Five of Lexington and Richland Counties

STAFF CONDUCT WITH STUDENTS

Code **GBEBB-R** Issued **2/09**

Staff members are expected to use good judgement in their relationships with students both inside and outside of the school environment including, but not limited to, the following guidelines.

- Staff members will not make derogatory comments to students regarding the school, other students and/or other staff.
- The exchange of gifts between staff members and students is discouraged.
- Staff-sponsored parties at which students are in attendance, unless those parties have been approved as part of the school's extracurricular program and are properly supervised, are prohibited.
- Staff members will not fraternize, written or verbally or electronically, with students except on matters that pertain to school-related issues.
- Staff members will use caution and good judgement in posting personal information that may be accessible to students on social networking Web sites.
- Staff members will not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
- Staff members will provide appropriate supervision for students commensurate with their assigned duties and responsibilities.
- Staff members will not send students on personal errands or ask or permit students to perform personal tasks.
- Staff members will not transport students in their personal vehicles, unless previously approved in writing by the appropriate administrator.
- Staff members will not sign students out of class except for school-related reasons.
- Staff members will, in accordance with law and board policy, immediately report to their immediate supervisor and to the appropriate authorities any suspected signs of child abuse or neglect.
- Staff members will not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance.
- Staff members will not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.
- Dating between staff members and students is prohibited and will result in dismissal.

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

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- Staff members will not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
- Sexual relationships with students, regardless of age and/or consent, are prohibited and will result in dismissal.

Issued 2/9/09

GIFTS TO AND SOLICITATIONS BY EMPLOYEES

Code **GBEBC** Issued **4/09**

Purpose: To establish the basic structure regarding solicitation by employees and the giving of gifts to employees.

Selling items for personal profit

In the interest of preserving a completely professional relationship between employees of this district and those whom they serve, the board will not permit district employees to sell on district premises for personal profit products of any kind to other employees or students or patrons of the school in which they work.

Soliciting of employees

No organization may solicit funds from staff members within the district and the schools nor may they distribute flyers or other materials related to fund drives through the district and the schools without the approval of the superintendent or his/her designee. Staff members will not be made responsible or assume responsibility for the collection of any money or distribution of any fund drive literature within the district or the schools without such activity having approval of the superintendent or his/her designee.

As a matter of policy, the board expects such activities to be kept to a minimum. The superintendent will seek direction from the board in instances where prior practice has set no policy as to a particular fund drive.

Gifts from staff members to staff members

Individual staff members should generally refrain from giving gifts to staff members who exercise any administrative or supervisory jurisdiction over them, either directly or indirectly. Generally, the board discourages collection of money for group gifts except in special circumstances such as bereavement, serious illness or for mementos at retirement.

Gifts to staff members

Any good school system expects to employ staff members who are ethical in their relationships with students, parents, other school personnel and all companies with whom the district does business.

The board discourages the giving of gifts by students to staff members. Consistent with State Ethics Commission guidelines, staff members should not accept personal gifts, bonuses, or gratuities from companies who do business with the district. Exceptions to this policy are the acceptance of minor items which are generally distributed by the company or organization through their public relations program.

Adopted 9/16/74; Revised 11/16/81, 4/27/09

Legal references:

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

1. Section 8-13-100, et seq. - Ethics, government accountability and campaign reform.
2. Section 8-15-10, et seq. - Local or local and state officers and employees generally.
3. Section 16-17-420 - Prohibits activities that disturb school.

School District Five of Lexington and Richland Counties

DRUG AND ALCOHOL FREE SCHOOLS/WORKPLACE

Code **GBEC** Issued **4/09**

Purpose: To establish the basic structure to ensure the board's vision of a school environment free of drugs and alcohol.

The school district is committed to providing a drug and alcohol free learning environment and workplace. Drug and alcohol abuse at school or in connection with school-sponsored activities on or off school grounds threatens the health and safety of our students and our employees and adversely affects the educational mission of the schools.

Employees

No employee will unlawfully manufacture, distribute, dispense, possess or use any drug on or in the workplace. "Drug" means any of, but not limited to, the following.

- narcotic drug
- hallucinogenic drug
- amphetamine
- barbiturate
- marijuana
- any other controlled substance as defined by the act and regulation cited below, other than a valid prescription in an employee's possession for personal use only

"Workplace" means the site for the performance of work including, but not limited to, the following.

- any school building
- any school premises
- any school-owned vehicle
- any other school-approved vehicle used to transport students to and from school or school activities

It also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event where students are under the jurisdiction of the school district or where work on a federal grant is performed.

As a condition of employment, each employee will notify his/her supervisor of his/her conviction of any criminal drug statute for a violation occurring in the workplace as defined above. The employee must notify the supervisor no later than five days after such conviction.

As a condition of employment, each employee must abide by the terms of the school district policy respecting a drug-free workplace.

An employee who violates the terms of this policy may be subject to a requirement of satisfactory participation in a drug abuse assistance program. An employee who violates the terms of this policy may be subject to disciplinary action including, but not limited to, nonrenewal, suspension or termination at the discretion of the board.

The board will take such action in accordance with district policies and regulations as well as applicable state and federal law.

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The board directs the administration to establish a drug-free awareness program in the district to include information on the dangers of drug abuse in the workplace, the district's policy on a drug-free workplace and any drug counseling available to employees as well as any available rehabilitation and employee assistance programs.

Students

No student, regardless of age, will possess, use, sell, purchase, barter, distribute or be under the influence of alcoholic beverages or other controlled substances in the following situations.

- on school property (including buildings, grounds, vehicles)
- at any school-sponsored activity, function or event whether on or off school grounds (including any place where an interscholastic athletic contest is taking place)
- during any field trip
- during any trip or activity sponsored by the board or under the supervision of the board or its authorized agents

No student will aid, abet, assist or conceal the possession, consumption, purchase or distribution of any alcoholic beverage by any other student or students in any of the circumstances listed above.

No student will market or distribute any substance which is represented to be or is substantially similar in color, shape, size or markings of a controlled substance in any of the circumstances listed above.

All principals will cooperate fully with law enforcement agencies and will report to them all information that would be considered pertinent or beneficial in their efforts to stop the sale, possession and use of controlled substances.

The administration will suspend students who violate this policy and the board may expel them. The board intends to expel all students who distribute any controlled substance on school grounds.

(Cf. JICH; also ADB)

Adopted 1973; Revised 3/29/82, 4/26/86, 11/12/90, 1/21/91, 4/26/92, 2/1/93, 12/6/93, 5/22/95, 9/22/97, 9/23/02, 4/27/09

Legal references:

A. Federal statutes:

1. Drug-Free Workplace Act 102 Stat. 4305-4308.
2. Controlled Substances Act (21 U.S. C. 812) - Schedules I through V of Section 202.

B. Federal regulations:

1. 54 F.R. 4946 (1/31/89) - Relating to the Drug-Free Workplace Act.
2. 21 CFR 1300.11 through 1300.15 - Defining controlled substances.

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

(Alcohol)

1. S.C. Constitution Article XVII, Section 14 - Must be over 21 to possess distilled liquors.

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2. Section 16-17-530 - Students who come to school in an intoxicated condition or conduct themselves in a disorderly or boisterous manner could be arrested for a misdemeanor.
3. Section 59-67-150 - Drinking alcoholic liquors on a school bus is prohibited.

(Drugs)

1. Section 44-53-110, et seq. - Lists of illicit drugs.
2. Section 44-53-140 - Student addicted or dependent upon a drug may seek counseling concerning treatment or therapy from a guidance counselor or teacher without fear of legal action.
3. Section 44-53-370 - Unlawful for any person to possess scheduled drug unless obtained by valid prescription.
4. Section 44-53-440 - Person over 18 who distributes a controlled substance to person under 18 shall be guilty of felony and sentenced to no more than 20 years with no suspension or probation.

TOBACCO-FREE SCHOOLS/WORKPLACE

Code **GBED** Issued **4/09**

Purpose: To establish the basic structure for tobacco-free schools/workplace.

The district does not permit the use of tobacco products in any district building or vehicle or on any district grounds. This "tobacco-free" designation applies not only to normal school/office hours, but also to any extracurricular, before or after school or even unscheduled activity or event.

The board directs the administration to ensure that signs designating a tobacco free campus are conspicuously displayed. The principal of each school is responsible for the display of these signs.

The district will make educational materials and/or referral networks related to the harmful effects of tobacco use or cessation products available to all employees as appropriate.

Violation of this policy could lead to disciplinary action or the district may subject employees who violate the provisions of this policy to sanctions that include, but are not limited to, verbal or written reprimand and referral to appropriate community and statewide programs.

(Cf. JICG)

Adopted 1/21/95; Revised 4/26/92, 2/1/93, 12/6/93, 8/15/94, 5/22/95, 8/21/95, 9/22/97, 9/23/02, 1/9/06, 4/27/09

Legal references:

A. United States Code:

1. 20 U.S.C. 6081 - Pro-Children Act of 1994.

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

1. Section 44-95-10 et seq. - Clean Indoor Air Act of 1990 and penalties for violations.
2. Section 16-17-490 - Contributing to the delinquency of a minor (school board rules and regulations may be exempt under certain circumstances).
3. Section 16-17-500 - Supplying minors with tobacco or cigarettes.
4. Section 59-67-150 - Qualifications of bus driver; drinking or smoking on bus.
5. Sections 16-17-500 and 501 - Youth Access to Tobacco Prevention Act of 2006.

School District Five of Lexington and Richland Counties

TOBACCO-FREE SCHOOLS/WORKPLACE

Code **GBED-R** Issued **4/09**

Although smoking is a personal habit, the district believes the use of tobacco products is detrimental to the health of students and staff and also contrary to the board's objective to teach and model appropriate health habits and values. Therefore, the district will follow certain procedures to bring about tobacco-free schools/workplace.

The superintendent's designee is responsible for informing all district office department heads and administrators of this tobacco-free schools policy. School administrators have the same responsibility for appropriately informing their staffs and the students.

Educational materials related to the harmful effects of tobacco use will be made available to all employees and students by the superintendent's designee and principals, respectively.

The district will work with other agencies to identify tobacco-use cessation seminars and other services for employees and students. (Agencies which may be used include, but are not limited to, the American Lung Association, American Cancer Society, American Heart Association, South Carolina Tobacco Collaborative and South Carolina Department of Health and Environmental Control).

Based on the severity of policy violation, the system of progressive discipline may be modified so as to permit any sanction deemed appropriate by the district up to and including termination. If the policy is not followed, the following sanctions will be sequentially invoked without consideration for annual cycles.

Employees

- *First offense* - Written reprimand and a referral to a tobacco use cessation program. A copy of the reprimand is placed in the employee's personnel file.
- *Second offense* - A second offense is considered insubordination and the employee will have a conference with the chief human resource services officer. The employee will also be required to attend a tobacco-use cessation program sponsored by the district.
- *Subsequent offenses* - Will result in other sanctions up to and including a recommendation for termination.

The superintendent or his/her designee reserves the right to impose any disciplinary sanction deemed appropriate, dependent upon the facts and circumstances of an individual violation of this policy.

Students

Sanctions will follow the district's student behavior code.

Issued 8/21/95; Revised 4/27/09

School District Five of Lexington and Richland Counties

WEAPONS

Code **GBGBA** Issued **4/09**

Purpose: To establish the basic structure for the board's prohibition of employee possession of weapons.

The board believes that the possession, handling, storage or use of a dangerous weapon by employees is detrimental to the safety and welfare of other staff members, students and the general public.

Possession, handling, storage or use of any weapon on school or district office grounds or in school buildings and in all vehicles parked on school or district office grounds is prohibited at all times, except in those cases where the employee is a deputized law enforcement officer who has been issued a weapon and who has been granted permission by the district superintendent or his/her designee to bring the weapon onto school/district grounds.

Any other district employee who has a current concealed weapons permit and who wishes to carry a weapon onto district property must have prior permission from the district superintendent. In considering whether to grant an employee's request to carry a concealed weapon onto district property, the superintendent will consider whether the employee has presented special circumstances indicating a need to bring the weapon onto district property. The superintendent also will have the authority to place parameters on where the employee may secure the weapon, e.g. in a locked vehicle.

The term "weapon" includes, but is not limited to, all guns, knives having blades longer than two inches, knives of which the blades are opened by the flick of a button or pressure on the handle and other devices having sharp points or edges and explosive or incendiary devices of any kind. The term "dangerous weapon" does not include any tools or equipment properly used in the legitimate course of school business.

The possession or use of a dangerous weapon will result in disciplinary action ranging from reprimand to discharge depending on the nature of the violation. Further, the district may notify the appropriate law enforcement authorities in accordance with South Carolina law.

Adopted 4/26/92; Revised 2/1/93, 5/22/95, 9/22/97, 9/23/02, 4/27/09

Legal references:

- A. United States Code:
 - 1. 20 U.S.C. 7151 - Gun-Free Schools.
- B. U.S. Supreme Court Cases:
 - 1. New Jersey v. T.L.O., 469 U.S. 325 (1985.)
- C. S.C. Code, 1976, as amended:
 - 1. Section 59-19-90(3), (5) - General powers and duties of trustees.
 - 2. Section 59-63-370 - Definition of a weapon.
 - 3. Section 16-23-430 -Carrying weapons on school property

School District Five of Lexington and Richland Counties

STAFF CONCERNS, COMPLAINTS/GRIEVANCES

Code **GBK** Issued **5/07**

Purpose: To establish the basic structure for orderly and expeditious resolution of staff concerns, complaints and grievances.

Introduction

In the interest of effective personnel management, the board recognizes the necessity for a procedure providing prompt and effective means of resolving differences that may arise among employees and between employees and administrators. Such procedure will be available to all permanent employees of the district. To fully assure consistency in regard to both horizontal and vertical lines of administrative authority, the district's current table of organization should be rigidly followed in the initial grievance complaint (Level One only).

A grievance will be defined as follows.

... A disagreement involving the work situation in which an individual or group of individuals believes that an injustice has been done because of lack of policy, or because of a policy that is unfair, deviation from or misapplication of interpretation of a policy. The development of a new salary schedule is not a grievance.

Any employee complaint or concern that does not meet the definition of a grievance as set forth in this policy will not be processed under this policy. District administration will have the discretion to determine how to handle such employee concerns or complaints.

The stated purpose of this procedure is to settle personnel grievances at a level as close as possible to their point of origin. Proceedings should be kept informal and confidential, whenever possible, with the objective of resolving the matter at the lowest possible administrative level.

It is important that grievances be settled as quickly as possible; therefore, there will be no extension of the prescribed time for moving through the grievance procedure except upon a compelling showing of good cause. Any request for an extension of time will be to the district chief human resource services officer, whose decision about the request for extension will be final.

Level One

Step 1

Any employee having a grievance will within 10 working days of the incident/issue resulting in the grievance first orally discuss such grievance with his/her immediate supervisor.

Step 2

If discussion at Step 1 does not resolve the matter to the satisfaction of the employee, such employee will have the right to present the grievance in writing to the building principal or site supervisor. This must be done within 10 working days after completing Step 1 above. Failure to do so will mean that the grievance no longer exists. The written grievance will consist of a concise statement of the facts upon which the grievance is based and a reference to the specific provision of the policy in question. A copy of such grievance will be filed with district chief human resource services officer. The employee will have the right to include in the appeal a

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request for a hearing before the building principal or site supervisor. Such a hearing will be conducted within 10 working days after the principal's or site supervisor's receipt of such request, and the aggrieved employee will be advised in writing of the time, place and date of such hearing.

The building principal or site supervisor will take action on the grievance within 10 working days after the receipt thereof or, if a hearing is requested, within 10 working days after the conclusion of said hearing. The action taken and the reasons for the action will be reduced to writing by the building principal or site supervisor and copies sent to the grievant and the district chief human resource services officer.

Level Two

Step 1

If the decision of the building principal or site supervisor does not resolve the grievance to the satisfaction of the employee, or if no decision is made within the allotted time, the grievant may appeal in writing to the district chief human resource services officer. Failure to file such appeal within 10 working days from the grievant's receipt of the written memorandum of the principal's or site supervisor's decision will be deemed a waiver of the right of appeal. The employee will have the right to include in the appeal a request for a hearing before the chief human resource services officer. Such a hearing will be conducted within 10 working days after the chief human resource services officer's receipt of such request, and the aggrieved employee will be advised in writing of the time, place and date of such hearing.

The chief human resource services officer will take action on the grievance within 10 working days after the receipt thereof or, if a hearing is requested, within 10 working days after the conclusion of said hearing. The decision and the reasons thereof will be reduced to writing and copies sent to the grievant and the building principal or site supervisor.

Step 2

If the decision of the chief human resource services officer does not resolve the grievance to the satisfaction of the employee, or if no decision is made within the allotted time, the grievant may appeal in writing to the superintendent and in the appeal may request that the superintendent schedule a hearing on the matter. Failure to file such an appeal within 10 working days from the grievant's receipt of the written memorandum of the chief human resource services officer's decision will be deemed a waiver of the right of appeal.

If the employee requests to be heard by the superintendent, the superintendent will schedule a hearing within 10 working days after receipt of the appeal.

The superintendent will render a decision on the matter within 10 working days after receipt of the appeal or, if a hearing is requested, within 10 working days after the conclusion of said hearing. The decision and the reasons thereof will be reduced to writing and copies sent to the grievant and the building principal or site supervisor and the chief human resource services officer.

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Level Three

Step 1

If the action taken by the superintendent does not resolve the grievance to the satisfaction of the grievant, he/she may request in writing that the superintendent notify the board of trustees of the grievant's wish to be heard by the board. Any such request must include a brief statement of the questions to be presented to the board, including specific reference to the applicable policy or policies. Failure to file such a request with the superintendent within 10 working days after receipt of the superintendent's decision on the grievance will cause the decision of the superintendent to become the final judgment in the matter.

Upon receiving the grievant's request to be heard by the board, the superintendent will, at the next regularly scheduled meeting of the board, deliver in executive session to the board the grievant's request to be heard together with copies of all correspondence and decisions from Levels One and Two. After examining these materials, the board may or may not grant the request.

Written notice of the board's decision on whether to grant the request will be rendered within 15 calendar days of the board's receipt of the request. If the board decides to hear the matter, it will, if at all possible, make every effort to schedule the hearing at the next regularly scheduled meeting of the board; the grievant will be given written notice of the date, time and place of such a hearing. Copies of the board's decision will be sent to the grievant, superintendent and building principal or site supervisor and the chief human resource services officer.

Step 2

Grievance hearings before the board will be non-adversarial and as informal as possible. Any hearing by the board will be held in executive session unless it is requested in writing by the grievant that it be held in public session. The hearing will proceed with the grievant presenting his/her position first, followed by a response from the district administration. The grievant will not have the right to call witnesses during his/her presentation, but will be permitted to provide witness statements and any other documents for the board's consideration. Following the presentations, the board will deliberate upon the matter in executive session and will then make a decision on the grievance in open session. The board's decision will also be sent in writing to the grievant and to the superintendent within 10 working days following the grievance hearing.

General provisions

All notices to be given under this procedure by the district administration should be served by certified mail, return receipt requested.

At Level One/Step 1 there will be no representation. At Level One/Step 2 the grievant may be represented by a colleague or friend also employed by the district. At Level Two the grievant may have representation of his/her choosing exclusive of legal counsel. At Level Three the grievant and administration may be formally represented for the first time by legal counsel. Such a counselor must be admitted to the practice of law in South Carolina and a member in good standing of the South Carolina State Bar. The district will not provide counsel for the grievant. If the grievant chooses to be represented by legal counsel at Level Three, written notice to the superintendent of that intent must be given not later than 15 calendar days prior to the scheduled date of the hearing before the board. Failure to give such notice could result in postponement of the hearing.

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No person will be the object of administration reprisal, sanction or penalty of any kind for either activating or participating in the grievance procedure.

Any grievance involving potential violation of the Americans with Disabilities Act (ADA) should be referred to the Americans with Disabilities Act coordinator.

Adopted 8/15/77; Revised 5/3/93, 5/29/07

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

Code **GCK** Issued **2/10**

Purpose: To establish the basic structure for the assignment and transfer of professional staff in the district.

Assignment

In order to ensure the highest quality of instruction, the superintendent is responsible for the placement of employees within the district. The superintendent may delegate the responsibility of the placement process to other administrators; however, he/she ultimately retains responsibility for staff assignments.

It is the policy of the district to assign instructional personnel to positions based on the needs of the district, qualifications of staff members and the expressed preferences of personnel. When it is not possible to meet all three of these components, the administration will assign employees in the following order: in accordance with the needs of the district and its students; where the administration believes the employee is most qualified to serve; and the expressed preference of the employee. The superintendent or his/her designee is authorized to reassign all personnel in the best interest of the district.

Placement of personnel at the school level is within the discretion of the building principal.

Transfer

Personnel transfer within the district may be affected on a voluntary or involuntary basis. Voluntary transfer occurs as a result of an individual's request for assignment to another school. Involuntary transfer may be required when a school's enrollment changes; programs are eliminated, modified or added; or a school opens or closes.

With regard to both voluntary and involuntary transfers, personnel will be assigned first in accordance with the needs of the school district, second where the administration believes that the employee is best qualified to serve, and third as to the expressed preference of the employee. Academic or long-term disability leave will not be construed as an interruption of continuous service; however, this leave time will not be included in the calculation of length of service to the district.

The superintendent is authorized to transfer personnel in the best interests of the district. Employees may be transferred at any time.

Adopted 5/20/74; Revised 11/16/81, 1/25/88, 6/20/88, 9/25/06, 2/22/10

Legal references:

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

1. Section 59-25-410 - Teacher to be notified of assignment by August 15th.

School District Five of Lexington and Richland Counties

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

Code **GCK-R** Issued **12/10**

Personnel transfers within the district may be affected on a voluntary or involuntary basis. The superintendent or his/her designee may make personnel assignments within the district on a voluntary or involuntary basis.

Voluntary transfer

Voluntary transfer occurs as a result of an individual's request for assignment to another school. Whenever vacancies develop in new or existing positions, consideration will be given to qualified applicants among current staff members. If an employee would like to be considered for a lateral transfer, the following procedure will be used.

- The person desiring a transfer for the next academic year must discuss it with his/her principal/director (if in a school) or with his/her immediate supervisor (if on the district level).
- The person must then complete a request for transfer form. Request for transfer forms are issued in early January with a deadline for submission to the chief human resource services officer.

When a vacancy for which the person qualifies exists in the school to which the transfer is requested, the person's name will be referred to the principal who will schedule an interview with him/her. Transfer requests will not be made after May 15 in order to ensure stability in school staff for the coming year.

Based upon the recommendation of the site supervisor (and/or other immediate supervisors involved), the normal hiring process will occur.

Involuntary transfer/reassignment

Involuntary transfers may be required when a school's enrollment changes; programs are eliminated, modified or added; or a school opens or closes. If, in the opinion of the superintendent, a transfer would be in the best interest of the district, the superintendent or his/her designee will advise the site supervisor and the employee of the transfer and confirm the reassignment in writing to the employee. Refusal to comply with the transfer may be grounds for dismissal.

In the event that involuntary transfers would be in the best interest of the district, the superintendent will adhere to the following guidelines.

- The superintendent is not limited to considering for involuntary transfers only positions in a particular school, area or program in which the loss of enrollment, program change or financial emergency has occurred.
- The superintendent will determine the appropriate weight to give to these factors depending on the needs and circumstances of the district. Length of service in the district will be a consideration only where the need arises to choose for involuntary transfer among employees considered by the administration to be equally competent in their performance.

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Once the board has approved the elimination of the specified positions or changes to be made in programs, the superintendent will use specific criteria to select employees who are to be considered for involuntary transfer. The superintendent will make the decisions based on the following criteria and in compliance with board policy GCQA/GCQB Professional Personnel Reduction in Force.

- The superintendent will make a recommendation to the board based on first, the contract level according to state law, and the remaining criteria in no particular order.

Certified personnel

- contract level achieved (according to state law)
 - quality of instruction
 - certification area and/or type
 - degrees earned
 - certification in other areas which may be available
 - qualification and ability as determined by district evaluation procedures
 - attendance record
 - principal or supervisor's recommendation
 - extracurricular needs of the schools
 - total years of administrative, teaching and/or paraprofessional experience in the district
 - any other factor considered appropriate by the superintendent
- The superintendent or his/her designee will discuss the need for the reassignment with the employee's current site supervisor and with the site supervisor of the position and/or school to which reassignment is being contemplated and the qualifications possessed by a person filling the vacancy.

The chief human resource services officer will identify and list all employees who would be eligible for transfer based on the needs of the program in his/her school and in the school where the vacancy exists, as well as the qualifications of the person needed to fill that vacancy.

The principal will meet with the person being transferred to give the reason for the change and establish a date for the transfer.

In the event that student enrollment increases or programs are replaced or reinstated for the next academic year at a school from which a person was involuntarily transferred, he/she will be given priority consideration if he/she wishes to return to the original school. In that case, the person will follow procedures specified for voluntary transfer.

Transfers will not be used as a means of disciplinary action. Transfers for promotion may be exempt from this policy.

Issued 5/20/74; Revised 11/16/81, 6/20/88, 9/25/06, 12/13/10

TUTORING FOR PAY

Code **GCRD** Issued **12/09**

Purpose: To establish the basic structure regarding district staff tutoring students for payment.

A teacher may enter into an agreement with parents/legal guardians for tutoring children for a fee. This practice must be limited to children other than those for whom the teacher is currently exercising teaching, administrative or supervisory responsibility. These restrictions are to assure all students reasonable assistance without charge from their own teachers, as well as to avoid placing a teacher in a position where he/she may have a conflict of interest.

A teacher may not tutor any student for pay during his/her regular working hours or on school premises.

These agreements are between the parents/legal guardians and the teachers and the district assumes no responsibility for monitoring these activities.

Adopted 12/14/09

Legal references:

- A. S.C. Code, 1976, as amended:
 - 1. Section 8-13-700 - Use of facilities for private gain.

PROFESSIONAL PERSONNEL REDUCTION IN FORCE

Code **GCQA/GCQB** Issued **2/10**

Purpose: To establish the basic structure for any needed reduction in professional staff.

General statement of policy

Under South Carolina law, the board is responsible for maintaining good public elementary and secondary schools. The board is also responsible for implementing the educational interests of the state. The board's primary consideration is the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the school district. The board recognizes, however, that in carrying out its responsibility, it may become necessary to eliminate staff positions in certain circumstances. Therefore, the board adopts this policy to provide a fair and orderly process should such reductions in force become necessary.

Reasons for elimination of staff positions

The board has the sole and exclusive prerogative to eliminate staff positions consistent with the provisions of state statutes and laws. This elimination should not result in a failure in its duty to implement the educational interests of the state and to provide good public elementary and secondary schools.

The board may find it necessary to eliminate staff positions because of decreases in student enrollment, changes in curriculum, financial exigency or other circumstances as determined by the board.

Definitions (as used in this policy)

- Days - calendar days
- Certified personnel - any employee of the district who holds a certificate issued by the South Carolina State Department of Education and is employed in a teaching or administrative position below the rank of superintendent
- Supportive personnel - any employee who is not required to hold a certificate issued by the state department of education
- Financial exigency - any significant decline in the district's financial resources that is brought about by the decline or anticipated decline in enrollment or by other actions or events that compel a reduction in the schools' current operations budgets
- Change in curriculum - any elimination, curtailment or reorganization of a curriculum offering, program or school operation, or a reorganization or consolidation of two or more individual schools that are unrelated to financial exigency

Procedures

Once the board (after consulting with the superintendent) has determined that a reason for elimination of positions as set forth in this policy exists, the superintendent will, after

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considering the possibilities set forth in the following procedures, determine which positions must be eliminated. The superintendent will present his/her recommendations to the board for approval.

- Before it begins action to terminate employment under this procedure, the board will consider its ability to eliminate positions and/or reduce staff through the following.
 - voluntary retirement
 - voluntary resignation
 - transfer of staff members to existing vacancies
 - voluntary leaves of absence
 - salary reductions
 - part-time employment
- In the event further reduction is required, the board will adhere to the following guidelines.
 - Reduction in force will be on a districtwide basis. Therefore, the superintendent is not limited to considering for RIF termination only positions in a particular school, area or program in which the loss of enrollment, program change or financial emergency has occurred.
 - The superintendent will determine the appropriate weight to give to these factors depending on the needs and circumstances of the district. Length of service in the district will be a consideration only where the need arises to choose for termination among employees considered by the administration to be equally competent in their performance.
 - Once the board has approved the elimination of the specified positions or changes to be made in programs, the superintendent will use specific criteria to select employees who are to be considered for nonrenewal. The superintendent will make a recommendation to the board based on first, the contract level according to state law, and the remaining criteria in no particular order.

Certified personnel

- contract level achieved (according to state law)
- quality of instruction
- certification area and/or type
- degrees earned
- certification in other areas which may be available
- qualification and ability as determined by district evaluation procedures
- attendance record
- principal or supervisor's recommendation
- extracurricular needs of the schools
- total years of administrative, teaching, and/or paraprofessional experience in the district
- total years of administrative and/or teaching experience
- any other factor considered appropriate by the superintendent

Notice to individual staff member

If, after considering the superintendent's recommendation, the board acts to terminate employment of a staff member, the board will give written notice of that decision to the "affected

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employee.” The superintendent will send the written notice by certified mail, return receipt requested. The notice will include a statement of the conditions requiring termination of employment.

The district will assume that the staff member’s address as it appears on the school district record is the correct address. It is the staff member’s responsibility to see that the district has his/her current address on file.

Review of individual terminations

A staff member may request a review of the board action, provided such request is made within 10 calendar days after his/her receipt of the notice of termination. The only purpose of the review will be to determine whether the decision to terminate was arbitrary or capricious or generated by ill will, fraud, collusion or other such motives with respect to that individual.

The request for review must be in writing and addressed to the chairman of the board. The request must clearly state the ground on which the staff member contends the decision was arbitrary or capricious or generated by ill will, fraud, collusion or other such motives. The request must include a short, plain statement of facts that the staff member believes supports the contention.

The board will hold a hearing within 30 calendar days after they receive the request. The board will give the staff member at least a five-day notice of the hearing.

The board will conduct the hearing informally, in public or in private as the staff member may wish. The staff member and the superintendent may each be accompanied by legal counsel. The board will consider only the evidence that is presented at the hearing. The board will only consider the evidence that it considers fair and reliable.

After the presentation of evidence, the board will consider the matter in executive session. The burden is on the staff member to satisfy the board by clear and convincing evidence that the decision to terminate was arbitrary or capricious, or generated by ill will, fraud, collusion or other such motives.

If the board determines that the staff member did not establish his/her contention, it will, by simple unelaborated statement, notify the staff member and the superintendent. Such a determination finally confirms the decision to terminate. If the board determines that the staff member’s contention has been established, it will inform him/her and the superintendent by a written notice that states what corrective action must be taken.

Obligations with respect to re-employment or other employment

For two years after the effective date of a termination pursuant to this policy, the board will not replace the staff member whose employment has been terminated without first offering the position to the terminated staff member. The board’s designee will make the offer by certified mail, return receipt requested. The board’s designee will notify the staff member that he/she must submit written acceptance within 15 calendar days. Failure to make written acceptance within 15 calendar days or rejection of the position eliminates all re-employment rights of the staff member.

If the staff member is recalled within two years, the district will restore any sick leave and unused portion of personal leave he/she had accrued on the effective date of the layoff.

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If the staff member whose employment has been terminated requests assistance, the school district will give him/her reasonable assistance in finding other employment.

Exclusive RIF procedure

This RIF procedure is the only procedure that may be used in a reduction in force. Any existing procedure for reconsidering or examining an employee discharge, non-reappointment or grievance is not available for consideration as an issue that arises from reduction in force. Similarly, no other personnel action other than a reduction in force may be considered under this RIF procedure.

Adopted 1/13/03; Revised 2/22/10

Legal reference:

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

1. Section 59-19-90 - General powers and duties of school trustees.
2. Section 59-25-415 - Rehiring of employees for economic reasons.

SUPPORT STAFF SUPPLEMENTARY PAY/OVERTIME

Code **GDBC** Issued **2/10**

Purpose: To establish the basic structure for district compliance with the Fair Labor Standards Act (FLSA) provisions regarding minimum wage and overtime.

The board recognizes that the district is subject to the provisions of the Fair Labor Standards Act. This Act includes provisions applicable to school districts relating to minimum wage and overtime pay for non-exempt employees.

The district will pay a minimum wage on an hour-by-hour basis to all district employees, either part time or full time, permanent or temporary which is no less than the federal minimum wage, except under designated training and apprenticeship programs exempt under special U.S. Department of Labor certification.

The board recognizes that while its goal is not to have any employee work overtime, it may occasionally be necessary for non-exempt persons to work more than 40 hours during a given workweek. Those non-exempt employees working overtime will be paid time-and-a-half (in money or compensatory time off) for each hour of overtime worked. No overtime, as defined by the FLSA, will be required or permitted without prior authorization from the employee's immediate supervisor.

The district requires all employees who are subject to the provisions of the FLSA to complete a daily time record showing actual hours worked. Failure to maintain or falsification of such records may be grounds for disciplinary action.

The administration will maintain records and establish regulations that are consistent with this policy and the requirements of the Fair Labor Standards Act.

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

Legal references:

- A. United States Code:
 - 1. Fair Labor Standards Act, 29 U.S.C. §§ 201-216.
- B. Department of Labor Regulations:
 - 1. 29 C.F.R. Parts 511-800.
- C. United States Supreme Court:
 - 1. Garcia v. San Antonio Metropolitan Transit Authority, 105 S. Ct. 1005 (1985) - Minimum wage and overtime hours provisions of the federal FLSA applied to state and local government employees.

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SUPPORT PERSONNEL REDUCTION IN FORCE

Code **GDQA** Issued **2/10**

Purpose: To establish the basic structure for any needed reduction in support staff.

General statement of policy

Under South Carolina law, the board is responsible for maintaining good public elementary and secondary schools. The board is also responsible for implementing the educational interests of the state. The board's primary consideration is the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the school district. The board recognizes, however, that in carrying out its responsibility, it may become necessary to eliminate staff positions in certain circumstances. Therefore, the board adopts this policy to provide a fair and orderly process should such reductions in force become necessary.

Reasons for elimination of staff positions

The board has the sole and exclusive prerogative to eliminate staff positions consistent with the provisions of state statutes and laws. This elimination should not result in a failure in its duty to implement the educational interests of the state and to provide good public elementary and secondary schools.

The board may find it necessary to eliminate staff positions because of decreases in student enrollment, changes in curriculum, financial exigency or other circumstances as determined by the board.

Definitions (as used in this policy)

- Days - calendar days
- Certified personnel - any employee of the district who holds a certificate issued by the South Carolina State Department of Education and is employed in a teaching or administrative position below the rank of superintendent
- Supportive personnel - any employee who is not required to hold a certificate issued by the state department of education
- Financial exigency - any significant decline in the district's financial resources that is brought about by the decline or anticipated decline in enrollment or by other actions or events that compel a reduction in the schools' current operations budgets
- Change in curriculum - any elimination, curtailment or reorganization of a curriculum offering, program or school operation, or a reorganization or consolidation of two or more individual schools that are unrelated to financial exigency

Procedures

Once the board (after consulting with the superintendent) has determined that a reason for elimination of positions as set forth in this policy exists, the superintendent will, after considering the possibilities set forth in the following procedures, determine which positions must be eliminated. The superintendent will present his/her recommendations to the board for approval.

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- Before it begins action to terminate employment under this procedure, the board will consider its ability to eliminate positions and/or reduce staff through the following.
 - voluntary retirement
 - voluntary resignation
 - transfer of staff members to existing vacancies
 - voluntary leaves of absence
 - salary reductions
 - part-time employment
- In the event further reduction is required, the board will adhere to the following guidelines.
 - Reduction in force will be on a district wide basis. Therefore, the superintendent is not limited to considering for RIF termination only positions in a particular school, area or program in which the loss of enrollment, program change or financial emergency has occurred.
 - The superintendent will determine the appropriate weight to give to these factors depending on the needs and circumstances of the district. Length of service in the district will be a consideration only where the need arises to choose for termination among employees considered by the administration to be equally competent in their performance.
 - Once the board has approved the elimination of the specified positions or changes to be made in programs, the superintendent will use specific criteria to select employees who are to be considered for nonrenewal. The superintendent will make a recommendation to the board based on the following criteria in no particular order:

Supportive personnel

- quality of performance
- education level
- qualifications for other positions which may be available
- qualification and ability as determined by district evaluation procedures
- attendance record
- principal or supervisor's recommendation total years in district
- total years experience in current field
- any other factor considered appropriate by the superintendent

Notice to individual staff member

If, after considering the superintendent's recommendation, the board acts to terminate employment of a staff member, the board will give written notice of that decision to the "affected employee." The superintendent will send the written notice by certified mail, return receipt requested. The notice will include a statement of the conditions requiring termination of employment.

The district will assume that the staff member's address as it appears on the school district record is the correct address. It is the staff member's responsibility to see that the district has his/her current address on file.

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Review of individual terminations

A staff member may request a review of the board action, provided such request is made within 10 calendar days after his/her receipt of the notice of termination. The only purpose of the review will be to determine whether the decision to terminate was arbitrary or capricious or generated by ill will, fraud, collusion or other such motives with respect to that individual.

The request for review must be in writing and addressed to the chairman of the board. The request must clearly state the ground on which the staff member contends the decision was arbitrary or capricious or generated by ill will, fraud, collusion or other such motives. The request must include a short, plain statement of facts that the staff member believes supports the contention.

The board will hold a hearing within 30 calendar days after they receive the request. The board will give the staff member at least a five-day notice of the hearing.

The board will conduct the hearing informally, in public or in private as the staff member may wish. The staff member and the superintendent may each be accompanied by legal counsel. The board will consider only the evidence that is presented at the hearing. The board will only consider the evidence that it considers fair and reliable.

After the presentation of evidence, the board will consider the matter in executive session. The burden is on the staff member to satisfy the board by clear and convincing evidence that the decision to terminate was arbitrary or capricious, or generated by ill will, fraud, collusion or other such motives.

If the board determines that the staff member did not establish his/her contention, it will, by simple unelaborated statement, notify the staff member and the superintendent. Such a determination finally confirms the decision to terminate. If the board determines that the staff member's contention has been established, it will inform him/her and the superintendent by a written notice that states what corrective action must be taken.

Obligations with respect to re-employment or other employment

For two years after the effective date of a termination pursuant to this policy, the board will not replace the staff member whose employment has been terminated without first offering the position to the terminated staff member. The board's designee will make the offer by certified mail, return receipt requested. The board's designee will notify the staff member that he/she must submit written acceptance within 15 calendar days. Failure to make written acceptance within 15 calendar days or rejection of the position eliminates all re-employment rights of the staff member.

If the staff member is recalled within two years, the district will restore any sick leave and unused portion of personal leave he/she had accrued on the effective date of the layoff.

If the staff member whose employment has been terminated requests assistance, the school district will give him/her reasonable assistance in finding other employment.

Exclusive RIF procedure

This RIF procedure is the only procedure that may be used in a reduction in force. Any existing procedure for reconsidering or examining an employee discharge, non-reappointment or grievance is not available for consideration as an issue that arises from reduction in force.

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Similarly, no other personnel action other than a reduction in force may be considered under this RIF procedure.

Adopted 1/13/03; Revised 2/22/10

Legal reference:

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

1. Section 59-19-90 - General powers and duties of school trustees.
2. Section 59-25-415 - Rehiring of employees for economic reasons.

USE OF TECHNOLOGY RESOURCES

Code **IJNDB** Issued **2/14**

Purpose: To establish the board's vision and the basic structure and procedures for the use of technology resources.

Objective

This policy governs the use of technology resources in School District Five of Lexington and Richland Counties (District Five). It will allow the district to acquire the benefits of increased efficiency through the use of technology while protecting the district's information assets, the instructional and operational integrity of the district and the rights of students and district employees.

Definition

For the purposes of this policy, "technology resources" is defined as any technology equipment and/or resources used in the instructional, operational and/or administrative functions of the district. This includes, but is not limited to, computers, mobile devices, printers, scanners, servers, cabling, network electronics, email and software.

Ramifications for inappropriate use

Inappropriate use of district technology resources will not be tolerated. Employees who fail to fully comply with this policy will be subject to administrative and disciplinary action(s).

The student disciplinary code will determine the actions taken against any student who does not fully comply with this policy.

Internet access and usage

District Five provides in-school Internet access for all students, teachers and staff. The intent of this access is to facilitate teaching and learning. When used properly, use of the Internet promotes communication between all members in the learning community and has a positive impact on teaching and learning. Through Internet access, students, parents/legal guardians and educators will have increased access to learning resources and opportunities. These opportunities will extend to the home, other educational institutions and libraries or at any other location at which the Internet can be accessed.

District Five will take prudent actions to limit access to inappropriate websites and other information. However, due to the vast nature of the Internet, it is impossible to control all of the available information that is accessible; information appears, disappears and changes constantly. It is not possible to predict or completely control what students and employees may locate via the Internet.

While reasonable steps will be taken, District Five cannot ensure the integrity of the Internet information accessed via the district's network resources. The school district makes no guarantees as to the accuracy of information received on the Internet. Although students will be under teacher supervision while on the Internet, it is not possible to constantly monitor every individual student and what they are accessing on the Internet. Some students might encounter information that is not of educational value.

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Measures of protection in accessing inappropriate sites

Internet activities will be monitored by the district to ensure students and staff members are not accessing inappropriate sites. This includes websites that have visual depictions that contain obscenity, pornography, child pornography and/or images that are otherwise harmful to minors or that incite violence. The school district will use technology protection measures (such as Internet filtering) to protect students from inappropriate access.

The district will provide reasonable notice of and at least one public hearing or meeting to address and communicate its Internet safety measures on an annual basis.

Reporting child pornography

District technology staff and school computer technicians who are working with a computer and discover sexually explicit images of children must report this to local law enforcement and appropriate district personnel. The report must include the name and address of the owner or person in possession of the computer. Failure of any district employee to properly notify law enforcement of discovered pornography on district technology will result in administrative and disciplinary action(s).

Acceptable use guidelines

District Five provides technology resources for use by students, teachers and staff. The intent of these resources is to provide tools that will help facilitate teaching and learning. As such, students, teachers and staff must adhere to the following guidelines when using technology resources.

Examples of acceptable use of District Five technology resources include, but are not limited to, the following.

- use of resources for educational purposes only
- use of resources in compliance with all local, state and federal laws including, but not limited to, laws that govern copyright and intellectual property
- use of resources responsibly and with respect for others
- safeguarded accounts, passwords and private information of staff and students
- installation and use of only software that has been legally obtained, licensed and authorized for use on district technology resources

The following are improper uses of technology resources and are prohibited in District Five.

- Transmitting any material which is in violation of any federal or state regulation. This includes, but is not limited to, copyrighted materials, threatening or obscene material or material copyrighted by trade secret.
- using a computer to create, use or download materials which would not be permissible
- unauthorized access to or duplication of computer programs, systems or data files in District Five classrooms in any other form (e.g., obscene, profane or pornographic materials)
- unauthorized storage and/or loading of a computer program, system or data file

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- deliberate deletion/destruction of any computer programs, systems or data files
- providing system access to unauthorized individuals, especially non-district employees
- providing access to unauthorized system programs to students (e.g. PowerSchool)
- deliberately tampering with a computer system (e.g. disabling computer hardware, deliberate virus introduction)
- theft or vandalism of any mobile device, computer, printer, network, electronic, server, computer accessories, etc.
- using the computer to tamper with, change or alter records or documents of the district
- using restricted computer equipment without authorization from building level supervisory or district administration
- using computers which are school or district property for product advertisement or political lobbying
- using public domain software and shareware beyond the provided evaluation period without properly registering and paying for same
- use of the Internet to transmit any material that is in violation of District Five board policy and including the staff conduct policies (GBE, GBEA, GBEB and GBEBB)

Web publishing

District Five offers teachers and staff the ability to post information on the Internet. The purpose of this service is to promote teaching and learning. All users of Web publishing resources must adhere to the following guidelines.

- Publish only information related to official school and district business.
- Adhere to all regulations set forth in federal, state and local laws.
- Fully comply with the permissions for each student found on the student's media consent form.
- Include contact information (preferably district e-mail addresses) on all published information.
- Never publish student contact information. This includes, but is not limited to, phone numbers, home addresses and e-mail addresses.
- No advertising or solicitation of business unless authorized by district administration.

Confidential information

Although the district Internet systems have security mechanisms in place, there is no way to ensure total security of the district's system. Confidential information should only be sent via the Internet on secure websites represented by (HTTPS:). District Five does not accept liability for any lost or stolen information sent or received via the district's Internet resources.

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Online behavior

Each school will educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and chat rooms and cyber bullying awareness and response.

Off-campus conduct

Students, parents/legal guardians, teachers and staff members should be aware that the district may take disciplinary actions for conduct initiated and/or created off-campus involving the inappropriate use of the Internet or web-based resources if such conduct poses a threat or substantially interferes with or disrupts the work and discipline of the schools, including discipline for student harassment and bullying. Staff and students must comply with all appropriate policies and including staff conduct policies (GBE, GBEA, GBEB and GBEBB).

Responsibility

District Five makes no warranties of any kind for the technology resources it is providing. The district will not be responsible for any damages the user incurs. This includes loss of data resulting from delays, non-deliveries or incorrect deliveries of information or interruptions in technology services. Use of any information obtained via the district's technology resources is at the user's own risk. District Five specifically denies any responsibility for the accuracy, quality or cost of information, goods or services obtained through the district's technology services.

Employees

Administrators, teachers and support staff may use technology resources for educational and/or work related purposes at any time which is not disruptive and does not interfere with the performance of other responsibilities by the employee or other staff members. All employees must set a good example for proper system use. All employees must observe security restrictions and make every effort to ensure that students are not using systems improperly or without authorization. In the event a user feels he/she can identify a security problem, he/she must notify the district's technology services department. Failure to notify the technology office of security problems may result in administrative or disciplinary action(s) (See staff conduct policies GBE, GBEA, GBEB and GBEBB).

Students

All District Five students will be supervised by teachers and staff in their use of District Five technology resources during school hours. Students must adhere to all of the guidelines set forth in this policy, all stipulations of technology use as outlined in the student acceptable use policy, all requirements outlined in the student disciplinary code and any school specific guidelines.

Network and email use policy

This information establishes the basic structure for the use and retention of network and email resources. The use of the District Five's network and email resources will allow the district to acquire the benefits of increased efficiency through the use of technology while protecting the district's information assets, the instructional and operational integrity of the district and the rights of students and district employees.

This policy applies to the following entities.

- all the district's employees
- all students enrolled in schools located within the district

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- all other users of any of the district's technology resources, regardless of their affiliation
- all district-owned or operated technology systems which are subscribed to and/or paid by the district

Use of network and email accounts

Network and email accounts are provided by District Five as a communication resource for conducting official district business. Users of the district system must use this resource in a responsible, effective and lawful manner.

- All messages and electronic transmissions distributed via the school district's email system are the property of District Five. The district reserves the right to monitor personal use of email to the same extent that it monitors business use. There are no expectations of privacy in any item created, stored, sent or received on the District Five email system.
- Employees should exercise the same restraint and caution in drafting and transmitting email messages as when writing a formal memorandum on district or school letterhead. Users should assume that messages will be saved and reviewed by someone other than the original addressee.
- Although email seems to be less formal than other written communication, the same federal, state and local laws apply to email that apply to written communications.

If any user disregards the rules set out in this plan, the user will be fully liable for all damages incurred as a result of misuse.

Eligibility for network and email accounts

- All full-time faculty and staff and designated part-time staff will be assigned a network and email account.
- All school resource officers will be given a district network and email account.
- All state mental health workers who are assigned to District Five will be given a district network and email account.
- Long-term substitutes with a job assignment of 90 school days or more will be assigned a district network and email account upon approval from the human resources department. These accounts will expire once the job assignment is complete and all data will be deleted.
- Non-district employees are not issued a district network or email account. An example of this would be a contractor working in a school, non-district after school program personnel or temporary employee.

Acceptable use

All recipients of district network and email accounts must adhere to the following guidelines.

- Accounts cannot be used to send or forward emails containing libelous, defamatory, offensive, racist or obscene remarks.
- Accounts cannot be used to send solicitations that are not related to official school business.
- Accounts cannot be used to disguise or attempt to disguise the user's identity when sending email or communicating via the network.

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- Account bearers may not use email to consume system resources beyond a reasonable margin (for example, selling personal items or to promote a non-district related event).
- The district's network or email system will not be used to set up or run a personal business.
- Accounts cannot be used for any use that will be in conflict or violation of local, state and/or federal laws.

Account restriction/temporary closure

- The district can restrict an employee's use of the email system without warning or notice.
- The district can temporarily deny any employee use of the email system.

Account deletion

Accounts will be disabled upon notification from the human resources department. If the account is disabled for 30 or more days, the network and email accounts and all contents from both will be deleted from the system. No person may retain a district email after termination of employment.

Mailbox retention

All users will have a usable limit of total email space on the email server. When 90 percent of the user mailbox space is filled, the user will receive an automatic notification that he/she is reaching the limit amount. Once users receive this notification they will need to remove unwanted or old email from the system. Users will be limited to 25 megabyte email attachments coming into and sending out from the district. Any attachments larger than 25 megabytes will be blocked by the system and the user will be notified.

All users are encouraged to file or archive mail that is needed beyond one school year.

Email attachments being sent into the district with files extensions of .exe, .bat, .pif, .scr will be blocked due to virus/security concerns.

Note: The district reserves the right to retain email electronic records for one calendar year with no reasonable expectation of electronic email records being accessible or recoverable beyond this period of time, due to server space limitations and cost to maintain.

Adopted 1/22/07; Revised 2/11/13, 2/24/14