



INSPIRING POSSIBILITIES





Personnel Handbook School Year 2026-2027

IMPORTANT NOTICE

NOTHING IN THE DISTRICT POLICIES ("POLICIES") OR THE PERSONNEL HANDBOOK ('HANDBOOK') OF HORRY COUNTY SCHOOLS ("DISTRICT") CONSTITUTES OR CREATES AN EXPRESSED OR IMPLIED CONTRACT OF EMPLOYMENT. RATHER, THIS HANDBOOK SHOULD BE UNDERSTOOD AS A BRIEF DESCRIPTION OF DISTRICT POLICIES, BENEFITS, RULES, AND OTHER INFORMATION OF IMPORTANCE TO PERSONNEL.

THE POLICIES AND HANDBOOK FOR THE 2025-2026 FISCAL YEAR SUPERSEDE ALL PREVIOUS MANUALS, HANDBOOKS, OR OTHER DOCUMENTS THAT ADDRESS THE SAME SUBJECT MATTER. IN ADDITION, THE POLICIES AND HANDBOOK CAN BE MODIFIED OR ALTERED AT ANY TIME BY THE DISTRICT.

I have read and understand the "IMPORTANT NOTICE" presented above. Also, I understand the following:

- The district policies ("policies") and the personnel handbook ("handbook") for Horry County Schools ("district") are located online on the district's website at www.horrycountyschools.net.
- I can contact my supervisor to gain access to the policies and handbook.
- The policies and handbook are not contracts of employment and do not create or imply a contract of employment.
- Additional information regarding employment in Horry County Schools is available for employees on the district website.

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Superintendent and School Board Members



Clifford Jones
Superintendent

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The HCS Board of Education generally meets on the second and fourth Monday of each month. Meetings are held in the Board Meeting Room located in Building C at the HCS District Office (335 Four Mile Road, Conway). If attending a board meeting, Building C is the third structure on our campus. Board meetings are livestreamed with access through the district's website.

www.horrycountyschools.net



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Preface

This handbook is prepared for the employees of Horry County Schools (“district”) and contains general personnel policies and procedures that govern our daily operations. The content supersedes all previous handbooks, pamphlets, manuals, statements, or other representations (written or oral) regarding the term, conditions, and nature of a person’s employment with Horry County Schools. 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 interpretation and clarification of policies or 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 and the district portal for personnel information, forms, procedures, and practices.

This handbook is not intended to replace the actual policies established by the Horry County Board of Education (“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. Hard copies of district policies are available in each school’s main office, and the policy manual 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.

Additionally, the district’s parent/student handbook, which includes summaries of selected policies and rules pertaining to students, their parents, teachers, and other staff members, is available to employees through the schools. The district expects all teachers and other staff to be knowledgeable about the information contained in the parent/student handbook and to require students to abide by the standards of conduct contained therein.

Vision and Core Values

Vision

To be a premier, world-class school system in which every student acquires an excellent education. Our schools will be welcoming centers organized around high-quality teaching and learning.

Core Values

- We put service to students above all else.
- We take responsibility for the success of all students.
- We care passionately about our work with children.
- We build strong, positive relationships with students, staff, parents, and community.
- We model and promote civility and integrity.

Equal Employment Opportunity

The district provides equal employment opportunities to otherwise qualified individuals without regard to race, sex, color, religion, national origin, age, disability, military status, immigrant status, English-speaking status, pregnancy, sexual orientation, gender identity, or any other characteristic protected by applicable federal or S.C. law.

The district will make reasonable accommodations for an individual with a disability who is otherwise qualified for a position unless the accommodation would impose an undue hardship upon the district.

The district will employ only U.S. citizens and aliens lawfully authorized to work in the U.S.

Legal references.

Federal.

Title VII of Civil Rights Act of 1964, as amended – Prohibits discrimination in employment on basis of race, color, national origin, religion, or sex.

Section 504 of the Rehabilitation Act of 1973 – Prohibits recipients of federal assistance from discriminating in employment of handicapped.

Title IX of the Education Amendments of 1972, 20 USC 1681, et seq – Prohibits discrimination on the basis of sex.

Americans with Disabilities Act, July 26, 1990.

Revised: 7-26-05; 2-17-06.

Employee Conduct

Responsibilities, Ethics, and Conflict of Interest

Staff members have a responsibility to familiarize themselves with, and abide by, federal and state laws, as well as regulations designed to implement these laws, as these affect their work. Staff members must know, understand, and follow district policies and rules. Ignorance of the provisions of district policies and rules will not be acceptable as a defense in the event of an infraction by a staff member. The district expects all staff members to carry out their assigned responsibilities with conscientious concern and professional behavior.

Essential to the success of ongoing school operations are the following specific responsibilities, which the district requires of all personnel:

1. Professional behavior including, but not limited to, adherence to:
 - a. community standards of honesty, integrity, and morality
 - b. the district's organizational culture that: (1) treats people, including parents, citizens, and staff, with respect, dignity, and courtesy, (2) values individual differences of opinion, (3) reasonably includes people in decisions that affect them, (4) requires appropriate, open, and honest communications in written and interpersonal interactions, (5) focuses on common achievement of the board's governance policies on "Results," and (6) requires an open, responsive, and welcoming environment.
2. Support of, enforcement of, and adherence to federal laws and regulations, state laws and regulations, and district policies, rules, and procedures.
3. Faithfulness and promptness in attendance at work.
4. Care and protection of school property.
5. Attendance at school functions in accordance with the expectations of the district.
6. Concern and attention toward their own and the board's legal responsibility for the safety and welfare of students, including the need to ensure that students are supervised at all times.
7. Annual viewing of the district's required Safe Schools training courses, including a review of the personnel handbook.
8. Inspection of, verification of, and assumption of responsibility for the content of documents signed by the employee – documents including, but not limited to, information concerning taxes, direct deposits, insurance, savings plans, flexible spending accounts, and retirement.
9. Adherence to the district's guidelines set forth in the district's program to prevent workplace injuries caused by, but not limited to, slips, trips, and falls (information is available in the "Workplace Safety Guidelines" manual provided by Health and Safety Services and located in the front office of each work location or online in the "Employee Resources" section of the district's webpage). Staff members who fail to abide by the guidelines may be subject to disciplinary action.

In addition, the district:

1. Prohibits the use of corporal punishment.
2. Prohibits sexual harassment of students or staff members (including any action or conduct communicated or performed in person, in writing, or electronically through such means as a telephone, cell phone, computer, personal data assistant, or other telecommunication device, including text messaging, instant messaging and social networking).
3. Prohibits the illegal transfer of alcohol or illegal substances to students or staff.
4. Prohibits the use, possession, or being under the influence of alcohol or illegal substances while on the job.
5. Prohibits employees, volunteers, and visitors from carrying or possessing on school property, in a school-related vehicle, or at district-related or school-related functions any weapon including, but not limited to, a pocket or sheath knife (with a blade over two inches long), blackjack, metal pipe or pole, firearm, or any other type of weapon, device, or object, which may be used to inflict bodily injury or death. A firearm is generally defined as a gun or destructive device and will be construed in accordance with federal and state law (starter pistols that may chamber a live round capable of injuring a person are included in the definition of a firearm). No vehicles parked on district or school property may contain weapons of any type unless the person is specifically authorized to carry a concealed weapon and such remains inside an attended or locked vehicle and is properly secured pursuant to the applicable state and/or federal law.

Violators will incur appropriate sanctions and may face penalties under the law.

Classroom instruction and student activities, including instructional materials and displays, must be designed and implemented in a manner that is consistent with district goals, curriculum, and policies. Therefore, in the course of their employment, staff members must not participate in uncontrolled expression inconsistent with district goals, curriculum, and policies.

Certain “inappropriate conduct of a sexual nature” that district employees direct towards students may also be criminal conduct as defined by state law, including S.C. Code Section 16-3-755. However, the district will take appropriate action against any employee who engages in inappropriate conduct of a sexual nature, as defined in district policies, regardless of whether the conduct rises to the level of a crime.

In their association with students, employees are to exhibit an appropriate and professional demeanor through their manner, dress, courteousness, industry, and attitude in order to establish themselves as role models for young people. The district expects the staff to be exemplary models, to provide exemplary instruction, and to model the prevailing mores of the community. The use of profanity is in direct conflict with this concept and will not be condoned. Staff members are not to engage in any activity that conflicts or raises a reasonable question of conflict with their responsibilities in the district.

1. No employee of the district will engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the district.
2. An employee will not engage in work of any type where information concerning a customer, client, or employer originates from any information available to him/her through district sources.
3. A professional employee will not sell instructional supplies, equipment, or reference books in the district, nor will the employee furnish the names of students or parents to anyone selling these materials.
4. Any intellectual property prepared by an employee within the scope of his/her employment is the sole property of the district. An employee violating this policy will be subject to disciplinary action, up to and including a recommendation for termination of his/her employment relationship with the district.

The personal life of an employee, including the employee's personal use of non-district issued electronic equipment outside of working hours (such as through social networking sites and personal portrayal on the Internet), will be the concern of and warrant the attention of the district if it impairs the employee's ability to effectively perform his/her job responsibilities or if it violates local, state, or federal law or contractual agreements. Unprofessional conduct may subject the employee to disciplinary actions consistent with state law, federal law, and/or district policy.

Staff members are expected to adhere to reasonable time schedules as established by the district or their supervisors.

Arrest of an employee

The board delegates specific authority to the superintendent to take appropriate employment action with regard to an employee who has been arrested, consistent with state law. An employee must notify his or her supervisor immediately if he or she is arrested.

Confidentiality

As part of employees' duties and responsibilities, it may be necessary for them to maintain, process, handle, review, and/or be privy to student information, personnel information, and other information that is considered private and confidential. Unless mandated for legal reasons, private and confidential information is not to be discussed with any person other than district personnel with a work-related need to know. Unauthorized discussion, disclosure, and/or dissemination of confidential information could result in disciplinary action up to and including a recommendation for termination of employment.

Internal Mail System

The district's internal mail system may be used only for the distribution of materials for conducting district business. Therefore, materials sent through the internal mail system are considered to be district property.

Electronic Communications

Electronic messaging systems are important tools that enhance communication and increase productivity when properly used. The district has established this policy with regard to the acceptable use of district-provided electronic messaging systems including, but not limited to, email and instant messaging. This policy applies to any and all electronic messages composed, sent, or received by any employee or by any person using district-provided electronic messaging resources. The district will not restrict the speech of an employee on matters of public concern on the basis of a disagreement with the opinions the employee is expressing as long as the speech does not violate district policy or applicable law or regulations.

1. The district provides electronic messaging resources to assist in conducting district business, and it is the district's intention that these resources constitute a non-public, limited forum. District Office personnel and school-level administrators are authorized to send the same message to multiple addresses throughout the district by way of distribution lists or by other means in order to conduct district business with staff members. However, unless an exception is provided in writing by the principal, other school-level employees are authorized to use such methods only for communicating with staff members at the same location with copies sent, as appropriate, to the district-level staff member(s) with a need to be informed about the content of the message. Communication about professional matters by such school-level employees should be by use of a ListServ or through an electronic forum – a system that will be implemented by the district. If a staff member at a school would like to send the same message to multiple addresses throughout the district by way of distribution lists or other means, he/she should submit his/her request to his/her principal, along with a description of the type(s) of messages that will be sent and the groups of employees to whom the messages will be sent. The principal, after consulting with the chief accountability officer about the intent of this policy, will grant or deny permission for such use. However, few requests are to be granted since the use of the ListServes and the electronic forum will reduce high traffic uses that would take away bandwidth resources from activities necessary to district operations. The decision of the District Office administrator shall be final, and the decision may not be the subject of a grievance. The district hosts ListServes for use within its intranet system. Such ListServes may only be established by a ListServ manager in the district's Technology Department if recommended by a principal or an appropriate district-level department head. If disputes arise concerning a particular ListServ or its messages, the Chief Accountability Officer shall resolve the matter. His/her decision shall be final, and his/her decision may not be the subject of a grievance. The district provides an electronic forum that enables employees to share information on matters of professional importance. Policies and conditions of use of the forum are made available to employees. Employees posting their views on the forum may do so only with the understanding that their views do not necessarily represent the views of the district and that they are solely responsible for the views they post, which must conform to district policy. Use of the forum is limited to district employees and members of the Horry County Board of Education. The forum may not be used to make personal attacks on anyone. The superintendent or his/her designee reserves

- the right to remove a topic/thread from the forum if it violates district policy or applicable law or regulations. The decision to remove a topic shall be final, and the decision may not be the subject of a grievance.
2. The district prohibits discrimination based on race, sex, color, religion, religious or political beliefs, national origin, age, disability, sexual orientation, immigrant status, English-speaking status, marital status, or any other characteristic protected by applicable federal or S.C. law.
 3. Use of electronic messaging resources to discriminate based on any or all of the aforementioned characteristics is prohibited.
 4. The electronic messaging system is district property. Therefore, all messages composed and/or sent using district-provided electronic messaging resources must comply with district policies.
 5. The district will deny access to electronic messaging resources, including, but not limited to, the ability to download, forward, print, or retrieve any message stored in the system, regardless of sender or recipient when an employee's employment with the district is terminated or during the period of time that an employee is either suspended from employment or placed on administrative leave.
 6. An employee assigned an email address is to use that email address while conducting district business via email. Employees are to safeguard their passwords by not sharing their passwords with anyone and by not hiding or posting their passwords in a place accessible to anyone. However, when absolutely necessary during their absence, employees may give proxy access to an appropriate, responsible district employee.
 7. Accessing external email systems from district-provided equipment is prohibited except for compelling reasons and unless authorized for a limited time by the Technology Department. This includes, but is not limited to, Yahoo! Mail, Mail, MSN Hotmail, AOL, Earthlink, and other email services offered by internet service providers.
 8. Employees are prohibited from automatically forwarding electronic messages sent through district-provided systems to external messaging systems.
 9. The district has the right to monitor electronic communications to enforce its rule that messages will not be illegal, libelous, profane, obscene, vulgar, harassing, insulting, disruptive, pornographic, defamatory, racially offensive, abusive, sexually oriented, presenting a danger to the health and safety of others, etc. Therefore, the district reserves the right to intercept, monitor, review, and/or disclose any and all messages composed, sent, or received. The interception, monitoring, and reviewing of messages may be performed with the assistance of content filtering software or by designated district employees and/or designated external entities. Employees designated to review messages may include, but are not limited to, an employee's supervisor or manager and/or others deemed by the district to need access.

10. The district reserves the right to alter, modify, re-route, or block the delivery of messages as appropriate. This includes, but is not limited to:
 - a. Rejecting, quarantining, or removing the attachments and/or malicious code from messages that may pose a threat to district resources.
 - b. Discarding attachments, such as music, considered to be of little business value and of significant resource cost.
 - c. Rejecting or quarantining messages with content suspected of violating district policy or law.
 - d. Rejecting or quarantining messages containing offensive language.
 - e. Re-routing messages with content suspected of violating district policy or law to designated company employees for manual review.
 - f. Rejecting or quarantining messages determined to be unsolicited email (spam).
 - g. Appending legal disclaimers to messages.
11. Employees are not permitted to use email and the internet in a way or at a time that results in the neglect of assigned duties.
12. District-provided electronic messaging resources may not be used for the promotion of any particular political candidate(s), political party, or partisan political endeavor of any kind. Also, the resources may not be used for the purpose of religious proselytizing or for the promotion of any particular religious faith(s) or religious practice(s). The restrictions are not meant to constrain users from expressing professional educational viewpoints that might have related political and religious underpinnings and overtones.
13. The district may permit the use of instant messaging programs on a case-by-case basis. The policies in this document apply equally to instant messages as well as email. Employees authorized to use instant messaging programs will be advised specifically on which instant message programs are permissible and which ones are not. Employees authorized to use instant messaging programs will be assigned a unique instant messaging identifier, also known as a buddy name, handle, or nickname.
14. The unique email addresses and/or instant messaging identifiers assigned to an employee are the property of the district. Employees may use these identifiers only while employed by the district. The right to use these identifiers terminates upon separation from the district.
15. The district uses sophisticated anti-virus software. Employees are prohibited from disabling anti-virus software running on district-provided computer equipment.
16. Any employee who discovers a violation of these policies must immediately notify the executive director of technology. Suspected illegal activities will be reported to law enforcement authorities.
17. The district employs certain practices and procedures in order to maintain the functionality and efficiency of electronic messaging resources, to achieve district

objectives, and/or to meet various regulations. These practices and procedures are subject to change by the district as appropriate or required under the circumstances.

18. The district may serialize, archive, and retain copies of all internal and external email messages for a period consistent with its records retention schedule.
19. While electronic messaging resources allow employees to conduct district business efficiently, use of email and instant messaging systems comes with some inherent risks. All employees should be aware of these risks and take precautions to mitigate them.
 - a. Messages sent electronically can be intercepted inside or outside the district; therefore, caution and judgment should be used when disclosing proprietary or confidential information through email or instant messages.
 - b. In some cases, electronic messages may not be unconditionally and unequivocally deleted. The remote possibility of discovery always exists. Use caution and judgment in determining whether a message should be delivered electronically instead of in person.
 - c. Electronic messages may be subject to disclosure to the public under the S.C. Freedom of Information Act and legally discoverable and permissible as evidence in a court of law.
 - d. Electronic messages are frequently inadequate in conveying mood and context. Carefully consider how the recipient might interpret a message before composing or sending it.
 - e. Even though the district uses anti-virus software, some virus-infected messages can enter the district's messaging systems. Viruses, "worms," and other malicious code can spread quickly if appropriate precautions are not taken:
 - (1) Be suspicious of messages sent by people not known by you.
 - (2) Do not open attachments unless they were anticipated by you.
 - (3) Disable features in electronic messaging programs that automatically preview messages before opening them.
 - f. Do not forward a chain message, a pyramid message, a spoofed-identity message, or spam mail. Simply delete them.
 - g. The district considers unsolicited email or spam a nuisance and potential security threat. Use caution if you remove yourself from future delivery of a message that you determine is spam. "Remove Me" links often are used by unscrupulous mass junk emailers as a means to verify that you exist. Attempting to remove yourself may increase the amount of spam you receive.
 - h. Internet message boards are a fertile source from which mass junk emailers harvest email addresses and email domains. Avoid using district-provided email addresses when posting to external message boards.
20. An employee in violation of this policy is subject to disciplinary action up to and including termination of employment.

Employee Usage of Artificial Intelligence

The District supports the responsible use of Artificial Intelligence (AI) tools to enhance teaching, learning, communication, and operational effectiveness. Employees may use approved AI tools for professional purposes including research, brainstorming, drafting communications, lesson planning, data analysis, translation, and administrative support. Employees remain accountable for all decisions, communications, and work products developed with AI assistance. AI-generated content must be reviewed for accuracy, bias, appropriateness, and alignment with district expectations.

Employees shall not enter confidential, protected, or personally identifiable student or employee information into non-approved AI applications. The use of AI must comply with all district technology policies, federal and state privacy laws, and cybersecurity expectations.

AI may support professional practice, but it does not replace professional judgment, educator expertise, or human decision-making. (Updated 7.28.2026)

Cell Phones and Other Electronic Devices

While driving a vehicle in the course of employment with the district, personnel are not to use cell phones and/or other electronic devices under any circumstances where such use might create or appear to create a hazard to themselves, other persons, personal property, and/or real property. Such devices are to be used only when safety is not compromised and in accordance with federal and state laws and regulations. Devices with camera and/or video capability are never to be used in any area associated in any way whatsoever with the district, its programs, or activities in which an individual has a reasonable expectation for privacy including, but not limited to, restrooms, locker rooms, and showers.

Employees are not to interfere with the instructional program, a school activity, or a work-related meeting, and employees are not to inappropriately message or record through the use of a cell phone, a device with camera and/or video capability, a paging device, or any other electronic device.

Personally owned devices are to be turned off during the foregoing programs and activities (except athletic competitions). Principals and district-level department heads may make such exceptions to this requirement as are necessary for the efficient administration of the schools and the health and safety of students and staff members. Violations will result in disciplinary action such as, but not limited to, revocation of the right to use such devices at work.

Computer Crime Act

Section 16-16-20 of the Code of Laws of S.C. states that:

1. It is unlawful for a person to willfully, knowingly, maliciously, and without authorization or for an unauthorized purpose to:
 - a. directly or indirectly access or cause to be accessed a computer, computer system, or computer network for the purpose of:
 - i. devising or executing a scheme or artifice to defraud;
 - ii. obtaining money, property, or service, by means of false or fraudulent pretenses, representations, promises; or
 - iii. committing any other crime.
 - b. alter, damage, destroy, or modify a computer, computer system, computer network, computer software, computer program, or data contained in that computer, computer system, computer program, or computer network or introduce a computer contaminant into that computer, computer system, computer program, or computer network. (7/2/2002)

State Ethics Law

Employees are under the jurisdiction of the S.C. Ethics Act, as amended, and are subject to the rules of conduct of the statute. Such rules include the following:

A public employee:

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

However, public facilities may be utilized for political meetings or campaign-related activities if they are rented or made available on similar terms to all candidates or committees.

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

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

Nepotism

The district will not offer a recommendation for the appointment or transfer of any person to a position that would require the person to supervise and/or evaluate a family member or be supervised and/or evaluated by a family member.

Those individuals serving in such positions as of April 22, 1996, may retain their positions provided the superintendent concludes that the continued assignments are in the best interest of the district. The superintendent may reassign any persons affected by this policy if he/she considers such reassignment to be in the best interest of the district.

The district will not make a recommendation for the appointment of a family member of the superintendent for a position in the District Office, for a position as a principal or assistant principal, or for any other position that is directly supervised and/or directly evaluated by the superintendent.

The S.C. Code § 59-25-10 provides that no board member's immediate family member (parents, children, brothers, or sisters only) may be employed without the written consent of the board of trustees.

Reporting Child Abuse or Neglect

The schools of this district will cooperate vigorously to expose the problems of child abuse and neglect. Any principal, assistant principal, school teacher, nurse, school attendance officer, social worker or counselor who has received information in his/her professional capacity that gives him/her reason to believe that the physical or mental health or welfare of a child under the age of 18 has been or may be adversely affected by abuse (including physical or mental injury or sexual abuse) or neglect must report such a situation, as provided in S.C. Code Ann. Section 63-7-310.

As mandated reporters, the principal, assistant principal, teacher, nurse, school attendance officer, social worker or counselor must make the report to the county department of social services or a law enforcement agency in the county where the child resides. Other school employees who have reason to believe that a child under the age of 18 has been subjected to, or who may be subjected to abuse or neglect, should also report or cause a report to be made as stated above.

The state of South Carolina provides both civil and criminal immunity to those reporting suspected child abuse or neglect in good faith. Anyone required to report who knowingly fails to do so may be found guilty of a misdemeanor in a court of law.

Reporting Procedures

School personnel who suspect child abuse or neglect should make a report in good faith. It is not the responsibility of school personnel to prove that the child has been abused or neglected, or to make a determination of whether the child is in need of protection. Any involvement of school personnel in investigation or treatment should be in conjunction with the local child protection unit of the department of social services. The department of social services must keep the name of the reporter confidential, except as otherwise required by law.

The teacher or other school employee suspecting the abuse must contact law enforcement or the department of social services by telephone or other means to make an oral report that includes the following information:

- Name, address, and age of student.
- Name and address of parent or caretaker.
- Nature and extent of injuries or description of neglect.
- Any other information that might help to establish the cause of the injuries or condition.

The person making the report should notify the principal of the school that he/she made an oral or written report of a case of suspected child abuse or neglect in order to provide for appropriate communication and follow-up by the school administration during any investigation.

School employees who make child abuse or neglect reports must maintain the confidentiality of the information contained in the report. Employees will release this information only to the department of social services or, in the alternative, the county law enforcement agency.

As provided in S.C. Code Ann. Section 63-7-380, a person required to report suspected child abuse or neglect may take, or cause to be taken, color photographs of the areas of trauma visible on a child who is the subject of the report. In the alternative, the reporter should bring the condition to the attention of the person to whom the report is made.

Copyright Law

The copyright law of the United States governs the making of photocopies or other reproductions of copyrighted material under certain conditions. Any person using this equipment to make copies in excess of “fair use” under copyright law is solely responsible for any copyright infringement liability.

Legal Matters

Each employee is responsible for immediately notifying his/her principal or district-level department head of legal matters that affect or may affect the district. A principal/district-level department head receiving the above information is responsible for communicating the information to the appropriate chief officer, who shall forward it to the superintendent or the staff attorney.

Testing Programs

The district endorses the use of standardized tests as one measure of the success and quality of the educational program. In the case of individual students, such tests used in combination with other types of measurement can provide an indication of a student's achievement. The Office of Assessment coordinates the testing program for students at various grade levels. See the parent/student handbook for more information.

Tests and Examinations in Elementary, Middle, and High Schools

All teacher-made tests given at any time during the school year should be diagnostic – that is, the test should be given to evaluate what a student has learned so the teacher may plan instruction according to the needs the student exhibits on the tests. Tests should be given when needed throughout the school year. There will be no recording of test grades on report cards and no final examinations as such at elementary and middle school levels; however, final examinations will be given in middle-school classes for which high-school credit may be granted.

Test Security

All mandatory tests administered to students by or through the district and provided by the district, the S.C. Department of Education ("SCDE"), or any other source shall be administered in accordance with S.C. law, S.C. regulations, and the policies, guidelines, or requirements of the district or other source. Violation of any law, policy, regulation, guidelines, or requirements will subject the individual to discipline and may lead to criminal proceedings resulting in fines and/or imprisonment, termination of employment with the district, and/or suspension or revocation of an educator's professional certificate.

1. Each school year, the superintendent shall designate one individual in the district who shall be solely responsible for procuring commercial tests used in testing programs administered by or through the SCDE. The name of the individual so designated shall be provided to the SCDE in writing on an annual basis.
2. Staff members must provide for the security of the materials during testing and the storage of secure tests and test materials before, during, and after testing. Before and after testing, all materials must be stored at a location or locations in the district under lock and key. Throughout the time that testing materials are under the control of the

district, tests must be secured under lock and key when not in use for approved test administration activities.

3. Individuals must adhere to the procedures specified in operating manuals governing the testing programs.
4. Each of the following is considered a breach of professional ethics that may jeopardize the validity of the inferences made on the basis of test data and, as such, is viewed as a security violation that could result in criminal prosecution, disciplinary action by the SCDE that may affect an educator's professional certificate (including suspension or revocation of his/her certificate), and/or disciplinary action by the district, up to and including termination of employment:
 - a. failing to administer tests on the test dates specified by the district and/or the SCDE.
 - b. failing to maintain an appropriate testing environment free from undue distractions.
 - c. failing to proctor the test to ensure that examinees are engaged in appropriate testing-taking activities.
 - d. providing examinees with access to test questions or specific test content prior to testing.
 - e. making answers or answer keys available to examinees.
 - f. keeping, copying, reproducing, or using in any manner inconsistent with the instructions provided by or through the district and/or the SCDE any test, test question, or specific test content.
 - g. keeping, copying, reproducing, or using in any manner inconsistent with test security regulations or the instruction provided by or through the district, the SCDE, and/or any other sources all or any portion of any secure test booklet or examinee responses to any item, items, or any section of a secure test.
 - h. coaching examinees, altering examinee responses, or interfering with examinee responses in any way prior to, during, or after testing (this includes hinting to examinees about the correctness or incorrectness of their responses).
 - i. failing to follow security regulations or instructions specified in the test manuals for distribution, storage, or return of secure test materials as directed or failing to account for all secure test materials before, during, or after testing.
 - j. failing to follow directions pertaining to the administration of a test as specified in the test manuals for that test. This section includes failure to clear the memory of calculators used on a test as directed in the test manual.
 - k. allowing, participating in, assisting in, or encouraging any unauthorized access to test materials prior to, during, or after testing.
 - l. disclosing the contents of any portion of secure materials or discussing the content of secure tests with examinees, teachers, or other educators before, during, or after testing.
 - m. leaving in view of examinees during test administration any materials that are content of or conceptually related to the subject area(s) being assessed.
 - n. providing references or tools other than those specifically allowed in test manuals and/or providing reference or tools during test administration at times other than those specifically allowed in test manuals.
 - o. not providing appropriately agreed-upon accommodations (to include customized test forms and modifications) as appropriate for students with individualized education programs ("IEPs") or Section 504 plans (this includes providing more

- accommodations, e.g., customization and/or modifications, than appropriately agreed upon).
- p. excluding examinees or exempting from assessment students who should be assessed.
 - q. failing to return materials for all examinees.
 - r. engaging in inappropriate test preparation practices that invalidate the test scores.
 - s. revealing test scores or test performance to anyone not involved in the education of the examinee.
 - t. altering test scores in electronic records or files.
 - u. participating in, directing, aiding, counseling, assisting in, or encouraging a violation of any of the acts in this section.
 - v. failing to report a security breach, including but not limited to any of the acts prohibited in this section.
5. The district and the SCDE have the right and responsibility to observe and to record test administration and scoring activities with or without prior notice. In rare circumstances, the recording may be used by the SCDE to invalidate a student's score. Since test materials are secure, the SCDE has issued a directive that neither the schools nor the district may share a recording with anyone other than appropriate staff members of the SCDE. Examinees should be made aware that monitoring and/or recording might occur.
6. Any suspected violation of security must be reported to the district's Office of Accountability Services, who may in turn report the suspected violation to the SCDE and the S.C. Law Enforcement Division, which is required by S.C. law to investigate allegations of violations of mandatory test security.

Harassment, Intimidation, or Bullying

Pursuant to the S.C. Safe School Climate Act, "harassment, intimidation, or bullying" means a gesture, an electronic communication, or a written, verbal, physical, or sexual act that is reasonably perceived to have the effect of (1) harming a student physically or emotionally or damaging a student's property, or placing a student in reasonable fear of personal harm or property damage or (2) insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school. In this context, "school" means in a classroom, on school premises, on a school bus or other school-related vehicle, at an official school bus stop, at a school-sponsored activity or event whether or not it is held on school premises, or at another program or function where the school is responsible for the child. Staff members may not engage in:

- Harassment, intimidation or bullying,
- Reprisal or retaliation against a person who reports an act of harassment, intimidation, or bullying, or
- Reprisal, retaliation, or false accusation against a victim, witness, or one with reliable information about an act of harassment, intimidation, or bullying.

An employee or volunteer who witnesses, or has reliable information that a student has been subject to harassment, intimidation, or bullying shall report the incident to the principal or

the designated school contact person of the school that the victim attends or to the executive director for student affairs. Reports may be anonymous; however, formal disciplinary action must not be taken solely on the basis of an anonymous report. The principal or the executive director for student affairs who receives the report is responsible for seeing that an investigation is promptly conducted and the incident appropriately resolved consistent with any other district policies or regulations that may apply.

Employees and volunteers who commit acts of harassment, intimidation, or bullying or who engage in reprisal or retaliation shall be subject to disciplinary action, up to and including:

- in the case of staff members, dismissal from employment with the district and
- in the case of volunteers, dismissal from the volunteer program and/or denial of consideration for future employment with the district.

Information concerning harassment, intimidation, or bullying will be publicized through the district's parent/student handbook. In addition, principals shall provide for the discussion of the district's harassment, intimidation, or bullying policy with students.

Drug-free and Alcohol-free Schools

The district is committed to providing a drug-free and alcohol-free learning environment and workplace. Drug and alcohol use at school or in connection with school-sponsored activities on or off school grounds threatens the health and safety of our students and our employees and adversely affects the educational mission of the schools. The district is taking steps to address the problem of substance use that negatively affects every workplace. The district is concerned with the health and well-being of all employees. Behaviors related to substance use can endanger all employees, not just the substance users.

No employee will unlawfully manufacture, distribute, dispense, possess, be under the influence of, or use any drug or alcohol on or in the workplace, at school or at a school-sponsored activity. Any employee who violates the terms of this policy may be subject to disciplinary action, up to and including termination.

"Workplace" includes any school building, any school premises, and any school-owned vehicle, county-owned vehicle, or other school-approved vehicle used to transport students to and from school, school activities, or work sites. 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.

"Drug" means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, benzodiazepine, cocaine, marijuana, methadone, opiate, systemic opiate and narcotic, or any other controlled substance as defined by the policy.

The district holds all employees accountable in terms of substance use but also supports referrals for employees who have substance abuse problems. If an employee has a substance abuse problem, does not come forward, and then tests positive for drug or alcohol use,

he/she is in violation of the policy, and the district reserves the right to terminate employment for violation of this work rule. Employees whose jobs are subject to special law or regulation may face additional requirements in terms of substance use. Other consequences that apply to all employees who violate this policy are described within this document.

The district recognizes drug dependency as a major health problem. It also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use services provided by the following, as appropriate: Commission on Alcohol and Drug Abuse, the Employee Intervention Program (Department of Vocational Rehabilitation), and the state group health insurance plan.

Establishment of Ongoing Drug Awareness Program

The district will maintain an ongoing drug-free awareness program to inform employees about the following:

1. The dangers of drug abuse in the workplace.
2. The district's policy of maintaining a drug-free workplace.
3. Any available drug counseling, rehabilitation, and employee assistance programs.
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace or off the property of the district while conducting district business.

Tobacco-free Schools

The use of tobacco products is prohibited by Horry County Schools on its property and at the events, programs, and activities sponsored by the district, its departments, or its schools. In the event of a violation, appropriate action will be taken.

The use of tobacco products in any district building may result in a civil penalty of up to \$1,000 for each violation. Each day that a violation continues constitutes a separate violation. Those persons who cause a fine to be levied on the district will be required to reimburse the district, and employees may be subject to disciplinary action.

STANDARDS OF CONDUCT FOR SOUTH CAROLINA EDUCATORS

Pursuant to State Board of Regulation 43-58, the State Board of Education has the legal authority to deny, revoke, or suspend a certificate, or issue a public reprimand, for the following causes:

- incompetence,
- willful neglect of duty,
- willful violation of the rules and regulation of the State Board of Education,
- unprofessional conduct,
- drunkenness,
- cruelty,
- crime against the law of this state or the United States,
- immorality,
- any conduct involving moral turpitude,
- sale or possession of narcotics,
- obtaining or attempting to obtain a certificate by fraudulent means or through misrepresentation of material facts,
- failure to comply with the provisions of a contract without the written consent of the local school board,
- test security violation,
- failure to comply with a court order for child support, and
- dishonesty,
- evident unfitness **for** the position for which one is employed,
- failure for a second time to complete successfully the formal evaluation process as an annual contract teacher.

The State Board of Education may impose any one of the following disciplinary actions on an educator certificate:

- permanent revocation;
- revocation with the right to reapply after three years,
- suspension for a specified period of time;
- suspension for a specified period of time, upon satisfaction of certain conditions such as drug or alcohol testing, counseling, or treatment; psychiatric testing, counseling, or treatment; or other conditions appropriate to the facts of the case,
- public reprimand.

The process for taking disciplinary action on an educator certificate:

1. *The* Department of Education may learn of possible grounds for disciplinary action on an educator certificate from a school district superintendent pursuant to State Board of Education Regulation

43-58.1, other states, the media, and individual complaints.

2. Once the Department of Education learns of conduct that may constitute just cause **for** disciplinary

action, the Department will notify the educator of pending disciplinary action and of the educator's right to a hearing. The educator has fifteen days from the receipt of the notice to make a written request for a hearing.

3. If *the* educator fails to request a hearing within this time frame, he or she will waive the right to a hearing and the State Board may impose disciplinary action based on the information presented by the Department
4. If the educator requests a hearing, a hearing will be conducted before the Board or a hearing officer, pursuant to State Board of Education Rule BCAF, Procedures for Educator Certification Hearings.

South Carolina educators have had disciplinary action taken on their certificates for

- pursuing a personal, inappropriate relationship with a student;
- touching a student inappropriately;
- engaging in a physical
- sending or receiving prurient e-mails;
- violating test security;
- violating state or federal laws involving drugs or alcohol or other illegal

altercation with a student;

- behavior;
- embezzling public funds;

- supplying alcohol or drugs to a student;
- using a school computer to view or download pornography;

- committing a breach of trust; and
- breaching a teaching contract

Applicants for certification in South Carolina have had their applications for certification denied because they have serious criminal records and, in some cases, failed to fully disclose their criminal records.

Notice of the denial, suspension or revocation of an educator's certificate is sent to all districts in South Carolina and to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse. Notice of a public reprimand is sent only to the school districts.

Administrative Leave

Definition

Administrative leave is a general term for temporary removal from a job assignment. The district may place an employee on administrative leave when allegations of misconduct have been made against them. The district may remove the employee from the situation while investigating the allegations. When the allegations are inflammatory or become public knowledge, administrative leave can also be beneficial for the employee. An employee on administrative leave may continue to receive pay and benefits during the leave.

The district may also place an employee on administrative leave pending the resolution of a criminal case, even when the case is not directly school related, such as a DUI charge.

Placing an employee on administrative leave for investigative purposes is not a disciplinary action.

Procedures

1. When an administrator becomes aware of allegations of misconduct of an employee under his/her supervision, the administrator will contact the chief human resources officer to discuss the concerns.
2. Once the concerns are reviewed, a recommendation will be made as to whether the employee will need to be placed on administrative leave.
3. Only the chief human resources officer or the superintendent can place an employee on administrative leave.
4. Employees placed on administrative leave will be notified of their status and conditions of the administrative leave in writing.
5. Once placed on administrative leave, the employee will remain accessible during normal work hours.
6. The employee will remain on administrative leave until the investigation is complete. The employee will be notified of a change in his/her work status in writing.

Separation of Professional Personnel

It is the policy of the board to terminate the employment of staff members only for good cause and by a fair and just process.

Grounds for Dismissal

It is the responsibility of the school administration to operate district schools in a manner that will maintain a broad community confidence in and support of the schools. In the absence of such support, the district cannot maintain a strong, effective educational program. Therefore, it is the policy of the superintendent to recommend to the board the removal from employment of any teacher (or administrator) who shall fail, or who may be incompetent, to give instruction (or provide appropriate administration of a school or a program) in accordance with the directions of the superintendent, or who shall otherwise manifest an evident unfitness for teaching (or administration) as determined by the superintendent. Evident unfitness for teaching or administration is manifested by conduct including, but not limited to, the following: persistent neglect of duty; willful violation of the policies, rules, regulations, or procedures of the district; drunkenness; conviction of a violation of the law of S.C. or the United States; gross immorality; dishonesty; and/or the illegal use, sale, or possession of drugs or narcotics. In addition, following the end of the second month from the date of employment, the district may suspend a staff member without pay until evidence of his/her certification has been received by the district. However, if the employee's certificate is not received within 20 working days, the employment relationship may be terminated. Any action taken under this policy will be implemented pursuant to the provisions of the Code of Laws of S.C., 1976, as amended.

Reporting Terminations and Resignations

The superintendent will report to the S.C. Board of Education and the S.C. Superintendent of Education the name and certificate number of any certified educator who is dismissed, resigns, or is otherwise separated from employment with the district based on allegations of misconduct including, but not limited to, misconduct involving drugs, sexual misconduct, the commission of a crime, immorality, moral turpitude, or dishonesty that is reasonably believed by the superintendent to constitute grounds for revocation or suspension of the certificate issued to the educator by the S.C. Board of Education. This report is required notwithstanding any termination agreement to the contrary that the board or superintendent may enter into with the educator. The reasons for the educator's termination of employment with the district shall also be provided, along with all evidence in the possession of the district relating to the termination.

Work Environment and Procedures

Fair Labor Standards Act Compliance

The district is subject to, and complies with, the provisions of the Fair Labor Standards Act ("FLSA"). This act includes provisions applicable to minimum wage and overtime pay for nonexempt employees. For purposes of compliance with the FLSA, the employee workweek shall be from 12:01 a.m. Saturday to 12 midnight Friday.

Nonexempt employees are employees such as bus drivers, cafeteria workers, custodial workers, daycare teachers and workers, licensed practical nurses, maintenance workers, secretarial support workers, and security personnel.

The district recognizes that while its goal is not to have any employee work overtime, it may occasionally be necessary for nonexempt persons to work more than 40 hours during a given workweek. Those nonexempt employees at work more than 40 hours in a workweek will be paid time and a half (in money or in compensatory time off) for each hour worked above 40 hours in a given workweek. No overtime, as defined by the FLSA, will be suffered or permitted without prior authorization, in writing, from the principal or District Office division head, who is responsible for making sure that the employee is appropriately paid and/or given appropriate compensatory time off.

In accordance with FLSA, nonexempt (classified/hourly) employees are required to report on their timesheets the exact hour and minute that work starts and ends at any point during the workday. Failure to maintain such records, or falsification of such records, may be grounds for disciplinary action. The administration will maintain records and establish procedures that are consistent with district policy and the requirements of the FLSA.

More detailed information is located in the personnel section of the district's policy manual.

Time Schedules – Teachers

The daily time schedules for teachers and other school-based staff members shall assure that appropriate personnel are on duty in advance of the time students arrive at school and remain until after the students depart. Teachers and other employees are expected to remain at the school during the entire workday except when they are away from the school on school business or in case of emergencies.

HCS Unencumbered Time Policy

Purpose

Primary and elementary school (to include St. James Intermediate School) principals will develop and implement plans at their respective schools to provide at least thirty minutes of unencumbered time on each regular school day to all full-time teachers teaching in grades kindergarten through fifth grade, as required by Section 59-5-63, Code of Laws of South Carolina, 1976.

Implementation of Unencumbered Time

Unencumbered time, as defined by Section 59-5-63, is time that is self-directed without assigned duties or responsibilities, including direct instruction or supervision of students.

The placement of unencumbered time within the workday will be flexible based on the staffing and scheduling needs of each school.

The unencumbered thirty minutes will not include parent/teacher conferences, bus duty, IEP and/or 504 meetings, team meetings, or professional development activities that are not self-directed. Also, the unencumbered time will not include managing or supervising the transition of students to and from activities, classes, lunch, recess, or any other activities.

The provision of thirty minutes of unencumbered time will not be achieved by expanding the expected work hours for teachers before or after the school day.

As provided by Section 59-5-63, leadership will only withhold or reduce a teacher's unencumbered time in a given school day as a result of extreme or unavoidable circumstances. 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.

The intentional failure of the school's principal to provide eligible teachers with thirty minutes of unencumbered time may result in appropriate action under the district's disciplinary policy and may be sufficient cause for the suspension or revocation of such person's educator certificate pursuant to Section 59-25-160, Code of Laws of South Carolina, 1976.

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

Dress Guidelines

As representatives of the district, we believe first impressions are significant. Therefore, good grooming and appropriate dress are important in conveying the importance of our business. All employees are to maintain high standards of personal appearance and hygiene and present a neat, businesslike appearance at all times during working hours. (Revised July 2026)

General Guidelines

- All employees are expected to maintain a professional appearance that reflects the standards of Horry County Schools. Employees should be clean, neatly groomed, and dressed in business casual attire, unless the nature of their position or a specific event requires otherwise. (Revised July 2026)
- Business casual attire includes professional clothing such as dress pants, khakis, slacks, skirts, dresses, blouses, sweaters, collared shirts, polos, sport coats, blazers, and appropriate professional footwear. Clothing should be clean, neat, well-fitting, and appropriate for the work environment. While ties and jackets are not required for daily wear, there are occasions when more formal business attire may be expected based on meetings, presentations, ceremonies, or other district events. (Revised July 2026)
- Clothing should be neat and clean. Faded or wrinkled clothing does not reflect a professional, business-like appearance.
- Clothing, tattoos, body art, piercings, and jewelry should not interfere with an employee's responsibilities, compromise safety, or detract from the educational mission of Horry County Schools. (Revised July 2026)
- Clothing, tattoos, body art, piercings, or jewelry depicting profanity, nudity, violence, illegal activities, gang affiliation, hate speech, discriminatory messages, or other content that could reasonably be considered inappropriate for a school setting may not be displayed while on duty and may be required to be covered, removed, or modified. (Revised July 2026)
- Employees may display tattoos and body art on any area of the body except the face; however, cosmetic facial tattoos are permitted. Tattoos and body art must not contain content that is offensive, disruptive, or inconsistent with the educational mission of the district. (Revised July 2026)
- Employees may wear facial, ear, and body piercings provided they are professional in appearance and do not create a safety hazard or interfere with job performance. (Revised July 2026)
- The District reserves the right to require employees to conceal tattoos or body art or remove or modify piercings or jewelry determined to be inconsistent with maintaining a safe, professional, and respectful learning environment. (Revised July 2026)
- 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 guidelines have been determined by their supervisor.
- Principals may occasionally make exceptions to wearing jeans, athletic footwear, sweatshirts, and/or T-shirt for special circumstances such as field trips to Playcard 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.
- The District will apply disciplinary action for non-compliance.

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
- Sweatshirts
- T-shirts
- Wind pants or sweatpants
- Bib overalls
- Leggings
- 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)

Dress Code Questions

- **Are flip-flops, Rainbows, and Crocs acceptable? What are the expectations for flip flops?**
Flip-flops, Rainbows, and some Crocs are not appropriate as work attire, and could pose a safety risk.
- **Is it ever acceptable for my midriff to be exposed, even for a short time, such as while I'm writing on the board?**
No. Clothing should fit so that your midriff will remain covered at all times.
- **What length do we consider shorts? How do we define shorts? Are the new city shorts that go to the knees considered shorts?**
Above the knee is considered shorts.
- **Are volunteers and substitutes held accountable for dress code, too?**
Individuals receiving compensation should be held accountable for dress guidelines. Volunteers should be expected to wear appropriate dress.
- **Are bus drivers and mid-day custodians held accountable for dress code?**
Maintenance and custodial staff guidelines have been determined by their supervisor.

- **Are leggings or tights with no feet acceptable as pants?**
Tights and leggings are considered leg wear and not pants.
- **Can I wear scrubs?**
Occupational therapists, physical therapists, and ABA therapists may wear uniforms, which may include scrubs, as appropriate.

Photo Identification Badge Guidelines: Employees, Non-employees, and Visitors

1. Rationale

Horry County Schools (HCS) desires to make school facilities within our system safe and secure for all employees, students, and visitors. The use of an employee and visitor identification badge system enhances the safety and security within the school buildings and on school grounds. HCS requires all employees to wear a school- or district-issued photo identification badge on a daily basis during the course of an employee's workday.

Additionally, non-employees entering district property on a short-term basis are required to wear temporary HCS issued identification badges. Contractors/vendors who work on HCS property on a long-term temporary basis will be issued photo identification badges by the district. Employee photo and HCS issued identification badges, as well as photo identification badges issued to contractors/vendors, must be worn in a manner that visibly indicates that an individual is authorized to be on HCS property.

2. Delegation of Responsibility

The principal/supervisor (or designee) will be responsible for ensuring that employees wear their photo identification badges in accordance with these guidelines. Additionally, principal/supervisor (or designee) will be responsible for ensuring that short-term visitors to HCS property are issued an HCS issued identification badge to wear during the time of their visit.

3. Guidelines

Employee Photo Identification Badges

All current employees are required to maintain and display the school or HCS photo identification badge at all times while on HCS property during their regular work hours. To ensure visibility, the photo identification badge must be worn at or above the waist in clear view at all times.

All new full- and part-time employees will be issued a photo identification badge on the day of their new-hire orientation. Substitute employees (short- or long-term) will be issued a

photo identification badge on the day of their substitute training workshop. There is no charge to the employee for the first issuance of a photo identification badge.

Under no circumstance may an employee permit his/her photo identification badge to be used by any other person. Employees who have lost or forgotten their photo identification badge must inform the principal/supervisor (or designee) immediately upon arrival at the school or building. They will be issued a temporary identification badge for the day. A daily list of all temporary identification badges issued to employees will be maintained and kept on file for at least the duration of the school year.

Employees who repeatedly report to work without their photo ID badges or who refuse to wear them will be subject to disciplinary action. Employees will be charged a fee of \$5.00 to replace lost photo identification badges; however, photo identification badges that become worn due to age or wear will be replaced free of charge.

Any employee who observes someone on HCS property who is not wearing an identification badge, permanent or temporary, is required to confront that individual or immediately notify the principal/supervisor (or designee) of that individual's presence on the property.

Any individual whose employment is terminated by HCS is to return his/her photo identification badge to his/her supervisor at the time of his/her termination.

Visitors and Temporary Identification Badges

All individuals who enter HCS property for short-term visits during regular business hours--whether or not students are within the building--shall be required to wear an identification badge for the duration of their visits. Student teachers/interns or practicum students are required to wear their college or university identification badges. Contractors/vendors who work on district HCS property on a long-term temporary basis are required to wear their HCS photo identification badges.

This guideline pertains to but is not limited to all individuals who are non-HCS employees, including parents, volunteers, salespersons, construction workers, repair workers, etc. However, visitors will not be required to wear temporary identification badges at school sporting events, open houses, parent-teacher conferences, and any other events determined by the school principal/supervisor.

Centegix CrisisAlert Badge

Employees issued a Centegix CrisisAlert badge are required to wear or carry the badge while on duty and on district property in accordance with district safety procedures. Employees are responsible for maintaining possession of their assigned badge, storing it in a secure location when not in use, and taking reasonable precautions to prevent loss, damage, or unauthorized use

To minimize accidental activations, employees are encouraged not to store their badge in purses, backpacks, or other locations where buttons may be inadvertently pressed. Lost, damaged, or malfunctioning badges should be reported promptly to the appropriate supervisor or designated district contact.

Complaints and Grievances

The district encourages all employees to discuss their concerns or complaints associated with their employment informally with their supervisors. Often, the cause of a problem or concern is merely a misunderstanding among the individuals involved. Under normal circumstances, an employee should utilize the grievance procedure only after reasonable informal efforts have failed to produce a satisfactory result. If, after reasonable and appropriate informal efforts have failed or for good reasons are inappropriate, an employee feels that a “formal” mechanism for raising his/her concern or problem is needed, he/she should follow the procedure below. Employees who utilize the grievance procedures have the right to do so with complete freedom from reprisal.

With respect to formal grievances, the district recognizes the need to provide an orderly means for the efficient and expeditious resolution of disputes concerning the application of any of the provisions of the district's policies, rules, regulations and/or unsafe or unhealthy working conditions as they affect the activity of employees. Ideally, employees should secure an equitable solution of grievances at the most immediate administrative level possible. (Revised July 2026)

Definition of a Grievance

A grievance is a claim by an employee of a violation, misinterpretation, or misapplication of a provision of district policies, procedures, or rules and regulations as they directly affect the employment or working conditions of the employee filing the grievance. District policies, procedures, or rules and regulations are established by the superintendent pursuant to board governance policies; therefore, a grievance as defined herein cannot be based on a claimed violation of a board governance policy.

The district does not consider actions that are subject to the Teacher Employment and Dismissal Act, S.C. Code § 59-25-410 et seq, § 59-26-40; employment decisions implemented under the district's reduction-in-force policy; or classified employee terminations to be grievances under this procedure.

Joint Grievances

Employees may be allowed to present a joint grievance where each grievant alleges essentially the same facts or circumstances and requests the same relief. Joint grievances must bear the signature of each grievant. The district reserves the right to consolidate individual grievances and the right to hear joint grievances on a separate basis.

Definition of Supervisor

The term "supervisor" means any person having the authority to recommend employment, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline an employee, or any person having the responsibility for directing or reviewing the work of an employee.

Definition of Day

A "day" is any day on which the District Office is open, excluding any days the District Office is open during the winter break or spring break.

Grievance Procedures

An employee who wishes to file a grievance must complete the prescribed grievance form (available from the chief officer of human resources) and present it to his/her direct

supervisor within 15 days following either the event giving rise to the grievance or the time

when the employee reasonably should have gained knowledge of its occurrence. The completed form must include a brief statement as to the nature of the grievance; identify the policy, rule, or regulation violated; and describe with reasonable specificity the circumstances or situation that is the subject of the grievance. The employee must also identify with reasonable specificity the relief he/she is requesting by filing the grievance.

Should the employee believe that resolution of the grievance requires a decision beyond the supervisor's level or area of authority, the employee will so state such belief on the grievance form and submit the form to the chief officer of human resources. In such a case, the chief officer of human resources and/or the superintendent shall refer the grievance to the proper party for disposition. In no case, with the exception of persons reporting directly to the superintendent, shall a grievance be filed first with the board or copied to the board without first being handled by the administration.

1. The appropriate supervisor will hold a first-level (level one) meeting with the employee within 10 days of receipt of the grievance. The supervisor will provide the employee with a written response to the grievance within 10 days after the meeting. The response will include the name of the district-level administrator to whom the grievance may be appealed. In the event an appeal is desired, such appeal must be presented in writing within 15 days of receipt of the response.
2. If the grievant is not satisfied with the response from the supervisor in level one above, the grievant may appeal the grievance to the appropriate district-level administrator (level two) identified in the supervisor's response. In the appeal, the employee shall specify in writing his/her specific grounds for the appeal and objections to the supervisor's response to the grievance. Such administrator shall notify the employee promptly of the receipt of the grievance and schedule a time and place to hear the grievance. This grievance conference should be held as promptly as practicable and within 15 days of receipt of the grievance. The original grievance and the level one supervisor's written response will serve as the basis for the second-level grievance determination. The district-level administrator will provide the employee with a written response to the grievance appeal within 10 days after the level two conference.
3. If the employee is not satisfied with the response of the district-level administrator following the grievance meeting, the employee may appeal the decision to the board. This appeal must be made in writing to the superintendent within 15 days of the district-level administrator's response to the grievance and shall include the specific grounds for the appeal.

Normally, an appeal to the board shall be limited to the written record established at the previous levels. If, however, the grievant desires to supplement the record developed in the administrative stage of the grievance proceedings, the grievant may submit additional relevant written materials to the superintendent, along with the written appeal, and provide a satisfactory explanation as to why such materials were not previously presented. The administration shall have 10 days to respond in writing to the grievant, if necessary, regarding the information submitted by the grievant. Once the administration has responded, the superintendent will, at the next regularly scheduled board meeting, present the written appeal to the board along with a brief grievance summary and copies

of all relevant correspondence and responses from the lower administrative levels. Included in these materials shall be the notice of appeal and supporting documentation submitted by the grievant, as well as the administration's response. The board will normally consider appeals based solely on the written information submitted by the employee and the administration, without the grievant appearing before the board. The board will notify the employee of its decision within 15 days of its consideration of the appeal.

4. Nothing shall prevent the superintendent or his/her representative from participating in the disposition of a grievance at the supervisory and/or District Office level.
5. After the grievance is filed, time requirements under this procedure may be extended at any step with the mutual agreement of the two parties except that neither party will unreasonably refuse an extension or unreasonably delay the proceeding. Failure to adhere to procedural or agreed-upon timelines shall be grounds for ending the grievance process or moving the grievance to the next level.
6. A grievant may not, unless authorized by the superintendent, bring an attorney to the initial grievance meeting before his/her supervisor. However, a grievant may, at his/her expense, bring an attorney to a hearing before the district-level administrator if he/she chooses, provided that sufficient notice is given to the district-level administrator so that he/she can bring an attorney if he/she chooses.

See, also: "Deductions from salary."



Employee Grievance Form

This form must be completed in order to file a grievance under district policy. The individual filing this grievance must be a current/recent employee.

Name of Employee: (If for a group action, name of employee serving as the representative for the group)

Position:

Location:

**Telephone: (H)
(W)
(C)**

Email:

Name of Immediate Supervisor:

Name of Person(s) Against Whom Grievance is Filed:

Nature of Grievance:

- ☐ Violation, misapplication, or misinterpretation of federal law, state law, state board of education policy, state rule, local board policy, or administrative regulation and procedure (R&P). **If this item is checked, specify the laws, policies, rules, and/or administrative regulations and procedures involved:**
- ☐ Unsafe working condition that jeopardizes health or safety and interferes with ability to perform job. **If this item is checked, specify the laws, regulations, policies, procedures, or physical conditions involved:**
- ☐ This does not constitute the definition of a grievance as defined by district Policy.



State basis for this grievance:
State how you are affected by the alleged violation in your employment:
State the specific remedy sought:

By my signature, I certify that the facts listed above are true to the best of my knowledge and that I have provided a copy of this form to the individuals against whom the grievance is filed.

Employee Name and Signature

Date _____

A joint grievance must bear the signature of each grievant.



-----FOR HR USE ONLY-----

Date of final administrative decision or condition giving rise to this grievance:

Please direct the completed form to Human Resources:

**Mrs. Mary Anderson
Chief Human Resources Officer
335 Four Mile Road
Conway, SC 29526**

Notice of Nondiscrimination

Horry County Schools does not discriminate on the basis of race, sex, color, religion, national origin, age, disability, immigrant status, English-speaking status, or any other characteristic protected by applicable federal or S.C. law in its programs or activities.

Persons Responsible for the Handling of Inquiries Regarding Nondiscrimination Policies

Any student or employee who has a question or concern regarding the district's nondiscrimination policies may contact the appropriate individual from the list below.

Section 504 Coordinator (Employees):

Valerie McNeill	335 Four Mile Road
Director of Human Resources	PO Box 260005
Telephone number: 843-488-7225	Conway, SC 29528-6005

Title IX - Sexual Harassment (Employees):

Marcus Timmons	335 Four Mile Road
Director of Human Resources	PO Box 260005
Telephone number: 843-488-6702	Conway, SC 29528-6005

Janet Lawrence-Patten	335 Four Mile Road
Principal Specialist IV	PO Box 260005
Telephone Number: 843-488-7221	Conway, SC 29528-6005

Title IX – Athletics:

Jason Cox	335 Four Mile Road
District Athletic Director	PO Box 260005
Telephone number: 843-488-7221	Conway, SC 29528-6005

Race, color, national origin, religion, age, immigrant status, English- speaking status, or any other characteristic protected by law:

Kenny Generette	335 Four Mile Road
Staff Attorney	PO Box 260005
Telephone number: 843-488-6765	Conway, SC 29528-6005

Title VI, Title IX, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act

The grievance procedures set forth above are to be used to process employee complaints based on alleged violations of Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments Act of 1972; Section 504 of the Rehabilitation Act of 1973; and Titles I and II of the Americans with Disabilities Act of 1990 referred to as "civil rights grievances."

In the event that an employee files a grievance alleging violation of one of the above-referenced laws, the grievance shall be considered to be a grievance for purposes of these procedures. An employee may instead choose to file a complaint with the United States Department of Education, Office of Civil Rights, when appropriate.

With respect to alleged violations of Title VI, if the response of the district-level administrator does not resolve the grievance to the satisfaction of the employee, the grievant may appeal in writing to the district's civil rights coordinator. With respect to alleged violations of Section 504 or the Americans with Disabilities Act, if the response of the district-level administrator does not resolve the grievance to the satisfaction of the employee, the grievant may appeal in writing to the district's director of special education. With respect to alleged violations of Title IX, if the response of the district-level administrator does not resolve the grievance to the satisfaction of the employee, the grievant may appeal in writing to the district's Title IX coordinator.

If the grievant fails to appeal within 15 days of receipt of the written response from the district-level administrator, the right to appeal is waived. If an appeal is made to any of the above-referenced coordinators, the coordinator may conduct further investigation, if necessary. The coordinator shall hold a hearing with the grievant within 15 days of receipt of the grievance, or within 15 days of completing any further investigation, if necessary. The coordinator shall then render a decision on the matter in writing within 15 days after the hearing is conducted.

If the employee is not satisfied with the response of the coordinator, the employee may appeal the decision to the board. This appeal must be made in writing to the superintendent within 15 days of the Coordinator's response to the grievance. Any such appeal will be handled as set forth above in number "3" above.

Employees who file a complaint or grievance will not be subject to retaliation or reprisal in any form.

Revised: 7-26-05; 1-31-14.

Service Animal

Horry County Schools will comply with all state and federal laws, regulations, and rules regarding the use of service animals by staff members with disabilities under appropriate circumstances. The policy applies to any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability. Use of

service animals by a staff member with a disability is subject to procedures and requirements. Staff members must submit a request for the use of a service animal to the chief officer of human resources for processing.

Sexual Harassment of Employees

Sexual harassment of employees of the district is prohibited. All employees, including supervisory level employees and third parties associated with schools, must avoid any action or conduct that could be viewed as sexual harassment. Teachers and school administrators are expected to use judgment and common sense, which are important elements of a proper response to a particular allegation of sexual harassment or inappropriate conduct of a sexual nature.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either expressly or impliedly a condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee who believes he/she has been subjected to sexual harassment is encouraged to file a complaint in accordance with the district's procedures. All allegations will be investigated promptly and confidentially. Employees who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form. An employee, including a supervisory level employee or a third party associated with the district, who is found to have engaged in sexual harassment or inappropriate conduct of a sexual nature will be subject to appropriate action, up to and including termination of employment in the case of an employee, and all other appropriate steps will be taken to correct or rectify the situation.

The following procedures are intended to:

1. Discourage employees and third parties associated with schools from subjecting employees or students of the district to sexual harassment and inappropriate conduct of a sexual nature.
2. Promote a harassment-free work and/or learning environment.
3. Effectively and appropriately address all sexual harassment and inappropriate conduct of a sexual nature found to have occurred or be occurring.
4. Establish on-going education and awareness of the problem of sexual harassment and inappropriate conduct of a sexual nature.
5. Provide information about how to report allegations of sexual harassment and inappropriate conduct of a sexual nature.

Types of Behavior that Constitute Sexual Harassment of Employees

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that meets one or more of the following conditions:

1. It is made an employment condition, so that submission to such conduct is a term or condition of employment.
2. It has an employment consequence, so that submission to or rejection of such conduct is used as a basis for employment decisions affecting an individual employee.
3. It is an offensive job interference, so that such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include, but is not limited to, verbal harassment, including epithets, sexually offensive comments, or slurs; physical harassment; physical interference with movement or work; or visual harassment, such as sexually offensive cartoons, drawings, or posters. Sexual harassment is prohibited against members of the same sex, as well as against members of the opposite sex.

Behavior Prohibited of Administrators/Supervisors

1. No administrator or supervisor may condition any offer of employment, employee benefit, or continued employment on an employee's acquiescence to any of the sexual behavior defined above.
2. No administrator or supervisor may retaliate against any employee because that employee has opposed a practice prohibited by Title VII of the Civil Rights Act of 1964 and the South Carolina Human Affairs Law, or has filed a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted by an authorized agency.
3. No administrator or supervisor shall cause or tolerate the creation of a sexually hostile or offensive work environment by any subordinate employee or third party associated with schools who engages in sexual harassment.
4. No administrator or supervisor shall destroy evidence relevant to an investigation of sexual harassment.

Types of Behavior that Constitute Inappropriate Conduct of a Sexual Nature with Students

Inappropriate conduct of a sexual nature with students includes inappropriate sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature. Inappropriate conduct of a sexual nature may include, but is not limited to, the following:

1. Engaging or participating in any dates, sexual activity, or other activity that contains a sexual or romantic overture.

2. Leering at a student's body.
3. Touching, grabbing, and/or pinching.
4. Making comments, gestures, or jokes of a sexual nature.
5. Manipulating clothing in a sexual manner.
6. Displaying sexual pictures or objects.
7. Spreading sexual rumors or commenting about sexual behavior.
8. Teasing and/or bullying in sexual terms.
9. Inflicting sexual assault or abuse.
10. Any other behavior by an employee toward a student that would reasonably cause the student to feel uncomfortable or that would reasonably give the appearance of impropriety or unprofessional conduct, regardless of whether the behavior is overtly sexual and regardless of whether such behavior would constitute a crime.

Inappropriate conduct of a sexual nature is prohibited against students of the opposite sex as well as against students of the same sex. Additionally, students are prohibited from directing inappropriate conduct of a sexual nature toward employees, whether of the same sex or opposite sex.

Behavior Prohibited of All Employees

1. No administrator, supervisor, or any other employee of this district and/or third party associated with schools will create a sexually hostile, offensive, or charged educational environment for any student by engaging in any sexual harassment or inappropriate conduct of a sexual nature with a student.
2. No administrator, supervisor, or any other employee of this district and/or third party associated with schools shall assist any individual in doing any act that constitutes sexual harassment against any employee.
3. No administrator, supervisor, or any other employee of this district will encourage or assist any individual in performing any act that constitutes sexual harassment or inappropriate conduct of a sexual nature against any employee or student.

Preventive Action

Periodically, the district shall ensure that:

1. The district policy on sexual harassment of employees and these procedures are fully referenced in the personnel handbook and employees are made aware of the website for accessing the personnel handbook. The policy and procedures shall also be available in human resources, from which a copy shall be made available, if requested.
2. All employees are informed about the nature of sexual harassment, the procedures for registering a complaint, and the possible redress that is available.
3. Designated administrators and designated sexual harassment contact persons are informed of the district's sexual harassment procedures and understand how to implement them. For example, they should be made aware of the kinds of acts that constitute sexual harassment or inappropriate conduct of a sexual nature, the district's commitment to eliminating and avoiding sexual harassment and inappropriate conduct of a sexual nature in the schools, the penalties for engaging in

such conduct, the procedures for reporting such conduct, and the procedures for conducting an investigation of such conduct.

4. The District Office makes available information from the Equal Employment Opportunity Commission and the South Carolina Human Affairs Commission about filing claims of sexual harassment with these entities.

The district shall designate a Title IX coordinator. The name, address, and business telephone number of the coordinator shall be disseminated throughout the district and referenced in employee handbooks.

Reporting and Response Procedures

1. Any employee who feels that he or she has been the object of sexual harassment is encouraged to file a complaint with his or her immediate supervisor or principal except for situations covered in item "2" immediately below. Complaint forms that may be used to file a complaint are available in the Office of Policy and Legal Issues.
2. Under no circumstances shall an employee be required to first report allegations of harassment to his or her immediate supervisor if that person is the individual who is accused of the harassment. In such cases, the employee shall file the complaint with the district Title IX coordinator.
3. Administrators/supervisors shall initiate an investigation of any incident of alleged sexual harassment or inappropriate conduct of a sexual nature reported to them or observed by them, in consultation with the district's Title IX coordinator. The district shall be responsible for ensuring that reasonable efforts are made to prevent public disclosure of the names of all parties involved in the sexual harassment allegation, except to the extent necessary to carry out an investigation and comply with statutory obligations.
4. Administrators/supervisors shall report the general results of any investigation of sexual harassment or inappropriate conduct of a sexual nature, including corrective or disciplinary action taken, to the Title IX coordinator and/or superintendent. The employee who brought the allegation of sexual harassment or inappropriate conduct of a sexual nature shall be informed that appropriate actions were taken and shall be advised as to how to report any subsequent problems.
5. If an employee is determined to have sexually harassed another employee or engaged in inappropriate conduct of a sexual nature with a student, the administrator/supervisor shall take whatever disciplinary action he/she determines is warranted, up to and including a recommendation of termination of employment.
6. Administrators/supervisors shall follow up periodically on any incident of sexual harassment or inappropriate conduct of a sexual nature they were involved in investigating to determine whether the employee has been subjected to any further sexual harassment or inappropriate conduct of a sexual nature since the corrective action was taken.

7. No administrator/supervisor shall retaliate in any way against an employee who has provided information as a witness to or victim of an incident of sexual harassment or inappropriate conduct of a sexual nature.

Additional Obligations of Employees

1. Employees shall report to their immediate supervisor any conduct on the part of non-employees, such as sales representatives or service vendors, that is believed to constitute sexual harassment or inappropriate conduct of a sexual nature.
2. Employees shall cooperate with and maintain the confidentiality of any investigation of alleged acts of sexual harassment or inappropriate conduct of a sexual nature conducted by the district or by an appropriate state or federal agency. Failure to do so could result in disciplinary action against the individual who failed to cooperate or who violated the confidentiality of the matter.
3. No employee shall take any action to discourage any other employee from reporting alleged sexual harassment or inappropriate conduct of a sexual nature. However, any person who intentionally provides false information in connection with a report or investigation of sexual harassment or inappropriate conduct of a sexual nature may be subject to disciplinary action.
4. No employee shall retaliate in any way against another employee who has provided information regarding an incident of sexual harassment or inappropriate conduct of a sexual nature.

Legal reference.

Federal.

Title VII of the Civil Rights Act of 1964.

Revised: 7-1-04; 1-31-14.

Racial Harassment

Racial harassment is incompatible with equal opportunity and will not be tolerated in the district. It is the responsibility of employees and students in the district to strive to create an environment free of racial harassment.

Employees and students are encouraged to express their opinions and feelings about any problem or complaint of racial harassment freely, responsibly, and in an orderly way. Any act by a district employee, agent, or a student of reprisal, interference, restraint, penalty, discrimination, coercion, or harassment against any person responsibly complaining of harassment under this policy interferes with free expression and is a violation of this policy.

Racial harassment consists of racially motivated conduct by an employee or student toward any employee or student. Examples of racially motivated conduct include, but are not limited to, (1) discrimination on the basis of race in the terms, conditions, working environment, or privileges of employment; (2) racially motivated conduct directed toward a specific person or

persons that involves the threat or use of force; or (3) racially motivated actions undertaken with reckless disregard of the likely effect of inflicting severe mental or emotional distress.

Any employee or student who believes he/she has been subjected to racial harassment is encouraged to file a complaint in accordance with the district's procedures. All allegations will be investigated promptly and confidentially. Employees or students who file a complaint of racial harassment will not be subject to retaliation or reprisal in any form. Any employee who is found to have engaged in racial harassment will be subject to disciplinary action up to and including termination of employment. Any student who is found to have engaged in racial harassment will be subject to the provisions of the student behavior code.

Revised: 7-1-04.

Staff Health

Physical and Mental Health

If the district has questions or concerns regarding the physical or mental capability of an employee, the district is authorized to take appropriate action including, but not limited to, requiring an appropriate examination or utilizing personal sick leave while any necessary inquiry is conducted.

Communicable Diseases

The district 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. DHEC and the CDC will be the definitive authorities on the identification and transmission of chronic communicable diseases.

The district will attempt 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 (DHEC).

The district will attempt to provide a safe and secure environment for students and employees. Under certain circumstances, the presence of communicable diseases in the school environment may pose a threat to the health and safety of students and employees. In an effort to maintain a balance between the need to educate all eligible students, to protect student and employee rights, and to control communicable diseases, decisions regarding the employment status of employees with communicable diseases shall be made on a case-by-case basis.

Concerns about communicable diseases should be addressed to the school nurse, who will consult with the director of health and safety services as needed.

Bloodborne Pathogens

The district has an exposure-control plan for employees. The plan includes appropriate training for employees as well as universal precautions that employees must follow when dealing with blood and other bodily fluids. A copy of the plan is on file in the district's Department of Health and Safety Services and in the nurse's office of each school.

Communicable Diseases – Employees

Employees with communicable diseases, including AIDS or HIV infection shall be permitted to work in schools in accordance with these procedures.

Except where otherwise provided by law, employees must inform their principal/department head or the superintendent when they are suffering from a communicable disease. The superintendent shall ensure that a committee consisting of the employee's supervisor, the employee's personal physician, appropriate public health professionals, and appropriate school district personnel is formed to monitor and/or evaluate the employee's health status.

In cases involving AIDS or HIV infection, the committee periodically will monitor the health status of the employee. Evaluation of the employee's potential for transmitting the HIV should be made by the health professionals evaluating the employee's status. Information shared during the monitoring process is strictly confidential.

With respect to other reported communicable diseases, the committee shall review each case individually to determine the means of transmittal, how long the employee will be infectious, to what degree the employee's presence poses a risk to other staff and to students, and the probability of transmittal.

Generally, employees with AIDS/HIV infection should be permitted to attend school and school activities without restriction, provided their health status allows. If it is determined, based on sound medical evidence and in accordance with these procedures, that any employee with any communicable disease poses a significant risk to the health and safety of other persons while the employee is in his or her current position, and the risk cannot be eliminated by any reasonable measure, including placement in alternative employment, attendance by the employee may be prohibited or restricted. If the employee's disease constitutes a disability, and the employee is otherwise qualified to perform his or her job, a specific determination will be made as to whether reasonable accommodation can be made. Any prohibition or restriction on attendance will continue, subject to periodic reevaluation, unless and until the risk to others has been abated. The district reserves the right to require a satisfactory certificate from one or more licensed physicians that the employee's attendance is no longer a risk to others.

Information regarding the medical condition of employees is confidential and should be disseminated strictly on a need-to-know basis. Accordingly, information should be provided only to those who need the information to protect the health and safety of the employee, students, and staff and only to the extent necessary to accomplish that end. All personnel

informed of the condition of the employee are to be instructed that this information is to be held in the strictest confidence.

To prevent the spread of communicable disease, DHEC or the Centers for Disease Control guidelines for necessary health and safety precautions, including handling of blood and bodily fluids, shall be distributed by the administration from time to time and should be followed by all school employees.

First Aid and Emergency Care

The school nurse or principal's designee(s) will be responsible for providing first aid or emergency care in case of injury to, or sudden illness of, a student or staff member.

Principals or their designees must see that an emergency information card is completed and signed on each student at the time of registration. In extreme emergencies, the principal may make arrangements for the immediate transport and hospitalization of injured or ill students, contacting the parent or guardian in advance if at all possible.

At each school, written procedures for the proper handling of medical emergencies shall be disseminated to staff members. A list of school personnel trained in first aid shall be kept in the main office of each building.

Assignments, Reassignments, and Transfer Requests

In order to ensure the highest quality of instruction, the superintendent is responsible for the placement of employees within the district. It is the policy of the district to assign, reassign or transfer personnel to positions based on the needs of the instructional program and the district, the qualifications of staff members, and, when possible, the expressed preferences of personnel. The superintendent may delegate the placement process to other administrators; however, he/she ultimately retains responsibility for staff assignments, reassignments, and transfers since personnel are employed by the district and not by a particular school or department. Placement of personnel at the school level is within the discretion of the principal as long as placement is consistent with job descriptions and the qualifications of personnel, as long as salary status is not changed without authorization from the district, and as long as appropriate district staff member is notified of the changes.

Reassignment

If, in the opinion of the superintendent, reassignment would be in the best interest of the district, the following procedure will be used.

1. The superintendent or his/her designee will discuss the need for the reassignment with the employee's current principal (if in a school) or with the district-level department head and with the principal of the school or head of the district-level department to which reassignment is being contemplated.
2. The superintendent or his/her designee will then discuss with the employee to be reassigned the reasons why the reassignment is being considered. Once the superintendent determines that the reassignment will go forward, the employee will be notified in writing. Refusal by the employee to comply with the reassignment may be grounds for dismissal.
3. Reassignments are not grievable, provided steps 1 and 2 above have been followed.

Transfer Requests

Procedures for staff transfers are established by human resources. The procedures, which are subject to change at the discretion of human resources, are available from the Human Resources Department. Personnel who qualify may apply for a transfer at designated times. Decisions concerning transfer requests are not grievable.

Personnel Files

The district will maintain a personnel file on each employee that includes all records and documents collected, established, and maintained by human resources concerning the employee. Information included in an employee's personnel file may include, but is not limited to, the following records:

Health and medical records are currently filed separately to protect the privacy of employees.

The district will maintain the confidentiality of personnel files and will provide access to the files only as necessary and appropriate. Each employee has the right to review the contents of his/her personnel file. The employee must contact human resources in advance for an appointment to review his/her file. An employee does not have the right, however, to review personal references and recommendations provided to the district on a confidential basis.

Teacher Evaluation and Contract Status

Teacher Evaluation Model – State Standards for Professional Teaching

The goal of Horry County Schools is for teachers to be proficient in the classroom. Therefore, the district uses a comprehensive system for evaluating professional teachers that includes ADEPT Performance Standards. Teacher performance standards are designed to promote excellence in teaching by focusing on student achievement results.

The teacher evaluation model is based on effective research and best practices. The model provides greater assurance that our schools are staffed with caring and competent professionals who possess the knowledge and skills necessary to address the needs of all students. The standards and procedures covered in the teacher evaluation model enhance the teaching profession by defining and establishing expectations of what teachers should know and be able to do in order to meet the challenges of the classroom.

Teacher Evaluation – Contract Status

The teacher evaluation model provides a framework for teacher preparation. Student teachers must be evaluated and assisted with a locally designed process that meets South Carolina regulations. Prospective teachers who successfully complete their education program and receive state certification become eligible for employment at the Induction contract level.

The contract level of a teacher must be indicated on the teacher contract each year. Contract levels may include the following:

- Induction (year one)
- Induction (year two)
- Induction (year three)
- Annual (summative year one)
- Annual (summative year two)
- Annual (GBE – have an initial certificate)
- Continuing (GBE – have a professional certificate)
- Continuing (summative)
- Continuing (with conditions)

The most typical contract sequence for traditionally prepared teachers is as follows:

- Year one: induction contract
- Year two: annual contract
- Year three: continuing contract

Induction Contract

Induction contracts are offered to novice teachers for up to three years. Teachers are provided comprehensive guidance and support through the first year by an assistance team, which includes, at a minimum, a mentor teacher and a building-level administrator. If a teacher is successful as defined by the district, then the teacher is recommended for an annual contract.

If the teacher is unsuccessful as defined by the district, then options are available. The teacher may not be rehired or the teacher may continue employment on an induction (year two) contract.

Annual Contract Types

Annual contract types consist of annual (summative year one), annual (summative year two), and annual (GBE – Goals-Based Evaluation). Teachers may remain on an annual contract for up to four years. However, after an unsuccessful formal evaluation at the annual (summative year two) contract level, state sanctions are imposed. In these instances, teachers may not teach for a minimum of two years and must complete a state-approved remediation plan in order to become eligible to re-enter the profession.

Annual Contract (Summative Evaluation Year One)

An annual contract (summative year one) is offered to second-year teachers who were successful in their first year of teaching (induction). An annual contract (summative year one) is also offered to out-of-state teachers during their first year of teaching in Horry County Schools if they are issued a professional certificate by SCDE. A teacher who is successful at this level as defined by the district may move to continuing contract status, provided that he/she has met all state requirements for professional certification.

Annual Contract (Summative Evaluation Year Two)

An annual contract (summative year two) is assigned to teachers after an unsuccessful formal evaluation at the annual contract (summative year one) level.

Annual Contract (GBE)

An annual (GBE - Goals-Based Evaluation) contract is assigned to individuals (e.g., PACE, CATE, International teachers) who are not yet eligible for a professional teaching certificate following a successful annual (summative year one) or annual (summative year two) year.

Continuing Contract

Continuing contracts are offered to teachers who have earned an evaluation rating of “met” and who have met all eligibility requirements for a professional teaching certificate. Continuing contract teachers are evaluated with a Goals-Based Evaluation (GBE) annually.

Continuing Contract (GBE)

Goals-based evaluations (GBE) at the annual and continuing contract levels have two distinctions:

- **Research and Development GBE (R-D GBE) is the ADEPT status of personnel that** are engaged in an established professional growth and development plan.
- **Competency-Building GBE (C-B GBE) is for personnel that have documented** areas identified as needing improvement. An individual assistance plan (IAP) is developed to address areas of concern (**C-B GBE**).

Continuing Contract (Summative)

A continuing contract may be issued to personnel who experience a change in job, (i.e., classroom teacher to guidance counselor), who have come to Horry County Schools from another South Carolina district and were previously employed on a continuing contract, or who have been out of teaching for several years and are now returning to teaching.

Continuing Contract with Conditions

If a continuing contract teacher is identified as having deficiencies, as defined by the district, he/she may be placed on a continuing with conditions contract. When a teacher is placed on a continuing with conditions contract, the teacher must participate in a summative evaluation (ADEPT). The summative evaluation process includes the development of an Individualized Assistance Plan (IAP) that meets South Carolina regulations. All continuing contract teachers who are being recommended for summative evaluation must be notified in writing on or before April 15th. The written notice must state the basis for the decision to place the teacher on summative evaluation.

Certification of Professional Personnel

Applications for S.C. Teaching Credential: It is the personal responsibility of each teacher, or other professional staff member who is required to hold a certificate, to apply for his/her certificate, making sure they supply all information as required by the S.C. Department of Education (SCDE). A staff member can expedite the certification process if he/she submits the documents he/she obtains in one complete package. All newly hired certified employees must submit a valid SC certificate by November 1st.

Renewal of Professional Certificates

The following certificate renewal guidelines apply to any person who holds a South Carolina educator's certificate. An educator's professional certificate is valid for five (5) years and expires on June 30 of the expiration year. In order to be eligible for certificate renewal, the educator must earn a minimum of 120 renewal credits, as described in the renewal credit matrix, during the five-year validity period of the certificate.

Obtaining Renewal Credits

Educators are responsible for ensuring that all renewal options and activities meet the following guidelines.

1. An individual who is employed in a position that requires South Carolina educator certification and is employed in a South Carolina public school district must earn renewal credits through professional development activities that:
 - a. Directly relate to the educator's professional growth and development plan.
 - b. Support the goals of the employing public school district.
 - c. Promote student achievement, as required by State Board of Education Regulation 43-205.1, Assisting, Developing, and Evaluating Professional Teacher (ADEPT), and Regulation 43-165.1, Program for Assisting, Developing, and Evaluating Principal Performance (ADEPP).
2. An educator who is employed at a public educational entity that has been approved as a Renewal Credit Plan agency by the Office of Teacher Certification, Division of Teacher Quality, must earn renewal credits through professional development activities that relate to the educator's current area(s) of certification, a formal program of study in a certification area in which the educator is officially enrolled, or the goals of the educator's employing entity.
3. An educator who is **not** employed in a position that requires South Carolina educator certification, but who wishes to maintain a current certificate, must earn renewal credits through professional development coursework outlined in Option 1 and Option 2 of the Renewal Credit Matrix that directly relates to the educator's current area(s) of certification or to a formal program of study in a certification area in which the educator is officially enrolled.
4. Any educator included in 1, 3, or 4 listed above and who has not earned a Master's degree must earn sixty renewal credits in graduate-level coursework to renew the current certificate. Educators who hold a Career and Technology Education Work-Based Certification only are not required to fulfill the graduate-level coursework requirement.

5. All administrators employed in a South Carolina public school district must earn a minimum of 120 renewal credits, as described in the renewal credit matrix, during the five-year validity period of the certificate. These credits are to include a minimum of twenty (20) renewal credits during each five-year validity period in professional development activities that are designed to enhance their skills in supporting and encouraging teachers as professionals.

Valid Period of Teaching Credential

A teacher who becomes eligible for an initial credential or for advancement to an improved class of credential must make application for the initial credential or the new advanced credential. Forms are available from human resources.

If a new teacher becomes eligible for initial certification or a certified teacher becomes eligible for an improved class of credential between November 1 and April 30, the newer credential will be valid from one of the following dates:

1. The date upon which the teacher completed requirements for the initial teaching credential or the higher class credential, provided the application is filed in the Office of Licensure/Recertification within 45 calendar days after the date on which the teacher completed requirements.
2. The date of receipt of the completed application, if such date is later than 45 calendar days beyond the date on which the teacher completed existing requirements.

If a new teacher becomes eligible for initial certification or a certified teacher becomes eligible for an improved class of credential between May 1 and November 1, the new credential will be valid from one of the following dates:

1. July 1 of the calendar year in which the teacher completed existing requirements, provided the application is filed in the Office of Licensure/Recertification by November 1.
2. The date of receipt of completed application, if such date is later than November 1.

Contracts for Professional Staff

Teachers assigned to regular positions will be given a contract if the employment period for a fiscal year will be greater than 151 days. This will be for the length of the regular teacher year (190 teaching days plus in-service days) or for a longer period of time provided the term of contract does not violate S.C. statutes. Contracts are considered valid upon approval by the board.

A staff member hired under contract for a period that is longer than the regular teacher year will be paid pro rata for the additional period according to his/her position on the district's salary schedule.

The superintendent will give written notice of board-approved contract renewal to appropriate certificated personnel on or before April 15 of each year. Certificated personnel receiving such notice must give written acceptance to the district on or before April 15.

Failure on the part of a certificated staff member to give such notice will constitute rejection of the contract.

Other professional employees hired under a contract are paid according to his/her position on the district's salary schedule.

Teacher Employment under Letter of Agreement

Teachers who are eligible for an induction or an 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 are employed under a letter of agreement. Teachers under a letter of agreement are not guaranteed a contract for the following school year.

Teachers employed under a letter of agreement do not fall under ADEPT. However, districts must ensure that these teachers receive appropriate assistance and supervision throughout the school year.

The employment and dismissal provisions of Article 3, Chapter 19 and Article 5, Chapter 25, of Title 59 of the 1976 Code of Laws do not apply to teachers employed under a letter of agreement.

Evaluation of Support Staff

Supervisors are expected to evaluate the performance of classified employees at least annually in an effort to improve the quality of work performance. The employee's principal, director, immediate supervisor, or designee has the responsibility for evaluating employees under his/her supervision. Supervisors will complete the evaluations on district-approved forms, and the evaluation report will be discussed with the employee. The employee will receive a signed copy of the evaluation report.

If an employee is assigned an overall rating of "not met" on their performance expectations, a performance improvement plan will be developed that includes clear steps and performance targets the employee must achieve in order to continue employment.

Teachers and Certain Administrative Staff

The term "teacher" as used herein shall include all personnel required by the nature of their position to be certificated by the S.C. Board of Education.

When any teacher has entered into any signed contract or written agreement to teach in any public school in S.C., such teacher shall not break or seek to terminate such contract except for good cause, and then only after giving written notice to the superintendent and receiving written notice from the superintendent that the resignation has been accepted. The

superintendent has the authority to accept and to approve or reject resignations on behalf of the board after consultation with the employee's supervisor. The superintendent shall provide the board with a list of resignations that he/she has accepted.

Any teacher who fails to comply with the provisions of his/her contract without the written consent of the board shall be deemed guilty of unprofessional conduct. A breach of contract resulting from entering into an employment contract with another school board within S.C. without the consent of the Horry County Board of Education makes void any subsequent contract with any other school district in S.C. for the same employment period. Upon the formal complaint of the Horry County Board of Education, substantiated by conclusive evidence, the S.C. Board of Education shall revoke or suspend the teacher's certificate for a period not to exceed one calendar year. State education agencies in other states with reciprocal certification agreements shall be notified of the revocation of the certificate.

Personnel Files

The district will maintain a personnel file on each employee that includes all records and documents collected, established, and maintained by human resources concerning the employee.

Health and medical records are currently filed separately to protect the privacy of employees.

The district will maintain the confidentiality of personnel files and will provide access to the files only as necessary and appropriate. Each employee has the right to review the contents of his/her personnel file. The employee must contact Human Resources in advance for an appointment to review his/her file. An employee does not have the right, however, to review personal references and recommendations provided to the district on a confidential basis.

Compensation and Benefits

Benefits Services and Compensation

Eligible employees at Horry County Schools are offered an extensive benefit package. This includes retirement benefits; health, dental, vision, life, and disability insurance; deferred compensation; and flexible spending. Certain supplemental insurance premiums may also be deducted, after tax, from an employee's pay. Working with the state of South Carolina and independent agencies, Horry County Schools offers these programs to provide comprehensive coverage to help employees meet their personal health and welfare needs. Outlines of available benefit options can be found on the "Employee Benefits" page located at <http://www.horrycountyschools.net>.

To better serve employees, benefit account managers have been assigned to assist each location. Current account managers can be found on the district web site on the “Employee Benefits” page.

All newly hired employees must complete the new hire orientation class prior to beginning work.

Salaries

The salary of each professional employee is based on his/her certification (if applicable), experience, and the district salary schedule. The salary of each classified employee is based on his/her education, previous work experience, and the district salary schedule.

Important:

New employees must complete insurance paperwork within 31 days of their initial hire date. Failure to do so will result in an inability to obtain guaranteed coverage. Also, a change in coverage must be made within 31 days of the date of the event enabling a change, such as marriage, birth of a baby, divorce, etc.

Sick Leave Bank

In addition to sick leave, Horry County Schools offers eligible employees the opportunity to become a member of the Sick Leave Bank. A member that has a catastrophic or prolonged illness or medical incident so severe that absences exceed 30 days (not including elective surgery and normal pregnancy and delivery) may apply for coverage from the bank. This coverage will only come into effect after all of the employee’s leave is exhausted and, after review by the SLB board, the absences are deemed to meet the guidelines of the bank. For additional information, please visit the following page:

http://www.horrycountyschools.net/pages/Horry_County_Schools/3352373296737269426/Benefits/Sick_Leave_Bank

Vehicle Liability Policy

The district has a vehicle liability policy that provides excess coverage for employees and volunteers while they are operating a non-district vehicle within the scope of their official duties with the district. The excess coverage is provided with the employee’s or volunteer’s personal liability coverage being primary. The district’s policy would respond to excess liability only after the employee’s or volunteer’s coverage is exhausted. Primary coverage is provided for district-owned vehicle and vehicles on a long-term lease to the district. This policy does not provide coverage for job-related injuries to paid employees who are covered under workers’ compensation.

Job Retention Services

In cooperation with the S.C. Department of Vocational Rehabilitation, a job retention service has been established to offer district employees and their family professional help with personal problems such as drug addiction, alcoholism, financial problems, marital conflict, and emotional stress. The assistance is provided free of charge.

If an employee or a member of an employee's family desire to use any of the services listed above, he/she should call the S.C. Vocational Rehabilitation, 843-248-2235. An appointment will be scheduled, usually within 24 hours. All conversations and records will be kept confidential.

Payroll and Work

Direct Deposit

Through direct deposit, an employee has his/her paycheck deposited directly into a checking or savings account. This is a free service provided by the district. During the new hire orientation class, a new employee completes the required form. Forms for changes are available on the payroll website.

Instead of receiving a paycheck, such employees will have online access to their pay stub, which will itemize withholdings and deductions. Visit the self-service page at the address listed in the section below for more information.

Pay Days

Employees will be paid on or about the 15th and the last working day of each month. Insurance premiums and tax-sheltered annuities will be deducted from each paycheck. Direct deposit vouchers can be accessed online at <http://odi.horrycountyschools.net>. Checks will be mailed one day prior to the scheduled pay date.

Deductions

Deductions may include retirement, social security, Medicare tax, state and federal withholding taxes, levies, garnishments, and voluntary deductions or other money owed to the district.

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. Temporary employees may choose to join the SCRS. More information can be found at <http://www.peba.sc.gov/>.

Social Security

There will be a deduction for social security on all salaries up to an amount set annually by social security. There is no wage-based limit for Medicare tax. Salaries for social security deductions are based on the calendar year rather than the school year.

State and Federal Withholding Taxes

Each staff member must file an "Employee's Withholding Allowance Certificate" (W-4) with the Payroll Office. Employees should review their exemptions and update them as changes occur by submitting a new W-4 form to payroll. The IRS link for current W-4 forms is <http://www.irs.gov/pub.irs-pd/fw4.pdf>.

Voluntary Deductions

Except for deductions for absences not covered by paid leave or those required by law, voluntary deductions from salary are subject to district approval and are voluntary on the part of the individual employee. For all voluntary deductions, the employee will complete a form authorizing the deduction.

Voluntary deductions such as the following are available:

- Premiums for group insurance programs administered for employees by the district
- Income deferred programs
- United Way contributions
- SHS Scholarship
- Uniforms
- Other plans approved by the district administration

Leaves and Absences

Professional and Support Staff Leaves and Absences

The continuous presence of employees promotes excellence in the instructional program. Therefore, the district expects employees to come to work every scheduled workday. The district recognizes, however, that certain absences are unavoidable. At such times, employees should take leave in accordance with the procedures established by the administration, which shall be consistent with state and federal law. An employee's failure to comply with the leave procedures established by the administration may result in disciplinary action up to and including termination of employment.

The board authorized the creation of a Sick Leave Bank for active-duty employees who earn sick leave and who, because of catastrophic illnesses or accidents, require absences that exceed their accrued leave.

Any employee who will be absent from work must notify their supervisor, principal, or his/her designee as early as possible so an approved substitute may be secured, if needed. They must also record their absence in **Red Rover**. In addition, employees are required to submit an employee leave request form for approval.

Sick Leave

Accrual of Sick Leave

For the purpose of this policy, the term "full-time employees" means persons employed by the district who work a minimum of 30 hours per week. The term "active service" means days actually worked or earned sick leave days used. "Immediate family member" means the employee's spouse and children and the following relations to the employee or the spouse of the employee: mother, father, brother, sister, grandparent, legal guardian, and grandchild. A son or daughter is a biological, adopted, or foster child, as well as a stepchild, legal ward, or a "child" of a person acting in loco parentis. A parent includes biological parents, but also includes a person who acted in the capacity of a parent to the employee when the employee was a child.

All non-temporary employees shall be granted paid sick leave. Persons who are employed less than full time shall be granted sick leave prorated on the basis of a full-time-equivalent position. All full-time employees of the district will accrue sick leave according to the sick leave accrual schedule approved by the superintendent. An employee may accumulate up to a maximum of 150 days of sick leave plus one year's advancement, which is accrued but not used, provided that such employee does not violate his/her respective contract.

Revised: 8-8-12; 7-1-14.

Advancement of Sick Leave

Sick leave is advanced during the eligible employee's first pay period of the fiscal year. Sick

leave is advanced under the following conditions:

1. Advanced sick leave days are not considered to be earned days.
2. If a staff member's employment is terminated, leave will be prorated based on the length of service during the year of separation.

Use of Sick Leave for Absences

An employee may use sick leave for absences caused by personal illness or illness of an immediate family member (as defined above under "Accrual of sick leave") that requires the employee to provide care. The superintendent or his/her designee may grant leave for family illness for other members of an employee's family in unusual situations. A doctor's statement that the illness of a family member requires the presence of the employee must be submitted for absences greater than 10 days.

Employees may also use up to 30 days of accrued sick leave for the purpose of caring for an adoptive preschool child immediately after placement; the leave will be authorized only if the employee is the person who is primarily responsible for the care of the child. (See the policy concerning the Family and Medical Leave Act.)

An employee who anticipates requiring extended leave, 10 days or more, to provide care for a family member should submit a written request on the appropriate district form to his/her 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 employee will be needed to provide care for a family member. The request must be approved by the superintendent or his/her designee. (See the policy concerning the Family and Medical Leave Act.)

When the employee makes a request in writing, the superintendent may grant an employee leave without pay for personal illness following the exhaustion of all accrued sick leave. Leave with and without pay shall not usually exceed 151 work days, which includes 12 weeks of FMLA leave, in any school year, and the leave shall not usually extend beyond the immediate fiscal year.

The district will assign an employee who returns to work after leave without pay to the same or similar duties that he/she performed prior to going on leave, if such assignment is in the best interest of the district. If the administration does not consider it to be in the best interest of the district to assign the employee to the position he/she had prior to going on leave without pay, the district will offer the employee an equivalent position for which he/she is qualified. The district will place the employee on the payroll at his/her pre-leave salary status.

Procedures Regarding Absences

When it is necessary to be absent, an employee will provide notification as early as practicable in accordance with procedures established by the principal or district-level department head. An absent employee must furnish a signed statement setting forth the reason(s) for his/her absence. The statement must be turned in to the employee's principal or immediate supervisor within two days after the employee returns to work.

When an employee knows that he/she will be absent for a period longer than ten days, he/she should file a request for extended leave under the Family and Medical Leave Act (FMLA), unless the illness does not qualify as a serious health condition under the FMLA. Then, upon written request, the superintendent or his/her designee may grant the employee extended leave if the circumstances warrant. In either case, the employee is expected to utilize accrued sick leave, and upon exhaustion of accrued leave, the leave will continue without pay through the approved leave period.

An employee who anticipates taking an extended leave of absence should submit the request for leave to his/her principal or immediate supervisor at least 30 calendar days prior to the effective date of the leave. The leave request must include a statement from a licensed medical doctor giving the anticipated length of convalescence or if applicable, the expected delivery date.

An employee returning from an extended leave of absence may be required to present to his/her principal or immediate supervisor a statement from the attending physician certifying the employee's ability to return to normal duties.

Verification and Use of Sick Leave

The use of sick leave is subject to verification. Specifically, an employee must submit a medical physician's statement verifying an illness, as well as a statement of diagnosis and prognosis, when the employee has been on sick leave for more than 10 consecutive workdays and/or is requesting extended leave as detailed above. The district also reserves the right to require an employee to submit a medical physician's statement verifying an illness when an employee's use of sick leave forms a pattern or abuse is suspected. The principal or the employee's immediate supervisor has the discretion to request such a statement. If an employee does not provide the required medical physician's statement within five workdays upon written request or after 10 workdays of consecutive sick leave, the district may move to terminate his/her employment.

Return to active employment must be accompanied upon request by the certification of a licensed physician that the employee is physically and emotionally fit to resume duties as prescribed by the district.

Termination of Employment for Violation of Leave Provisions and Procedures

The district may terminate the employment of any employee who fails to comply with the requirements of sick leave procedures, who fails to request extended leave in accordance with the procedures, who fails to report to work at the expiration of authorized leave, or who fails to obtain an extension of previously approved leave.

An employee 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 an employee during a continuing sick leave of less than 91 workdays, provided none of the aforementioned grounds for termination are present.

In the event of termination of a contract before the end of the year, or separation from employment, sick leave will be prorated for that year, and the daily rate of compensation of the employee will be deducted from the final check for absences beyond the earned prorated amount of sick leave.

Transfer of Sick Leave

Except as noted below, an employee of a S.C. state agency or school district transferring to the district may transfer and retain all statutorily eligible sick leave he/she accumulated at his/her former place of employment.

Reimbursement of Unused Sick Leave

Upon retiring from employment with the district, including entering the Teacher and Employee Retention Incentive ("TERI") retirement program, or upon separating from employment from the district for a reason other than retirement or entering the TERI retirement program, an eligible employee may be paid for unused sick leave in excess of 90 days, up to a maximum of 60 days, at the rate of \$20 per day. Once an employee receives payment for any unused sick leave, he/she will be unable to transfer those days to another state employer or use them if he/she should continue to be employed by the district in some capacity.

No employee will receive payment for more than a total of 60 days of accumulated sick leave from the district during his/her lifetime. For example, if an employee retires and enters the TERI retirement program, he/she will continue to accrue sick leave pursuant to district policy. However, an employee who has received payment for a total of 60 days of accumulated sick leave will receive no additional payment for sick leave not used during the employee's participation in the TERI retirement program. Similarly, if an employee who received payment for 60 days of accumulated sick leave returned to work for the district at a later date, the employee would receive no additional payment for sick leave not used during the employee's subsequent employment with the district.

*Legal references:**State.**S.C. Code § 8-11-46 – Transfer of accumulated leave upon transfer between state agency and school district.**S.C. Code § 59-1-400 – Sick leave for public school district employees.**Revised: 7-1-02; 7-1-04; 7-1-06; 7-1-07; 7-1-14.***Personal Leave**

Employees may use up to two days, cumulative to four days, annually of their sick leave for personal leave. This leave should be used for personal matters that cannot be attended to on non-school days or after school hours. A request for personal leave must be submitted for approval to the employee's principal or immediate supervisor using an Employee Leave Request Form available at each school and at the District Office. Employees will not be required to give a reason for use of personal leave. Personal leave requests should be presented at least 24 hours in advance. The principal or immediate supervisor may deny the request for personal leave if ten percent of the work staff at that location has already been approved for the same day off. This measure is implemented in order to minimize the possibility of creating a shortage of work staff on a particular date.

*Revised: 7-1-02; 7-26-05.***Bereavement Leave**

The district will allow an employee to use a maximum of 10 days of sick leave, personal leave, and/or annual leave per period of bereavement for a death in the immediate family. For the purposes of bereavement leave, immediate family is defined as the employee's spouse, child, foster child (as well as stepchild, legal ward, or "child" of the employee or spouse when acting in loco parentis), and the following relations to the employee or his/her spouse: mother, father, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew, or legal guardian (as well as a person who acted in the capacity of a parent to the employee or spouse when the employee or spouse was a child).

*Revised: 7-1-04.***Annual Leave**

Employees scheduled to work two hundred and forty (240) or more days in a fiscal year shall earn annual leave at the rate of one day per calendar month during his/her first 120 months of service in the district. When the employee has 120 months of service in the district, he/she shall earn annual leave at the rate of one and one-half days per calendar month. Annual leave must be earned before it can be used. No annual leave shall be provided temporary employees, those employed for less than 30 hours per week, or those employed on a less than 12-month basis. Employees entering the TERI retirement program will accrue annual leave if they are otherwise eligible under district policy.

Annual leave can accrue up to 45 days plus one year's accrual (57 days if length of service is less than 120 months, 63 days if length of service is 120 or more months). Once the balance

reaches 45 days plus one year's accrual, no time will be earned until the balance falls below the maximum limit.

Employees whose length of employment is reduced to less than two hundred and forty days in a fiscal year may elect one of the following options:

1. Elect to carry forward all accumulated annual leave for 12 months from the time of change. At the end of 12 months, any remaining leave balance will be paid at the employee's per diem rate of pay at the time of the schedule change.
2. Elect to be paid for all accumulated annual leave at the employee's per diem rate of pay at the time of the schedule change.
3. Elect a combination of options "1" and "2."

Reimbursement of Unused Annual leave

Upon retiring from employment with the district, exiting the TERI program, or separating from employment from the district for a reason other than retirement, an eligible employee may be paid his/her daily rate, calculated on the current year's salary schedule, for unused annual leave up to 45 days with the balance, if any, of his/her accumulated annual leave taken prior to the last day of employment. Once an employee receives payment for any unused annual leave, he/she will be unable to transfer those days to another state employer or use them if he/she should continue to be employed by the district in some capacity. No employee will receive payment for more than a total of 45 days of accumulated annual leave from the district during his/her lifetime.

Reinstatement of Leave

A person who leaves the employment of the district will have all accumulated sick, personal, and annual leave benefits reinstated, provided he/she is reemployed within a 12-month period.

A person who is granted a sabbatical leave approved by the district will have all sick, personal, and annual leave benefits reinstated, provided he/she returns to work immediately after the sabbatical leave.

An employee who is terminated due to a reduction of force will have all accumulated sick and personal leave benefits reinstated provided the return to work occurs within the two-year recall period.

Revised: 7-26-05; 8-16-05; 7-1-06; 7-1-07; 7-1-14.

Emergency Leave

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

superintendent.

Legal Absence

Employees should notify their principal or immediate supervisor as soon as they know they are being called for jury duty, subpoenaed, or involved in a court proceeding as a victim or a witness pursuant to the proceeding (see Sections 16-3-1510 and 16-3-1550 of the S.C. Code – “victim” also includes any individual’s spouse, parent, child, or the lawful representative of a victim who is deceased, a minor, incompetent, or physically or psychologically incapacitated). The district will grant an employee leave without loss of pay when the employee is (1) summoned for jury duty, (2) subpoenaed in the line of duty to represent the district as a witness or defendant, or (3) involved in a court proceeding as a victim or witness as indicated in the preceding sentence. Any jury fee or travel payment shall be retained by the employee. An employee should submit a copy of a jury duty summons or subpoena to his/her principal or supervisor. If an employee must appear in court for any reason other than the above, the district will deduct full pay from his/her salary or, if eligible, annual or personal leave days. Whenever a prospective juror or a juror is dismissed before the end of the working day, he/she should return to his/her official duties.

The district encourages school employees selected for jury service during the school term to request that their service be postponed to a date that does not conflict with school responsibilities. Pursuant to state law, the court will likely grant the postponement.

Legal references:

State.

S.C. Code § 16-3-1510 – Definitions.

S.C. Code § 16-3-1550 – Restrictions on employers of victims and witnesses . . .

Revised: 7-1-02; 7-1-04; 7-1-08.

Military Leave

The district complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Code of Laws of S.C. in its handling of military leave and related matters – both of which take precedence over the district’s policy on military leave. Principals and district-level division heads must post a current copy of the notice to employees concerning their rights under USERRA as published by the U.S. Department of Labor.

For the purpose of this policy, the fiscal year (July 1 – June 30) will be used to determine if an employee has received fifteen days of military leave.

In all cases, an employee must provide a copy of orders to duty and/or amendments to the Department of Human Resources.

Leave for Employees' Reserve/National Guard Training Obligation 365 Days or Less

Employees are authorized to take up to fifteen days military leave within a fiscal year without loss of pay, benefits, seniority, or efficiency rating consistent with district policy for one or more periods during which they are engaged in training or other duties ordered by an appropriate authority.

Leave for Employees' Ordered Duty of More than 365 Continuous Days

Those employees who are ordered to continuous duty in excess of 365 days will be granted a one-time benefit of an additional fifteen paid days of military leave. The employee must return to work and be actively working at the district for a minimum of six months before they are again eligible to receive this additional fifteen days of pay.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) requires employers to provide certain reemployment and benefits rights to employees who serve or have served in the uniformed services.

At the beginning of military leave (regardless of whether leave is paid or unpaid), an employee may continue or drop all of his health-related coverage and/or all of his life insurance coverage. For Leave Without Pay (LWOP) purposes, health-related coverage includes health, dental, and vision, and life insurance coverage includes Optional Life and Dependent Life. All employees that are going into active duty for more than fifteen days should meet with a member of the benefits department prior to leaving for duty and immediately upon returning to district for employment.

If the employee chooses to continue coverage, Horry County Schools will pay the employer share of the premiums for the first 31 days of unpaid military leave. After the first 31 days of unpaid military leave, the employee will be required to pay the employer and employee portion of the premiums.

An employee on military leave is eligible for a total of 30 months of continued health, dental, or vision coverage. If the employee elects to continue coverage, his LWOP continuation coverage will end after a maximum of 12 months. If the employee continues coverage for the entire 12 months, 18 months of COBRA coverage will be offered to the employee.

If the employee leaves for military service without explicit election to continue coverage and the premiums are not paid, coverage will be terminated, and 18 months of COBRA coverage will be offered. Coverage may be reinstated upon discharge or release from active duty and return to work. Back premiums will not be required to reinstate health, dental and/or vision coverage.

Federal.

Uniformed Services Employment and Reemployment Rights Act.

State.

S.C. Code § 8-7-90: Leaves of absence authorized for public officers and employees in National Guard or reserve military forces.

S.C. Code § 25-1-2250: Leaves of absence for public officers and employees.

Revised: 7-1-02; 9-3-03; 7-1-04; 7-26-05; 7-1-06; 8-8-12.

Conferences and Training Workshops

The district believes that it is desirable to provide professional leave for staff members in order to attract and retain personnel who will continue to grow professionally and enhance their service to the district's students.

The district may grant temporary leave to an employee for the purpose of attending activities designed to improve employee competency or to improve the instructional or service programs of the district. The district reserves the right to determine if the proposed activity meets district needs.

Professional leave shall be without pay deduction. The employee must apply for professional leave through his/her principal or immediate supervisor in accordance with guidelines established by the district.

Post-secondary Courses and Certification

The district encourages staff members to continue their professional development education while employed by the district. However, employees are reminded that their most important obligation is to their instructional tasks, and education and certification activities should not be undertaken to the extent that they will detract from that primary obligation. Any schedule of such course work or other activities must be done so that they do not interfere with the employee's regular daily assigned duties with the district. An employee's written request to leave work early in order to attend a class or participate in certification activities will be considered on a case-by-case basis. In order for the employee to leave work early, the request must be approved by the employee's principal and by the appropriate executive director (requests from district-level employees must be approved by their department head and by the appropriate chief officer). Accrued personal leave, accrued annual leave, and/or leave without pay must be used by an employee who is given permission to leave work early.

College or post-secondary courses taught by employees must be scheduled so that they will not interfere with the employee's regular job duties.

Revised: 7-1-04; 7-1-06.

Professional Development Leave for Classified Staff

A. Eligibility

A classified employee who has completed at least three years of continuous and uninterrupted service with the school district immediately prior to applying may request professional development academic leave to pursue studies specifically designed to lead to the employee's becoming qualified as a teacher in the district. This includes academic studies in pursuit of an appropriate degree and work necessary to obtain professional certification as a teacher. The district will grant this leave for up to one school year as long as the employee is engaged in student teaching throughout the leave.

B. Application Process

To qualify for this leave, an employee must submit a written proposal detailing the coursework or other preparation the employee intends to pursue, including the anticipated area of certification, to the chief human resources officer on or before August 1 for student teaching beginning in the Fall Semester and December 1 for student teaching beginning in the Spring Semester. The employee's principal or immediate supervisor (if the employee does not work in a school) must sign the proposal and include comments assessing the employee's job performance and likelihood of success as a teacher.

C. Approval

The chief human resources officer will review the application, balancing the benefits to the instructional program against any detrimental impact on the management program or personnel management that may arise from granting the leave, and he/she shall make a recommendation to the superintendent on each application. The superintendent's approval or disapproval shall be final.

D. Salary and Benefits

All academic leaves shall be without pay or other benefits except that the employee may maintain group medical benefits in effect by payment of the total premium. Sick leave days previously accrued will be preserved, but they may not be taken during these leaves. They will be available to the employee upon return to active status. Vacation days previously accrued must be taken prior to the beginning of this leave. An employee on academic leave shall not earn vacation days while on leave.

E. Return to Active Status

At the end of the leave, the employee may apply for teaching positions within the district. The district does not, however, guarantee a teaching position to any person and will always hire the applicant it determines is best qualified for the position. The returning employee will be assigned as a full-time substitute at his or her annual rate and will be placed in the first vacancy for which he or she is qualified. Refusal of an offered assignment shall terminate the district's responsibility to place the individual, who will thereafter be considered for any subsequent vacancy on the same basis as new applicants.

Sabbaticals

The district will grant sabbatical leave according to the conditions specified below.

1. Full-time administrative and teaching personnel will be eligible for consideration for one year of sabbatical leave after six consecutive years of employment with the district.
2. Leave will be granted without compensation.
3. The district will pay its portion of the employee's health insurance premium subject to the person's submitting his/her portion of the insurance premium to his/her benefits account manager in human resources no later than the first day of each month that the person is on sabbatical leave. If the employee does not return to employment with the district immediately after the sabbatical leave, the employee is responsible for reimbursing the district for the portion of the employee's health insurance premium paid by the district. Other benefits such as, but not limited to, accrual of leave and experience credit will not be granted.
4. No more than one percent of professional personnel will be granted leave at the same time.
5. In granting leave, consideration will be given by the district to the best interests of the district as well as to the employee.
6. The district guarantees the employee, upon his/her return to the district immediately after the leave of absence, a position equal to the one he/she held immediately prior to being granted sabbatical leave, but not necessarily the one he/she held.
7. The district will grant leave for advanced study, travel or other experiences that, in the opinion of the district, will enhance the worth of the employee to the district. As a condition for returning from sabbatical leave, the employee must furnish the district with documentation that the sabbatical leave accomplished the objective stated in the employee's Application for Sabbatical Leave.
8. The employee must file an application for leave with the superintendent no later than March 1 for leave for the following school year. Applicants will be notified by April 1 of the decision of the district.
9. Employees on leave will notify the superintendent by March 1 of their intention to return to the district the following school year. The district will provide employees on leave a contract for the following school year showing tentative assignment by April 15.

See, also: "Reinstatement of leave."

Family and Medical Leave Act (FMLA)

The district will provide leave to eligible employees consistent with the FMLA. Eligible employees are entitled to up to 12 workweeks of unpaid family and medical leave in any 12-month period. The district will continue to pay the district's share of the employee's health benefits during the leave. In addition, the district will restore the employee to the same or a similar position after the termination of the leave in accordance with district policy.

The following guidelines will be used to provide a fair and systematic procedure by which eligible employees may take unpaid leaves of absence for family and medical reasons.

Eligibility Requirements

To qualify for leave under this policy, an employee must have been employed by the district for at least 12 months as of the date on which the requested leave will commence. In addition, the employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

Leave Entitlement

An eligible employee is entitled to a total of 12 workweeks of unpaid leave during any fiscal year (July 1 through June 30):

1. For the birth of a son or daughter of the employee.
2. For the placement of a child with the employee for adoption or foster care ("foster care" is 24-hour care for children in substitution for and away from their parents or guardian, by or with the agreement of the state or pursuant to a judicial determination).
3. To care for a spouse, son, daughter, or parent of the employee if such spouse, son, daughter, or parent has a serious health condition. "Son or daughter" means a biological, adopted, or foster child, stepchild, legal ward, or "child" of an employee standing in loco parentis when the child is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability. Persons who are "in loco parentis" include those with day-to-day responsibilities to care for and financially support a child or, in the case of a parent, a person who had such responsibility for the employee when the employee was a child.
4. Because of a serious health condition of the employee that renders the employee unable to perform the essential functions of the position.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a "member of the Armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness; is otherwise in outpatient status for a serious injury or illness; or is otherwise on the temporary

disability retired list for a serious injury or illness” may be permitted to take up to 26 workweeks of leave to care for this individual.

An eligible employee who desires to take leave under this policy will request such leave from his/her immediate supervisor, who will then notify the superintendent or his/her designee of the request. Requests will be responded to in a timely manner.

The entitlement to leave for the birth or placement of a child for adoption or foster care expires 12 months after the date of such birth or placement. If circumstances require, an employee may take family leave prior to the birth or placement of a child for prenatal care or to prepare for placement, e.g., to attend counseling sessions or appear in court.

A “serious health condition” is an illness, injury, impairment, or physical or mental condition that involves one or both of the following:

1. Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or residential medical care facility.
2. Continuing treatment by a health care provider.

A serious health condition involving “continuing treatment by a health care provider” includes one or more of the following:

1. A period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves one or more of the following:
 - a. Treatment two or more times by a health care provider, by a nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider.
 - b. Treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the supervision of the health care provider.
2. Any period of incapacity due to pregnancy or for prenatal care.
3. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one that:
 - a. Requires periodic visits for treatment by a health care provider or by a nurse or physician’s assistant under direct supervision of a health care provider.
 - b. Continues over an extended period of time, including recurring episodes of a single underlying condition.

- c. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
4. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective – the employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider (e.g., Alzheimer's, a severe stroke, or the terminal stages of a disease).
5. Any period of absence to receive multiple treatments by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer, severe arthritis, kidney disease.

A "health care provider" is:

1. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices.
2. A podiatrist, dentist, clinical psychologist, optometrist, or chiropractor (limited to treatment of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the state and performing within the scope of his/her practice as defined under state law.
3. A nurse practitioner or nurse midwife who is authorized to practice under state law and who is performing within the scope of his/her practice as defined under state law.
4. A Christian Science practitioner listed with the First Church of Christ, Scientist, in Boston, Massachusetts.

Intermittent or Reduced Schedule Leave

1. "Intermittent leave" is leave taken in separate blocks of time due to a single illness or injury rather than for one continuous period of time, and it may include leave periods from one hour or more to several weeks.
2. A "reduced schedule leave" is a leave schedule that reduces an employee's usual number of working hours per workweek, hours per workday, or days per workweek.
3. Leave for the birth or placement of a child will not be taken intermittently or on a reduced schedule without the written consent of the superintendent or his/her designee, who will consult with the employee's immediate supervisor before granting such consent.

4. Leave to care for a seriously ill spouse, son, daughter, or parent, or for the employee's own serious health condition may be taken intermittently or on a reduced schedule only when medically necessary.
5. If an employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, the superintendent or his/her designee may require such employee to transfer temporarily to an available alternative position for which the employee is qualified that (1) has equivalent pay and benefits and (2) better accommodates recurring periods of leave or family leave (see below: "Intermittent or Reduced Schedule Leave for Instructional Employees").

Substitution of Paid Leave

Except as may be otherwise determined by the district when an employee is eligible by workers' compensation, the district requires an employee to use accrued paid annual, sick, and/or personal leave time for any unpaid portion of FMLA leave. Such accrued leave will be substituted by the district for part or all of an employee's FMLA leave without limitation. Thus, the district requires an employee to use any accrued paid leave before taking unpaid leave, and the district counts both towards fulfillment of the 12-week FMLA total.

Foreseeable Leave/Notice Required

1. When the necessity for leave for the birth or placement of a child is foreseeable based on an expected birth or placement, the employee must provide at least 30 days written notice to his/her immediate supervisor of the anticipated timing and duration of the employee's leave. The failure to provide such notice with no reasonable excuse for the delay may result in the denial of a request for leave until 30 days after the employee provides notice.
2. If the date of the birth or placement requires leave to begin in less than 30 days, the employee must provide as much notice as is practicable.
3. When leave to care for a seriously ill spouse, child, or parent or for an employee's own serious health condition is foreseeable based on planned medical treatment, the employee:
 - a. Must make a reasonable effort to schedule the treatment so as not to disrupt unduly the district's operations, subject to the approval of the health care provider.
 - b. Must provide at least 30 days written notice to his/her immediate supervisor of the anticipated timing and duration of the employee's leave; if the date of treatment requires leave to begin in less than 30 days, the employee must provide as much notice as practicable.

Spouses Employed by the District

If a husband and wife entitled to leave are employed by the district and both take leave for

the birth or placement of a child or to care for a seriously ill parent, the aggregate number of workweeks of leave to which both may be entitled may not exceed 12 workweeks during any 12-month period.

Certification

1. A request for leave to care for a seriously ill spouse, child, or parent or for the employee's own serious health condition must be supported by a certification issued by the health care provider of the employee or family member. The district has forms available that an employee may use for this purpose.
2. The certification must contain the following information:
 - a. The date on which the serious health condition commenced.
 - b. The probable duration of the condition.
 - c. The appropriate medical facts regarding the condition.
 - d. For leave taken to care for a seriously ill spouse, child, or parent, a statement that the employee is needed to care for the spouse, child, or parent and an estimate of the amount of time the employee will be needed for that purpose.
 - e. For leave taken due to an employee's serious health condition, a statement that the employee is unable to perform the essential functions of the position.
 - f. For intermittent or reduced schedule leave for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment.
 - g. For intermittent or reduced schedule leave for an employee's serious health condition, the statement of the medical necessity for the intermittent or reduced schedule leave and the expected duration of such leave.
 - h. For intermittent or reduced schedule leave to care for a seriously ill spouse, child, or parent, a statement (1) that the employee's intermittent or reduced schedule is necessary for the care of the spouse, child, or parent or will assist in their recovery and (2) concerning the expected duration and schedule of the intermittent or reduced schedule leave.
3. If the superintendent or his/her designee or the employee's immediate supervisor has reason to doubt the validity of a certification, he/she may require, at the district's expense, the employee obtain the opinion of a second health care provider designated or approved by the superintendent or his/her designee.
4. A health care provider designated or approved by the superintendent or his/her designee will not be one who is employed on a regular basis by the district.

5. If the first and second opinions of the health care providers are conflicting, the superintendent or his/her designee may require the employee to obtain a third opinion at the district's expense. The employee and the superintendent or his/her designee must jointly select the third health care provider from a health care provider other than a Christian Science practitioner.
6. The superintendent or his/her designee may require subsequent recertification on a reasonable basis, but no more often than every 30 days unless one or more of the following occurs:
 - a. The employee requests an extension of leave.
 - b. The circumstances described by the original certification have changed significantly.
 - c. The superintendent or his/her designee receives information that casts doubt on the continuing validity of the prior certification.

Employment and Benefits Protections

1. Restoration to position.
 - a. Any employee who takes leave for the intended purpose of the leave will be entitled on return from leave to be restored to the position of employment held by the employee when the leave commenced or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.
 - b. The taking of leave will not result in the loss of employment benefits accrued prior to the date on which leave commenced.
 - c. A restored employee is not entitled to the accrual of seniority or employment benefits during the period of leave or to any right, benefit, or position of employment other than that to which the employee would have been entitled had the leave not been taken.
 - d. As a condition of restoration for an employee who has taken leave due to his/her own serious health condition, the employee must provide a certification from the health care provider stating that the employee is able to resume work. Until such a certification is provided, reinstatement will be denied.
 - e. An employee on leave must report periodically to his or her immediate supervisor on his or her status and intention to return to work.

2. Exemption of certain highly compensated employees.
 - a. The superintendent or his/her designee may deny restoration to a salaried employee who is among the highest paid ten percent of district employees if the following are all true:
 - (1) Such denial is necessary to prevent substantial and grievous economic injury to the operations of the district.
 - (2) The superintendent or his/her designee notifies the employee of the intent to deny restoration at the time he/she determines such injury would occur.
 - (3) If leave has commenced, the employee decides not to return to work.
 - b. If the superintendent or his/her designee believes that reinstatement may be denied to a key employee, the superintendent or his/her designee must give written notice to the employee at the time leave is requested that he or she qualifies as a key employee. In addition, the employee must be fully informed of the potential consequences with respect to reinstatement and maintenance of health benefits if it is determined that substantial and grievous economic injury will result from the employee's reinstatement.
 - c. As soon as the superintendent or his/her designee determines that such an injury will result from reinstatement, he/she must again notify the employee in writing of this determination, and advise the employee that the district cannot deny leave but that it intends to deny restoration to employment on completion of the leave. This notice must be delivered in person or by certified mail. It also must explain the basis for the finding that substantial and grievous economic injury will result and must provide the employee a reasonable time in which to return to work.
 - d. If the employee elects to remain on leave, the district will continue to maintain his/her health benefits until the employee gives notice that he or she no longer wishes to return to work or until reinstatement is actually denied at the conclusion of the leave.
 - e. Once the key employee's leave has expired, he/she is entitled to request reinstatement. The superintendent or his/her designee must then determine whether there will be substantial and grievous economic injury from reinstatement, based on the facts at that time. If it is determined that such an injury will result, the superintendent or his/her designee shall notify the employee in writing of the denial of restoration. This notice must be delivered in person or by certified mail.
3. Maintenance of health benefits.
 - a. During an employee's leave, the district will maintain coverage under any group health plan at the level and under the conditions that would have been provided if the employee had continued in employment continuously for the duration of the leave.

- b. The employee must continue to pay his/her portion of all insurance premiums to maintain coverage. If an employee's premium payment is more than 30 days late, the district may discontinue coverage of the employee under the policy. The district will provide 15 days advance notice before cancellation of coverage.
- c. If coverage lapses because an employee has not made premium payments, upon the employee's return from leave, the district will restore the employee to coverage and benefits equivalent to those the employee would have had if leave had not been taken and the premium payments had not been missed.
- d. If the district continues coverage under the policy by paying the employee's portion of the premiums, the district is entitled to recover all such payments. Further, the district may recover from an employee its share of health plan premiums paid during a period of leave under this policy if the employee fails to return to work at the expiration of the leave unless the reason for the employee's failure to return is due to the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. If an employee fails to return because of the continuation, recurrence, or onset of a serious health condition, the employee must provide a certification of the employee's or family member's serious health condition. The district also will not seek recovery for its share of premiums for any portion of paid leave substituted or used by an employee.

Intermittent or Reduced Schedule Leave for Instructional Employees

If an eligible staff member employed principally in an instructional capacity requests leave to care for a seriously ill spouse, child, or parent or for the employee's own serious health condition that is foreseeable based on planned medical treatment, and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the superintendent or his/her designee, in consultation with the principal, will require that the employee elect either of the following:

1. To take leave for periods of a particular duration, not to exceed the duration of the planned medical treatments.
2. To transfer temporarily to an available alternative position for which the employee is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave.

Rules Applicable to Periods near the Conclusion of an Academic Term for Employees Employed Principally in an Instructional Capacity

1. If an eligible staff member employed principally in an instructional capacity begins leave more than five weeks prior to the end of an academic semester, the superintendent or his/her designee, in consultation with the principal, may require the employee to continue taking leave until the end of the semester if both of the following are true:

- a. The leave is of at least three weeks duration.
 - b. The return would occur during the three-week period before the end of the term.
2. If an eligible staff member employed principally in an instructional capacity begins leave for the birth or placement of a child or to care for a seriously ill child, spouse, or parent during the period that commences five weeks prior to the end of an academic semester, the superintendent or his/her designee, in consultation with the principal, may require the employee to remain on leave until the end of the semester if both of the following are true:
 - a. The leave is greater than two weeks.
 - b. The return to employment would occur during the two-week period before the end of the term.
3. If an eligible staff member employed principally in an instructional capacity begins leave for the birth or placement of a child or to care for a seriously ill spouse, child, or parent during the period that commences three weeks prior to the end of an academic semester and the duration of the leave is greater than five working days, the superintendent or his/her designee, in consultation with the school principal, may require the employee to continue taking leave until the end of the term.
4. If the district requires an employee to remain on leave until the end of an academic term and this results in the employee taking more leave than is necessary to resolve the condition that necessitated the leave, the additional leave time required to be taken will not be deducted from the employee's total available FMLA leave. The employee, however, will continue during this time to be entitled to the maintenance of health benefits and job restoration in accordance with this administrative rule.

Legal references:

Federal.

United States Code P.L. 103-3 and 29 CFR Part 825 – The Family and Medical Leave Act of 1993.

State.

S.C. Code § 8-7-20 – Requires granting of military leave, without pay up to five years.

S.C. Code 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. Also grants and additional 30 days of leave with pay in emergency situations.

S.C. Code § 14-1-190 – Compensation received for jury duty deemed to be expense money.

S.C. Code § 14-7-845 – Relating to optional postponement of jury service for students and employees.

S.C. Code § 25-1-2250 – Employees entitled to leave with pay when serving in National Guard.

S.C. Code § 59-1-400 – Sick leave for public school district employees.

Revised: 7-1-04; 7-26-05; 7-1-09.

Paid Parental Leave

Effective June 26, 2023

Paid parental leave for newborn biological child or foster of a child

Eligible District employees who are employed by the District and who give birth are entitled to receive six weeks of paid parental leave upon the occurrence of a qualifying event. Other eligible District employees who do not give birth are entitled to receive two weeks of paid parental leave upon the occurrence of a qualifying event.

- 'Child' means a newborn biological child or foster of a child in state custody and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.
- 'Eligible District employee' means an employee defined by the Department of Education using the Professional Certified Staff system or any full-time equivalent position categorized as classified staff.
- 'Paid parental leave' means six weeks of paid leave at one hundred percent of the eligible District employee's base pay or two weeks of paid leave at one hundred percent of the eligible District employee's base pay.
- 'Qualifying event' means the birth of a newborn biological child to an eligible District employee or after a co-parent's birth of a newborn child or fostering a child in state custody.

Paid parental leave usage includes the following:

- The entitlement of this leave expires at the end of the twelve-month period beginning on the date of such birth or initial legal placement. An eligible District employee shall receive no more than one occurrence of six or two weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs. However, nothing in this item prohibits a foster parent from requesting and receiving approval for parental leave in nonconsecutive one-week time periods.
- If the leave is not used by the eligible District employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.
- Days of paid parental leave taken under this policy must be taken consecutively, except that foster parents may request and receive approval for parental leave in nonconsecutive one-week time periods.
- If both parents are eligible District employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible District employee.
- District holidays and vacation on the District calendar must not be counted against paid parental leave.
- When an eligible District employee's entitlement to leave under this policy extends beyond their designated term of employment for their contractual term, the employee may continue their period of paid parental leave in the subsequent contractual term, provided the employee remains an eligible District employee.

- Paid parental leave must run concurrently with leave taken pursuant to the Family Medical and Leave Act and any other unpaid leave to which the eligible District employee may be entitled as a result of the qualifying event. However, leave granted under this policy is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible District employee's accrued leave balance. An eligible District employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this policy. Eligible District employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.
- The use of paid parental leave by an eligible District employee shall not prevent the eligible District employee from earning a STEP increase the following year. Paid parental leave is considered paid leave and the time must count toward the eligible District employee's years of service.

Paid parental leave for adoption of a child

Eligible District employees who are employed by the District and are primarily responsible for furnishing the care and nurture of the child, are entitled to six weeks of paid parental leave upon the occurrence of a qualifying event. Eligible District employees who are employed by the District who are not primarily responsible for furnishing the care and nurture of the child, are entitled to two weeks of paid parental leave upon the occurrence of a qualifying event.

- 'Child' means a child initially legally placed for adoption and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.
- 'Eligible District employee' means an employee defined by the Department of Education using the Professional Certified Staff system or any full-time equivalent position categorized as classified staff.
- 'Paid parental leave' means six weeks of paid leave at one hundred percent of the eligible District employee's base pay or two weeks of paid leave at one hundred percent of the eligible District employee's base pay.
- 'Qualifying event' means the initial legal placement of a child by adoption.

Paid parental leave usage includes the following:

- The entitlement of this leave expires at the end of the twelve-month period beginning on the date of initial legal placement. An eligible District employee shall receive no more than one occurrence of six or two weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs.
- If the leave is not used by the eligible District employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.
- Days of paid parental leave taken under this policy must be taken consecutively.
- If both parents are eligible District employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible District employee.

- District holidays and vacation on the District calendar must not be counted against paid parental leave.
 - When an eligible District employee's entitlement to leave under this policy extends beyond their designated term of employment for their contractual term, the employee may continue their period of paid parental leave in the subsequent contractual term, provided the employee remains an eligible District employee.
 - Paid parental leave must run concurrently with leave taken pursuant to the Family Medical and Leave Act and any other unpaid leave to which the eligible District employee may be entitled as a result of the qualifying event. However, leave granted under this policy is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible District employee's accrued leave balance. An eligible District employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this policy. Eligible District employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.
 - The use of paid parental leave by an eligible District employee shall not prevent the eligible District employee from earning a STEP increase the following year. Paid parental leave is considered paid leave and the time must count toward the eligible District employee's years of service.
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