EMPLOYEE HANDBOOK

ORANGEBURG COUNTY SCHOOL DISTRICT

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

Employee Signature: _____ Date: _____

WELCOME TO OUR DISTRICT

*VISIT THE DISTRICT'S WEBSITE AT **WWW.OCSDSC.ORG** FOR THE MOST CURRENT COPIES OF ALL ORANGEBURG COUNTY SCHOOL DISTRICT'S POLICIES.*

PREFACE

This handbook is prepared for the employees of Orangeburg County School District and contains general personnel policies and procedures that govern our daily operations. The content supersedes all previous handbooks, pamphlets, manuals, statements, or representations (written or oral) regarding terms, condition, and nature of a person's employment with Orangeburg County School District. Nothing in this handbook or in the District's Policy Manual shall be deemed to constitute an expressed or implied contract of employment. This handbook and any policies, procedures and benefits to which it may refer can be modified, altered, or discontinued at any time by the District at its discretion. Whenever such changes occur, the administration will notify employees through appropriate school or District-level channels. In addition to the handbook, there are other resources that are available to you. Your principal or District-level administrators are available to help you with the interpretation and clarification of policies and procedures. Technology will be a vehicle for communicating current and updated personnel information to our employees on a frequent and consistent basis. Employees are encouraged to check the district webpage for personnel information, forms, procedures, and practices. This handbook is not intended to replace the actual policies established by the Orangeburg County School District Board of Trustees ("Board") or the District administration. If a policy or rule is abbreviated or in error, the document in the official policy manual or the administrative directive document shall always take precedence. Complete district policies may be accessed through the District's website. Employees have a responsibility to familiarize themselves with and abide by, the policies and procedures set forth to carry out their assigned responsibilities with conscientious concern and professional behavior. This is essential to the success of ongoing school operations and the achievement of the District's vision.

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A MESSAGE FROM THE SUPERINTENDENT



Dear OCSD Employees,

Thank you for joining us in the noble work underway in Orangeburg County School District! I trust you will find our District both welcoming and progressive in our efforts to ensure each student receives a nurturing, high-quality, and highly rigorous educational experience.

Orangeburg County School District serves over 10,000 students and employs nearly 2,000 dedicated staff members. Our District has made significant strides in recent years, including the implementation of innovative educational programs, the enhancement of our facilities, and the strengthening of community partnerships. These accomplishments are a testament to our commitment to excellence and our collective effort to provide the best possible education for our students.

It is my hope that the information enclosed will be helpful and informative and that it will serve as a reference for procedures and protocols. You will be asked to certify that you have read the contents of the handbook. I ask that you please take the time to review it carefully and that you share any questions you have with our human resources team or your building administrator.

Whether you are joining us as a classroom teacher, instructional aide, district office employee, school bus driver, custodian, school secretary, or a member of our maintenance staff, you will play a vital role in our students' experience and success. On behalf of our administrative team, I welcome you to Orangeburg County School District.

Together, we can achieve great things and continue to build on our accomplishments for the betterment of our students and community.

Sincerely,

Dr. Shawn D. Foster
Superintendent

BOARD OF TRUSTEES

Orangeburg County School District operates according to the policies established by the Board of Trustees.

Providing the foundation for the district's success are the men and women who serve on the Orangeburg County School District Board of Trustees. They are elected representatives who establish the district's policies and goals.

School Board Members

Orangeburg County School District is governed by a nine member Board of Trustees. In its governing role, the Board develops policies, employs personnel, and establishes budgets to ensure excellence in our schools. The members of the Board are:

Dr. Debora B. Brunson, Chairperson
Dr. Lorraine Peeples, Vice- Chair
Mrs. Betty M. Pelzer, Secretary
Dr. William O'Quinn, Parliamentarian

Members

Ms. Teresa O. Hinnant
Mrs. Idella W. Carson
Dr. Sylvia Bruce-Stephens
Mrs. Mary B. Ulmer

Term of Office

The members of the Orangeburg County School District Board of Trustees are elected in November in odd-numbered years. The regular term of office for each trustee is four years.

Board Meetings

A nine-member Board of Trustees governs Orangeburg County School District. The Board holds its work sessions on the second Tuesday of each month at 6:30 PM in the Board Room. Regular meetings of the Board are held on the fourth Tuesday of each month. The regularly scheduled time is 6:30 PM. Meetings are open to the public, except during executive sessions which are held in regard to personnel or student issues where confidentiality is a concern. The District Office is located at 102 Founder's Court, Orangeburg, South Carolina.

Communicating with the Board

The Board invites all staff members to attend Board meetings. Employees must submit all formal communications or reports to the Board through building supervisors and administrators to the superintendent in accordance with established lines of authority. Requests to appear before the Board must be made in writing to the Superintendent.

The Board is responsible for determining the operating policies and the annual budget for the school district. The Board appoints the superintendent, and upon the recommendation of the superintendent, approves administrative, supervisory, teaching, and support personnel. The Board will communicate all policies and information to staff through the superintendent.

ABOUT OCSD

WE ARE ONE

After years of discussion, Orangeburg County's three school districts became a single Orangeburg County School District in 2019. What was Orangeburg School District 3, District 4 and District 5, merged and officially became ONE on July 1, 2019.

Now is the time that so many in our community have worked tirelessly to make happen. Working together as a productive team, our administration, board, and staff are in the right position to offer a world-class education and opportunities for every student – no matter where they live in our county.

MISSION

Orangeburg County School District, through the use of innovative ideas and practices, will prepare our students to become productive members of society.

VISION

Orangeburg County School District, a district of innovation, is committed to maximizing the potential of every student to compete worldwide.

BELIEFS

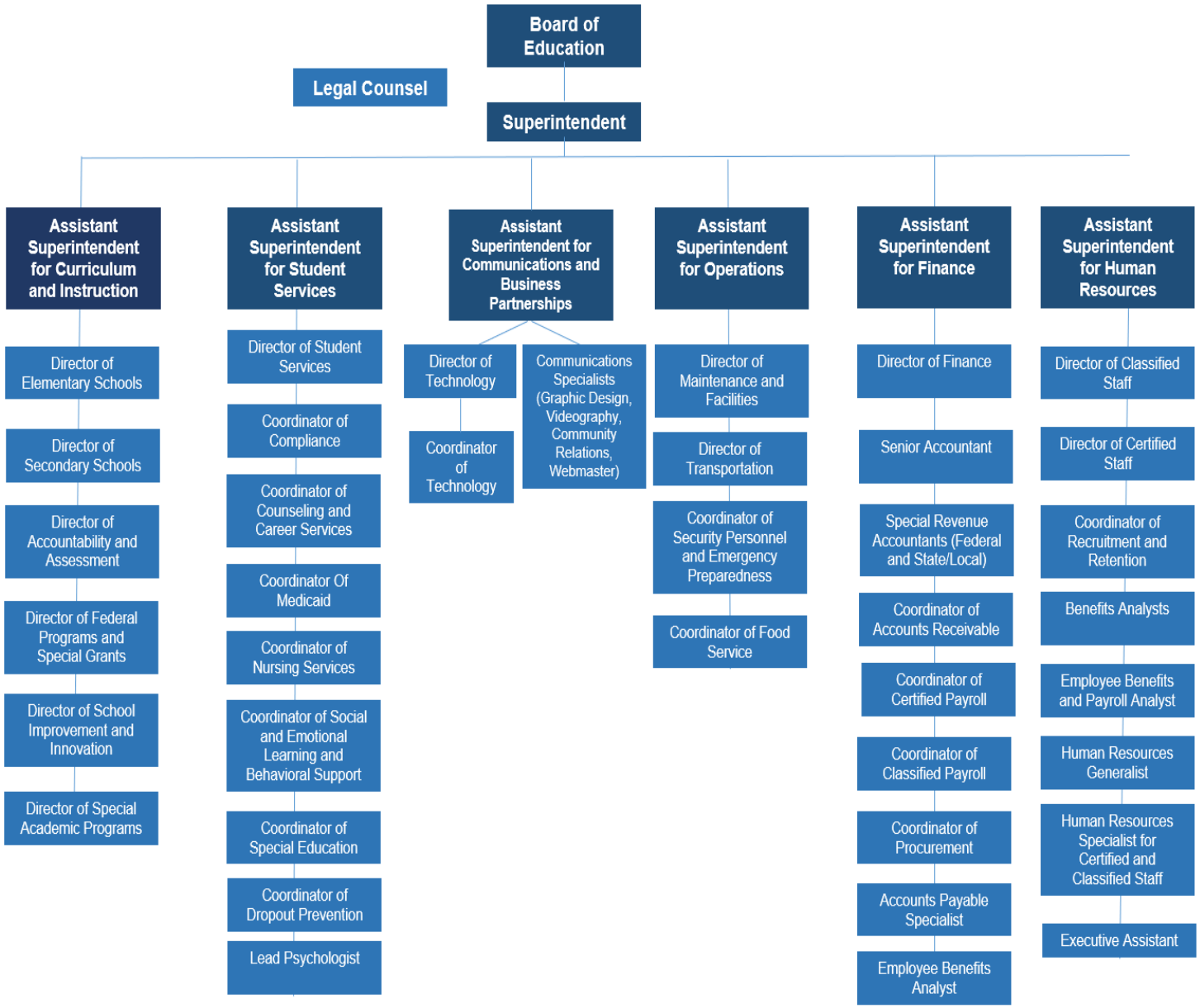
- **ONE DISTRICT**: No longer competing for resources or opportunities, one consolidated Orangeburg County School District means better opportunities and equal access for all. Our School Board and Administration are 100% committed to a unified district where everyone benefits and has the chance to succeed.
- **ONE FAMILY:** Our spirit of collaboration is strong, and we are dedicated to giving our students the best education possible – from the youngest primary school student to the young adults who are ready to begin their careers or college experiences.
- **ONE TEAM:** Our administrators, employees, and staff work together as one unified team to bring the best opportunities and education to OCSD students. We are better together as we collaborate to accomplish goals to help our students be the best they can be – both as valuable members of society and in their educational lives and careers.

GENERAL STATEMENT OF POLICIES FOR SCHOOL DISTRICT OPERATION

Each school in Orangeburg County School District is a part of a single system and is subject to the policies set forth by the Board of Trustees through duly appointed administrators who serve as executive officers for the Board.

The Board delegates to the District Superintendent full responsibility and authority for administration of the schools in accordance with Board policies. The principal of each school has the authority to control and operate the school in keeping with administrative regulations of the district. The principal will supervise instruction, discipline, school activities and theschool facilities. The principal has the authority to assign duties and tasks and to see that these activities are properly performed.

OCSD ORAGNIZATIONAL CHART



GENERAL EMPLOYMENT INFORMATION

Employment Conditions and Requirements

Orangeburg County School District is an equal opportunity employer and will recruit, hire, train, promote and make other employment decisions on the basis of individual merit and without discrimination in making such appointments by virtue of race, religion, sex (including gender identity, sexual orientation, and pregnancy, childbirth, or any related medical conditions), color, disability, age (40 or older), genetic information, national origin, or any other applicable status protected by local, state, or federal law. The quality of the educational program is enhanced by staff members with a wide variation in background, culture, educational preparation, and previous experience.

The superintendent will establish guidelines for organization of the teaching, administrative and other certified staff and 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 district employees.

PAYROLL SERVICES AND EMPLOYEE BENEFITS

PAYROLL SERVICES

Pay Day Schedule

Employees of Orangeburg County School District are paid on a semi-monthly payroll on the 15th and 30th of each month unless it falls on a weekend date, then payroll is distributed on the preceding Friday. Payroll dates during holidays may vary.

Employees who have questions about their salary or deductions should call the Division of Human Resources at the District Office.

THERE WILL BE NO EARLY RELEASE OR ADVANCEMENT OF PAYROLL CHECKS TO EMPLOYEES.

Overtime

All overtime, without exception, must be pre-approved by the Superintendent or the Assistant Superintendent/Director over the given area.

Direct Deposit

All Orangeburg County employees must sign up for automatic deposit of their pay into checking and/or savings accounts. The authorization form is available in the district payroll department. Deposits may be made to any bank. You will need to contact payroll for any changes in your bank or your accounts.

Payroll Deductions

The Board has authorized the following specific payroll deductions: state and federal taxes, social security, S.C. state retirement or optional retirement, group insurance, tax-sheltered annuities. Tax sheltered annuity payroll deductions may also be available for part-time/temporary employees if they meet the criteria established by the IRS guidelines. The

mandatory withholding of income tax is based upon schedules of the S.C. Tax Commission and the U.S. Internal Revenue Service. The amount deducted from an employee's paycheck is based on the withholding certificate (W-4) completed and signed by the employee which is on file in the Finance Division. A new withholding certificate should be completed, signed and sent to the payroll office for any changes to withholding allowances. Questions may be addressed to the Payroll Office or to the S.C. Tax Commission, Calhoun State Office Building, Columbia, SC, 29201, telephone number; 803-758-3211, or to the Internal Revenue Service, 901 Sumter Street, Columbia, SC, 29201, telephone number; 803-779-1040.

Social Security (FICA)

All employees are covered by Social Security. International teachers are usually exempt from this deduction and coverage.

FRINGE BENEFITS SERVICES

Benefits paid by Orangeburg County School District for each employee who works 30 hours or more per week include the following:

- Health
- Dental

The following benefits are paid for each employee who works 30 hours or more per week:

- Long-term disability
- State life insurance
- Vision

Other benefits, based on an employee's total salary, paid by Orangeburg County School District are:

- Workers' Compensation – Professional & Clerical, Bus Drivers
- Social Security
- SCRS Retiree Life
- SCRS
- No Cost Drug & Alcohol Counseling

Health Insurance

Eligible employees have several health plans from which to choose.

- State Health Plan (Blue Cross/Blue Shield)
- Health Savings Plan
- Tricare supplement
- Medicare supplement

Insurance Benefits

Orangeburg County School District offers the insurance programs of South Carolina Public Employee Benefit Authority (PEBA). Employees select the coverage that best meets the needs of him or herself and family.

The State Health Plan

The purpose of the State Health Plan is to provide employees and their eligible dependents with valuable medical coverage should they become sick or injured. The State Health Plan is a self-insured medical plan. To administer the plan, the State has contracted with a third party claims processor, Blue Cross/Blue Shield of South Carolina. Following is a brief overview of benefits that are offered. More detailed information is provided in the State Benefits Guide or by calling the Benefits Office. You may also call Public Employee Benefit Authority (PEBA) at 1-888-260-9430 or visit their website at www.peba.sc.gov.

Permanent, full-time employees should contact the benefits administrators at 803-534-5454 to schedule an appointment to complete the required forms, including a Notice of Election (NOE) within 31 days of the date they are hired. **Coverage is not automatic.** Failure to do so results in ineligibility until the next enrollment period, which is in October or within 31 days of a special eligibility situation. New Employees, retirees, and reinstated employees may enroll but must meet various stipulations required for enrollment.

When coming to the benefits office, employees will need to bring social security numbers, and birth dates for anyone they need to add as beneficiaries for life insurance. If an employee needs to add someone to their health or life insurance coverage they will need to bring social security numbers, birth certificates (long form) for any children and marriage license for spouse. This is very important as Public Employee Benefit Authority will not accept any incomplete NOE's.

Eligible Employees

Employees are eligible for State Health Insurance if they work at least 30 hours a week in a position that is classified by the employer as permanent or full-time. Part-time teachers are eligible for state health, dental, Money Plus, and vision care program benefits at a higher cost.

Eligible Dependents

Employees may cover either their lawful spouse or former spouse (if required by a divorce decree or court order) but not both. Coverage is available for any unmarried children under the age of 26 who are principally dependent upon the employee for support. This includes a natural child or adopted child. This also includes a stepchild, foster child or a child for whom the employee has legal custody and who resides in the home in a normal parent/child relationship or for who support is provided because of a court order.

Coverage is available for an unmarried child who is incapable of self-sustaining employment because of mental illness, retardation or physical handicap and is primarily dependent upon you for support. An Incapacitated Child Certificate is available from the benefits office.

Eligibility for Survivors

Widows and widowers of deceased subscribers are classified as surviving spouses under the health plan. The health insurance premium for a covered spouse will be waived for one year after the active employee's death, provided the deceased employee's premium was employer-funded. A surviving spouse and/or child(ren) who is not enrolled when the covered subscriber dies, is not eligible for coverage as a survivor. After the first year, the surviving spouse can continue coverage by paying the non-funded survivors premiums listed at www.peba.sc.gov. A surviving spouse who remarries becomes ineligible to continue coverage.

Incapacitated children may continue coverage beyond the age requirements. The premiums are waived for one year after the active employee's death.

Employees that are married and both are employed with State Benefits

If both spouses are employees (or retirees of the State) only one may carry eligible dependents.
Several rules apply to effective dates of coverage. Here are some answers to the most commonly asked questions:

- Covered employees who retire or change jobs to another state agency, school district or participating county must apply for coverage under their new status within 31 days. For new employees, coverage begins on the first day of the calendar month coinciding with or following the date of employment.

- An employee who changes jobs has continuous coverage from one covered employer to another, provided he reapplies within 31 days from the hire date on the new job.
- New dependents must be enrolled within 31 days of birth, adoption, marriage, or loss of other group health coverage.
- Newborn or adoptive dependents are covered from birth or the day of adoption provided employees follow the procedure for adding the child to their insurance within 31 days of birth or adoption. An employee must make an appointment with the benefits administrator to complete a NOE to add a newborn or an adoptive child.

Medi-Call

- The State Health Plan involves the use of Medi-Call. Medi-Call provides for the review of non-emergency admissions to the hospital before admission occurs and during the hospital stay. Also, it provides the review of outpatient surgery and certain other treatments. Medi-Call aids employees and families in receiving care in the most appropriate, cost-effective manner. Participation in Medi-Call is mandatory. Call (803) 699-3337 in Columbia or 1-800-925-9724 in South Carolina, nationwide and Canada when:
- You need inpatient care in a hospital.
- You need outpatient surgery.
- You need foot or knee surgery in a doctor's office.
- Your pre-certified outpatient service results in a hospital admission (you must call again).
- You are admitted to a hospital in an emergency situation (your admission must be reported within 48 hours or the next working day).
- You are diagnosed as being pregnant (you must call within the first three months of your pregnancy).
- You have an emergency admission during pregnancy.
- You deliver your baby.
- Your newborn has complications at birth.
- You are admitted to a skilled nursing facility, utilize home health care, hospice care or an alternative treatment program, or need durable medical equipment.
- You or your covered family member needs to be evaluated for a transplant.
- You need inpatient rehabilitative services and related outpatient physical, speech, and occupational therapies.

Employees who do not call Medi-Call in the required situations will be required to pay a penalty.

Vision

- *The STATE OF SOUTH CAROLINA* has selected EyeMed as your vision benefits program. This plan allows you to improve your health through a comprehensive eye exam, while saving

you money on your eye care purchases. The plan is available through hundreds of provider locations participating in the EyeMed State of South Carolina ACCESS network.

To see a list of participating providers near you, go to the PEBA's web site, www.peba.sc.gov and click on Employees > Vision > Eyemed > Find a doctor near you. You may also call 1-877-735-9314 for assistance

State Dental Insurance

Eligible employees of a participating entity of the State of South Carolina can enroll in the State Dental Plan within 31 days of the date hired by completing a NOE. They can also enroll their eligible dependents. Coverage begins on the first day of the calendar month coinciding with or following the date you begin employment and are actively at work. Coverage for dependents that enroll at the same time begins when the employee's coverage becomes effective. If you do not enroll when you are hired, you must wait until the next open enrollment period to enroll or within 31 days of a special eligibility situation. The dental election is for a two-year period. Employees may only enroll or make adjustments in odd years during openenrollment.

You are eligible to enroll in the State Dental Plan if any of the following applies to you:

- Full time employee
- Spouse of a full-time employee
- Dependent child of a full-time employee
- Retiree
- Survivor

All benefits are paid on the basis of the Schedule of Dental Procedures and Allowable Charges available from your benefits office or PEBA. Keep in mind that some services may not be covered under this plan.

Your State Dental Plan coverage will end:

- on the first day of the month you terminate your employment
- on the date the State Dental Plan is terminated for all employees
- if you do not pay the required premium when it is due (if you are on leave without pay or on COBRA)

COBRA

Under a federal statute called the Consolidated Omnibus Budget Reconciliation Act of 1986,
(COBRA) employees and/or dependents may extend coverage from 18 to 36 months providing they pay the full premium (state's portion and the employer's portion).

The following are circumstances under which employees or dependents may be able to extend coverage under the provisions of COBRA:

- The employee loses benefits full to part-time.
- The employee resigns.
- The employee is laid off in accordance to the approved Reduction in Force (RIF) policy.
- The employee is fired (unless the firing is due to gross misconduct)
- Becomes entitled to Medicare.

- The employee separates or divorces.
- A dependent child loses his/her dependent child status under plan rules.
- The employee dies – See eligibility for Survivor

To apply for COBRA coverage, notify the benefits administrator at the District Office immediately that the qualifying event (listed above) has occurred. The district is then responsible for getting the application to you. You or your dependent(s) must then apply within 60 days of the qualifying event or notification of the right to apply, whichever is later.

Money Plus

You must be eligible for state group insurance benefits to participate in Money Plus; however, you are not required to enroll in an insurance program in order to participate in Money Plus.

Pretax Group Insurance Premium Feature

With this feature, you can pay your State Health Plan, EyeMed and State Dental Plan premiums before taxes are taken out of your paycheck. This means you do not have to pay taxes on the dollars you use to pay these premiums.

Optional Life Insurance premiums will be deducted from your check before taxes; however, only premiums for coverage up to $50,000 will be exempt from taxes. Additional coverage amounts (above $50,000) will be added back to your earnings on your W2 form at the end of the year.

515.253 Dependent Care Spending Account

The Dependent Care Spending Account allows you to pay for dependent care expenses with your pre-taxed income. Eligible expenses include day care, whether in the home or outside the home, for any dependent child under the age of 13. Day care expenses for a physically or mentally handicapped dependent of any age or for a disabled or elderly dependent are also eligible. Use of this benefit is limited to those employees who need dependent care to permit both the employee and the employee's spouse to work.

You can enroll in the Dependent Care Spending Account within 31 days of the date you are hired by completing a Money Plus enrollment form. If you do not enroll at that time, you can enroll during an announced enrollment period. You must re-enroll during the announced enrollment period each year to continue your account from year to year. Changes will be effective the following January 1. You can also enroll in or make changes to this account within 31 days of a change in family status. FBMC must approve these changes.

Medical Spending Account

With this feature, you set aside money from your paycheck before you pay taxes to pay your family's non-reimbursed medical vision, and dental bills. This means you can be reimbursed from your own Money Plus account for medical, vision and dental expenses even if you or your dependents do not subscribe to the State Health Plan.

Expenses eligible for reimbursement include your deductible, coinsurance and copayments. Money Plus is an excellent way to help pay for vision care, physical exams, out-of-pocket dental fees (including orthodontia), birth control pills and any other out-of-pocket medical expenses deductible under tax laws.

You may enroll within 31 days of your hire date or enroll during open enrollment.

You can also enroll or make changes to this account within 31 days of a change in family status.

AUTOMATIC LIFE INSURANCE BENEFITS

Basic $3,000 Life Insurance

The Basic Life Insurance program provides $3,000 life insurance coverage to all eligible employees under the age of 70 and $1,500 to eligible employees age 70 or older.

If you are an active, full time employee who is enrolled in the state health insurance program, you are eligible for this benefit. It is provided free of charge to all eligible employees and enrollment in the program is automatic.

Accidental Death and Dismemberment

If the death of an eligible employee is due to an accident, an additional $3,000 is paid to the designated beneficiary under the age of 70 and $1,500 for employees over the age of 70.
Accidental dismemberment is compensated in varying amounts according to the nature of the loss.

If you are terminating employment, you may convert your coverage to an individual policy. You will receive a conversion form from your benefits administrator. The benefits administrator will mail form to MetLife. That group will contact you to set up a time for them to meet with you.

MetLife will conduct a medical screening and submit a premium quote to you.

Dependent Life Insurance

You can cover your eligible dependents with Dependent Life Insurance administered by the MetLife. You do not have to be enrolled in a State Health Plan to enroll in Dependent Life. You can enroll in the Dependent Life Insurance Plan without having to provide medical evidence of good health within 31 days of the date you were hired. You must complete an NOE and return it to your benefits office. You must list each dependent you wish to cover on the NOE. If a dependent is not listed on the NOE, he/she is not covered.

Coverage is effective on the first day of the calendar month coinciding with or the first of the month following your date of employment. You may cover your spouse, if not a state employee, and dependent children up to the age of 19 or 25 if a full time student.

Optional Insurance (MetLife)

Optional Life affords additional life insurance protection for the employee at a very reasonable premium (in addition to the district and retirement system life insurance coverages). Active full-time employees are eligible for optional life. Premiums are based on your age. This policy includes life and accidental death and dismemberment benefits.

If your age category changes, your rate will change on January 1 of the next calendar year (refer to your Insurance Benefits Guide for more information on Optional Life).

Your Living Benefit also known as Accelerated Benefits Option

If you are an active employee that is diagnosed as having a terminal illness, you may request that MetLifepay up to 80% of your amount of life insurance prior to your death. The remaining benefit will be paid to your beneficiaryupon your death. A terminal illness means that you have a life expectancy of 12 months or less. MetLife may require proof that you are terminally ill before benefits are paid.

Incidental Death Benefit - Retirement

If the employer elects this coverage, at the death of an actively employed member with at least one year of credited service, a single payment equal to the budgeted salary of the deceased member will be made to the designated beneficiary (or beneficiaries or trustee). A member under an eligible employer has immediate coverage if death results from a job-related injury.

Basic Long Term Disability (BLTD)

The Basic Long Term Disability Plan (BLTD) is provided at no cost when you are enrolled in a state health plan of your choice.

The Basic Long Term Disability Plan, administered by Standard Insurance Company, is an employer-funded disability plan provided by the State. The BLTD plan is designed to help you protect a portion of your income if you become disabled. There is a 90-day waiting period from the onset of a disability.

Basic Long Term Disability provides a benefit of 62.5% of monthly base earnings less certain offsets, up to a maximum of $800 per month. Taxable benefits are payable for 24 months if you are unable to perform the duties of your own job, and to age 65 if you are unable to perform the duties of any and all jobs for which you are eligible through education, training or experience. This plan is not convertible into retirement.

Supplemental Long Term Disability (SLTD)

SLTD is a voluntary "employee pays all" program. You may enroll in SLTD within 31 days of eligibility. If you do not enroll during eligibility you will have to provide Standard with medical evidence of good health and be approved to become insured. The benefit pays 65% of gross monthly salary, with certain offsets, up to a maximum of $8,000. Nontaxable benefits arepayable up to 24 months if you are unable to perform the duties of your own job and up to age 65 if you are unable to perform the duties of all jobs which you are eligible through education, training and experience. You may choose a 90-day or 180- day plan. Premiums are based on salary, age and plan selected.

Mental Health Parity

The State Health Plan implemented Mental Health Parity on January 1, 2002. Claims for mental health and substance abuse will be subject to the same deductibles, coinsurance and out-of-pocket maximums as medical claims.

Companion Benefit Alternatives will administer the program. When you need care, call toll free 1-800-868-2520 and you will be directed to a national network of providers. The provider network is an open network. This means that any eligible provider can participate in the network.

There is no limit to the amount of care you receive as long as it is authorized as being medically necessary. There are no claims to file. Your provider will be responsible for submitting claims for these services.

If you choose to use out-of-network provider, you will need to file a claim yourself.

Retirement

Membership in the S.C. Retirement Systems ("SCRS") or an Optional Retirement Plan is required for all personnel with the exception of employees who hold a temporary position. All permanent, full-time and part-time personnel must join the South Carolina Retirement System or an Optional Retirement Plan. Membership should be perceived as a substantial asset and an investment in your retirement security.

South Carolina's Retirement System compares very favorably, in terms of its benefits and provisions, to other state systems. Membership starts with the effective date of employment. As an active member you may view your account on line by going to www.peba.sc.gov and click on "Member Access".

Many changes have taken place with the State retirement system for the current and future years. These changes are outlined in the retirement member handbook that can be accessed at the link below. If you have any questions regarding the retirement system, please call Shelley Barr or Bonnie Bizzell in the Benefits Office at (803) 534-5454 or you may visit the website at www.peba.sc.gov.

State Optional Retirement Plan (ORP)

The State ORP is a defined contribution plan in which an account is established in an employee's name with an investment provider. The employee and employer contributions are accumulated in the account and invested according to the employee's choice. The South Carolina Retirement System is responsible for the administration of the State ORP. The director of the South Carolina Retirement System designates the companies to provide annuity contract, mutual fund accounts, or similar investment products.

Enrollment

All new full time employees to Orangeburg County School District after June 30, 2001 may elect to participate in the State ORP within 30 days after entry into service***. It is the responsibility of the employee to contact a state vendor and complete paperwork. It is also the employee's responsibility to furnish the payroll department with this information within 30 days.*** Failing to make the initial election within the required time of 30 days will result in automatic membership in SCRS. When employees join the State ORP they will have a one-time opportunity to join SCRS in five calendar years during the months of January, February, and March. For more information on the State ORP, call the benefits office or the SCRS at 1-800-868-9002. You may also visit their web site at https://peba.sc.gov/sites/default/files/select_guide.pdf.

South Carolina Deferred Compensation

Deferred compensation is a voluntary retirement savings program. It allows you to supplement your regular South Carolina Retirement by saving an amount you designate. That amount is payroll deducted before taxes, which reduces your taxable income. In addition, money saved draws higher interest than in most regular savings accounts; however, withdrawal of your money is limited to specifically approved hardships. Deferred Compensation works for you in the following ways:

- You draw interest on money you would otherwise pay in taxes.
- The interest on your money compounds tax free in your account until you begin to make withdrawals.
- You get the highest interest rates the State of South Carolina can obtain for you.
- When you draw from your account after retirement, you do pay taxes but usually in a lower tax bracket.
- You protect your future by accumulating savings in addition to South Carolina Retirement and Social Security so that you will have a more comfortable income upon retirement.

Savings are more secure since the program is under the auspices of the State. There are savings options that you may select from to best meet your needs.

For more information on South Carolina Deferred Compensation, call Wendy Sheffield at 803-944-3756. You may also visit theirwebsite at www.southcarolinadcp.com.

Minimum Increments of Paid Time Off

The minimum amount of paid time off you can use at one time depends on whether you are an exempt or a non-exempt status employee. If you are non- exempt, you may not take less than one hour off at a time. All time off will be recorded in

15 minute increments. If you are an exempt status employee, you must take paid time off in increments of not less than one-half day.

Compensatory Time

It may occasionally be necessary for non-exempt persons to work more than 40 hours during a given workweek. Individuals 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.

Overtime hours will be held to a minimum consistent with the needs and requirements of sound and orderly administration. All hours worked by non- exempt employees (see district salary schedules for list) must be scheduled and duly authorized. Overtime of up to eight (8) hours and in anticipation of compensatory time must be authorized by the supervisor in writing prior to the time the work is performed. Overtime in excess of eight (8) hours and in anticipation of compensatory time or any overtime that will not be utilized as compensatory time (i.e., hours worked in anticipation of payment at one and a half time the regular rate) must be authorized in writing by the supervisor and an Assistant Superintendent.

Procedures:

1) Only non-exempt employees may accumulate comp time.

2) Overtime in anticipation of comp time up to a cumulative total of 8 hours must be approved in advance and documented in writing by the supervisor. (An email confirmation to the employee will meet this requirement.)

3) Overtime that would extend accumulated comp time beyond 8 hours or would require a monetary paymentat one and a half times the regular rate requires the approval of the supervisor and an Assistant Superintendent. (Email correspondence with an Assistant Superintendent will meet this requirement.)

4) It is the responsibility of the supervisor to maintain an accurate accounting of all overtime hours. Comp time will be reported on the appropriate form and signed by the supervisor each month.

5) Under no circumstances may overtime in anticipation of comp time exceed 80 hours (120 hours at time and a half). Any overtime beyond 80 hours will be paid at one and a half times the regular rate at the end of the pay period in which it is earned.

6) Unauthorized overtime is not permitted. Unauthorized overtime is any work done beyond the accepted workweek for a position without the advance authorization of the supervisor.

7) Employees are expected to expend accumulated comp time before using other types of leave (sick, personal, vacation, etc.).

8) No comp time balance may be extended across fiscal years. It is the responsibility of the supervisor to work with employees to schedule the use of comp time prior to June 30 each year.

9) Overtime in cases of emergency and as approved by the Assistant Superintendent for Operations and

Assistant Superintendent for Student Services or other Assistant Superintendent does not require written authorization prior to the time the work is performed.

Eligibility for Transfer

The District recognizes that staff motivation, productivity, and retention are dependent upon people working in jobs that are well suited to their interests, and therefore offers and encourages transfer opportunities for current employees. Likewise, supervisors should be supportive of staff members who have the desire to enhance their skills or develop new competencies to pursue different or greater responsibilities internally.

An employee must be in his or her current position at least one year and be in good standing before he or she is eligible to apply for a transfer. The one-year waiting requirement may be waived if the position is being adversely affected due to a reduction in the work force or job elimination, or if there is significant change in the terms and conditions of employment (e.g.

work schedule, hours, salary, status, etc.). In all cases, the employee's work record, including but not limited to performance, attendance, efforts to develop skills and related behavior will be used as valid criteria for determining suitability for a position.

Rehire Eligibility

It is the practice of the District to consider rehire of former employees who voluntarily left employment or were displaced due to student and scheduling needs. Employees who voluntarily resigned or were displaced due to District needs will be eligible for rehire if they had a satisfactory work record while employed by the District. Former employees who had a less-than- satisfactory work record will not be considered for rehire for a period of not less than one (1) year after separation. This includes employees with a less-than-satisfactory rating on their most recent performance evaluation, employees terminated for violation of policy or performance standards, and/or employees who terminated employment with an unresolved performance improvement plan.

Confidentiality Agreement

Orangeburg County School District employees must adhere to a strict code of conduct with regard to confidentiality. This agreement covers all persons working, volunteering or doing business with Orangeburg County School District. This includes the time during and after employment, volunteering and/or when services with Orangeburg County School District has been completed or terminated. This agreement prohibits confidential information related to employee data, contractual and litigation information, student data, salaries, personal information, medical issues, disciplinary actions, terminations for cause, and any other information that is deemed confidential from being accessed, disclosed or released in any format to or by a person/business without the proper written consent of a supervisor or appropriate individuals in the chain of command.

Access to and knowledge of information that is deemed confidential includes, but is not limited to, any information that personally identifies a particular employee or individual, particular student, board member, or employee.

Individual Matters

This includes personnel, student files, and other similar files where unauthorized access or release, falsification or destruction of confidential individual records is strictly prohibited.

Disposal of Confidential Documents

Confidential documents must be handled in a confidential manner prior to disposal.

Reporting a Breach of Confidentiality

All employees, volunteers or people doing business with Orangeburg School District are required to report violations of this policy. Options include reporting to a supervisor, appropriate individuals in the legitimate chain of command, or to Human Resources.

My signature indicates my agreement to maintain strict confidentiality of all employee, division, departmental, school and district information gained or exposed to me in the course of fulfilling my job duties and responsibilities with Orangeburg County School District. I recognize that failure to adhere to this code of confidentiality could lead to serious personnel actions including but not limited to termination of my employment.

Staff Dress Code (Policy GBEBA)

The board expects the appearance of staff to be guided by what is most generally acceptable in the business and professional world. All employees serve as role models for students and should maintain professional standards of dress and grooming.

Staff members are to be neat, clean, and appropriately dressed for their job responsibilities at all times while at work. Support staff and teachers in special areas will wear clothing appropriate for their instructional or work environment, e.g. physical education, JROTC, career technology, transportation, food services, custodial, or maintenance should dress as appropriate for their particular work.

Principals may occasionally make exceptions to wearing jeans, sweatshirts, an/or T-shirt for special circumstances such as field trips or similar outdoor trips, teacher workdays, and special school events. Staff development days, Fridays, and summer work hours are not exceptions and do not constitute a "special occasion". All exceptions must receive prior approval from the principal or District-level supervisor.

General Guidelines

There is professional and appropriate attire for every position. Everyone is expected to be clean and neatly groomed and dressed.

- Appropriate attire for men includes suits, sports coat with or without ties, shirts with collars. Men's shirts should be tucked in at all times. While wearing a tie at all times is not required, there are occasions when a coat and tie would be appropriate.
- Clothing should be neat and clean. Faded or wrinkled clothing does not reflect a professional, business-like appearance.
- All personnel should wear appropriate undergarments at all times.
- When in doubt about a garment, decide if you would wear it in a business setting. However, if your work for a particular day includes primarily manual labor, dress accordingly.
- Physical education teachers may wear athletic clothing when instructing physical education classes.
- School cafeteria employees should dress in uniforms and skid-resistant, closed-toe shoes.
- School nurses will wear white lab coats or vests over their professional clothes.
- Occupational and physical therapists may wear uniforms as appropriate.
- Maintenance and custodial staff should dress in uniforms, following guidelines determined by their supervisor.

Unacceptable Attire

Attire considered unacceptable includes:

- Flip flops
- Shorts of any kind (except for those who work outdoors in hot weather)
- Jeans of any color
- Leggings
- Sweatshirts
- T-shirts
- Wind pants or sweat pants
- Immodest clothing, such as spandex, spaghetti straps, midriff tops, excessively short skirts, revealing garments such as low-cut tops, pants worn too low on hips, tops or dresses with thin straps, clothing that reveals underwear, split skirts or dresses with splits more than 2" above the knee

Attendance Guidelines

Employees are expected to be at work on time each day they are scheduled to work. Employees are considered tardy if they have not clocked in by the start of their shift, or if they have not called in within thirty (30) minutes prior to the start of their shift. Failure to call in during your shift may result in termination. Discipline for tardiness and early exits will follow the progressive discipline process.

It is your obligation to notify your supervisor immediately when you will be late or absent, to state the reason for such lateness or absence, and to advise when you expect to return to work. If your supervisor is not available when you call, you must leave a message. The message should include a telephone number where you can be reached. If you are physically unable to make a personal call, you must have someone call for you. Following these steps does not excuse the absence, but failure to comply with them can result in an immediate disciplinary notice, and make you ineligible to use sick leave to cover your absence.

Chronic, habitual, or excessive absenteeism will result in administrative leave without pay and/or discharge. Chronic, habitual, or excessive absenteeism shall be defined as either three or more absence occasions within a ninety (90) day period, or more than one absence occasion within a thirty (30) day period. The progressive discipline process will be followed up to and including termination in cases of excessive absenteeism.

These attendance guidelines do not apply in the case of a pre-approved absence. Please refer to Policy GDC - Support Staff Leaves and Absences for guidelines on pre-approved leave and absences.

An absence of three (3) consecutive workdays without notification is considered voluntary resignation and job abandonment.

Exceptions will be made as necessitated by the Family and Medical Leave Act and the Americans with Disabilities Act.

Disciplinary Process

The District has established expectations of performance and conduct for employees in order to promote operational efficiency and safety, to ensure high quality education, and to comply with the letter and spirit of applicable laws and regulations. Employee behavior as detailed below that maliciously defames or discredits the District or interferes with providing appropriate education to students or other stakeholders will not be tolerated and will be remedied through appropriate measure, which includes disciplinary action. The District expects its employees to observe “common sense” rules of honesty, good conduct, general job interest, safe practices, and generally accepted customs of good taste. It is difficult, if not impossible, to categorize all types of prohibited conduct. Thus, the following list is not intended to be all-inclusive. Additional rules may be found in previous sections of this handbook.

The following list of violations is intended to be illustrative only, not exhaustive:

- Insubordination, meaning refusal by an employee to follow the job instructions of the supervisor or another in an authority position

- Removing District property from the District's premises without permission
- Failing to follow safety policies and procedures or carelessness affecting personal safety
- Practical joking or horseplay
- Using profanity, abusive or hostile language toward a co-worker, student, parent, or other customer
- Interfering with or behaving in a way that is disruptive to co-workers in the performance of their duties
- Inadequate personal hygiene and grooming as required for the position
- Indecency at work
- Gambling on District premises
- Violating the solicitation policy
- Violating the tobacco-free policy
- Leaving work area without permission
- Abuse of meal and break time
- Failing to clock in or out as required
- Clocking in or out for another employee or knowingly permitting another to clock in or out for self
- Having excessive personal phone calls, attending to personal business, or wasting time during work hours
- Having excessive tardies and absences
- Failure to cooperate in an investigation
- Failure to report others for violating any District policy, rule, or procedure
- Failing to follow departmental or school policies and procedures

The following are examples of behaviors that may result in discharge without progressive performance actions:

- Engaging in disrespectful or abusive conduct toward students, parents, or other stakeholders, whether on duty or off duty, regardless of the means of communication, including social media applications, which include but are not limited to, Facebook, Twitter, YouTube, LinkedIn, online forums, and blogs
- Accessing or revealing confidential student information without authorization, whether on duty or off duty, regardless of the means of communication, including social media
- Making false entries or altering any student record or District report, including employment documents, time records, expense reports, grade records, billing records, or any other official District record
- Theft, destruction, defacement, or misuse of District property or the property of another employee, student, parent, or visitor
- Using, selling, dispensing, or possessing illegal drugs on District property
- Using, selling, or dispensing alcoholic beverages on District property
- Reporting to work under the influence of alcoholic beverages and/or illegal drugs
- Possessing firearms or other weapons on District property unless secured in the employee's vehicle
- Engaging in any form of workplace harassment, including sexual harassment
- Listening to, viewing, copying, or distributing sexually explicit materials
- Knowingly engaging in or facilitating any conduct which causes the submission of false or fraudulent claims to any local, state, or federal agency
- Any breach of the District's equal employment policy regarding nondiscrimination because of a

person's race, color, religion, national origin, sex, age, or disability

- Absence without notice ("No call, no show")
- Fighting or instigating a fight on District property
- Sleeping on duty
- Insubordination by the failure to perform valid job directives or grossly disrespectful conduct that disrupts the workplace
- Making threats to another employee
- Engaging in conduct or making statements regarding the District that are grossly disloyal, reckless, or maliciously untrue that harm the District, whether the conduct occurs on duty or off duty and regardless of the means or methods of communication; examples of such conduct or comments include: complaining while on duty to students or student families about personal problems, making comments about coworkers, supervisors, vendors, and team members including employees of contractors providing services at District facilities that are maliciously untrue, grossly disloyal, threatening, unlawfully intimidating, unlawfully harassing, or in violation of the District's workplace policies against discrimination, harassment, or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic; or making maliciously untrue or disparaging comments about the quality of education and services provided by the District or within its facilities.

Fairness and consistency are essential when applying corrective measures to remedy employee misconduct. Consistency requires that measures be applied equally to all employees. Fairness, however, requires that measures be applied as warranted by the specific circumstances surrounding each episode of employee misconduct.

Supervisors should strive to maintain consistency in the use of discipline, but consider the degree of misconduct involved or extenuating circumstances that may temper the response to a specific act.

The District utilizes a progressive discipline approach for violations of policies or procedures. This approach includes verbal and written warnings, administrative leave without pay, and termination. The District is not required to utilize any or all of the steps prior to termination, but in many instances, will choose to do so.

The following steps are optimal when applying measure to correct conduct and/or performance that are contrary to behavioral and performance expectations:

a) Meet with the employee in a private setting to discuss the matter and record anecdotal notes as well as request a written statement from the employee

b) Inform the employee of the nature of the problem and the action necessary to correct it

c) If an employee disputes the factual basis of alleged misconduct, it may be prudent for the supervisor to obtain statements from individuals having witnesses the incident in question

d) If it is determined that allegations are valid, then the supervisor will inform the employee of the findings and then follow through with appropriate corrective action

e) It is the philosophy of the District to apply progressive performance measures as appropriate toward resolution and correction of problems. The thrust of progressive measures is directed at changing rather than punishing behavior. When deciding which measures should apply, the supervisor will

consider the nature and severity of the problem, previous efforts directed toward resolution of the same of similar expectations, an employee's length of service and previous record of job performance.

f) Support/classified staff may be subject to the following steps of progressive performance management:

1st offense: Verbal Warning (recorded in the employee's file)
2nd offense: Written Warning
3rd offense: Second Written Warning
4th offense: 3 Days Administrative Leave Without Pay Subsequent offense: Termination

g) In applying progressive discipline, an employee's entire history of performance, including all disciplinary measures, will be considered. Any violation of District policies during the twelve months following an administrative leave may result in immediate discharge.

h) The respective department director and the Chief Officer of Human Resources and Administration will review the misconduct and jointly ascertain an appropriate course of action prior to any administrative leave or discharge.

Implementation of this procedure does not establish any contract of employment nor modify "employment at-will" as provided under South Carolina law for any and all classified, non-contracted employees.

ORGANIZATIONAL RELATIONSHIPS AND COMMUNICATION

Selected Board Policies

The Orangeburg County School District Board of Trustees asks the superintendent to ensure that all employees clearly understand working relationships in the school system. The Board approves lines of direct authority and expects employees with professional concerns not only to follow the steps indicated but also to keep all appropriate staff members informed at each step and level of deliberation. The Board expects each employee to refer matters requiring administrative action to his/her administrator (the person to whom he/she is responsible). When necessary, that administrator will refer such matters to the next highest administrative authority.

Grievance Procedures

All employees have the ultimate right to appeal a decision made by an administrator through grievance procedures established through Board Policy GBK and GBK-R. Board Policy GBK outlines the key elements involved in due process. Lines of authority and structured channels of communication do not restrict, in any way, the cooperative, sensible working together of all employees at all levels in order to develop the best possible school programs and services.

It is the district's philosophy that when conflicts arise, it is incumbent upon the supervisor and subordinate to resolve such conflicts through honest and direct communication and diplomacy. The district provides a formal process for filing grievances that allows any employee to present a concern and ask for resolution in progressive steps. The following are the basic levels of appeal, very simply stated:

- Level I Building Principal/Supervisor
- Level II Division of Human Resources
- Level III Superintendent
- Level IV Board of Trustees (Request for a Hearing)

At each step along the way, the problem may be resolved. Specific timelines apply to all levels regarding how much time may elapse before appeals must be submitted and how soon a response must be given. It should be noted that a request to be heard by the Board of Trustees does not guarantee an audience before this body. The decision of whether to grant an audience rests solely on the Board of Trustees. Should you need to refer to the detailed grievance procedure, refer to the District Policy Manual, Personnel Section, PolicyGBK, available on the website at www.ocsdsc.org or at http://scsba.org/policy-services/policies-online/.

BOARD POLICIES

Policy GA Personnel Goals

Issued 6/19

The district will recruit and retain a high-quality, diverse staff who have demonstrated knowledge in their field, exhibit a cooperative attitude, and are dedicated to effectively implementing the district's educational program.

The district's personnel policies are based on the following general goals:

- to recruit, select, and employ the most qualified individuals to staff the district's schools
- to provide equal employment opportunities for all candidates for positions as set forth in board policy to provide compensation and benefit programs sufficient to attract and retain highly qualified staff
- to provide training, coaching, and mentoring for all staff to improve performance and to eliminate practices inconsistent with maximizing student achievement
- to utilize and consistently implement a positive staff evaluation process which builds capacity, fosters improvement, and increases communication between the staff member and the evaluator
- to develop a staff assignment strategy to ensure the most effective use of individuals as possible within the district's budgetary constraints
- to enable each staff member to contribute to the effective implementation of the educational program through involvement in planning and decision making when practicable
- to model, support, and sustain a climate that embodies the elements of respect, self-reflection, and continuous improvement to encourage maximum staff performance and a high level of job satisfaction

Adopted 6/11/19

Policy GBAA Sexual Discrimination, Harassment, and Retaliation

Issued 6/19

The district is committed to maintaining a learning and working environment free from sexual discrimination, harassment, and/or retaliation. In keeping with this commitment, the district will not tolerate discrimination or harassment of district staff in the course of their employment by any person, including, but not limited to, any supervisor, coworker, vendor, visitor, students, or other staff member of the district based on the staff member's sex (including gender identity, sexual orientation, and pregnancy, childbirth, or any related medical conditions). Further, the district will not tolerate retaliation against a person who has made a report or filed a complaint alleging sexual discrimination or harassment or who has participated as a witness in a sexual discrimination or harassment investigation.

All district staff are responsible for helping to ensure that sexual discrimination, harassment, and/or retaliation does not occur. If a staff member feels that he/she has experienced or witnessed sexual discrimination, harassment, or retaliation, he/she is immediately to notify his/her supervisor or building-level principal or file a formal complaint with the district's compliance officer. A staff member who does not promptly report what he/she reasonably believes to be sexual discrimination, harassment, or retaliation may be subject to disciplinary action.

Reports of sexual discrimination, harassment, or retaliation may be made anonymously, but formal disciplinary action will not be taken solely on the basis of an anonymous report. The district will investigate all sexual discrimination, harassment, and retaliation reports impartially, thoroughly, and promptly and take immediate and proportionate corrective action to end the discrimination, harassment, and/or retaliation and prevent the reoccurrence of similar misconduct, up to and including immediate termination of employment, as appropriate. Investigations will occur even if the alleged victim does not file a complaint directly or wish to see action taken by district or school administration. On an individualized and appropriate basis, interim measures may be taken following receipt of a complaint to minimize the risk of harm to all parties and to prevent against continued sexual discrimination, harassment, and/or retaliation.

Confidentiality

To the fullest extent practicable, while ensuring a thorough and impartial investigation, the district will keep reports and the terms of their resolution confidential, including the names of individuals who submit reports, witnesses who provide information regarding reports, and the person against whom the complaint is made. All records generated under the terms of this policy and related administrative procedures will be maintained with utmost confidentiality to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All complainants proceeding through the complaint process will be advised that their identities may be disclosed to the party being accused of inappropriate conduct.

Education and Training

Notice of this policy will be circulated to all district schools and departments and incorporated in employee handbooks. Staff will receive copies and indicate by their signature an understanding of the contents of the policy. The district will provide training for all employees on a yearly basis. All new employees will receive training as part of their orientation. All administrators will be trained in prevention of sexual discrimination, harassment, and retaliation and the complaint procedures.

Cf. GBAC, JIAA

Adopted 6/11/2019

Legal References:

A. United States Code of Laws, as amended:
   1. Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e, *et seq.*
   2. Title IX of the Education Amendments of 1972, 20 U.S.C.A. Section 1681, *et seq.*

B. S.C. Code of Laws, 1976, as amended:
   1. Section 1-13-80 - Prohibits discrimination in hiring and other employment practices on the basis of race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), age, national origin, or disability.

Policy GBB Staff Involvement in Decision Making

Issued **6/19**

The board believes that a district functions best when all staff members are informed of the district's major activities, guiding principles, and goals. Communication between the board and district staff is welcome, and the board encourages recommendations and suggestions from all staff on any facet of the district's operation through the appropriate administrative channels. The board reserves the right to make the final decision on any action or policy for which it seeks input.

The superintendent will ensure that there is a process in place to encourage meaningful staff input prior to making recommendations to the board. If feasible, when developing rules, regulations, and arrangements for the operation of the district, the superintendent will attempt to include those staff members affected by such provisions at the planning stage. The process should be conducted in a spirit of cooperation, with a clear focus on student learning as the most important function of the district, and with the understanding that the staff is collectively responsible for student performance.

Staff participation in decision-making may include the items listed below as they are appropriate to areas, programs, schools, and offices:

- policy development
- development of district goals and objectives
- administrative rules development
- budget planning
- facilities planning
- strategic planning

Any suggestions offered for changes to curriculum, instruction, or the district's educational program should be research-based and include data linking such suggestions to improve student outcomes.

Adopted 6/11/19

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 59-19-10 - Power of board to manage and control district.

Policy GBE Staff Rights and Responsibilities

Issued **6/19**

The board will respect the rights of staff members which are established by federal, state, and local law and board policy.

Staff members have a responsibility to understand and adhere to federal, state, and local laws and regulations applicable to their job duties; the policies of the board; and any related administrative rules and procedures.

The board expects all staff to carry out their assigned responsibilities with conscientious concern. Essential to the success of ongoing district operations and the district's educational program are the following specific responsibilities which the district requires of all staff:

- faithfulness and promptness in attendance at work
- support and enforcement of policies of the board and administrative rules and procedures
- diligence in submitting required reports and assignments promptly at the times specified
- care and protection of school and district property
- attendance at school functions in accordance with expectations of the district
- concern and attention toward his/her own and the board's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times

In their association with students, staff should exhibit an appropriate and professional demeanor through their manner, dress, courteousness, work ethic, and attitude in order to establish themselves as role models who influence the development of young people. The board expects staff not only to provide exemplary instruction, but also to serve as exemplary role models.

In carrying out essential job functions, staff may be exposed to confidential information regarding students, coworkers, or district operations. Staff members are expected to maintain the confidentiality of any such information and should only discuss such information with those who have a legitimate educational interest in the information. Further, staff members should use extreme care to protect against negligent or inadvertent disclosure of such information.

Staff members are required to keep their supervisor advised at all times of their current legal name, address, and telephone number. Such information will be kept confidential unless a written release is given by the staff member or so ordered by law.

Adopted 6/11/19

Legal References:

A. United States Code of Laws, as amended:
   1. Family Educational Rights and Privacy Act, 20 U.S.C.A. Section 1232g.

B. S.C. Code of Laws, 1976, as amended:
   1. Section 30-2-300, *et seq.* - Prohibits disclosure of social security numbers and other personal identifying information.

Policy GBEA Staff Code of Ethics

Issued **6/19**

The board expects staff members to be familiar with the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act) and to adhere to its provisions in their behavior, contacts, and relationships with students, parents/legal guardians, coworkers, and school officials. Staff members will not engage in any activity that conflicts or raises a reasonable question of conflict with their responsibilities in the district or otherwise violates the Ethics Act.

Provisions of the Ethics Act that are applicable to public employees apply to all staff members. The Ethics Act prohibits staff members from engaging in a variety of activities, including, but not limited to:

- Using their employment with the district to obtain an economic interest for themselves, a family member, an individual with whom they are associated, or a business with whom they are associated
- Using their employment with the district to influence decisions in which they, a family member, an individual with whom they are associated, or a business with whom they are associated has an economic interest
- Demanding, seeking, receiving, or accepting anything of value to influence their discharge of official duties or to perform or fail to perform any act
- Offering, giving, or promising, directly or indirectly, anything of value to influence a public official or public employee's discharge of his/her duties or to perform or fail to perform any act
- Receiving pay for advice or assistance given in the course of their employment
- Using or disclosing confidential information gained in the course of their official responsibilities Examining records in possession of the district for an improper or unlawful purpose
- Representing an individual before the board except as required by law or when the representation is related to the public employee's personal affairs or the affairs of their immediate family members
- Accepting certain employment, including for a period of one year after ending their employment with the district, if the public employee is involved in procurement
- Having an economic interest in a contract with the district is they are authorized to perform official functions relating to the contract
- Receiving anything of value worth $25 if there is reason to believe they are a recipient of the thing of value because of their position as public employees
- Receiving anything of value for speaking in their official capacity before a public or private group, with the exception of reimbursement for actual expenses incurred for the speaking engagement (***NOTE:*** Accepting reimbursement may necessitate filing of a Statement of Economic Interests with the South Carolina Ethics Commission)
- Failing to file a Statement of Economic Interests with the South Carolina Ethics Commission as required by the Ethics Act if the public employee is serving as superintendent, the district's chief financial official, or the district's chief purchasing official

Staff members are also prohibited from:

- Engaging in any type of private business during the school day or on district property
- Selling instructional supplies, equipment, or other educational materials in the attendance area served by his/her school or furnish the names of students or parents/legal guardians to anyone selling these materials
- Violating any provision of policy GBI, *Staff Participation in Political Activity*

Nepotism

The district will not place a staff member in a position where he/she will exercise administrative or supervisory authority over a member of his/her family. A staff member may not participate in an action relating to the employment, appointment, promotion, transfer, advancement, or discipline of his/her family member or make any other employment decision governing his/her family member (e.g., approving an application from a family member to receive leave under the district's leave donation program/leave bank or approving funds requests from family members).

Consensual Relationships

In order to avoid potential conflicts of interest, favoritism, abuse of authority, harassment, or breaches of professional standards, romantic or sexual relationships between a subordinate staff member and his/her supervisor are not permitted. For purposes of this policy, "supervisor" includes any staff member who has supervision, direction, or control over the subordinate staff member, including but not limited to, the authority to hire, promote, discipline, evaluate, assign, set the wages of, or otherwise direct the subordinate staff member.

Prior to engaging in such a relationship, both the subordinate staff member and his/her supervisor are required to report the relationship in writing to the building-level principal or superintendent, as appropriate, so arrangements can be made to remove all supervisory duties over the subordinate staff member, up to and including transferring one of the parties to a comparable position that eliminates the conflict.

Any other staff member who becomes aware of such a relationship should report this information to his or her direct supervisor. Violation or failure to promptly disclose and correct a violation of this policy is grounds for disciplinary action, up to and including termination.

This policy should be interpreted broadly in order to further its objective of avoiding even the appearance of conflicts of interest in the workplace. Even where particular situations are not prohibited by this policy, relationships that would cause observers to question a staff member's ethics or professional judgment should be disclosed.

Cf. GBI

Adopted 6/11/19

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 8-13-100(15) - "Family member" means an individual who is the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent or grandchild, or a member of the individual's immediate family.
   2. Section 8-13-100(18) - "Immediate family" means a child residing in a public employee's household; a spouse of a public employee; or an individual claimed by the public employee or the public employee's spouse as a dependent for income tax purposes.
   3. Section 8-13-700, *et seq.* - Portion of the South Carolina Ethics, Government Accountability, and Campaign Reform Act applicable to board members.
   4. Section 59-15-10 - No staff member may serve on the board.

5. Section 59-19-300 - A board member may not receive pay as a teacher in same district where he/she serves on the board.
6. Section 59-25-10 - Employment of teachers related to board members or serving as board members.
7. Section 59-31-590 - A teacher may not have pecuniary interest in textbook selection.

Policy GBEB Staff Conduct

Issued **6/19**

The board expects all staff members to maintain the highest professional and ethical standards in their conduct with students, parents/legal guardians, and coworkers. For the purpose of this policy, staff includes, but is not limited to, employees, contract service providers, school volunteers, student teachers, and interns.

All staff members are expected to act with integrity and honesty on-duty and off-duty and be aware of the policy framework that governs staff behavior and day-to-day work performance. Staff must act in a manner that is consistent with the district's policies and sets a positive example for all.

To that end, in dress, conduct (including conduct communicated or performed in person, in writing, and/or electronically), and interpersonal relationships, all staff members should recognize that they are being continuously observed by students, other staff members, parents/legal guardians, and members of the community and that their actions and demeanor may impair their effectiveness in their position. When interacting with students in all curricular and extracurricular activities, whether on or off campus, both online and off-line, staff members are expected to exercise good judgment and to maintain professional boundaries appropriate to an educational setting and consistent with the educational mission of the district.

The relationship between staff members and students in the district should be one of cooperation, understanding, mutual respect, and trust. All staff members will treat each other with respect.

The personal life of staff member, including personal use of privately-owned electronic equipment outside of working hours, such as email, text messages, instant messages, or social media, will be the concern of and warrant the attention of the board only as it may directly prevent the staff member from effectively performing his/her assigned job duties or disrupts the educational environment or as it violates state or federal law, board policy, or contractual agreements.

No staff member will engage in criminal conduct or commit or attempt to induce students or others to commit an act or acts of criminal conduct which may be harmful to others or bring discredit to the district. If it appears a staff member may have violated the law, the district will report the offending conduct to and cooperate with law enforcement agencies.

Staff, 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. Staff members will not be involved in drug abuse or drug trafficking.

The following list includes, but is not limited to, actions that are considered misconduct while on duty, on or off district premises:

- possessing, using, selling, manufacturing, distributing, or dispensing any illegal drugs or alcohol while on duty, on or off district premises
- fighting or deliberately harming another
- being absent without approval
- refusing to follow a supervisor's instructions and directions
- neglect of duty (including, but not limited to, failure to follow a student's Individualized Education Program or 504 Plan, leaving students unsupervised, failure to discipline with consistency and/or failure to maintain proper building or classroom discipline, failure to take appropriate affirmative action when confronted with or after witnessing a situation in which a student is at risk of abuse or mental or physical injury, and/or inability or failure to effectively plan and present an organized lesson plan)
- failing to adhere to safety and health rules as established by state and federal law and board policy
- stealing, destroying, or vandalizing school property intentionally or through negligence; staff will be responsible for reimbursing the district for the cost of repairing or replacing damaged or stolen property
- possessing weapons on school property (unless otherwise authorized by law)
- using school property without proper authorization
- behaving in any inappropriate manner to the extent of adversely affecting the staff member's ability to perform his/her work and/or disrupting the educational environment
- using obscene language or demeaning or derogatory language which is unsuitable in the school setting communicating obscene visual material to a student or another staff member
- any behavior, overt or covert, of a sexual nature that may constitute professional misconduct and/or is violation of law or board policy
- disclosing personal, sexual, family, employment, or other private concerns to students
- disclosing information concerning a student, other than directory information, to any person not authorized to receive such information
- non-counseling or social work staff encouraging students to confide their personal, family problems, and/or personal relationship problems; staff should refer students to the guidance office if there is a need for counseling
- harassment, intimidation/bullying, or discrimination of, or retaliation against, a student or staff member
- asking students to keep secrets
- inciting students or other staff members to engage in illegal activity

The board understands that there are circumstances when staff members have personal relationships with the families of students outside of school. The intent of this policy is not to prohibit all social contact between staff and families outside of school. However, because of the trust placed in staff by the community, and the district's responsibility to protect the well-being of students, staff members are expected to avoid the appearance of impropriety in their conduct with students at all times.

Staff members are encouraged to discuss concerns with their supervisor whenever they are unsure whether particular conduct or activities may constitute a violation of this policy.

Staff members are required to notify a supervisor immediately if they become aware of a situation or behavior that may constitute a violation of this policy.

Violations of this policy by staff will be grounds for immediate suspension and possible termination of employment consistent with state and federal law and board policy. In such cases, a staff member will be informed of his/her right to any hearing or due process procedure that may be applicable under state or federal law or board policy.

Violations of this policy by other individuals in the district community including, but not limited to, contract workers, volunteers, student teachers, and interns will be grounds for the immediate termination of the program, activity, or job for which the individual is a participant.

Arrest of Staff Member

The board delegates specific authority to the superintendent to take appropriate employment action with regard to a staff member who has been arrested. A staff member must notify his/her supervisor immediately if he/she is arrested.

- Staff members arrested for a misdemeanor offense which would indicate no danger or appearance of danger to students, fellow staff, or the district will generally not be subject to any employment action.
- Staff members arrested for a misdemeanor offense which would indicate a possible danger or appearance of danger to the school district, fellow staff, or to students will generally be suspended with pay, pending adjudication.
- Staff members arrested for a misdemeanor offense which would indicate a possible danger or appearance of danger to students but not to the school district or fellow staff will generally be reassigned to different responsibilities away from students within the district, if such position is available, pending adjudication.
- Staff members arrested for a felony offense will generally be suspended with pay, pending adjudication or further disciplinary action.
- Staff members will report or cause to be reported all arrests to supervisors within five (5) days of the arrest.

In certain circumstances, other employment action may be taken, up to and including termination. Cf.

GBEBB

Adopted 6/11/19

Legal References:

A. S.C. Code of Laws, 1976 as amended:
   1. Section 16-3-755 - Sexual battery with a student.
   2. Section 16-23-420, *et seq.* - Concealed weapons; school property exception.
   3. Section 59-25-430 - Teacher dismissal; evident unfitness for teaching.
   4. Section 59-25-450 - Teacher suspension.

Policy GBEBB Staff Conduct with Students

Issued **6/19**

The board expects all staff members to maintain the highest professional and ethical standards in their conduct with students. For the purpose of this policy, staff includes, but is not limited to, employees, contract service providers, school volunteers, student teachers, and interns.

The relationship between staff members and students in the school district should be one of cooperation, understanding, and mutual respect. All staff 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.

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

Staff members are expected to exercise good judgment and maintain professional boundaries appropriate to an educational setting when interacting with students at all times, both on and off school property and through any electronic communication device or social media tool.

The board believes students benefit from the support of staff, and this policy is not meant to discourage staff from attending student functions, helping students before or after school, or engaging in dialogue with students that helps students in a meaningful way, so long as appropriate professional boundaries are maintained. Staff members are encouraged to discuss concerns with their supervisor whenever they are unsure whether particular conduct or activities may constitute a violation of this policy.

The board understands that there are circumstances when staff members have personal relationships with the families of students outside of school. The intent of this policy is not to prohibit all social contact between staff members and families outside of school. However, because of the trust placed in staff by the community and the district's responsibility to protect the well-being of students, staff members are expected to avoid the appearance of impropriety in their conduct with students at all times.

Sexual Misconduct

Any behavior of a sexual nature which may constitute professional misconduct and/or is a violation of state or federal law, professional codes of ethics, or board policy is strictly prohibited. This includes any action or conduct communicated or performed in person, in writing, and/or electronically through such means as telephone, email, text messages, instant messages, or social media.

No staff member may use his/her status as an employee to adversely influence a student of the district. No staff member 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 the advances are made, or whether the staff member directly supervises the student. Further, no staff member may discuss or plan a future romantic or sexual relationship with a student.

Reporting

Any staff members possessing evidence of or witnessing such conduct will report it to the appropriate district administrator and/or Title IX coordinator immediately.

Students and/or parents/legal guardians are strongly encouraged to notify the principal or superintendent if they believe a staff member may be engaging in conduct that violates this policy.

Investigation

After a thorough investigation, and depending upon the nature of the charges, the district will take appropriate disciplinary action, up to and including termination. When warranted, law enforcement officials will be contacted.

Retaliation

The district prohibits retaliation for filing a complaint or participating in an investigation or inquiry. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Any person engaging in or attempting to engage in retaliatory conduct will be subject to disciplinary action, up to and including termination.

Cf. GBAA, GBEB, JIAA

Adopted 6/11/19

Legal References:

A. United States Code of Laws, as amended:
   1. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d, *et seq.*
   2. Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e, *et seq.*
   3. Title IX of the Education Amendments of 1972, 20 U.S.C.A. Section 1681, *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, age, national origin, or disability.
   2. Section 16-3-655 - Criminal sexual conduct with a minor.
   3. Section 16-3-755 - Sexual battery with a student.
   4. Section 16-3-800, *et seq.* - Sexual conduct involving children.

Policy GBEBC Gifts to and Solicitations by Staff

Issued **6/19**

Selling Items for Personal Profit

In the interest of preserving a completely professional relationship between district staff and those whom they serve, the board will not permit staff to sell on district premises for personal profit products of any kind to students, parents/legal guardian, other staff members, or other members of the district community.

Soliciting of Staff Members

No organization may solicit funds from staff within the district or its schools or distribute flyers or other materials related to fund drives through the district or its schools without the approval of the superintendent. 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 its schools without such activity having the superintendent's approval.

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 Between Staff Members

Individual staff members will refrain from giving gifts to other staff members who exercise any administrative or supervisory control over them, either directly or indirectly, for the purpose of gaining influence or special treatment.

Gifts to Staff Members

The board expects staff members to act in an ethical manner in their relationships with students, parents/legal guardian, other staff members, other members of the district community, and all companies with whom the district does business.

Staff members may accept no personal gifts, bonuses, or gratuities—consistent with the S.C. Ethics Government, Accountability, and Campaign Reform Act (Ethics Act)—from companies which do business with the district, whether or not the companies give such gifts in the hope of increasing the sale of a product or to influence district staff. Exceptions to this policy are the acceptance of minor items which are generally distributed by the company or organization through their public relations program.

Any gifts received, in compliance with the Ethics Act, as the result of the district's business, financial, or operational affairs will accrue to the district as a whole.

The board generally discourages the giving of gifts to staff members by students as well as the exchange of gifts at holiday parties.

Adopted 6/11/19

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 8-13-700, *et seq.* - State ethics law.
   2. Section 16-17-420 - Prohibits activities that disturb school.

Policy GBEBDA Criminal Record Checks

Issued **6/19**

The district will require appropriate criminal background checks as outlined in law on any individual recommended to be employed in a paid or volunteer position.

The cost of the background checks will be paid by the district. The fee associated with the criminal record search on a teacher or a substitute teacher is waived for the district.

State Law Enforcement Division (SLED) Background Checks

The district will obtain a name-based criminal record history check from SLED on all new staff members prior to their initial employment. The district will consider the results of all criminal record history checks on an individual basis. In determining how the information obtained impacts the individual's ability to be an effective staff member, the district will consider such things as severity of offense, age of the individual, direct impact of the offense on children, length of time since conviction or plea, restitution, conduct or remedial actions during probation, and participation in pre-trial intervention and/or expungement.

The district will not employ an individual who has been convicted of or pled guilty to a violent crime as outlined in law. Also, when making employment decisions, the district will carefully consider information relative to felony convictions as well as information that could result in the revocation or suspension of a professional certificate "for cause" as outlined in law.

The results of the name-based check will be presented to the board concurrent with the recommendation for employment.

South Carolina Department of Social Services Central Registry of Child Abuse and Neglect

The district will perform a Central Registry of Child Abuse and Neglect search on all new staff members, whether employed on a full-time, part-time, regular, interim, or temporary basis, and all volunteers who work in a school on an interim or regular basis as mentors, coaches, chaperones, or in any other capacity resulting in direct interaction or contact with students.

The district will not permit individuals whose names appear in the Central Registry of Child Abuse and Neglect to work or serve in the district in any capacity.

If an individual is denied employment in the district as a result of information appearing on the registry, the applicant may be given an opportunity to respond through the procedure set forth in S.C. Code of Laws, 1976, as amended, Section 59-19-510, *et seq.*

National Sex Offender Registry Checks

The district will perform a National Sex Offender Registry check on all new staff members, whether employed on a full-time, part- time, regular, interim, or temporary basis, and all volunteers who work in a school on an interim or regular basis as mentors, coaches, chaperones, or in any other capacity resulting in direct interaction or contact with students.

The district will not permit individuals whose names appear in the National Sex Offender Registry or individuals who have been required to register as sex offenders pursuant to state or federal law to work or serve in the district in any capacity.

If an individual is denied employment in the district as a result of information appearing on the name-based background check, the applicant may be given an opportunity to respond through the procedure set forth in S.C. Code of Laws, 1976, as amended, Section 59-19-510, *et seq.*

Cf. GCF, GCG, GDF, IJOA, IJOB/IJOC

Adopted 6/11/19

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 23-3-115 - Fees for criminal record searches; school districts.
   2. Section 23-3-130 - Dissemination of criminal history conviction records upon request.
   3. Section 59-19-117 - Background checks.
   4. Section 59-19-510, *et seq.* - Right of unsuccessful applicant to file grievance.

B. S.C. State Board of Education Regulations:
   1. R-43-51 - Certification requirements; criminal background checks.

Policy GBEC Drug and Alcohol-Free Workplace and Schools

Issued **6/19**

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

Staff

No staff member will unlawfully manufacture, distribute, dispense, possess, or use any drug in the workplace or be under the influence of any drug in the workplace regardless of where and/or when the use occurred.

"Drug" means any narcotic drug, depressant, stimulant or 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 staff member will manufacture, distribute, dispense, possess, or use alcohol in the workplace or be under the influence of alcohol in the workplace regardless of where and/or when the use occurred.

"Workplace" means the site for the performance of work. That includes any school building or any school 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 district.

As a condition of employment, each staff member will notify his/her supervisor of his/her conviction of any criminal drug statute for a violation occurring in the workplace as defined above. The staff member must notify the supervisor no later than five (5) days after such conviction.

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

A staff member who violates the terms of this drug-free workplace policy may be subject to disciplinary action including, but not limited to, nonrenewal, suspension, or termination at the discretion of the board. Such staff member may be required to satisfactorily participate in a drug abuse assistance program or rehabilitation program approved by the board. Nothing in this policy will be construed to guarantee reinstatement of any staff member who violates this policy, nor does the district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

The board will take additional action as necessary in accordance with district policies and regulations as well as applicable state and federal law, including notifying law enforcement agencies.

The board directs the administration to establish a drug and alcohol-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 and alcohol counseling available to staff as well as any available rehabilitation and employee assistance programs.

Prescribed and over-the-counter medications

Any staff member who is taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her job. If the use of a medication could compromise the safety of the staff member, other staff members, students, or the public, it is the staff member's responsibility to use appropriate procedures (e.g., use leave, request change of duty, or notify his/her supervisor of potential side effects) to avoid unsafe workplace practices. If a staff member notifies his/her supervisor that the use of medication could compromise the safe performance of his/her job, the supervisor, in conjunction with the chief of human resources, will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

Cf. ADB, JICH

Adopted 6/11/19

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, or use, on or in the workplace, any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, any counterfeit drug, imitation controlled substance, "lookalike" substance, synthetic or designer drug (bath salts and synthetic marijuana), 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. Further, no employee will possess drug paraphernalia in the workplace.

No staff member 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. That includes any school building or any school 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 school district and will notify your supervisor if you are charged or convicted with violating state or federal law related to unlawful drug use, sale, or possession. You must notify your supervisor within five (5) work days of being charged or convicted.

A staff member who violates the terms of this drug-free workplace policy may be subject to disciplinary action including, but not limited to, nonrenewal, suspension, or termination at the discretion of the board. Such staff member may be required to satisfactorily participate in a drug abuse assistance program or rehabilitation program approved by the board. However, the district is not required to offer rehabilitation in lieu of termination or other discipline to any staff member who has violated this policy.

Policy GBG Legal Defense of Staff

Issued **6/19**

The district is obligated by law to defend staff members in legal actions resulting from acts done or omitted in good faith in the course of their employment. This requirement applies to civil or criminal actions or special proceedings in the courts of this state or of the United States.

Any staff members needing legal assistance in a legal action arising out of his/her employment must submit a request in writing to the superintendent. The superintendent will bring the request to the board's attention to determine whether legal assistance will be provided to the staff member in a manner appropriate and consistent with the intent of the law.

Adopted 6/11/19

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 1-7-50 - Duty to defend public employees acting in good faith in course of employment.
   2. Section 59-17-110 - Duty of districts to defend staff in actions or proceedings when requested in writing.

B. Attorney General's Opinion:
   1. S.C. Att'y Gen. Op. (Sept. 14, 1995) - No duty to defend district staff against criminal actions.

Policy GBGA Staff Health

Issued **6/19**

Health Screening

The district will not initially hire any person to work in any public school or kindergarten until that person has been appropriately evaluated for tuberculosis according to guidelines approved by the South Carolina Department of Health and Environmental Control (DHEC). The district will not require re-evaluation for staff members in consecutive years unless otherwise indicated by such guidelines.

Any person applying for a position in any of the district's schools, including kindergarten, will, as a prerequisite to employment, secure a health certificate from a licensed physician certifying that such person does not have tuberculosis in an active stage.

The physician will make the aforesaid certification on a form supplied by the South Carolina Department of Health and Environmental Control.

School bus drivers are required to pass a physical examination prior to hire and every two (2) years thereafter. Each driver must provide a copy of his/her qualifying Medical Examination Report to the transportation director.

If the district has questions or concerns regarding the physical or mental capability of a staff member to perform the essential functions of his/her position with or without reasonable accommodations, the district may require an appropriate health examination.

Communicable Diseases

The board defines a chronic communicable disease as a persistent or recurring infection that may be transmitted to a susceptible person by contact with an infected individual. The U.S. Centers for Disease Control and Prevention (CDC) will be the definitive authority on the identification and transmission of chronic communicable diseases.

It is not the policy of the district to automatically suspend staff members with a chronic communicable disease. It is the policy of the district, however, to protect the health of members of the community by implementing a program of education, prevention, and reporting with respect to chronic communicable diseases in cooperation with state and local public health agencies.

The district may reassign a staff member with a chronic communicable disease to a position that limits student/staff contact. Alternatively, the district may place the staff member on medical leave if medical judgment substantiates that said staff member poses a significant health threat to students and/or other staff members. The school board reserves the right to remove or exclude any staff member whose physical condition would interfere with his/her ability to work or would expose other students or staff members to infection.

This district will notify other staff and students of the existence of a communicable disease in accordance with regulations and DHEC guidelines.

HIV

Evidence shows that the risk of transmitting human immunodeficiency virus (HIV) is extremely low in school settings when current guidelines are followed. The presence of a person living with HIV infection or diagnosed with acquired immunodeficiency syndrome (AIDS) poses no significant risk to others in school, daycare, or school athletic settings.

Employment

The district does not discriminate on the basis of HIV infection or association with another person with HIV infection. In accordance with the Americans with Disabilities Act, a staff member with HIV infection may continue working as long as he/she is able to perform the essential functions of the position, with reasonable accommodation, if necessary.

Staff members with AIDS or HIV should be under no work restrictions in the district, unless the staff member's physician advises that medical impairments exist which are so severe as to be a hazard for the staff member, district students, or other staff members. Staff members infected with HIV or AIDS present no appreciable infection risk to others under normal school working conditions.

If a staff member has been removed or excluded as provided above, as a condition for return to work, the district may require a satisfactory certificate from the staff member's physician that the staff member's presence is no longer a risk to the staff member or to others at school.

Privacy

Students or staff members are not required to disclose HIV infection status to anyone in the education system. HIV antibody testing is not required for any purpose.

Every staff member has a duty to treat as highly confidential any knowledge or speculation concerning theHIV status of a student or other staff member. Violation of medical privacy is cause for disciplinary action, criminal prosecution, and/or personal civil liability.

No information regarding a person's HIV status will be divulged to any individual or organization without a court order or the informed, written, signed, and dated consent of the person with HIV infection (or the parent/legal guardian of a legal minor). The written consent must specify the name of the recipient of the information and the purpose for disclosure.

All health records, notes, and other documents that reference a person's HIV status will be kept under lock and key. Access to these confidential records is limited to those named in written permission from the person (or his/her parent/legal guardian) and to emergency medical personnel. Information regarding HIV status will not be added to a student's permanent educational record.

Infection control

All staff are required to consistently follow infection control guidelines in all settings and at all times, including playgrounds and school buses. Schools will operate according to the standards promulgated by the U.S. Occupational Safety and Health Administration and the CDC for the prevention of bloodborne infections.

Equipment and supplies needed to apply the infection control guidelines will be maintained and kept reasonably accessible. The chief of student services will implement the precautions and investigate, correct, and report on instances of lapse.

A school staff member is expected to alert the person responsible for health and safety issues if a student's health condition or behavior presents a reasonable risk of transmitting an infection.

If a situation occurs on district property or at a district-sponsored event in which a person might have been exposed to an infectious agent, such as an instance of blood-to-blood contact, school authorities will counsel that person (or, if a minor, alert a parent/legal guardian) to seek appropriate medical evaluation.

HIV and Athletics

The privilege of participating in physical education classes, athletic programs, competitive sports, and recess is not conditional on a person's HIV status. School authorities will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

All staff must consistently adhere to infection control guidelines in locker rooms and all play and athletic settings. Rulebooks will reflect these guidelines. First aid kits that include personal protective equipment for preventing exposure to bloodborne pathogens must be on hand at every athletic event.

Physical education teachers and athletic program staff should complete an approved first aid and injury prevention course or training that includes implementation of infection control guidelines. Student orientation about safety on the playing field will include guidelines for avoiding HIV infection.

Staff Development

All school staff members will participate in a planned educational program that conveys factual and current information about HIV and other bloodborne pathogens; provides guidance on infection control procedures; informs about current law and state, district, and school policies; assists staff to maintain productive parent/legal guardian and community relations; and includes annual review sessions. Certain staff members will also receive additional specialized training as appropriate to their positions and responsibilities.

General Provisions

On an annual basis, school administrators will notify students, their family members, and school personnel about current policies concerning

HIV and other bloodborne pathogens and provide convenient opportunities to discuss them. Information will be provided in major primary languages of students' families.

In accordance with the established policy review process or at least every three (3) years, the chief of human resources will report on the accuracy, relevance, and effectiveness of this policy and, when appropriate, provide recommendations for improving and/or updating the policy.

Bloodborne Pathogens

The district has prepared and implemented an exposure-control plan for all staff based on the recommendations of the CDC. This plan includes appropriate training for those staff members who may be

likely to incur occupational exposure to blood or other potentially infectious materials. A copy of the plan is on file in the superintendent's office and at each school.

Cf. EBBA, IHAM, JLCC, JRA

Adopted 6/11/19

Legal References:

A. United States Code of Laws, as amended:
   1. American with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, *et seq.*
   2. Rehabilitation Act of 1973, Section 504, 29 U.S.C.A. Section 1232h.

B. S.C. Code of Laws, 1976, as amended:
   1. Section 44-29-135(f) - Confidentiality of sexually transmitted disease records.
   2. Section 44-29-150, *et seq.* - Tuberculin test required of new employees.
   3. Section 44-29-200 - Attendance of teachers or pupils with contagious or infectious disease at school or school- related activities may be prohibited.
   4. Section 59-10-220 - Adoption and notification of Centers for Disease Control and Prevention (CDC) recommendations on universal precautions for bloodborne disease exposure.

C. Federal Regulations:
   1. U.S. Occupational Safety and Health Administration, 29 CFR 1910.134 - Respiratory protection.
   2. U.S. Occupational Safety and Health Administration, 29 CFR 1910.1030 - Bloodborne pathogens.

D. S.C. State Board of Education Regulations:
   1. R-43-80(N) - Medical examination requirement for school bus drivers.
   2. R-43-207 - All personnel will be screened for tuberculosis.

E. S.C. Department of Health and Environmental Control Regulations:
   1. R-61-20 - Communicable diseases.
   2. R-61-22 - Evaluation of school employees for tuberculosis.

Policy GBGD Workers' Compensation

Issued **6/19**

The district provides workers' compensation insurance coverage for all district staff members. Volunteers who are not staff members are exceptions to this policy.

The South Carolina Workers' Compensation Law is designed to provide medical and monetary benefits for a staff member who sustains an accidental injury arising out of and in the course of his/her employment. The law provides medical care to bring about the earliest possible recovery from the injury, a percentage of wages and salary lost during the injured staff member's disability, and, in case of death, compensation for the deceased staff member's dependents.

Under the Workers' Compensation Law, it is the responsibility of the school district to provide medical treatment for staff members injured on the job. District staff members must use those providers specified by the district. Designation of medical treatment providers will be made by the district in consultation with and upon the recommendation of the workers' compensation insurance carrier. The refusal of a staff member to accept any medical, hospital, surgical, or other treatment when provided by the district will bar such staffmember from further compensation until such refusal ceases unless, in the opinion of the South Carolina Workers' Compensation Commission, the circumstances justified the refusal.

When a staff member is absent from work as a result of accidental injury arising out of and in the course of his/her employment, available sick leave, annual leave, and workers' compensation benefits can be coordinated to the extent that such leave and benefits are available.

An injured staff member may not return to work without a signed physician's return to work certificate. If an injured staff member's treating physician indicates the staff member may return to work but only with light or restricted duties, the district will determine whether suitable light duty is available. If a staff member refuses a light duty assignment, he/she may forfeit his/her right to workers' compensation benefits. If light duty is unavailable, the staff member may not return to work until his/her physician releases him/her to full duty.

Every injured staff member or his/her representative will immediately, on the occurrence of an accident or as soon thereafter as practicable, give or cause to be given to his/her principal or immediate supervisor and to the district office notice of the accident. Failure to provide notice within ninety (90) days of the accident may deprive the injured staff member of his/her rights to benefits.

Cf. EI

Adopted 6/11/19

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 42-1-10, *et seq.* - The South Carolina Workers' Compensation Law.

B. S.C. Workers' Compensation Commission Regulations:
   1. R-67-101, *et seq.* - South Carolina Workers' Compensation Commission.

Policy GBH Staff Participation in Community Activities

Issued **6/19**

Staff members have a professional responsibility which extends beyond the work site and hours of service. Staff members should welcome opportunities to share information regarding the district's educational program and policies to members of the community. Therefore, the board expects staff to be well informed concerning the educational philosophy, goals, policies, administrative rules, and programs of the district so that they can answer questions accurately and in a straightforward manner.

Adopted 6/11/19

Policy GBJ Personnel Records and Files

Issued 6/19

Maintenance of Records

The superintendent will maintain a personnel file on each staff member.

The personnel file will include all records and documents collected by the district concerning the staff member. It will include, but not be limited to, any of the following records that are retained by the district:

- performance evaluations
- commendations for, and complaints against, the staff member made by the administration
- written suggestions for corrections and improvements made by the administration
- teaching credentials
- transcripts
- application records
- contracts

The personnel file will be kept in the office of human resources. The district will maintain health records and medical records in a separate file to protect confidentiality.

Pre-employment records, such as pre-employment references or comments from interviews, are confidential, and access to this information is limited to the superintendent or his/her designee. Pre-employment records will be kept in the office of human resources.

Additions to the Personnel File

No performance evaluation, complaint, or suggestion for improvement may be placed in the personnel file unless it meets the following requirements:

- The document must be signed and dated by the administrator making the performance evaluation, complaint, or suggestion for improvement.
- The staff member must have an opportunity to review the information or receive a copy of the performance evaluation, complaint, or suggestion prior to placement in the staff member's personnel file.
- The staff member will sign or initial the performance evaluation, complaint, or suggestion.

The staff member may offer a written denial of the communication, and any such denial or explanation will become a part of his/her personnel file.

General Access to a Personnel File

The district will permit access to a staff member's personnel file to the following persons on a routine basis without consent of the staff member about whom the file is maintained:

- staff member's school principal/immediate supervisor superintendent
- those school officials involved in the evaluation process of the individual
- school board if its examination of the file relates to the duties and responsibilities of the board regarding promotion, demotion, suspension, or dismissal of the staff member

No other person may have access to a personnel file except under the following circumstances:

- when the staff member gives written consent to the release of his/her personnel file (The written consent must specify the records to be released and to whom they are to be released. Each request for consent must be handled separately; blanket permission for release of information will not be accepted.)
- when lawfully subpoenaed or under court order

Responsibility for the Personnel Files

The superintendent will have the overall responsibility for maintaining and preserving the confidentiality of personnel files. The superintendent may, however, designate another school official to perform these duties for him/her.

The superintendent or his/her designee is responsible for granting or denying access to records on the basis of this policy.

Staff Member's Access to Personnel File

Each staff member has the right to review the contents of his/her personnel file upon written request. The staff member does **not** have the right to review references and recommendations provided tothe district on a confidential basis.

Personnel Records/Information for Payroll Purposes

The district keeps information, records, and documents collected by the district to handle a staff member's payroll account in a file separate from records noted above. The district limits access to this information to those persons involved in the payroll process.

Use of Personal Information for Commercial Solicitation

The district will provide notice to all persons who request staff member records that obtaining or using public records for commercial solicitation is illegal.

Required Immigration Form

The Immigration Reform and Control Act of 1986 prohibits employers from hiring aliens not legally eligible to work in the United States. The district will comply with the provisions of the Department of Homeland Security regulations by requiring staff members of the district to complete a U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9. The district will utilize the federal work authorization program E-Verify for verification of work authorization submitted by a staff member.

All newly hired staff members must complete the form no later than three (3) business days following their first working day. If an individual is unable to provide the required document or documents to complete the Form I-9 within the three-day period, the individual must present a receipt for the application of a replacement of the document or documents within three (3) days of hire and present the required document or documents within ninety (90) days of hire.

The district will maintain completed Form I-9 in a file separate from other personnel records in orderto prevent unauthorized review of personnel files. The district requires three (3) business days notice

prior to inspection of any Form I-9 by an authorized service officer.

The district will retain a staff member's Form I-9 for three (3) years after the date of hire or one (1) year after the date the individual's employment is terminated, whichever is later.

Option: District needs to include the following if district is a covered entity according to the law.

Adopted 6/11/19

Legal References:

A. United States Code of Laws, as amended:
   1. Health Insurance Portability and Accountability Act of 1996, Pub. L. 104-191, 110 Stat. 1936.
   2. Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C.A. Section 1101, *et seq.*
   3. Immigration Reform and Control Act of 1986, 8 U.S.C.A. Section 1324a.

B. S.C. Code of Laws, 1976, as amended:
   1. Section 30-2-300, *et seq.* - Prohibits disclosure of social security number.
   2. Section 30-4-10, *et seq.* - S.C. Freedom of Information Act.

C. Code of Federal Regulations, as amended:
   1. Immigration Regulations for Employers, 8 CFR Part 274a.

Policy GC Professional Staff

Issued **6/19**

The following definitions will apply to professional staff positions:

- *Instructional staff:* School-based staff who are assigned direct responsibility for the supervision, instruction, and evaluation of students, including teachers, librarians/media specialists, counselors, and non-certified specialists.
- *Non-instructional staff:* School-based staff who are responsible for the non-instructional evaluation of students, including nurses and psychologists.
- *Administrative staff:* Staff members responsible for the planning, administration, and supervision of the total instructional program and for all supporting services such as maintenance, transportation, school food service, human resources, purchasing, federal programs, payroll, and all other responsibilities as directed by the superintendent. The administrative staff includes the following:

    - *Principals:* Staff assigned direct and primary responsibility for the administration and supervision of schools. This includes both principals who are designated as administrative heads of a school and assistant principals who are assigned limited administrative and supervisory duties within a school.
    - *School administrative staff:* School-based staff assigned responsibility as administrative and supervisory heads of activities such as curriculum and instruction, maintenance, transportation, food services, and others requiring a professional level of training.
    - *Program specialists:* Non-school-based staff responsible for working with teachers and other members of the instructional staff in the improvement of instruction in specifically assigned areas of instruction.
    - *District administrative staff*: Staff assigned responsibility as administrative and supervisory heads of activities such as curriculum and instruction, maintenance, transportation, school food service, human resources, purchasing, federal programs, payroll, and others requiring a professional level of training.

All personnel policies designated for professional staff and found in subsection GC pertain to staff who are required to hold a professional educator's certificate issued by the state of South Carolina and non-certified administrative staff.

Additional personnel policies and regulations relating only to support/classified staff can be found in the GD subsection of the policy manual.

Adopted 6/11/19

Policy GCA Professional Staff Positions

Issued **6/19**

All professional staff positions will be created by the board. On the recommendation of the superintendent, the board will classify and authorize positions for professional personnel which are necessary for the operation of the district's educational program and related services.

In each case, the board will approve the broad purpose and function of the position at the superintendent's recommendation. The superintendent will be responsible for the employment of a person who meets the stated purpose and function.

Job Descriptions

The superintendent is responsible for writing and maintaining job descriptions covering qualifications, essential duties, and other details pertaining to all professional staff positions in the school system.

As the board is responsible for establishing positions, only the board may temporarily discontinue or abolish a position.

Adopted 6/11/19

Policy GCB Professional Staff Contracts and Compensation

Issued **6/19**

Compensation

The board will attempt to pay its professional staff members at a level that will attract and retain well-qualified individuals dedicated to education and able to provide effective instruction.

The compensation of certificated personnel is based on the state salary schedule with local supplements as approved by the board. The schedule takes into consideration the levels of professional training and yearsof service in the district.

The effective date for annual salary changes as determined by the salary schedule or by action of the board is July 1st.

Contracts

Upon recommendation of the superintendent, the board will notify teachers in writing of their employment status before May 1st for the following school year. This includes both the issuance of employment contracts and notice of decisions of the superintendent's recommendation not to renew employment contracts. Teachers must give written acceptance of their contracts to the superintendent before May 11th. Failure to give such notification constitutes contract rejection.

The board will award administrative contracts on the recommendation of the superintendent.

An administrator employed by the district on a contract will retain his/her rights as a teacher under state law. However, state law does not grant these rights to the position or salary of an administrator (for example, if he/she is returned to the classroom).

Contract releases

For release of teachers from contracts, see policy GCQC/GCQD, *Resignation of Professional Staff*.

Adopted 6/11/19

Legal References:

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

1. Section 59-19-80 - Requirements as to purchases and teacher employment (teacher contracts to be awarded in public).
2. Section 59-19-290 - Contracts in excess of apportioned funds void.
3. Section 59-20-50 - Minimum salary schedule.
4. Section 59-21-20 - Teacher contracts to be based on school term of 190 days.
5. Section 59-24-15 - Rights of certified education staff employed as administrators.
6. Section 59-25-410 - Notification of employment for ensuing year; notification of assignment.
7. Section 59-25-420 - Teacher required to notify board of acceptance; opportunity for hearing if not reemployed.
8. Section 59-25-710 - Salary complaints.

B. S.C. Cases:
   1. *Henry-Davenport v. Sch. Dist. of Fairfield Cnty.*, 391 S.C. 85, 705 S.E.2d 26 (2011) - While a certified educator who is employed as an administrator on an annual or multi-contract retains her rights as a teacher under the Teacher Employment and Dismissal Act, those rights are not granted to the position or salary of administrator.

C. S.C. State Board of Education Regulations:
   1. R-43-205.1 - Assisting, Developing, and Evaluating Professional Teaching (ADEPT).

Policy GCC Professional Staff Leaves and Absences

Issued **12/19**

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

- the uninterrupted continuity of education
- greater teacher-student contact time
- appropriate role-model emulation
- consistent classroom discipline
- reduced cost

Therefore, the board expects staff members to come to work every day. The board recognizes, however, that certain absences are unavoidable. At such times, staff members should take leave in accordance with this policy and its accompanying administrative rule.

Absent staff members must comply with procedures set out in the administrative rule which accompanies this policy.

Sick Leave

Accrual of sick leave

All full-time staff members of the district will accrue sick leave on the basis of one and one- fourth days of sick leave for each month of active service. During their first year of employment as a teacher or year 0, induction teachers hired by Orangeburg County School District will be granted sick leave in advance of accrual, (7 days). If the recipient of advanced sick leave is separated from the district for any reason and, at the time of separation, has used any portion of the advanced leave prior to its becoming "vested" or "earned" leave via the requisite days of active service, the amount paid the employee for such leave used but unearned sick leave will be deducted from the employee's final paycheck.

All full-time employees will accrue sick leave at the following rate: 12 days for 9 months (7 sick, 5 personal leave) days for 10 months (8 sick, 5 personal leave), days for 11 months (9 sick, 5 personal leave), days for 12 months (10 sick, 5 personal leave)

Personal leave not used by the end of the fiscal year will be rolled into the employee's sick leave balance. A staff member may accumulate up to ninety (90) days of sick leave which is accrued but not used provided that such staff member does not violate his/her respective contract.

For the purposes of this policy, a full-time staff member will mean any person employed in a position for which certification is required by the South Carolina Department of Education or a person who has been employed in the school district for five (5) months and works at least thirty (30) hours per week.

Use of sick leave for absences

Sick leave is to be used by the employee for his/her personal illness. However, accrued sick leave days, up to a maximum of ninety (90) days, may be used for serious illness in the staff member's immediate family or

for the death of a member in the staff member's immediate family which requires the staff member to provide care. A staff member who anticipates requiring extended leave to provide care for a family member should submit a written request on the appropriate district form to their supervisor as far in advance as possible. The request for extended leave for this purpose must include a statement from a licensed medical doctor giving the expected time the staff member will be needed to provide care for a family member. The request mustbe approved by the superintendent or his/her designee. The term "immediate family" includes the following:

- 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
- guardian and ward or other relative living in the household at the time of illness

When the staff member makes a request in writing, the superintendent may grant a staff member leave without pay for personal illness following the exhaustion of all accrued sick leave. Leave with and without pay will not extend beyond the immediate school year.

The district will assign a staff member who returns to work the same or similar duties which 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 staff member to the position he/she had prior to going on leave or to a similar position, the district will offer the staff member a position for which he/she is qualified. The district will place the staff member on the payroll at his/her pre-leave salary status.

Verification and use of sick leave

The use of sick leave is subject to verification. Specifically, an employee must submit a physician's statement verifying an illness when the employee has been on sick leave for more than ten (10) working days within a school year, after an absence of three (3) consecutive days or if the employeeis requesting extended leave. The district also reserves the right to require an employee to submit a medical physician's statement verifying an illness when the administration believes verification is needed, when an employee's use of sick leave forms a pattern, or when abuse is suspected. Adoctor's statement that the illness of an immediate family member requires the presence of the employee must be submitted for absences greater than three (3) consecutive days. If the employee does not provide a required physician's statement within five (5) working days after a written request, the district may take appropriate disciplinary action, up to and including a recommendation of termination from employment. The administration may require of a second physician designated and paid for by the district regarding verification of any illness or disability. The district may require an employee to provide a physician's statement attesting to his/her ability to perform required duties before returning to work. Ordinarily, employees will be expected to return to work the first school day after the recuperative period is completed.

Personal leave

Personal leave may be used for personal reasons provided prior approval of the supervisor is obtained and the request does not fall on the day immediately before or immediately following a

holiday. Personal days cannot be carried over. Personal leave will not be granted on days set aside for staff development, on the last day before or the first day after a holiday or during the first and last weeks of school, except in extenuating circumstances and with the principal/ supervisor's recommendation and the superintendent's approval. The employee must secure written permission from both his/her principal or supervisor and the superintendent or his/her designee three (3) days prior to taking the personal day. Absences for personal reasons for which accumulated personal leave is not available will result in a deduction from pay calculated at the employee's current daily rate of compensation. Staff members who earn annual leave will have their annual leave charged in lieu of reduction in salary when annual leave is available.

Organ Donor Leave

Staff members may take a leave of absence to be an organ donor without loss of pay, time, leave, or efficiency rating for one or more periods not exceeding a total of thirty (30) work days in one (1) fiscal year. Saturdays, Sundays, and state holidays may not be included in these thirty (30) days unless the Saturday, Sunday, or holiday is a regularly scheduled workday for the staff member.
A staff member seeking leave to be an organ donor must forward a written request, including the appropriate documentation from the attending physician verifying that the staff member is the donor, to the superintendent no later than fifteen (15) days prior to the leave.

Termination

The district may terminate any staff member who fails to comply with the requirements of this policy and accompanying administrative rule, who fails to report to work at the expiration of authorized leave, or who fails to obtain an extension of leave.

A staff member is subject to termination from employment with the district for misstatements of fact and/or misrepresentations of purpose for which leave of absence is desired or on the basis of which sick leave is obtained.

The district will not terminate from employment those staff members 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 staff member during a continuing sick leave of less than ninety-one (91) work days.

Transfer of Sick Leave

A staff member of a state agency transferring to any school district in the state or a school district staff member transferring to a state agency may transfer to and retain all sick leave he/she accumulated at his/her former place of employment.

Reimbursement for Unused Leave in Excess of 90 Days

Staff members will earn an incentive at the end of each school year for any sick days accumulated above ninety (90) days that are not used. The incentive will be determined by multiplying the number of unused sick leave days above ninety (90) by a district rate of $40.00. The incentive will be paid by June 30th of the current year, and the staff member will begin the next school year with ninety (90) accumulated sick leave days.

Family and Medical Leave Act (FMLA)

The board will provide leave to eligible staff members consistent with the Family and Medical Leave Act of 1993 (FMLA). Eligible staff members are entitled to up to twelve (12) work weeks of unpaid family and medical leave in any 12-month period. FMLA also includes a special leave entitlement that permits eligible staff members to take up to twenty-six (26) weeks of leave to care for a covered service member during a single 12-month period. The district will continue to pay the district's share of the staff member's health benefits during the leave. In addition, the district will restore the staff member to the staff member's original position or to an equivalent position with equivalent pay, benefits, and other terms of employment after the conclusion of the leave in accordance with board policy.

In complying with the FMLA, the district will also adhere to the requirements of the Americans with Disabilities Act and other applicable federal and state laws.

For further information, please refer to administrative rule GCC-R.

Emergency/Bereavement/Legal Leave

Emergency leave

For emergencies and unusual situations not covered by the leave policies of the district, a staff member may request the superintendent's authorization for use of sick leave days. The staff member must submit the request in writing through the principal or supervisor to the superintendent.

Bereavement

The board is very sensitive to the employee's needs during the bereavement of family members. Provisions for employee absences during bereavement have been established to allow three (3) consecutive paid leave days immediately following the death of a spouse, child, stepchild, parent, or stepparent. In addition, two (2) consecutive sick leave days may be used in conjunction with the three district-paid days.

Earned sick leave of three (3) consecutive days may be used for bereavement immediately following the death of grandparents, grandparents-in-law, parents-in-law, guardians, grandchildren, brothers, brothers-in-law, sisters, sisters-in-law, sons-in-law, or daughters-in-law.

One (1) earned sick leave day may be used for bereavement immediately following the death of other family members.

Legal Absence

A staff member should notify his/her principal or immediate supervisor when called for jury duty or subpoenaed. The district will grant a staff member leave without loss of pay when he/she is summoned for jury duty or subpoenaed in the line of duty to represent the district as a witness or defendant. If a staff member must appear in court for any reason other than the above, the district will deduct substitute pay from his/her salary. Whenever a staff member is dismissed by the court before the endof the working day, he/she will return to his/her official duties.

Teachers, certified personnel at the building level, and/or bus drivers may request a postponement of

jury duty to a date that does not conflict with the school term when selected for jury duty.

Maternity/Paternity Leave

A pregnant staff member is eligible for extended illness leave. While on leave, the staff member may receive pay for accumulated sick leave as provided herein.

Military Leave

Staff members may take military leave without loss of pay, seniority, or efficiency rating for one or more periods not exceeding a total of fifteen (15) work days in one year. Saturdays, Sundays, and state holidays may not be included in these fifteen (15) days unless the Saturday, Sunday, or holiday is a regularly scheduled workday for the staff member.

This leave may be taken when the staff member is engaged in training or other duties ordered by the Governor, the Department of Defense, the Department of the Army, the Department of the Air Force, the Department of the Navy, the Department of the Treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service. This leave applies to staff members who are either enlisted or commissioned members of the South Carolina National Guard, the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, or the United States Coast Guard Reserve.

In the event a staff member is called upon to serve during an emergency, he/she will be entitled to such leave of absence for a period not exceeding thirty (30) additional days.

The board expects staff members to request their training for a period when school is not in session. A staff member seeking leave for annual active duty training must forward a written request, including the appropriate verifying data, to the superintendent no later than thirty (30) days prior to the pre-arranged military activity.

Extended military leave

Staff members who enlist or are called to active duty are eligible for up to five (5) years extended military leave. All provisions of federal law apply to extended military leave (re-employment, benefits, etc.).

However, the district is not required to maintain staff member benefits for extended leave.
Written substantiation of leave under this policy is required. Falsification of reason for leave may be cause for disciplinary action up to and including termination of employment.

Application and approval for leave under this policy are made on the leave application form.

Conferences/Training Workshops

The board believes that it is desirable to provide professional leave for teachers in order to attract and retain faculty who will continue to grow professionally and enhance their service to the public schools of the district.

The district may grant temporary leave to a staff member for the purpose of attending activities designed to improve staff member competency or to improve the instructional or service programs of the district.

The superintendent may authorize professional leave for attending state, regional, and national meetings, workshops, and conferences (including observing in other schools) without pay deduction. The staff member must apply for prior approval through his/her supervisor.

The superintendent will determine the number of absences allowable for professional leave. Absences will also be subject to budget limitations for employing substitutes and reimbursement for travel, meals, and lodging.

Adopted 12/10/19

Legal References:

A. United States Code of Laws, as amended:
   1. Americans with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, *et seq.*
   2. Family and Medical Leave Act, 29 U.S.C.A. Section 2601, *et seq.*
   3. 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 8-7-20 - Requires granting of military leave, without pay, up to five years.
   2. Section 8-7-90 - Requires 15 days per year of leave with pay for members of National Guard and Reserve Units of the various Armed Forces; grants an additional 30 days of leave with pay in emergency situations.
   3. Section 8-11-65 - Organ donor leave.
   4. Section 14-1-190 - Compensation received for jury duty deemed to be expense money.
   5. Section 14-7-845 - Relating to optional postponement of jury service for students and staff members.
   6. Section 25-1-2250 - Staff members entitled to leave with pay when serving in National Guard.
   7. Section 59-1-400 - Sick leave accrual and use.
   8. Section 59-25-47 - Unused leave payments authorized.

AR GCC-R Professional Staff Leaves and Absences

Issued 12/19

Procedures Regarding Absences

An absent staff member must furnish a signed statement setting forth the specific reason(s) for his/her absence. The statement must be turned in to the staff member's supervisor within two (2) days after the staff member returns to work.

A staff member will notify his/her immediate supervisor as early as practicable when it is necessary for him/her to be absent. When a staff member knows that he/she will be absent for a period longerthan five (5) days, he/she should complete and file a request for leave of absence.

A staff member who anticipates taking an extended leave of absence should submit the request for leave to his/her supervisor at least thirty (30) calendar days prior to the effective date of the leave. The leave request must include a statement from a licensed medical doctor stating the anticipated length of convalescence.

Any staff member returning from an extended leave of absence must present a statement from the attending physician certifying the staff member's ability to return to a normal work schedule.

When the staff member makes a request in writing, the superintendent may grant the staff member leave without pay for personal illness following the exhaustion of all accrued sick leave. Leave with and without pay will not exceed ninety-one (91) workdays in any school year and is not to extend beyond the immediate school year.

Verification and Use of Sick Leave

The use of sick leave may be subject to verification. Specifically, the district reserves the right to require that a staff member submit a doctor's statement verifying an illness along with an absence report form when the staff member has been on sick leave for more than three (3) consecutive working days. The building principal or staff member's immediate supervisor has the discretion to request suchstatement.

If a staff member's use of sick leave forms a pattern and abuse is suspected, the principal/ supervisor may also require a doctor's statement.

In order for the district to provide for the continuity of the educational programs and plan for adequate substitutes, a staff member who is absent for more than ten (10) continuous work days must providea physician's statement of diagnosis and prognosis so that the district may determine the earliest possible date of return. The staff member's immediate supervisor will notify him/her in writing that he/she must provide the physician's statement.

If the staff member does not provide the physician's statement within five (5) workdays following the written notification, the district may terminate his/her employment.

Improper Deductions

The board prohibits improper pay deductions. Staff members who believe that improper pay deductions have been taken should immediately report the concern to the superintendent. Staff members will be reimbursed for improper deductions. If a staff member's request for reimbursement is denied, the staff member may appeal that decision by following the grievance procedure set forth in board policy.

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

Family and Medical Leave Act (FMLA)

The following administrative rules apply only to the Family and Medical Leave Act.

Eligibility

A staff member who has worked for the district for at least twelve (12) months is eligible for twelve (12) work weeks of FMLA leave during a 12-month period provided the staff member worked at least 1,250 hours in the twelve (12) months preceding the beginning of the leave. FMLA also includes a special leave entitlement that permits eligible staff members to take up to twenty- six (26) weeks of leave to care for a covered service member during a single 12-month period.

Types of leave

An eligible staff member may take FMLA leave for any of the following:

- birth and first-year care of a child
- adoption or foster placement of a child
- serious illness of a staff member's spouse, parent, or child (does not include parents-in-law)
- staff member's own serious health condition that keeps the staff member from performing the essential functions of his/her job
- a family member (spouse, son, daughter, or parent) on active duty or who has been called to active duty for any "exigency situation" as defined in federal regulation

However, an eligible staff member who is the spouse, son, daughter, parent, or next of kin (nearest blood relative of the individual) of a covered service member is entitled to a total of twenty-six (26) workweeks of leave in a single 12-month period to care for the service member with a serious illness or injury incurred in the line of duty on active duty. Leave under this paragraph is available only during a single year. During that year, the staff member is entitled to a combined total of twenty-six (26) workweeks of leave under this policy.

A serious health condition is one involving continuous treatment by a healthcare provider that results in a period of incapacity of more than three (3) consecutive calendar days and involves visits to a healthcare provider and/or extensive treatment. Such conditions as asthma and diabetes are includedin this definition.

FMLA leave is unpaid. However, a staff member may elect, or the district may require, a staff member to use accrued paid vacation, personal, family, or medical/sick leave as offered by the district concurrent with any FMLA leave. All forms of paid leave offered by the district will be treated the same, regardless of the type of leave substituted. A staff member cannot compel the district to permit the staff member to use accrued medical/sick leave in any situation under which the leave could not normally be used.

Spouses employed by the school district

A husband and wife who are both eligible for family and medical leave and are employed by the district may be granted family and medical leave only for a combined total of twelve (12) work weeks of leave per year when the leave is taken for the birth, foster placement, or adoption of a child; to care for the child after birth, foster placement, or adoption; or to care for a parent with a serious health condition.

A husband and wife who are both eligible for family and medical leave and are employed by the district may be granted family and medical leave only for a combined total of twenty-six (26) work weeks of leave per year if the leave is taken to care for a covered service member.
A husband and wife who are both eligible for family and medical leave and are employed by the district may each be granted family and medical leave for twelve (12) work weeks per year for the staff member's own serious health condition or to care for a spouse, son, or daughter with a serious health condition.

Intermittent and reduced leave

Intermittent leave is leave taken in separate blocks of time due to a single illness or injury.
Reduced leave is a leave schedule that reduces a staff member's usual number of hours per workweek or hours per workday.

Intermittent or reduced leave is available only for the staff member's own serious health condition orto care for a seriously ill spouse, child, or parent or for a serious injury or illness of a covered service member which requires treatment by a healthcare provider periodically, rather than for one continuous period of time. Such leave may not be used for the birth or adoption/placement of a child.

The staff member who wishes to use intermittent or reduced leave must have the prior approval of the district. Although the district and staff member may agree to an intermittent or reduced leave plan, the staff member who uses family leave is not automatically entitled to use such leave on an intermittent basis or on a reduced leave schedule. The district may provide such leave for medical leave, but the district may transfer the staff member to a position which is equivalent, but more suitable for intermittent periods of leave. The staff member must furnish the district with the expected dates of the planned medical treatment and the duration of the treatment. Subject to approval of the staff member's health care provider, the staff member should make a reasonable effort to schedule treatment so as not to unduly burden the district's operations. The superintendent must authorize such leave in writing.

Benefits

The district will maintain the staff member's health coverage under the district's group health insurance plan during the period of FMLA leave. The staff member should make arrangements with the district to pay the staff member's share of health insurance (e.g. family coverage) prior to the beginning of the FMLA leave.

Increases in premiums or deductibles that apply to active staff members also apply to staff memberson FMLA leave. An employer may drop coverage for a staff member whose premium payment is late only after providing written notice to the staff member that the payment has not been received. Thisnotice must be mailed to the staff member at least fifteen (15) days before coverage is to end and will advise that coverage will be dropped fifteen (15) days after the date of the letter unless payment has

been received.

The staff member will not lose any other employment benefit accrued prior to the date on which leave began but is not entitled to accrue seniority or employment benefits during the leave period. Employment benefits could include group life insurance, sick leave, annual leave, educational benefits, and pensions.

Notice

When the FMLA leave is foreseeable, the staff member must notify the district of his/her request for leave at least thirty (30) days prior to the date when the leave is to begin. If the leave is not foreseeable, the staff member must give notice as early as is practicable.

The district may deny the leave if the staff member does not meet the notice requirements.

Designation of leave as FMLA leave

The district must designate the leave as paid or unpaid FMLA leave within five (5) business days of learning that an FMLA- qualifying reason supports the leave. The district must also provide other written information concerning the staff member's rights and obligations under FMLA. If the district does not make the designation on time or provide appropriate information, the absence will not count against the staff member's FMLA entitlement.

Certification

The district may require the staff member to provide certification from a healthcare provider containing specific information required under the law if he/she requests a medical leave. If there is a question concerning the validity of such certification, a second and, if necessary, a third opinion can be required, both at the expense of the district.

Upon the staff member's return to work, the district will require that the staff member present a fitness statement from the staff member's healthcare provider certifying that the staff member is able to return to work.

Restoration

When the staff member returns from leave, the district will restore the staff member to the same or an equivalent position with equivalent benefits, pay, terms, and conditions of employment in accordance with board policy. The staff member's right to return to the same or an equivalent position is contingent upon the staff member's continued ability to perform all the essential functions of the job. An equivalent position is one that is the same or substantially similar in duties, responsibilities, conditions, privileges, and status as the original position.

Under certain circumstances, the district may deny restoration to a key staff member. The district will comply with the notice requirements of the FMLA in denying restoration. A key staff member is one who is among the highest paid 10 percent of the staff members and whose absence would cause the district to experience a substantial and grievous economic injury.

Instructional staff members

Special leave rules apply to instructional staff members. Instructional staff members are those staff members whose principal function is to teach and instruct students in a small group or an individual setting. This term includes teachers, athletic coaches, and special education assistants, such as those who provide sign language support. It does not include teacher assistants or aides who do not have as their principal job actual teaching or instructing, nor does it include auxiliary personnel such as counselors, psychologists, or curriculum specialists. It also does not include cafeteria workers, maintenance workers, or bus drivers.

Limitations apply to instructional staff members who take intermittent or reduced leave. If the leave requested is to care for a family member or for the staff member's own serious health condition or leave to care for a covered service member and the leave is foreseeable based on planned medical treatment and the staff member would be on leave for more than 20 percent of the total number of working days over the period the leave would extend, then the district may require the staff member to choose one of the following:

- The staff member may take the leave for a period or periods of a particular duration, not greater than the duration of the planned treatment.
- The staff member may transfer temporarily to an available alternative position for which the staff member is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than does the staff member's regular position.

Staff members taking leave which constitutes 20 percent or less of the working days during the leave period would not be subject to transfer to an alternative position.

Limitations also apply to instructional staff members who take leave near the end of a semester. When an instructional staff member begins leave more than five (5) weeks before the end of a semester, the district may require the staff member to continue taking leave until the end of the semester under these conditions:

The leave will last at least three (3) weeks.

- The staff member would return to work during the three-week period before the end of the semester.

When an instructional staff member begins leave for a purpose other than the staff member's own serious health condition during the five-week period before the end of the semester, the district may require the staff member to continue taking leave until the end of the semester under theseconditions:

- The leave will last more than two (2) weeks.
- The staff member would return to work during the two-week period before the end of the semester.

When an instructional staff member begins leave for a purpose other than the staff member's own serious health condition during the three-week period before the end of a semester and the leave will last more than five (5) working days, the district may require the staff member to continue taking leave until the end of thesemester.

Leave taken for a period that ends with the school year and begins the next semester is leave taken consecutively, rather than intermittently. Summer and other vacations may not be counted against a staff member's FMLA leave entitlement. An instructional staff member on FMLA leave at the end of

the school year must receive normal benefits over the summer vacation.

Failure to return

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

Issued 12/10/19

Policy GCD Professional Staff Vacations and Holidays

Issued **12/19**

School-Year Personnel

The school calendar, as adopted by the board, establishes the school recess periods and holidays for instructional staff members employed on a school-year basis.

Administrators and Year-Round Personnel

Regular full-time administrators employed on a full-year basis (52 weeks) and year-round instructional staff will receive vacations and holidays as follows:

Vacations

All district staff members who are 12-month employees accrue leave at the rate of 5/6th day per month for a total of ten (10) days per year.

Staff members must obtain the prior approval of their supervisor before using accrued leave.

Reimbursement for Unused Leave

All employees who separate from employment or retire from the district may be paid their current daily rate of pay for accumulated but unused vacation, up to a maximum of forty-five (45) days.

No employee will receive payment for more than forty-five (45) days of accumulated vacation days from the district during his/her lifetime.

Holidays

New Year's Day (January 1st)
Martin Luther King Day
Memorial Day
Independence Day (July 4th)
Labor Day
General Election Day (even-numbered years) (Tuesday following the first Monday in November)
Thanksgiving Day (fourth Thursday in November)
Christmas (two days - December 24th and 25th)

Administrative staff and district-office staff who are 12-month employees will observe the school calendar holidays.

Adopted 12/10/19

Policy GCE Professional Staff Recruitment

Issued **6/19**

It is the policy of the board to recruit and hire professional staff on the basis of qualifications and merit. Personnel recruitment and selection are the responsibility of the superintendent. Principals and directors will assist as needed to determine the personnel needs of the individual schools.

The procedure for employing the best qualified professional staff will include an effective recruitment program, prompt action when vacancies occur or new positions are created, and consistent hiring practices.

The search for, and recruitment of, highly effective professional staff will include current best practices, extend to a variety of educational institutions and geographical areas, and recognize the importance of having a diverse staff with diverse backgrounds.

Recruitment efforts will not overlook the talents and potential of individuals already employed by the district. Open positions will be posted in sufficient time for current staff to submit applications before positions are filled.

The district will not discriminate on the basis of race, religion, sex (including gender identity, sexual orientation, and pregnancy, childbirth, or any related medical conditions), color, disability, age (40 or older), genetic information, national origin, or any other applicable status protected by local, state, or federal law. The district is committed to nondiscrimination in its employment practices.

District policies and practices regarding equal opportunity employment apply to all levels and phases of personnel administration. These include recruitment or recruitment advertising.

Adopted 6/11/19

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. American 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.
   5. Genetic Information Nondiscrimination Act of 2008, 42 U.S.C.A. Section 2000ff, *et seq.*
   6. Rehabilitation Act of 1973, Section 504, 29 U.S.C.A. Section 794.
   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 1-1-550 - School districts required to give employment preference to honorably discharged veterans.
   2. 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.
   3. Section 1-13-80 - Unlawful employment practices; exceptions.

4. Section 59-1-510, *et seq.* - Guidelines and regulations for recruitment and hiring staff in professional areas.
5. 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.

AR GCE-R Professional Staff Recruitment

Issued **6/19**

The superintendent will analyze each job vacancy prior to initiating the recruitment process in order to determine which recruitment strategies will be the most effective for the specific job vacancy. The superintendent may consider strategies that include, but are not limited to, the following:

- advertisements in local, state, and regional newspapers
- advertisements in professional publications
- advertisements with college and university placement services
- interviews with students enrolled in teacher education programs
- internal and external searches
- inquiries and referrals
- professional contacts with community organizations that promote the interest of minority groups
- publications and pamphlets
- special activities and events for prospective applicants
- video packages and recruiting programs

The administration will design and publish a webpage that will be used in the effort to recruit quality individuals. The district webpage will contain general information about the district, educational programs, teacher benefits, district schools, and student enrollment.

The superintendent and his/her designee will write and publish all job vacancy announcements/advertisements and post them on the district's internal job posting website for at least three (3) calendar days.

The superintendent will base the context of the job vacancy announcement/advertisement primarily on the actual job description and/or criteria to be used in selecting the most qualified person for the position.

Issued 6/11/19

Policy GCEC Posting and Advertising of Professional Vacancies

Issued 6/19

The board believes it has the obligation to provide the best administrative and supervisory personnel available for the district regardless of race, religion, sex (including gender identity, sexual orientation, and pregnancy, childbirth, or any related medical conditions), color, disability, age (40 or older), genetic information, national origin, or any other applicable status protected by local, state, or federal law.

The superintendent and/or his/her designee will write and publish job vacancy announcements/advertisements within the confines of the district's recruitment and/or employment policies and procedures.

The superintendent or his/her designee may elect to announce the vacancies using the following resources other than the district's internal job posting system:

- advertisements in local, state, and regional newspapers
- advertisements in professional publications
- advertisements with college and university placement services

The superintendent will base the context of the job vacancy announcement/advertisement primarily on the actual job description and/or criteria to be used in selecting the most qualified person for the position.

All announcements/advertisements will include the following information:

- location of the position
- job title
- job responsibilities
- reference to the applicable salary schedule
- minimum qualifications and requirements application procedures
- deadline for receiving applications

Except in extreme emergencies, the administration will advertise all job vacancies within the district for at least three (3) calendar days. If a position is filled internally through a lateral transfer or promotion, the resulting vacancy will be posted as soon as practicable.

Adopted 6/11/19

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. American 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.
   5. Genetic Information Nondiscrimination Act of 2008, 42 U.S.C.A. Section 2000ff, *et seq.*
   6. Rehabilitation Act of 1973, Section 504, 29 U.S.C.A. Section 794.

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 1-1-550 - School districts required to give employment preference to honorably discharged veterans.
   2. 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.
   3. Section 1-13-80 - Unlawful employment practices; exceptions.
   4. Section 59-1-510, *et seq.* - Guidelines and regulations for recruitment and hiring staff in professional areas.
   5. 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.

Policy GCI Professional Staff Development

Issued **6/19**

The board recognizes that the key to a successful educational program is a well-trained, competent staff dedicated to professional growth. Therefore, the board will include in its budget resources for providing approved in-service activities and staff development opportunities.

The board encourages and expects all professional staff members to pursue appropriate staff development activities that will help them better meet the demands of their positions.

While professional growth through participation in ongoing staff development activities is the responsibility of all staff, the encouragement for such professional growth is a district obligation. Therefore, the district should assist in the development and scheduling of appropriate staff development activities which will enable staff to effectively meet their responsibilities.

The board will maintain and support a planned, comprehensive staff development program that includes district-sponsored activities to train groups in specific areas. The program also will include workshops, seminars, and course work through outside resources. The superintendent is responsible for designing, developing, and evaluating programs with the involvement of other administrators and teachers.

The board expects all professional staff of the district to participate in in-service programs. State-sponsored programs must meet national standards for professional development and focus on effective instructional leadership as it pertains to instructional leadership and school-based improvement. Part of this state-sponsored training must include instruction for administrators on the importance of school improvement councils and ways to make councils an active force in school improvement as well as a program of instruction in the essentials of constitutional protections and prohibitions as they relate to religion and public school operations.

Within budgetary limitations and staff time commitments to their jobs, the board will encourage staff members to attend outside conferences and workshops.

Professional Development Plans

All school administrators will develop an ongoing individual professional development plan with annual updates. This plan will be geared to their role or position and will support both individual growth and organizational needs as defined by the district's strategic plan or the school renewal plan.

Principal Induction Program

The district will provide a school principal serving for the first time as a building level principal, director of a specialized education unit, or career and technology education center director with a formal induction program.

This program will be in conjunction with the South Carolina Department of Education, which will assist the district in providing support and professional development for first-year principals through the Principal Induction Program.

Components will be based on statewide criteria and statewide performance standards for assisting, developing, and evaluating principals.

The district will implement this program in accordance with state law and State Board of Education regulations.

Adopted 6/11/19

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 59-1-435 - Religious Viewpoints Antidiscrimination Act.
   2. Section 59-3-90 - In-service training programs for teachers.
   3. Section 59-17-140(A) - In-service training related to religion and public school operations
   4. Section 59-24-30 - Individual professional development plans.
   5. Section 59-24-50 - Continuous professional development programs.
   6. Section 59-24-80 - Formal induction program for first year principals.

B. S.C. State Board of Education Regulations:
   1. R-43-165.1 - Program for Assisting, Developing, and Evaluating Principal Performance (PADEPP).
   2. R-43-167 - Principal Induction Program.

Policy GCK Professional Staff Assignments and Transfers

Issued 6/19

Relocation of professional staff may become necessary to meet instructional requirements, fluctuating enrollments, changing educational needs, and district obligations.

Assignment

The superintendent will assign instructional staff on the basis of qualifications, the needs of the district, and staff members' expressed desires. When he/she cannot meet all three conditions, the superintendent will assign staff in this order:

- first, in accordance with the needs of the district and its students
- second, where the administration believes each staff member is most qualified to serve
- third, as to expressed preference of the staff members

The superintendent will annually determine the professional staff to be assigned to each school. On or before August 15th of each year, the superintendent will notify each teacher of his/her tentative assignment for the following school year.

All staff are employed by the district, not a particular school. Differences in expected enrollment andthe actual enrollment, as well as other district needs, sometimes result in changed assignments.

The superintendent is authorized to reassign staff in the best interests of the district.

Transfer

The transfer of a professional staff member from one school to another may be initiated by the staff member, the school principal, or the superintendent. In the case of transfers initiated by staff, and with all other considerations regarding assignment being equal, the administration will grant staff preferences for transfer in order of seniority in the district subject to the approval of the principals involved and in accordance with administrative rule GCK-R.

School Assignments

Within an individual school, the principal/director will have the authority to assign classes and courses according to the needs of the school. The principal/director will make assignments based on staff qualifications.

Adopted 6/11/2019

Legal References:

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

1. Section 59-25-410 - Notification of employment for ensuing year; notification of assignment.

AR GCK-R Professional Staff Assignments and Transfers

Issued 6/19

The superintendent may make staff transfers within the district on a voluntary or involuntary basis. The district will use the following procedures in making transfers:

Voluntary Transfer

- A staff member desiring a transfer for the next academic year must discuss his/her desire with his/her principal/director (if in a school) or with his/her immediate supervisor (if on the district level).
- The staff member should then write a letter of request to the superintendent or his/her designee no later than February 15th stating the reason(s) for requesting a transfer and providing the position and/or name of the school to which the transfer is desired.
- Upon receipt of the request, the superintendent or his/her designee will set a time for the staff member making the request to meet with the principal of the school to which the transfer is requested (if a vacancy for which he/she qualifies exists).
- Based upon the recommendation of the two principals (and/or other immediate supervisors) involved, the superintendent or his/her designee will give written notice to the staff member of the decision regarding his/her transfer request. The staff member must be recommended by the principal/director of the position and/or school to which he/she desires a transfer.

Involuntary Transfer

If, in the opinion of the superintendent, an involuntary transfer would be in the best interest of the district, the district will use the following procedure:

- The superintendent or his/her designee will discuss the need for the transfer with the principal (if in a school) or with the immediate supervisor (if on the district level).
- The superintendent or his/her designee will have a conference with the principal/director of the position and/or school to which transfer is being contemplated.
- The superintendent or his/her designee will then talk with the staff member to be transferred giving reasons why the transfer is being made. Refusal to comply with the transfer may result in loss of employment for the following year.
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The administration will not use transfers as a disciplinary action.

Issued

Policy GCMD Instructional Staff Extra Duty

Issued 6/19

The board expects instructional staff to assume reasonable duties over and above their regular teaching responsibilities in order to provide students with the most comprehensive educational program possible. Assignments will be impartially distributed among the staff in an equitable manner whenever possible.

Administrative staff members will assist in the supervision of students as part of their regular duties during the school day. This includes, but is not necessarily limited to, the fulfillment of bus, lunchroom, and hall duty.

The board also expects all teachers to attend functions of their respective schools, such as open houses or PTO/PTA meetings, and to attend other school events when requested by the principal/director of the school.

The board may compensate certified staff for major extracurricular responsibilities and assignments in accordance with the district's supplementary pay schedule as adopted by the board.

Adopted 6/11/19

Policy GCNA Supervision of Instructional Staff

Issued 6/19

The principal/director is responsible for the supervision of instructional staff at each school.

The purpose of supervision (and teacher evaluation) is to improve the educational program and the effectiveness of instruction. Thus, the principal/director is responsible for guiding instructional staff in implementing the approved objectives and reviewing lesson plans, observing actual instruction, offering suggestions for the improvement of teaching, and helping instructional staff correct deficiencies. The principal/director may require an instructional staff member to change methods and lesson plans when these conflict with the approved curriculum or board policy. An instructional staff member who willfully ignores such a directive may be referred to the superintendent for action on charges of insubordination.

Principals and other instructional leaders are expected to be particularly attentive to the needs of new instructional staff members; of those who are undertaking new teaching programs; and of those whose classes, for no apparent reason other than the quality of lesson plans and daily instruction, have not achieved as well as comparable classes on assessments.

Adopted 6/11/19

Policy GCOA Evaluation of Instructional Staff

Issued 6/19

The appropriate personnel will evaluate the performance of every instructional staff member fairly and on a periodic basis in an effort to improve the quality of all work performance.

The superintendent will enforce the rules, regulations, and procedures necessary for conducting an efficient, effective program of instructional staff performance evaluation.

The elements of the performance evaluation program are as follows:

- Every staff member is informed of the criteria by which his/her performance is evaluated.
- Every staff member has the right to be informed of the results of his/her performance evaluation in writing.
- Every staff member has the right to respond to his/her evaluation in writing.

Assisting, Developing, and Evaluating Professional Teaching (ADEPT) System

The district will use the ADEPT System to evaluate all certified teachers employed under induction, annual, and continuing contracts. The district will base all evaluations on the ADEPT performance standards in accordance with South Carolina Department of Education ADEPT implementation guidelines.

The district will develop plans and procedures for teacher evaluation based on the components of ADEPT found in administrative rule GCOA-R.

Teachers Employed from Out of State

Teachers employed from out of state who receive a South Carolina initial teaching certificate based on reciprocity are eligible for employment under an induction contract. Teachers employed from outof state who have one or two years of teaching experience are eligible for employment under an induction or annual contract.

Teachers who receive a South Carolina professional teaching certificate based on reciprocity and have more than two years of teaching experience are eligible for employment under an annual contract. At the annual contract level, teachers may receive either a diagnostic-assistance year or a formal evaluation. Teachers must successfully complete the formal evaluation at the annual contract level before they are eligible to receive a continuing contract.

Teachers who are employed from out of state or from a nonpublic-school setting and who are certified by the National Board for Professional Teaching Standards (NBPTS) are exempted from initial certification requirements and are eligible for continuing contract status.

Teachers Employed in Charter Schools

If a charter school operating within the district elects to implement the ADEPT system for evaluating their teachers, it will do so in compliance with all provisions of law and regulation and implementation guidelines. In fulfilling these requirements, the contract between the charter school and its sponsor will include an ADEPT provision. All certified teachers in the charter school will be assisted and evaluated consistent with the sponsor's State Board of Education (SBE) approved ADEPT plan.

The charter school ADEPT provision will address the charter school's responsibilities for ensuring the fidelity of the implementation of the system and the sponsor's responsibility in terms of staff training and program implementation. The provision will be included in the sponsor's ADEPT plan and approved by the SBE prior to implementation. The sponsor will disseminate all ADEPT-related information from the SCDE to the charter school and to report charter school teacher data as required.

Teachers Who Hold a Limited Professional Certificate

An educator who holds a valid South Carolina limited professional certificate is eligible for employment in a "regulated" public school at the annual contract level and may receive either a diagnostic-assistance year or a formal evaluation. Teachers must successfully complete the formal evaluation at the annual contract level before they are eligible to move from a limited professional certificate to a full professional certificate and to be employed under a continuing contract.

Teachers Employed under a Letter of Agreement

Teachers who are eligible for an induction or annual contract but who are hired on a date that would cause their period of employment to be less than 152 days during the school year may be employed under a letter of agreement. Teachers employed under a letter of agreement do not fall under ADEPT, but the district will ensure that these teachers receive appropriate assistance and supervision throughout the school year.

Teachers Who Do Not Have Sufficient Opportunity to Complete the ADEPT Process

A teacher who is employed under an induction, annual, or continuing contract and who is absent for more than 20 percent of the days in the district's annual evaluation cycle may, at the recommendation

of the superintendent, have his/her ADEPT results reported to the SCDE as "Incomplete." Teachers with an "Incomplete" are eligible to repeat their contract level during the next year of employment.

Teachers Who Hold an International Teaching Certificate

Teachers from outside the United States who hold an international teaching certificate will follow the same sequences as traditionally prepared teachers in terms of the beginning contract levels (i.e. induction and annual) and ADEPT evaluation and assistance processes. However, teachers who hold an international teaching certificate will remain at the annual-contract level but may not be employed under a continuing contract.

Training and Reporting

The district must provide appropriate training for all personnel responsible for conducting the evaluation process. The district must meet all reporting requirements as outlined in law and regulation.

Use of ADEPT Results to Inform Personnel Decisions

When possible, the district will use the multiple evidence sources from multiple years for making employment decisions as permitted by state law and regulation. ADEPT results are used to determine the number of induction contract years, to determine eligibility for advancement to annual contract status, to determine whether to issue the professional certificate and eligibility for continuing contract status, to determine whether a teacher must have a consecutive formal evaluations or a "highly consequential" formal evaluation, to inform professional development plans, to inform GBE objectives, and for other decisions within a district.

Adopted 6/11/2019

Legal Referenced:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 59-26-10, *et seq.* - A system for the training, certification, initial employment, evaluation, and continuous professional development of publiceducators.
   2. Section 59-26-85 - Teachers certified by the National Board for Professional Teaching Standards eligible for continuing contract status.

B. S.C. State Board of Education Regulations:
   1. R-43-205.1 - Assisting, Developing, and Evaluating Professional Teaching (ADEPT).

C. S.C. State Board of Education Guidance:
   1. Expanded ADEPT Support and Evaluation System Guidelines for Classroom-Based Teachers. (April 2018).

Policy GCQA/GCQB Professional Staff Reduction in Force

Issued 6/19

The board recognizes that it may become necessary to eliminate professional staff positions in certain circumstances. Therefore, the board publishes this policy to provide a fair and orderly process should such eliminations become necessary.

The board has the sole and exclusive prerogative to eliminate professional staff positions consistent with the provisions of state statutes. The board may find it necessary to eliminate professional staff positions because of decreases in student enrollment, changes in curriculum, financial exigency, or other circumstances as determined by the board.

Definitions

For the purpose of this policy, the following terms are defined below:

- *Days* means calendar days.
- *Financial exigency* means any significant decline in the district's financial resources that is brought about by a decline in enrollment or by other actions or events that compel a reduction in the district's current operations budget.
- *Change in curriculum* means any elimination, curtailment, or reorganization of curriculum offerings, programs, or school operations, or a reorganization or consolidation of two or more individual schools that is unrelated to financial exigency.

Procedure

Before it begins action not to renew professional staff contracts under this procedure, the board will consider its ability to eliminate positions and/or reduce staff by any of the following methods:

- voluntary retirement
- voluntary resignation
- transfer of existing staff members
- 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 (RIF) will be on a district-wide basis. Therefore, the superintendent is not limited to considering for RIF termination only those professional staff members in a particular school, area, or program in which the loss of enrollment, program curriculum, or financial exigency has occurred.
- Once the board, after consulting with the superintendent, has determined that a reason exists which requires an elimination of professional staff positions, the superintendent will determine which positions must be eliminated. The superintendent will present his/her recommendations to the board forapproval.
- Once the board has approved the elimination of the specified positions or changes to be made in programs, the superintendent will use specified criteria to select those professional staff members who are to be considered for nonrenewal. The superintendent will make a recommendation to the board based on the application of the following criteria, but not necessarily in this order:

- certification (areas and type)
- degrees earned
- professional experience in other areas which may have open positions
- total years of professional experience in the district
- total years of teaching experience
- qualifications and ability as determined by the district evaluation procedure
- performance evaluation
- attendance record
- principal/supervisor's recommendation
- type of contract
- extracurricular needs of the schools

Length of service in the district will be a consideration only where the need arises to choose for termination from among staff members considered by the administration to be equally competent in their performance.

Notice to Individual Staff Member

If, after considering the superintendent's recommendation, the board acts to terminate the employment of a professional staff member, the board will give written notice of that decision to the affected member. 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 and a general description of the procedures followed in making the decision.

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

Review of Individual Terminations

A professional staff member may request a review of the board action, provided such request is made within ten (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, 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 chair of the board. The request must clearly state the grounds on which the staff member contends the decision was arbitrary, capricious, or generated by ill will, fraud, collusion, or other such motives. The request must include a short, plain statement of facts to support the contention.

The board will hold a hearing within thirty (30) calendar days after it receives the request. The board will give the staff member at least five (5) days' 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 only consider the credible evidence that is presented at the hearing. The board members, superintendent, and staff members may question all witnesses.

Except as herein provided, the chairman of the board will control the hearing.

The hearing will begin with the staff member's presentation of contentions. This presentation will be limited to those grounds specified in the request for a hearing and supported by such proof as he/she desires to offer.

When the staff member concludes his/her presentation, the board will consider whether the proof offered in support of the contention establishes the contention. This consideration will take place in executive session.

If the board determines that the contention has not been established, it will notify the parties and conclude the hearing. This action concludes the decision to terminate.

If the board determines that rebuttal is desirable, it will notify the parties and the hearing will proceed. The superintendent may then present, in rebuttal of the staff member's contention or in general support of the decision to terminate, such testimony or documentary proof as he/she desires to offer, including his/her own testimony.

After the superintendent completes his/her presentation, 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, 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 a simple unelaborated statement, so notify the staff member and the superintendent. Such a determination concludes the decision to terminate. The employee will be notified within ten (10) days following the hearing of the board's decision. If the board determines that the professional staff member's contention has been established, it will inform the staff member and the superintendent in writing what corrective action must be taken.

Obligations with Respect to Re-Employment or Other Employment

For two (2) years after the effective date of a termination pursuant to this policy, the board will not replace the professional staff member whose employment has been terminated without first offering the position to the terminated professional staff member. The board will make the offer by certified mail, return receipt requested. The board will notify the professional staff member that he/she must submit written acceptance within fifteen (15) calendar days. Failure to make written acceptance or rejection within fifteen (15) calendar days of the position eliminates all re-employment rights of the professional staff member. If the professional staff member is recalled within one (1) year, the district will restore all of the sick leave and/or unused personal leave he/she had accrued on the effective date of the layoff.

If the professional 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 considering an issue that arises from a reduction in force. Similarly, no other personnel action other than a reduction in force may be considered under this RIF procedure.

Adopted 6/11/2019

Legal References:

A. S.C. Code of Laws, 1976, as amended:
    1. Section 59-25-415 - Rehiring of employees terminated for economic reasons.

Policy GCQC/GCQD Resignation of Professional Staff

Issued 6/19

Any professional staff member who wants to cancel or terminate a contract must state his/her desirein writing to the superintendent. The district is under no obligation to release a professional staff member from a contract except as set out below. For such resignation to be effective, it must be accepted in writing by the superintendent.

The board will be formally advised of all resignations. When the superintendent does not accept a resignation, and the staff member fails to continue to perform his/her contractual duties, the superintendent will report the breach of contract to the board. The board may send a formal complaint to the State Board of Education (SBE) requesting that appropriate action be taken against the staff member for failure to comply with contractual obligations. If there is conclusive evidence, SBE will take action on a complaint signed by the appropriate administrator; however, there must be documentation that the board voted to send the complaint. Both state law and regulations provide for suspension or revocation of a professional certificate under such circumstances.

Contract Releases

The board will not release a professional staff member from his/her contract after June 1st, except under one of the following conditions:

- circumstances beyond the staff member's control (ex. military/business transfer of spouse)
- serious illness of the staff member

The staff member must submit a request for contract release in writing to the superintendent. The district reserves the right not to release the staff member if written notice is not given before the date specified above or a suitable replacement has not been found.

Until a staff member has been formally released from his/her contract, the district expects the staff member to report for duty on the first day of the school year or to continue to report for duty if the request for release is made mid-year.

If a staff member signs a new contract without having been properly released from a previous contract, the new contract is considered to be void.

Adopted 6/11/2019

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 59-25-150 - State Board of Education may revoke/suspend certificate for just cause.
   2. Section 59-25-160 - Revocation or suspension of certificate; "just cause" defined.
   3. Section 59-25-530 - Unprofessional conduct; breach of contract.

B. S.C. State Board of Education Regulation:
   1. R-43-58 - Disciplinary action on educator certificates.
   2. R-43-58.1 - Reporting of terminations of certain school district employees.
   3. R-43-206 - Professional personnel resignation.

Policy GCQE Retirement of Professional Staff

Issued 6/19

District staff members can select between the Public Employee Benefit Authority's (PEBA) Defined Benefit Plan (SCRS) or Defined Contribution Plan (State ORP).

Any district staff member who is a member of the State ORP may become eligible to receive distributions when he/she terminates employment or reaches age 59½.

Any district staff member who is a member of the South Carolina Retirement System prior to June 30, 2012, may retire with full benefits if the member has five or more years of earned service, reached the age of 60, or has 28 or more years of creditable service and separated from service. A memberwho has reached age 60 may retire with reduced benefits.

Any district staff member with an effective date of membership in the South Carolina Retirement System after June 30, 2012, may retire with full benefits if the staff member has eight or more years of earned service, reached the age of 60, or satisfied "the rule of ninety" requirement (age plus service years equals ninety) and separated from service.

The staff member should notify the board in writing of his/her intent to retire as soon as possible but not later than March 15th of the year in which he/she plans to retire.

An eligible staff member wishing to retire during the course of the school year and to continue his/her employment as a retired staff member must adhere to the current state statutes at the time of retirement.

A staff member who retires after January 1, 2013, and retires before the age of 62, and returns to the district after the required thirty-day separation may earn up to $10,000 each calendar year without affecting his/her retirement benefits. The working retiree forfeits any additional retirement benefits for the remainder of the year after he/she has earned the maximum of $10,000 and continues in employment.

The board must approve the employment of all state retirees, whether recommended to fill a certified or classified position, and no such employment will be approved for more than one school year or the remainder of the current school year. All working retirees in the district will be classified as at will employees, which means they can be removed from service at any time and without cause.

Adopted 6/11/2019

Legal References:

A. United States Code of Laws, as amended:
   1. Age Discrimination Act of 1975, 42 U.S.C.A. Section 6101, *et seq.*
   2. Age Discrimination in Employment Act of 1967, 29 U.S.C.A. Section 621, *et seq.*

B. S.C. Code of Laws, 1976, as amended:
   1. Section 9-1-10 - Teachers are members of the state retirement system.

2. Section 9-1-1510(A) and (B) - Retirement eligibility (Class One or Two member; Class Three member).
3. Section 9-1-1515 - Early retirement.
4. Section 9-1-1550 - Service retirement allowances.

Policy GCQF Discipline, Suspension, and Dismissal of Professional Staff *Issued* 6/19

It is the responsibility of the school administration to operate the public schools in a manner that will maintain broad community confidence in and support of the public schools. In the absence of such support, the district cannot maintain a strong, effective public education program.

Therefore, it is the policy of the board to remove from employment any professional staff member who fails or who may be incompetent to follow directives of the superintendent or to work in the district. Furthermore, it is the policy of the board to also remove from employment any professional staff member who fails or who may be incompetent to give instruction in accordance with the directions of the principal/supervisor or who otherwise manifests an evident unfitness for teaching. The supervisor or principal should be actively involved in this process for the district and school.

Any action of the district under this policy will be taken pursuant to the provisions of the Teacher Employment and Dismissal Act, S.C. Code of Laws, 1976, as amended, Section 59-25-410, *et seq.*, except for action related to persons employed under an induction contract or an annual contract as defined in state law.

Cf. GBEB, GBEBB

Adopted 6/11/19

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 59-18-1300 - District accountability system.
   2. Section 59-25-150 - State Board of Education may revoke/suspend certificate for just cause.
   3. Section 59-25-160 - Revocation or suspension of certificate; "just cause" defined.
   4. Section 59-25-410, *et seq.* - Teacher Employment and Dismissal Act.
   5. Section 59-26-40 - Induction, annual and continuing contracts; termination of employment for annual contract teachers; hearing.

B. S.C. State Board of Education Regulations:
   1. R-43-58 - Disciplinary action on educator certificates.
   2. R-43-58.1 - Reporting of terminations of certain district employees.

Policy GD Support/Classified Staff

Issued 6/19

Support/Classified staff includes all categories of non-certified staff such as, but not limited to, clerical personnel, food services personnel, maintenance and custodial personnel, bus drivers, and paraprofessionals.

All personnel policies designated for support/classified staff and found in subsection GD pertain to staff who are not required to hold a professional certificate issued by the state of South Carolina and who are not classified as non-certified administrative staff.

Additional personnel policies and regulations relating only to professional staff can be found in the GC subsection of the policy manual.

Adopted 6/11/19

Policy GDB Support Staff Contracts and Compensation

***Issued* 6/19**

Compensation

The board will base the salary of all support staff on salary schedules or hourly rates set by the board on the recommendation of the superintendent. The board will set compensation according to the responsibility of the position, qualifications needed, services rendered, evaluation of performance, years of service, provisions of the district's operational budget, and any applicable state and federal laws.

The effective date for all salary changes as determined by the salary schedule or by action of the board is July 1st.

Contracts

Except under unusual circumstances, the district does not issue contracts to support staff. The district considers such staff to be at-will employees under the provisions of South Carolina law.

Adopted 6/11/19

Policy GDBC Support Staff Supplementary Pay/Overtime

Issued 6/19

The board recognizes that the district is subject to the provisions of the Fair Labor Standards Act (FLSA). This federal law includes provisions applicable to school districts relating to minimum wage and overtime pay for non-exempt staff members. The superintendent will determine which school district staff are subject to these minimum wage and overtime requirements.

Minimum Wage

The district will pay staff members a minimum wage on an hour-by-hour basis, regardless of whether they are part time or full time, permanent or temporary, in an amount 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.

Overtime

The board also recognizes that it may occasionally be necessary for non-exempt staff members to work more than 40 hours during a given workweek. These non-exempt staff members will be paid overtime at the rate of one and one-half times the regular rate of pay for hours worked in excess of 40 in any work week.

Compensatory Time

Alternatively, in lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate not less than one and one-half hours for each hour of overtime worked. All accrued compensatory must be taken prior to the end of each fiscal year. Any compensatory time not taken by that point will be paid out at a rate of time-and-a-half. No overtime, as defined by the FLSA, will be required or permitted without authorization from the staff member's immediate supervisor prior to the performance of the work. Staff who work past their regularly scheduled hours without approval will be subject to discipline, up to and including termination.

Time Records

The district requires all staff who are subject to the provisions of the FLSA to complete a daily time record showing actual hours worked. All hours worked should be accurately recorded in the manner required by the staff member's supervisor. 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 FLSA.

Adopted 6/11/19

Legal References:

A. United States Code of Laws, as amended:
   1. Fair Labor Standards Act of 1938, 29 U.S.C.A. Section 201, *et seq.*

B. Federal Cases:
   1. *Purdham v. Fairfax Co. Sch. Bd.*, 637 F.3d 421 (4th Cir. 2011). Non-exempt employees engaging in coaching or other civic or charitable activities for a district may be deemed volunteers, in which case they would not be entitled to overtime payfor such activities.

AR GDBC-R Support Staff Supplementary Pay/Overtime

Issued **6/19**

Minimum Wage

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

Workweek

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

Hours Worked

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

Travel

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

Leave

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

Part time in different capacity

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

Note that individuals may not work on a volunteer basis in their own position or extended their day ona volunteer basis. Doing so constitutes a violation of the Fair Labor Standards Act (FLSA) and may result in disciplinary action.

Substitution in same capacity

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

Overtime Hours

Overtime hours will be held to a minimum consistent with the needs and requirements of sound and orderly administration of the district. All overtime hours worked by non-exempt staff members must be scheduled and the discretion to determine which method of payment to choose. The district reserves the right to require staff duly authorized. With respect to the payment of overtime in money or in compensatory time, the district will have members taking compensatory time to schedule compensatory time in minimal increments of four hours. This requirement is subject to change by the district upon written notification to all affected staff members.

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

Compensatory time off

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

Comp time may be accrued up until 60 hours (40 overtime hours). All accrued compensatory time will be taken prior to the end of each fiscal year. Overtime work beyond this maximum accrual, or accrued compensatory time not taken prior to the end of each fiscal year, will be monetarily compensated at the rate of one and one-half times the individual's normal hourly rate of pay. (DRAFTERS NOTE: Federal law allows staff members to accrue up to 240 hours, the equivalent of 160 overtime hours. District may adjust the 60/40 limit as desired.)

Every effort will be made to permit the use of comp time at a time mutually agreed upon by the individual and his/her supervisor. However, where the individual's absence would unduly disrupt the district's operations, the district retains the right to postpone comp time usage.

Time off later for working on an official holiday will not be considered compensatory time off but as a delayed holiday. Staff members who are required to work on an announced holiday must be given equal time off within the same fiscal year.

Monetary compensation

Non-exempt staff members who work in excess of 40 hours per workweek will be paid at one-and-one-half times their regular rate.

Termination

Individuals with unused comp time who are terminated or who terminate their employment will be paid for unused comp time at one and one-half times their final regular rate of pay or for the average regular rate of pay for the final three years of employment, whichever is higher.

Volunteers

A volunteer is defined as an individual who receives no compensation or who is paid expenses, reasonable benefits, or a nominal fee to perform the services for which the individual volunteered and

such services are not the same type of services which the individual is employed to perform for the district.

Students

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

Exclusions

Executive, administrative, and professional staff members will be considered exempt if they meet all of the following respective duties tests for exemption from coverage under the law.

Highly compensated staff members

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

Executive

The staff member's primary duty consists of the following:

- managing the enterprise or a customarily recognized department or subdivision
- must customarily and regularly direct the work of at least two or more other full-time staff members
- have the authority to hire or fire other staff members; or his/her suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change of status of other staff members are given particular weight

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

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

Administrative

The staff member's primary duty consists of the following:

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

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

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

Professional

The staff member's primary duty consists of the following:

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

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

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

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

Permissible Deductions

The district can take deductions from an exempt staff member's salary for violations of workplace conduct rules without risking the loss of the exempt staff member's status.

Improper Deductions

The board prohibits improper pay deductions. Staff members who believe that improper pay deductions have been taken should immediately report the concern to the superintendent. Staff members will be reimbursed for improper deductions. If an staff member's request for reimbursement is denied, the staff member may appeal that decision by following the grievance procedure set forth in board policy.

Nothing in the policy will prevent the district from properly charging absences against sick leave, personal leave, or other such leave or from making deductions from pay for unapproved or unpaid absences, as established in board policy.

Safe Harbor Rule

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

- clear communication of its policy prohibiting improper deductions and inclusion of a complaint mechanism
- reimbursement of staff members for any improper deductions
- makes a good faith commitment to comply with FLSA regulations in the future

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

Recordkeeping

Exempt staff members

The following records must be kept for each staff member:

- name and identifying number
- home address
- birth date if the staff member is under 19 sex and occupation in which employed
- time and day of week when staff member's workweek begins
- basis on which wages are paid, ensuring sufficient detail to permit calculation for each pay period of the staff member's total remuneration for employment

Non-exempt staff members

The following records must be kept for each staff member:

- name and identifying number
- home address
- birth date if staff member is under 19 sex and occupation in which employed
- time and day of week when staff member's workweek begins hours worked each day
- total hours worked each week
- basis on which staff member's wages are paid (ex. "$9 per hour," or "$440 a week") regular hourly pay rate
- total daily or weekly straight-time earnings total overtime earnings for the workweek
- all additions to or deductions from the staff member's wages total wages paid each pay period
- date of payment and the pay period covered by the payment

Retention of records

The following will be preserved for three (3) years: payroll records

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

The following will be preserved for two (2) years:

- supplementary basic records such as basic employment and earnings records, wage rate tables, and work time schedules order, shipping, and billing records
- records of additions to or deductions from wages paid
- records which explain the basis for payment of any wage differential to staff members of the opposite sex in the same establishment (29 C.F.R. 1620.32)

Issued 6/11/19

Policy GDF Support Staff Hiring

Issued 6/19

Through its employment policies and procedures, the district will strive to attract, secure, and retain the highest qualified personnel for support positions. The superintendent employs all support staff.
It is the superintendent's responsibility to ensure that all persons employed meet the qualifications established for the particular position for which they are hired. The superintendent will establish an interview and selection procedure that will allow principals or supervisors an opportunity to be actively involved in the selection of a staff member for their school. However, the superintendent will make or approve the final selection.

All vacancies will be filled on the basis of fitness, qualifications, and suitability for the specific position. There will be no discrimination in making such appointments by virtue race, religion, sex (including gender identity, sexual orientation, and pregnancy, childbirth, or any related medical conditions), color, disability, age (40 or older), genetic information, national origin, or any other applicable status protected by local, state, or federal law. The quality of the educational program is enhanced by staff members with a wide variation in background, culture, educational preparation, and previous experience.

The district will not employ any candidate without a personal interview by the appropriate supervisor.

Federal and state laws prohibit employers from hiring aliens not legally eligible to work in the United States. They also require all new employees to present evidence of employment eligibility and require employers to verify that eligibility.

Should a vacancy occur in a position during the year, the board authorizes the superintendent to fill such vacancies for the remainder of the school year in which the vacancy occurs pursuant to a letter of agreement, when appropriate. The superintendent or his/her designee may determine if advertising the vacancy is necessary or whether the position may be filled through some other means.
The superintendent is authorized to hire retired employees to work in the district on an as needed basis when their employment would serve the best interests of the school district. In such cases, the superintendent will notify the employee of the at-will status of his/her employment. The continued employment of retired staff members will be at the discretion of the superintendent, who will make such decisions in the best interests of the district. The decision to employ or not employ retired staff members will not be subject to the district's grievance procedures.

For required criminal record checks on new employees, see policy GBEBDA*, *Criminal Record Checks*. Cf.

GBEBDA*

Adopted 6/11/19

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. American 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.
5. Genetic Information Nondiscrimination Act of 2008, 42 U.S.C.A. Section 2000ff, *et seq.*
6. Rehabilitation Act of 1973, Section 504, 29 U.S.C.A. Section 794.
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 1-1-550 - School districts required to give employment preference to honorably discharged veterans.
2. 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.
3. Section 1-13-80 - Unlawful employment practices; exceptions.
4. Section 59-1-510, *et seq.* - Guidelines and regulations for recruitment and hiring staff in professional areas.
5. Section 59-18-1300 - Principals should be actively involved in the selection, discipline, and dismissal of personnel in their particular school.
6. Section 59-19-80 - Requirements as to purchases and teacher employment (teaching contracts to be issued in public meeting).
7. 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.
8. Section 59-25-410 - Notification of employment for ensuing year; notification of assignment.

C. S.C. State Board of Education Regulations:
1. R-43-205 - Administrative and professional personnel qualifications, duties, and workloads.

Policy GDO Evaluation of Support Staff

Issued 6/19

The development of a strong, competent support staff and the maintenance of high morale among staff members are major objectives of the board. The board will establish policies which encourage staff members to put forth their best efforts and to provide a good atmosphere in which to work.

The board directs the superintendent to develop and implement a program of support staff evaluation. It will be the responsibility of each supervisor to inform staff members, in advance, of the criteria to be used in the evaluation.

The evaluation system for support staff is designed to measure the level of performance of individual staff members and to encourage continued professional development. The evaluation system will not be a contractual obligation of the district or a contractual right of the staff member. It is not intended to create, nor will it be construed to create, an expectation or assurance of continued employment. Neither the substance nor the content of the evaluation will be subject to the grievance process.

Adopted 6/11/19

Policy GDQB Resignation of Support Staff

Issued 6/19

A support staff member who wishes to terminate his/her employment with the district may submit a letter of resignation to his/her supervisor. The supervisor will forward the request to the superintendent.

The staff member should submit this letter two (2) weeks before the desired termination date.

The superintendent will present a list of resignations to the board, as appropriate.

Adopted 6/11/19

Policy GDQB Resignation of Support Staff

Issued 6/19

A support staff member who wishes to terminate his/her employment with the district may submit a letter of resignation to his/her supervisor. The supervisor will forward the request to the superintendent.

The staff member should submit this letter two (2) weeks before the desired termination date.

The superintendent will present a list of resignations to the board, as appropriate.

Adopted 6/11/19

Policy GDQC Retirement of Support Staff

Issued 6/19

District staff members can select between the Public Employee Benefit Authority's (PEBA) Defined Benefit Plan (SCRS) or Defined Contribution Plan (State ORP).

Any district staff member who is a member of the State ORP may become eligible to receive distributions when he/she terminates employment or reaches age 59½.

Any district staff member who is a member of the South Carolina Retirement System prior to June 30, 2012, may retire with full benefits if the member has five or more years of earned service, reached the age of 60, or has 28 or more years of creditable service and separated from service. A memberwho has reached age 60 may retire with reduced benefits.

Any district staff member with an effective date of membership in the South Carolina Retirement System after June 30, 2012, may retire with full benefits if the staff member has eight or more years of earned service, reached the age of 60, or satisfied "the rule of ninety" requirement (age plus service years equals ninety) and separated from service.

The staff member should notify the board in writing of his/her intent to retire as soon as possible but not later than March 15th of the year in which he/she plans to retire.

An eligible staff member wishing to retire during the course of the school year and to continue his/her employment as a retired staff member must adhere to the current state statutes at the time of retirement.

A staff member who retires after January 1, 2013, and retires before the age of 62, and returns to the district after the required thirty-day separation may earn up to $10,000 each calendar year without affecting his/her retirement benefits. The working retiree forfeits any additional retirement benefits for the remainder of the year after he/she has earned the maximum of $10,000 and continues in employment.

The board must approve the employment of all state retirees, whether recommended to fill a certified or classified position, and no such employment will be approved for more than one school year or the remainder of the current school year. All working retirees in the district will be classified as at will staff member, which means they can be removed from service at any time and without protected cause.

A staff member who retires after January 1, 2013, and retires before the age of 62, and returns to the district after the required thirty-day separation may earn up to $10,000 each calendar year without affecting his/her retirement benefits. The working retiree forfeits any additional retirement benefits for the remainder of the year after he/she has earned the maximum of $10,000 and continues in employment.

The board must approve the employment of all state retirees, whether recommended to fill a certified or classified position, and no such employment will be approved for more than one school year or the remainder of the current school year. All working retirees in the district will be classified as at will staff

members, which means they can be removed from service at any time and without protected cause.
Adopted 6/11/19

Legal References:

A. United States Code of Laws, as amended:
   1. Age Discrimination Act of 1975, 42 U.S.C.A. Section 6101, *et seq.*
   2. Age Discrimination in Employment Act of 1967, 29 U.S.C.A. Section 621, *et seq.*

B. S.C. Code of Laws, 1976, as amended:
   1. Section 9-1-10 - Teachers are members of the state retirement system.
   2. Section 9-1-1510(A) and (B) - Retirement eligibility (Class One or Two member; Class Three member).
   3. Section 9-1-1515 - Early retirement.
   4. Section 9-1-1550 - Service retirement allowances.

Policy GDQD Discipline, Suspension, and Dismissal of Support Staff

Issued 6/19

Support staff, unless otherwise designated by contract, will be considered at will staff members and will be employed for such time as the district needs or desires the services of such staff member.

The board authorizes the superintendent to discipline, suspend, or dismiss support staff as required.

Principals/Supervisors should be actively involved in this process for their school/worksites.

Adopted 6/11/19