Policy

UNENCUMBERED TIME

Code **GCLE** *Issued* **11/25**

In accordance with state law, the district will require the principal of each elementary school to provide at least 30 minutes of unencumbered time to all full-time school nurses, instructional staff teaching in grades K-5, and to instructional staff of any elementary, middle, or high school responsible for teaching a special education class for more than 20 percent of the school day with students who are removed from the general education setting.

Unencumbered time is defined as 30 minutes during the regular workday where teachers or school nurses are provided time that is self directed and free from assigned duties or responsibilities, including direct instruction or supervision of students.

The unencumbered 30 minutes of time must not include:

- Parent/Teacher conferences
- Bus duty
- IEP and 504 meetings
- Team meetings
- Professional development activities that are not self-directed
- Managing or supervising the transition of students to and from activities, classes, lunch, recess, or any other activities

Implementation

Development of a schedule

The superintendent will provide guidance to principals to help ensure that they establish procedures and a schedule for unencumbered time. The superintendent is also responsible for maintaining administrative procedures that will facilitate this policy.

The placement of unencumbered time within the instructional day may vary as determined by the principal based on the staffing and scheduling needs of each school and need not be uniform among schools in the district. However, providing unencumbered time will not be achieved by expanding the expected work hours for instructional staff before or after the school day.

A principal will not reduce or withhold an eligible teacher's or school nurse's unencumbered time on a regular basis. Unencumbered time may only be reduced or withheld when it is reasonable and necessary due to extreme and unavoidable circumstances to ensure the safety and welfare of students and staff. Such circumstances could include, but are not limited to, an emergency drill or an insufficient number of staff and substitute teachers to maintain instruction in the school. In the event of a medical emergency, a school nurse's unencumbered time may be withheld or reduced. If there are persistent, unavoidable circumstances preventing a teacher from taking their unencumbered time, administration should notify the superintendent.

If an eligible staff member's unencumbered time is reduced, withheld, or voluntarily relinquished, additional compensation may not be offered in place of unencumbered time except as provided by state law.

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Supervision of students

The principal is responsible for coordinating a plan for the supervision of students by staff not eligible for unencumbered time.

Discipline

The intentional failure of the school's principal to provide eligible teachers or school nurses with 30 minutes of unencumbered time may result in disciplinary action pursuant to the district's established disciplinary policy. This may also be sufficient cause for suspension or revocation of a school principal's educator certificate pursuant to applicable state law.

The intentional failure of the board to provide eligible teachers or school nurses with the required 30 minutes of unencumbered time may subject the board to any penalties prescribed by law.

Cf. GCQF

Adopted ^11/10/25

Legal References:

A. S.C. Code of Laws, 1976, as amended:
   1. Section 59-5-63 - Unencumbered time requirement; policies; school district adoptions.
   2. Section 59-25-160 - Revocation or suspension of certificate; "just cause" defined.

B. Temporary S.C. Budget Proviso:
   1. 1.105 (SDE: School Nurses Unencumbered Time) Of the funds appropriated through the Department of Education for school districts, the department shall work with school districts to incorporate, where practical, school nurses into the statewide policy outlining penalties and exceptions to the unencumbered time requirements pursuant to Section 59-5-63.