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# Signature Page

## DISCLAIMER

NOTHING IN THIS 2020-2021 EMPLOYEE HANDBOOK OR ANY POLICY MANUAL OF SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES CONSTITUTES OR CREATES AN EXPRESSED OR IMPLIED CONTRACT OF EMPLOYMENT; RATHER, THIS HANDBOOK SHOULD BE UNDERSTOOD AS A BRIEF DESCRIPTION OF THE BENEFITS OFFERED BY SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES AND AN OVRVIEW OF ITS POLICIES AND PROCEDURES. THIS HANDBOOK SUPERSEDES ALL PREVIOUS HANDBOOKS OR OTHER DOCUMENTS THAT ADDRESS THE SAME SUBJECT MATTER AS THE POLICIES AND PROCEDURES CONTAINED IN THIS HANDBOOK. IN ADDITION, THIS CAN BE MODIFIED OR ALTERED AT ANY TIME BY SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES. COMPLETE INFORMATION ON SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES BOARD POLICIES IS AVAILABLE ONLINE AT [WWW.LEXRICH5.ORG](http://WWW.LEXRICH5.ORG)

I UNDERSTAND THAT THE DISTRICT'S EMPLOYEE HANDBOOK AND POLICY MANUAL ARE NOT CONTRACTS. I ALSO UNDERSTAND THAT FULL VERSIONS OF THE DISTRICT'S BOARD POLICIES AND HANDBOOK ARE AVAILABLE ONLINE AT [WWW.LEXRICH5.ORG](http://WWW.LEXRICH5.ORG). I ACKNOWLEDGE THAT I AM RESPONSIBLE FOR FAMILIARIZING MYSELF WITH THE DISTRICT'S BOARD POLICIES AND EMPLOYEE HANDBOOK.

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NAME (PLEASE PRINT)

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EMPLOYEE SIGNATURE

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DATE

# Important Notice

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

School District Five of Lexington and Richland Counties does not discriminate on the basis of age, race, creed, color, disability, spousal affiliation, sex, national origin, sexual orientation, religion, pregnancy, service to the armed forces, or status with regard to admission to, treatment in, or employment in its programs and activities as required by Title II of ADA, Title VI, Title IX and Section 504, or any other protected characteristic, as may be required by law. Non-discrimination inquiries regarding students should be addressed to the Director of Special Services/504 & ADA Student Coordinator. Non-discrimination inquiries regarding employees and adults should be directed to the Chief Human Resources Officer/Title IX & 504/ADA Employee Coordinator. Either can be contacted at 1020 Dutch Fork Road, Irmo, South Carolina 29063, [\(803\) 476-8000](tel:8034768000).

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

# General Information

## **Confidentiality**

As an educational agency, District Five of Lexington Richland Counties collects and maintains information about students. Access to that information is restricted in accordance with District Five of Lexington Richland Counties policies as well as state and federal laws and regulations.

Confidential information is shared on a “need to know” basis. Employees should never disclose, share or disseminate student data or staff data in any form (verbally, electronically or in hard copy) unless disclosing, sharing or disseminating that student data is required by law or necessary professionally.

Employees who misuse student data may be subject to disciplinary action and/or civil or criminal penalties.

## **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**

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](http://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 Personnel in the Department of Human Resources.

### ***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](http://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 1¼ 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 ½ 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 is to contact the Benefits Department for the appropriate medical leave request forms and further details, if one is to be out due to medical reasons beyond a 3-5 day period.

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 site administrator:

- 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 site administrator.

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) or Kelly/ Frontline 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.

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](http://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 MetLife 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 ASI Flex. 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 select 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 5% 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](http://www.peba.sc.gov) which includes calculations to compare the plans and/or to purchase service time for the traditional plan.

### **Voluntary 403(b) Retirement Plan**

The 403(b) program is designed to offer a broad range of quality investments that provide an opportunity to build a diversified retirement plan portfolio. All employees of the employer are immediately eligible to participate in the 403(b) program upon hire date. Pursuant to the requirements of IRC §403(b)(12)(A)(ii) you will find the Universal Availability Notice enclosed in this Handbook. For more information about the 403(b) Plan, please contact PenServ Plan Services at (800) 849-4001 or via email at [403badministration@penserv.com](mailto:403badministration@penserv.com).

School District Five of Lexington & Richland Counties 403(b) Plan  
2020 Universal Availability Notice

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To: All Employees of **School District Five of Lexington and Richland Counties**

In compliance with the requirements of IRC §403(b)(12)(A)(ii) this Notice will advise you of the voluntary 403(b) program established and maintained for the benefit of our employees. The following information provides details of the Plan and outlines the procedures for enrollment.

**Eligibility**

All employees who are employed by the Employer are eligible to participate upon hire.

**Contributions**

When you enroll in the program, the amounts you designate as salary deferrals are withheld from your wages and forwarded to an investment provider of your choice. Salary deferral amounts may be updated at any time throughout the year. Several types of contributions are available in your Plan:

**Pre-Tax Salary Deferrals.** These are amounts contributed into a 403(b) plan that are deferred from your paycheck before federal income taxes are applied. State income taxes may or may not be applicable.

- For **2020**, you may defer from your wages, a maximum of \$19,500 to all 403(b) unless you will reach 50 years of age during the year. In that case, you would be eligible to contribute an additional \$6,500. Deferrals may not exceed 100% of your wages.

**Rollovers.** You may also rollover funds from another employer's plan if you receive an eligible rollover distribution. Before you can complete a rollover into this Plan, you must first receive an acceptance authorization before the monies can be applied to your account.

**Plan Investment Options**

Your contributions to the 403(b) Plan must be made to an investment provider approved by your Employer. Before enrolling in the Plan, you should first establish an account with one of the Providers listed in this Notice. Once you have executed an investment contract, you should establish an account through the Plan's web site and create a secure login and password.

**Assistance**

You may enroll in the Plan or receive assistance with these provisions by contacting a representative for one of the Investment Companies listed in this Notice or the Plan's Third Party Administrator. Additional information about the provisions and options in your Plan are available by contacting PenServ Plan Services, Inc. at (800) 849-4001.

**Third Party Administrator**

PenServ Plan Services, Inc.

Plan Record-keeper

Phone (800) 849-4001

www.penserv.com

Email: [403badministration@penserv.com](mailto:403badministration@penserv.com)

School District Five of Lexington & Richland Counties 403(b)  
 Plan 2020 Universal Availability Notice

**Investment Provider Options**

Provider and Product Name	Product Type	Contact
Ameriprise Financial Services	Annuities	Gregory Downs, ChFC <a href="mailto:Gregory_downs@ampf.com">Gregory_downs@ampf.com</a> (803) 251-4818
AXA Equitable	Annuities	Thomas McGregor, II <a href="mailto:Thomas.mcgrego@axa-advisors.com">Thomas.mcgrego@axa-advisors.com</a> (803) 542-2879  Julia Parks, CFP <a href="mailto:Julia.parks@axa-advisors.com">Julia.parks@axa-advisors.com</a> (803) 540-2614
Horace Mann Retirement Advantage	Mutual Funds	David Stanley <a href="mailto:David.stanley@horacemann.com">David.stanley@horacemann.com</a> (803) 781-8765
National Life Group	Annuities	Taylor Morris <a href="mailto:tmorris@valuteachers.com">tmorris@valuteachers.com</a> (706) 833-1023
MetLife	Annuities	Mary Strickland <a href="mailto:marystrickland@financialguide.com">marystrickland@financialguide.com</a> (803) 476-0340
Primerica Financial Resources	Mutual Funds	Ivan Earle <a href="mailto:learle.29016@primerica.com">learle.29016@primerica.com</a> (803) 561-0860
ReliaStar Life Insurance Co.	Annuities	Seth Shores (803) 804-5387 <a href="mailto:sshores@gwnsecurities.com">sshores@gwnsecurities.com</a>
Security Benefit	Annuities	Francis X. Halloran (803) 917-7350 <a href="mailto:fxhalloran@higginsandhalloran.com">fxhalloran@higginsandhalloran.com</a>  Benjie Banning (803) 422-5338 <a href="mailto:bbanning@calton.com">bbanning@calton.com</a>
VALIC	Annuities	Jonathan Hope <a href="mailto:Jonathan.hope@valic.com">Jonathan.hope@valic.com</a> (803) 667-6664

# 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 June 30 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.

## ***Travel Expense Authorization & Reimbursement***

Employees will be reimbursed for expenses incurred for approved travel as outlined in Board Policy and established procedures. For further details, see Board Policy DKC – Expense Authorization and Reimbursement, as well as Travel Guidelines and Procedures posted under Financial Documents on the Infinite Visions Portal-Employee Resources-Information Center.

# 2020-2021 Payroll Schedule

Pay Cycle	Pay Date		Cover Dates		Payroll Due Dates
1	07/15/20		06/07/20	06/20/20	06/30/20
2	07/31/20		06/21/20	07/11/20	07/20/20
3	08/14/20		07/12/20	07/26/20	08/04/20
4	08/31/20		07/27/20	08/09/20	08/19/20
5	09/15/20		08/10/20	08/23/20	09/03/20
6	09/30/20		08/24/20	09/06/20	09/18/20
7	10/15/20		09/07/20	09/20/20	10/05/20
8	10/30/20		09/21/20	10/04/20	10/20/20
9	11/13/20		10/05/20	10/18/20	10/30/20
10	11/30/20		10/19/20	11/01/20	11/13/20
11	12/15/20		11/02/20	11/15/20	12/03/20
12	12/31/20		11/16/20	12/06/20	12/09/20
13	01/15/21		12/07/20	12/20/20	01/05/21
14	01/29/21		12/21/20	01/10/21	01/20/21
15	02/12/21		01/11/21	01/24/21	02/02/21
16	02/26/21		01/25/21	02/07/21	02/16/21
17	03/15/21		02/08/21	02/21/21	03/03/21
18	03/31/21		02/22/21	03/07/21	03/18/21
19	04/15/21		03/08/21	03/21/21	03/29/21
20	04/30/21		03/22/21	04/04/21	04/20/21
21	05/14/21		04/05/21	04/25/21	05/04/21
22	05/28/21		04/26/21	05/09/21	05/18/21
23	06/15/21		05/10/21	05/23/21	06/02/21
24	06/30/21		05/24/21	06/06/21	06/16/21
<b>PAYROLL PAY DATES FOR FY 2020 - 2021</b>					
1	07/15/21		06/07/21	06/20/21	06/30/21
2	07/30/21		06/21/21	06/30/21	07/08/21
<b>PAYROLL PAY DATES FOR FY 2021 - 2022</b>					
1	07/30/21		07/01/21	07/11/21	07/20/21

\*\*Paysheets not received in the Payroll Department by 2:00 p.m. on the appropriate due dates listed above will be included in the following pay cycle.\*\*

# 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 Director of Secondary Education for middle school and high 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 Planning and Administrative 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

Services in the South Carolina Department of Education. The Certificate Renewal Plan Guidelines and all documents necessary for renewal are located at the District website, click on Quicklinks. Click on Intranet. Log in. On the home screen, click on Instruction. 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.

With the implementation of the South Carolina General Assembly's Read to Succeed Act 284 (R2S), professional learning requirements for certified, in-service educators became effective July 1, 2015. The goal of the R2S Act is to ensure that every educator at every grade level in every school and subject area is committed and able to support the leading development of the South Carolina students they serve. R2S Endorsement(s) for their area(s) as part of their regular certificate renewal cycles. Beginning with the June 30, 2020 certificate renewal deadline, certified educators are required to submit documentation showing compliance with R2S endorsement requirements.

Please visit the SC Department of Education's website for more information about specific R2S endorsement requirements: <https://ed.sc.gov/educators/certification-resources/read-to-succeed-requirements-for-educators/>

Please visit our District Five R2S Google Site for a short presentation about R2S endorsement requirements: <https://sites.google.com/a/lexrich5.org/read-to-succee-r2s-2016-17/>

### ***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 at the District website, click on Quicklinks. Click on Intranet. Log in. On the home screen, click on Instruction. Click on the Professional Development Certification Renewal tab.
4. Complete 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 attempt to log on to the internet as a system administrator.
- Users must 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 must change passwords regularly and avoid easily guessed passwords on any district account, including school accounts used for accessing websites or other online resources.
- 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.
- Users must not install or attempt to install software, programs or other devices that require admin credentials on district devices.

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

### ***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](http://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

Code **GBA** Issued **8/19**

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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, sex, pregnancy (including childbirth or any related medical conditions), age, disability, national origin, genetic information, or any other protected characteristic as may be required by state or federal law.

The district also prohibits retaliation against an individual because he/she has either opposed an unlawful employment practice or has made a charge, testified, assisted, or participated in an investigation, proceeding, or hearing regarding an alleged incident of illegal discrimination or harassment.

The superintendent will establish guidelines for the 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's policy of equal opportunity applies, but is not limited to, 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

The chief human resources officer has been designated to handle inquiries regarding nondiscrimination, retaliation, and harassment matters:

Chief Human Resources Officer  
School District Five of Lexington and Richland Counties  
1020 Dutch Fork Road  
Irmo, SC 29063

Related policies:

*AC, Nondiscrimination/Equal Opportunity*

*JB, Equal Educational Opportunity/Nondiscrimination*

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

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Legal References:

- A. United States Code of Laws, as amended:
1. Age Discrimination in Employment Act of 1967, 29 U.S.C.A. Section 621, *et seq.*
  2. Age Discrimination Act of 1975, 42 U.S.C.A. Section 6101, *et seq.*
  3. Americans with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, *et seq.*
  4. Equal Pay Act of 1963, 29 U.S.C.A. Section 206.

## **PAGE 2 - GBA - OPEN HIRING/EQUAL EMPLOYMENT OPPORTUNITY**

5. Genetic Information Nondiscrimination Act of 2008, 42 U.S.C.A. Section 2000ff, *et seq.*
  6. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq.*
  7. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d, *et seq.*
  8. Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e, *et seq.*
  9. Title IX of the Education Amendments of 1972, 20 U.S.C.A. Section 1681, *et seq.*
  10. Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C.A. Section 4301, *et seq.*
- B. S.C. Code of Laws, 1976, as amended:
1. Section 1-13-10, *et seq.* - Prohibits discrimination on the basis of race, religion, color, sex (including pregnancy, childbirth, or related medical conditions), age, national origin, or disability.
  2. Section 59-19-510, *et seq.* - Right of unsuccessful applicant to file grievance; board may review matters arising from the construction or administration of school policies.

## SEXUAL DISCRIMINATION AND HARASSMENT

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

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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

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### **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).

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

## 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**

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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

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

## **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**

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**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

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#### **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**

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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)

## **PAGE 2 - GBEBB-R - STAFF CONDUCT WITH STUDENTS**

- 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

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

## GIFTS TO AND SOLICITATIONS BY EMPLOYEES

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

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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

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#### 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 **4/19**

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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, use, or be under the influence of any drug on or in the workplace.

“Drug” means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, any counterfeit drug, imitation controlled substance, “look-alike” substance, synthetic or designer drug (bath salts and synthetic marijuana), or any other controlled substance as defined by the act and regulation cited below.

No employee will manufacture, distribute, dispense, possess, use, or be under the influence of alcohol on or in the workplace.

“Workplace” means the site for the performance of work. This includes any district or school building or premises and any school-owned vehicle or 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.

As a condition of employment, each employee will notify his/her supervisor immediately of his/her arrest or conviction of any criminal drug or alcohol statute.

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

An employee who violates the terms of this policy may be subject to disciplinary action including, but not limited to, administrative leave, 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.

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

# **PAGE 2 - GBEC - DRUG AND ALCOHOL-FREE SCHOOLS/ WORKPLACE**

## **Employee Drug Testing**

Any employee who appears to be under the influence of drugs or alcohol in such a way that would adversely affect the performance of his or her duties or the image of the district will be immediately placed on administrative leave, with pay, pending an investigation. Consistent with the board's intent to discover, prevent, and prohibit the illicit possession, use, sale, and influence of drugs or alcohol, the board adopts the following employee drug and alcohol testing policy.

This policy applies to employees on district or school premises, at district or school-related activities, while on or about district business, or in off-duty hours where such off-duty usage affects the employee's on-the-job conduct or activities.

An employee may be required to submit to drug and alcohol testing as the law permits and the needs of the school and district if a supervisor has "reasonable suspicion" to suspect an employee may be under the influence of alcohol or drugs. "Reasonable suspicion" exists if the employee's supervisor believes the actions or appearance or conduct of an employee are indicative of the use of drugs or alcohol. Such determination will be made on a case-by-case basis.

Any employee who, when requested by his/her supervisor to do so, refuses to submit as herein prescribed to an established drug and/or alcohol test for, or who shows a positive result from, such test will be subject to dismissal from employment with the district.

All district employees who drive school buses and/or other district vehicles that require a commercial driver's license (CDL) will undergo alcohol and controlled substance testing in compliance with the Omnibus Transportation Employee Testing Act of 1991, as provided in policy EEAE/EEAE-R, *Bus Safety Program*.

## **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.

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

## **PAGE 3 - GBEC - DRUG AND ALCOHOL-FREE SCHOOLS/ WORKPLACE**

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, 4/29/19

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### Legal References:

#### A. United States Code of Laws, as amended:

1. Controlled Substances Act, 21 U.S.C.A. Section 812, *et seq.*
2. Drug-Free Workplace Act, 41 U.S.C.A. Section 8101, *et seq.*

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

1. Section 16-17-530 - Individuals who come to school in an intoxicated condition or conduct themselves in a disorderly or boisterous manner are subject to misdemeanor arrest.
2. Section 44-49-80 - Establishment of drug abuse treatment program in public schools.
3. Section 44-53-110, *et seq.* - Narcotics and controlled substances.
4. Section 44-107-10, *et seq.* - The Drug-Free Workplace Act.
5. Section 59-67-150 - Drinking alcoholic beverages on a school bus is prohibited.

## **File GBEC-E Notice to Employees**

You are hereby notified that it is a violation of the policy of this district for any employee to unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of, on or in the workplace, any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcohol, or any other controlled substance as defined in Schedules I through V of Section 2020 of the Controlled Substances Act ([21 U.S.C.A. 812](#)) and as further defined by the Code of Federal Regulations, [21 CFR 1300.11 through 1300.15](#).

“Workplace” means the site for the performance of work. This includes any district or school building or premises and any school-owned vehicle or 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.

You are further notified that it is a condition of your continued employment that you will comply with the above policy of the district and will notify your supervisor immediately of your arrest or conviction of any criminal drug or alcohol statute.

An employee who violates the terms of this policy may be subject to disciplinary action including, but not limited to, administrative leave, suspension, or termination at the discretion of the board.

Issued 4/27/09; Revised 4/29/19

## TOBACCO-FREE SCHOOLS/WORKPLACE

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

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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

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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**

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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**

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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

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### 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**

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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

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

## **PAGE 2 - GBK - STAFF CONCERNS, COMPLAINTS/ GRIEVANCES**

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.

## **PAGE 3 - GBK - STAFF CONCERNS, COMPLAINTS/ GRIEVANCES**

### *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.

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

## **PAGE 4 - GBK - STAFF CONCERNS, COMPLAINTS/ GRIEVANCES**

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 **4/16**

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

### **Assignment/Reassignment**

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

The superintendent or his/her designee is authorized to reassign all personnel in the best interest of the district. An employee may be reassigned prior to the start of the school year or at any time during a school year.

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

### **Transfer**

An employee who wishes to be considered for a lateral transfer to a new location must submit a transfer request form to the district's human resources office. Requests for transfers will be handled in accordance with administrative rule GCK-R.

Adopted 5/20/74; Revised 11/16/81, 1/25/88, 6/20/88, 9/25/06, 2/22/10, 4/12/16

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### **Legal references:**

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

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

## PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

Code **GCK-R** Issued **4/16**

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

### **Reassignment**

If, in the opinion of the superintendent, a reassignment would be in the best interests of the district, the superintendent or his/her designee will advise the employee of the reassignment and confirm the reassignment in writing to the employee. Refusal to comply with the reassignment may be grounds for dismissal.

### **Requests for Transfer**

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 31 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.

If a position becomes available after the deadline date, and if it is the judgement of the superintendent or his/her designee that a requested position transfer is in the best interest of the district, such transfer may be made.

Issued 5/20/74; Revised 11/16/81, 6/20/88, 9/25/06, 12/13/10, 4/12/16

## TUTORING FOR PAY

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

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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

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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**

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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

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

## **PAGE 3 - GCQA/GCQB - PROFESSIONAL PERSONNEL REDUCTION IN FORCE**

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.

## **PAGE 4 - GCQA/GCQB - PROFESSIONAL PERSONNEL REDUCTION IN FORCE**

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

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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**

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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

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### 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.

## SUPPORT PERSONNEL REDUCTION IN FORCE

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

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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.

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

## PAGE 2 - GDQA - SUPPORT PERSONNEL REDUCTION IN FORCE

- 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.

## **PAGE 3 - GDQA - SUPPORT PERSONNEL REDUCTION IN FORCE**

### **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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## **PAGE 4 - GDQA - SUPPORT PERSONNEL 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

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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.

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

# PHYSICAL EDUCATION

Code **IHAЕ** Issued **5/19**

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**Purpose:** To establish the board's vision for physical education in the schools.

The board believes that one goal of public education is to assist all students in reaching their full academic potential and that a student's health impacts his/her school attendance, readiness to learn, potential learning, and achievement.

Therefore, the school district is committed to a sound, comprehensive health education program that is an integral part of each student's general education. One component of health education is physical education.

The district will do the following:

- Provide students in grades K through five with the appropriate amount of physical activity and physical education as required by law and based on the South Carolina Physical Education Curriculum Standards including an appropriate student-to-physical education teacher ratio.
- Ensure that each school designates a physical education teacher as the physical education activity director to plan and coordinate opportunities for additional physical activity for students to exceed the designated weekly physical education instruction.
- Provide professional development to teachers and volunteers on the importance of physical activity for young children and the relationship of activity and good nutrition to academic performance and healthy lifestyles.
- Report an individual student's fitness status to his/her parent/legal guardian during the student's fifth grade, eighth grade, and high school physical education courses.

One unit of high school physical education is required for high school graduation. The district will offer the required unit of physical education that meets statutory requirements including the personal fitness and wellness component and the lifetime fitness component.

## **Exemptions**

The superintendent or his/her designee may grant a waiver to a student exempting him/her from physical education requirements based on one of the following criteria:

- The student presents a physician's statement indicating that participation in physical education will jeopardize the student's health and well-being.
- The parent/legal guardian or student must be a member of a recognized religious faith that objects to physical education as part of its official doctrine or creed. Further, the parent/legal guardian and student must show that attending these classes would violate their religious beliefs and not be merely a matter of personal objection.
- JROTC may be substituted for physical education.
- Marching band may be substituted for physical education if the instruction incorporates the South Carolina Academic Standards for Physical Education.

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## **PAGE 2 - IHAE - PHYSICAL EDUCATION**

Adopted 9/12/11; Revised 5/20/19

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### Legal References:

- A. United States Code of Laws, as amended:
  - 1. Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, 124 Stat. 3183.
- B. S.C. Code of Laws, 1976, as amended:
  - 1. Section 59-10-10, *et seq.* - Physical education standards.
  - 2. Section 59-29-80 - Courses in physical education; ROTC programs, marching band.
  - 3. Section 59-29-100 - Physical education program requirements.
- C. S.C. State Board of Education Regulations:
  - 1. R43-231 - Defined program, grades K-5.
  - 2. R43-232 - Defined program, grades 6-8.
  - 3. R43-234 - Defined program, grades 9-12 and graduation requirements.

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

## USE OF TECHNOLOGY RESOURCES

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

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**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.

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

## **PAGE 2 - IJNDB- USE OF TECHNOLOGY RESOURCES**

### **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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## **PAGE 3 - IJNDB- USE OF TECHNOLOGY RESOURCES**

- 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 polices (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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## PAGE 5 - IJNDB- USE OF TECHNOLOGY RESOURCES

- 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

# GRADUATION REQUIREMENTS

Code **IKF** Issued **5/19**

Purpose: To establish the basic structure for high school graduation.

The South Carolina State Board of Education (SBE) regulates the South Carolina State High School Diploma. A state high school diploma from this district is based upon the satisfactory completion of the number of units required by state law. A unit of work is the amount of credit earned when the student satisfactorily completes 120 hours of instruction in a given subject area.

## Endorsements

Students will have the opportunity to earn endorsements within their personalized high school diploma pathway, which will identify a particular area of focus. Endorsements may be in the form of seals added to a student's uniform diploma; however, earning an endorsement is not a requirement for graduation. To earn a graduation endorsement, the student's program of study must meet certain criteria, including SBE-approved pathways, specific courses, and other South Carolina Department of Education (SCDE) guidelines.

Students in the district may graduate from high school by meeting the requirements outlined in administrative rule IKF-R.

In order to participate in School District Five graduation exercises, students must have earned one of the following:

- SC High School Diploma
- district certificate

Principals will have the discretion to prohibit a student from participating in graduation exercises in the following circumstances:

- The student has engaged in misconduct on or off school grounds.
- The student has monetary debt to the district.
- The student fails to participate in graduation practice without making prior arrangements with the principal.
- The principal otherwise determines that it would not be in the best interest for the student to participate in graduation exercises. The principal's decision will be final.

Adopted 2/6/89; Revised 4/22/96, 4/13/98, 6/11/01, 5/28/04, 11/19/12, 1/26/15, 5/20/19

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
1. Section 59-17-130 - American Sign Language counts as world language credit.
  2. Section 59-26-70 - No commission or agency to require foreign language as a prerequisite to receive a regular high school diploma.
  3. Section 59-29-80 - Courses in physical education; ROTC programs; marching band.
  4. Section 59-29-190 - Advanced placement courses for academically talented students.
  5. Section 59-29-240 - Civics test requirement.
  6. Section 59-39-100 - Issuance of uniform diplomas by accredited high school; units required.
  7. Section 59-39-110 - Accelerated program of study.

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## **PAGE 2 - IKF - GRADUATION REQUIREMENTS**

B. S.C. State Board of Education Regulations:

1. R43-234 - Defined program grades 9-12 and graduation requirements.
2. R43-235 - Employability credential for students with disabilities.
3. R43-259 - Adult education.