
Monthly Business Meeting of the Board of Trustees

Monday, April 23, 2018

6:00 p.m. – Central Office @ 386 E. Black Street

A G E N D A

I. Call to Order - **Faith Anderson – South Pointe High School**

A. Approval of Agenda (Policy BEDB)

(Under consent agenda, all action items will be voted on after one motion and second to approve them without discussion. If a board member wants any action item discussed or voted on separately, the board member, before the agenda is approved, must ask that the action item be moved to the discussion item section.)

II. Recognitions

- A. Recognition of Northwestern and Rock Hill High AF/JROTC Units
- B. Recognition of School Resource Officers (Palmer, Schurig, Kane)
- C. Recognition of Vy Mai, SPiN Editor-in-Chief
- D. Recognition of Oakdale Elementary Region III Science Fair Winners
- E. Recognition of Mt. Gallant Elementary Girls on the Run Litter Award
- F. Recognition of The Children's School Recycling Award
- G. Recognition of Ebinport Elementary School, Battle of the Books Winner
- H. Recognition of Richmond Drive & Lesslie Elementary - Science Bowl Co-Champions
- I. Recognition of National History Day State Qualifiers
- J. Recognition of Northwestern High School FCCLA
- K. Recognition of AP/IB/Dual Credit Students
- L. Recognition of Rock Hill Schools Digital Education National Ranking

III. Citizen Participation

IV. Consent Action Agenda

- A. Approval of Minutes (Policy BEDG)
 - 1. March 12, 2018 Work Session (incl. Data Session)
 - 2. March 26, 2018 Business Meeting
 - 3. March 30, 2018 Called Executive Session
- B. Approval of Personnel Recommendations (Policy BDD)
- C. Approval of Activity Bus Rental Requests (Winthrop, Worthy Boys/Girls Club)

V. Action Agenda

2nd Read Policies (Policy BG/BGD)

- A. Approval of Policy **GCR** – Non-school Employment of Professional Staff
- B. Approval of Policy **GDQB** – Resignation of Support Staff
- C. Approval of Policy **GDF** – Support Staff Hiring
- D. Approval of Policy **GCQE/GDQE** – Retirement of Staff
- E. Approval of Elimination of Policy **GCQE** – Retirement of Professional Staff
- F. Approval of Elimination of Policy **GDQE** – Retirement of Support Staff
- G. Approval of Policy **GCQA/GCQB** – Professional Staff Reduction in Force

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1st Read Policies *(Policy BG/BGD)*

- G. Approval of Policy **GDBC, GDBC-R** – *Support Staff Supplementary Pay/OT*
- H. Approval of Policy **GBEBD, GBEBD-R** – *Acceptable Use Policy*
- I. Approval of Policy **GCC/GCD** – *Staff Leaves and Absences*
- J. Approval of Policy **GDC/GDD** – *Support Staff Leaves and Absences (Elimination)*

- K. Approval of Policy **JIJ** – *Student Protests, Demonstrations, and Strikes*

- L. Approval to Suspend Policy **GCC/GCD** – *Professional Staff Leaves and Absences* and Grant Employee Request for Leave of Absence for Four Years

- VI. Communications

- VII. Report of the Superintendent
 - A. Announcements

- VIII. Review of School Board Work Session – April 9

- IX. Other and Future Business

- X. Executive Session(s) if needed – *(Policy BEC)*
 - **Personnel Matters:** >*Hirings, Assignments, Transfers, >Custodial Services*
 - **Legal Matter:** >*Telecommunications Services Contract*

- XI. Action as Required from Executive Session(s) *(Policy BEC)*

- XII. Adjournment

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Communications Department
Telephone: 981-1008 - Fax: 981-1094

Memorandum

TO: Dr. Kelly Pew
FROM: Mychal Frost
DATE: April 19, 2018
SUBJECT: Call to Order at April 23rd School Board Meeting

Faith Anderson, a junior at South Pointe High School, will provide the "Call to Order" at the April 23rd school board meeting.

Faith:

Parents: Carlos and Hope Anderson

Siblings in Rock Hill Schools: None

Principal: Dr. Al Leonard

Mailing Address:
320 Sarahs Ct
Rock Hill, SC 29732



Communications Department
Telephone: 981-1008 - Fax: 981-1094

Memorandum

TO: Dr. Kelly Pew
FROM: Mychal Frost
DATE: April 18, 2018
SUBJECT: Recognitions for April 23rd School Board Meeting

A. Recognition of Northwestern and Rock Hill High AF/JROTC Units

Acknowledge that the Posting of the Colors was coordinated this evening by AF/JROTC cadets representing Rock Hill and Northwestern High Schools. Additionally, the National Anthem was performed by a Northwestern AF/JROTC cadet.

The Air Force JROTC instructors and cadets of both Rock Hill High School and Northwestern High School in Rock Hill, SC earned an overall unit assessment score of “Exceeds Standards” ...the highest rating attainable...during their unit evaluations which occurred the first week in March 2018. Lt Col Thomas Barrett, Major John Murray, Chief Master Sergeant Johnny Neal, and MSgt Jesse Thibodeau created a dynamic and supportive learning environment coupled with excellent community outreach programs in their schools and community. The instructors provided outstanding leadership in administering the cadet centered citizenship program. All their cadets performed exceptionally well and took great pride in leading and accomplishing their respective unit goals. The Air Force JROTC citizenship programs at both schools are making a positive impact on the cadets, their schools and the local community.

B. Recognition of School Resource Officers

Rock Hill Schools has a strong partnership with local law enforcement agencies – the Rock Hill Police Department and the York County Sheriff’s Office. Working collaboratively, Rock Hill Schools staff and law enforcement agencies, along with students and parents, strive to provide a safe and secure learning environment for our students. Tonight, we would like to say “thank you” to representatives from the Rock Hill Police Department and allow each School Resource Officer to share a personal story about their involvement with our schools. Tonight, we welcome Officers Palmer, Schurig, and Kane.

C. Recognition of Vy Mai, SC Journalist of the Year

South Pointe High School’s student-run newspaper has a history of producing great material and providing a platform for student journalists to excel in areas of writing, photography and video. Earlier this month, editor-in-chief Vy Mai was named the SC Scholastic Press Association’s Journalist of the Year. Mai has been involved in the journalism department at South Pointe for the past four years under the guidance of advisor Cindy Koon. Mai says the freedoms she was afforded beginning in her sophomore year allowed her to pair her knack for English with the ability to write about topics interesting to her. She has served as the entertainment editor and spent last school year working with then editor-in-chief Shelby Beckler to prepare for her role this year. As an IB student, Mai sees her work in journalism as an outlet from the stresses of her advanced academic course load. Her website and work samples can be viewed at vymai.weebly.com.

D. Recognition of Oakdale Region III Science Fair Winners

Congratulations to three Oakdale Elementary School students who placed in the Region III Science Fair held on the campus of USC Upstate in Spartanburg on March 7th. Michael Wade won first place in Elementary Physics, Jaiona Johnson won Honorable Mention in Elementary General Science, and Kristian Edwards won Honorable Mention in Elementary Biology. Several hundred students competed in the regional.

E. Recognition of Mt. Gallant Elementary Girls on the Run Litter Award

At this time, I would like to invite Alysén Woodruff with Keep York County Beautiful and the S.C. Litter Control Association to the podium to present an award to Mt. Gallant Elementary School Girls for their efforts to reduce litter on and around the school campus and community.

The following students participate in Girls on the Run at Mt. Gallant Elementary:

Lyric Hall	Lauren Gainey	Anna Martin
Baylee Derry	Victoria Good	Kensleigh Shugart
Marilyn Bowser	Valerie Good	Michaela Smith
Addison Werts	Jayln Jones	Etta Turbeville
Makayla Baber	Marilyn Kephart	Isabella Wege
Sarah Dunagin	Jordan Keziah	Kamiyah Robinson
Layla Finch	Chloe King	

Coaches: Julie Mills, Kathryn Howe, and Jessica Morrison

F. Recognition of The Children's School Recycling Award

Our schools have a rich history participating in the Keep America Beautiful Recycle-Bowl, a national recycling competition for K-12 students, teachers and school communities. Annually, the Recycle-Bowl engages nearly 1,300 schools spanning 47 states and the District of Columbia. Nationwide, more than 700,000 students and teachers participated in Recycle-Bowl, striving to recycle as much as possible.

At this time, I would like to welcome Mrs. Elizabeth Morgan, environmental educator with the City of Rock Hill, to present the 2017 Recycle Bowl – First Place State Recycling Division award to The Children's School.

G. Recognition of Ebinport Elementary School, Battle of the Books Winner

Battle of the Books is a competitive reading program where 4th and 5th grade students answer questions about 10 books. Each school determines a school winner to compete at the district finals. This year's battle was held at Independence Elementary School on Saturday, March 24. All elementary schools competed in a tight race with Ebinport Elementary winning in the final round. The district librarians would like to thank school administrators, Mrs. Jill Pappas, and Dr. Harriet Jaworowski for their continued support to the Battle of Books reading program.

Members of the winning team from Ebinport Elementary are:

- | | | |
|---------------------|------------------|---------------------------|
| • Luis Amador Casas | • Haley Linker | • Tori Smreka |
| • Eli Edge | • Joseph Pilcher | • Librarian Lisa Rutledge |
| • Tyler Ingle | • Alex Silva | |

H. Recognition of Richmond Drive and Lesslie Elementary, Science Bowl Co-Champions

Over the past few weeks each elementary school competed in the district's annual Science Bowl hosted on the campus of York Technical College at the South Carolina ETV studio. New for this year's competition, each school was required to complete a research project as part of the event. This year, district instructional technology specialist Richard Camp served as the game show host and we say thank you to Mr. Camp for his support. Mrs. Kim Massey, our district science instructional specialist, will now introduce our winning teams.

Richmond Drive Elementary

Coach: Ms. Heather McNay

Harris Heckard, Clayton Stuart, Braxton Townsend

"Invasive Species and How to Stop Them"

Lesslie Elementary

Coach: Ms. Rose Cavagnaro

Will Snipes, Logan Matthews, Matthew Wheeler

"How does human migration effect our land?"

I. Recognition of National History Day State Qualifiers

At this time, I invite instructional specialist Queenie Hall to introduce students who won awards at the National History Day regional competition held last month at Winthrop University. While all students may not be in attendance this evening, each of them qualified to participate in this past Saturday's (April 21) state contest in Columbia.

J. Recognition of Northwestern High School FCCLA

Northwestern FCCLA did a fine showing at FCCLA state competitions in Charleston this weekend and took home gold medals!!! They will both compete at nationals this summer in Atlanta, GA!

Jakiyah Cherry competed in Life Event Planning. She planned and executed an event called "Love Your Selfie", where she empowered high school girls to see their natural beauty. Jakiyah encouraged young ladies appreciate their natural beauty without makeup and social media filters.

Kaeli Gilmore competed in Fashion Design. She created a fashion line called "Stay Chic", which her target market was geared towards female college students. She sketched four looks and constructed one of the dress as a prototype. Kaeli was also awarded a scholarship from The Art Institute in Charleston for receiving 1st place gold at state competitions.

K. Recognition of AP/IB/Dual Credit Students

Tonight, we would like to congratulate and recognize students from each of our high schools who have participated in Advanced Placement, International Baccalaureate and/or Dual Credit courses as part of their program of studies. Each of these rigorous programs have afforded our students opportunities to participate in highest-level courses available to students in our district. Tonight, we congratulate each student for their commitment and persistency toward their pursuits of higher learning. Joining me for this recognition is Dr. Bill Cook, superintendent-elect.

Rock Hill High School

AP Scholars

Kayla Bumgarner

Jenna Fowler

Emma Harwell

Pressley Perry

Sarah Katherine Pilcher

Hannah Sims

Sean Woodard

AP Scholars with Honor

Mary Jensen

Black Johnson

Juliet Leach

AP Scholar with Distinction

Janice Colletto

Corbin Goodwin

Margaret Bowyer
Harrison Cochrane
Logan Good
Emily Greer
Kennedy Henderson

IB Diploma Candidates

Tobin Holder
Randi McCullough
Erika McPhail
Phoebe Nguyen
Aiehsa Patel

Catherine Raspa
Rachel Rodriguez
Matthew Scharf
Madison Sinclair
Cameron Stuart

Dual Credit Students with 12 Hours

Morgan Ayers
Brandi Bridges
Haley Cribb
Megan Hargett
Allyson Harrison

Katie Holden
Jasmine Patterson
Pressley Perry
Britney Ratcliff
Neely Shugart

Hannah Sims
Theron Starnes
McKenna Wallace

Northwestern High School

Hannah Argame
Shelby Boyette
Madison Bruff
Meredith Edwards
Taliah Ferguson
Callen Horton
Laura Hubler
Carson Howe
Josiah Ivey
John Jacob
Kelsey Kent

AP Scholars

Kendal Lynah
Brooklynn Martin
Ethan Martinez
Ayana Meeks
Trevor Newman
Daniel Novak
Harrison Owens
Sarah Parsons
Jalen Peake
Gracie Pope
Alyssa Priest

Gabriella Rowsam
Cameron Russell
Chloe Sanford
Abby Spirkowyc
Giovanna Strollo
Matthew Taylerson
Justin Terry
Chris Wallace
Corbet Warren
Brianna Williams

Turin Alexander
William Ayer
Catherine Edwards
Ciara Firth
Katelyn Helms
James Hooten

IB Diploma Candidates

Grace Huffmon
Hannah Huffmon
Benjamin Jackson
Cassandra Long
Victoria Melerine
Andrew Miller

Faith Novak
Courtney Rinehart
Hannah Robinson
Sabrina Sizemore
Ransome Smith

Jeremiah Brooks
Thomas Gettys
Ti'Yona Gomez

Dual Credit Students with 12 Hours

Keyanna Hardin
Victoria Lollis
Shyla McCarley

Starr McCarley
Connor Watts
Mejia White

South Pointe High School

Jacob Austin
Eleanor Gilleland
Frederico Joran-Lively

AP Scholars

Ellen Kettlewell
Zoe Millins
Matthew Mullis

Adam Nguyen
Carson Smith
Coby Wood

AP Scholar Candidates

Wells Bruce
Riley Moore

Peyton Morrison
Garret Reed

Austin Stacks

IB Diploma Candidates

Azuer Aiken
Tanaiya Aldridge
Taniya Aldridge
Chloe Armstrong
Matthew Binford

Savannah Davis
Jara Dogan
Emma Gilleland
Emily Hall
Harrison Kendree

Vy Mai
Jillian Mozingo
Hannah Pitt
Nadya Sterling
Kinsley Thurston

Dual Credit Students with 12 Hours

Alex Barnes
Justin Beam
Christopher Belk

Stephanie Duncan
Nakia McCloud
Jordan McElveen

Jennifer Pesa

L. Recognition of Rock Hill Schools Digital Education National Ranking

For the second consecutive year Rock Hill Schools has been recognized nationally by the Center for Digital Education for its innovation in exemplary ways by investing in tools and learning models for next-generation learners. Now in its 14th year, the Digital School Districts Survey Awards recognize commendable use of technology by school districts. The award was presented by the Center for Digital Education at the National School Boards Association's annual conference earlier this month in San Antonio, Texas. Rock Hill Schools is one of 16 districts recognized in the "Large Student Population Category" (12,000+ students) and for the second consecutive year is the only district to be recognized in South Carolina. This award is a reflection of all aspects of the district – from student learning to operations, from IT to communication, and from energy management to security system.

ROCK HILL SCHOOL DISTRICT THREE BOARD OF TRUSTEES

School Board Work Session
Monday, March 12, 2018
Rawlinson Road Middle School

Data Session

The Board received their monthly data update from the administration. *(This session took place from 4:00-5:00 p.m.)*

Call to Order

The Rock Hill School District Three Board of Trustees met this date at 4:00 p.m. with members present as follows: Windy Cole, Mildred Douglas, Terry Hutchinson, Helena Miller, Ann Reid, Jane Sharp, and Jim Vining. Isabella Hope Gorecki0, a 5th grader at Oakdale Elementary School led in a moment of silence and the Pledge of Allegiance. Chairman Vining stated the local news was notified of the agenda, in writing, on Friday, March 9, 2018. Amanda Harris, with *The Herald*, was present.

A motion was made by Jane Sharp, seconded by Windy Cole, to approve the agenda. The agenda was unanimously approved as presented, 6-0. *(Mrs. Reid arrived after the agenda was approved.)*

Section “G” Policies – 8th Set – 1st Reading

The eighth set of Section “G” policies was presented for review and questions.

Policy **GCQC/GCQD** – *Resignation of Professional Staff*

Policy **GCR** – *Non-school Employment of Professional Staff*

Policy **GDQB** – *Resignation of Support Staff*

Policy **GDF** – *Support Staff Hiring*

Policy **GCQE/GDQE** – *Retirement of Staff*

Policy **GCQE** – *Retirement of Professional Staff (elimination)*

Policy **GDQE** – *Retirement of Support Staff (elimination)*

Policy **GCQC/GCQD** – *Resignation of Professional Staff* was pulled for discussion. Chairman Vining stated that he would not support this policy as presented. He stated the policy needs to contain some “exception.” This policy will be brought back to the April work session for further discussion. The remaining policies in this group will be on the March Action Agenda for 1st reading.

Section “G” Policies – 7th Set – 2nd Reading

The seventh set of Section “G” policies was presented for review and questions. These policies will be on the March Action Agenda for 2nd and final reading:

Policy **GCA** – *Professional Staff Positions*

Policy **GCMD** – *Instructional Staff Extra Duties*

Policy **GCNA** – *Supervision of Instructional Staff*

Policy **GCRD** – *Tutoring for Pay*

Policy **GDA** – *Support Staff Positions*

Policy **GDO** – *Evaluation of Support Staff*

Policy **GCCAAA, GCCAAA-R** – *Sick Leave Bank*

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Policy **GDJ** – *Support Staff Assignments & Transfers*

Policy **GCQA/GCQB** – *Professional Staff Reduction in Force*

Policy **GDR** – *Non-school Employment of Support Staff*

Policy **GCRD** – *Tutoring for Pay* was pulled for discussion. The administration stated that we have been advised by our legal counsel not to create a tutoring list. Kathy Mahoney, of Halligan Mahoney and Williams, will be asked to attend the April work session for further discussion of this policy. The remaining policies in this group will be on the March Action Agenda for 2nd and final reading.

Adoption of York County Multi-Jurisdictional Hazards Mitigation Plan

Deputy Superintendent Tony Cox informed the Board that the Natural Hazard Mitigation Plan is required by the Federal Emergency Management Agency (FEMA) for all counties in the State of South Carolina. The York County Multi-Jurisdiction Hazard Mitigation Plan is designed to be a logical, information-driven plan that systematically identifies and guides the implementation of mitigation actions, including policies or site-specific projects designed to make York County and its municipalities safer from the threat of natural hazards.

This item will be on the Action Agenda at the March business meeting for board approval.

Guidelines for New SC High School Credentials

Dr. Nancy Turner, Director of Exceptional Student Education, and Mr. Peter Kosko, Assistant Director of Exceptional Student Education, presented to the Board the guidelines for the new South Carolina High School Credentials. Also presented were revised Policy **IKF** – *Graduation Requirements* and revised Administrative Rule **IKF-R** *Graduation Requirements* for review. These items will be on the Action Agenda for the March business meeting for board approval.

Activity Bus Rental Request

Mr. Brian Vaughan, Executive Director of Facilities Services, presented to the Board an activity bus rental request for The Goddard School. This item will be on the Consent Agenda at the March business meeting.

Technology Update

Mr. John James, Executive Director of Technology, presented to the Board as information a Technology Department Update.

Food Services Update

Mr. Brian Stradling and Ms. Stephanie Lucas, with SFE, presented to the Board as information a Food Services Update.

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Rawlinson Road Middle School

Other and Future Business

*Any SCSBA nominations should be on the April agenda.

*Mayor Gettys' proposal for the community to take on the task of helping children learn to read – more information to come.

*Statement of Economic Interests due on March 30, 2018.

*Online survey will be sent to all board members relating to the upcoming Board Retreat.

Executive Session

A motion was made by Terry Hutchinson, seconded by Jane Sharp, to adjourn open session and enter executive session for the following:

>Personnel Matters

This motion was unanimously passed, 7-0.

A motion was made by Terry Hutchinson, seconded by Helena Miller, to adjourn executive session and reconvene open session. This motion was unanimously passed, 7-0.

Action as Required from Executive Session

There was no action taken from Executive Session.

Adjournment

On a motion by Terry Hutchinson, seconded by Jane Sharp, the Board voted 7-0 to adjourn the meeting.



Meeting of the Board of Trustees

Monday, March 26, 2018

6:00 p.m. – Rawlinson Road Middle School

I. Call to Order and Approval of Agenda

The Board of Trustees met on this date at 6:00 p.m. with members present as follows: Windy Cole, Mildred Douglas, Terry Hutchinson, Helena Miller, Ann Reid, Jane Sharp, and Jim Vining. Tori Nelson, a 7th grader at Sullivan Middle School, led in a moment of silence and the Pledge of Allegiance. Chairman Vining stated that the local news media had been notified of the agenda for this meeting, in writing, on Friday, March 23, 2018. Amanda Harris, from *The Herald*, was present.

A motion was made by Terry Hutchinson, seconded by Windy Cole, to approve the agenda. The agenda was unanimously approved as presented, 7-0.

II. Recognitions

A. Recognition of Braden Shaw, Northwestern High School

Northwestern High School Senior Braden Shaw was recognized for placing third at the South Carolina Band Directors Association's Master Recital Competition in Columbia. Braden is a euphonium player who was one of twelve high school students from across the state to perform for a panel of judges who evaluated their performance based on technical facility, tone, and musicianship.

B. Recognition of Heather Giles, President-Elect of SCFLTA

Rock Hill High School Spanish teacher Heather Giles was recognized on her recent election as President-Elect for the SC Foreign Language Teachers' Association.

C. Recognition of Dr. Nancy Turner, SC CASE Administrator of the Year

Rock Hill Schools' director of exceptional student education Dr. Nancy Turner was recognized for being named the 2018 South Carolina Council of Administrators of Special Education Administrator of The Year.

D. Recognition of Vy Mai, South Pointe High School (SPiN)

South Pointe High School's SPiN editor-in-chief Vy Mai was recognized for being named the SC Scholastic Press Association's Journalist of the Year.

E. Recognition of ATC HOSA Students

HOSA students (Health Occupation Students of America) from ATC were recognized for a fantastic showing at the 2018 South Carolina HOSA State Leadership Competition. Students who were recognized at the awards ceremony in North Charleston were: *Jodie Maietta, Abby Spirkowycz, Ayana Meeks, Renee Hilton, LilyAnn Bagley, Hailey McCormick, Sydney Johnson, and DiYa Patel.*

F. Recognition of RHHS Team and Individual Wrestling State Champions

The 2017-2018 Rock Hill High School Bearcat wrestling team finished their season as the SC 5A State Dual champions with a thrilling come-from-behind 35-33 victory of Fort Dorchester Patriots to claim the school's 19th state championship.

The Bearcats were also very successful individually as Devon Rice was a state qualifier, Justin Beck and Brandon Mills were state runner-ups, and Bailey Wilkins and Noah Reynolds were state champions.

III. Citizen Participation - None

IV. Consent Action Agenda

On a motion by Terry Hutchinson, seconded by Helena Miller, the following topics on the consent action agenda were unanimously approved: the minutes of the February 12, 2018 work session (incl. data session); the minutes of the February 26, 2018 business meeting; the minutes of the March 2, 2018 called executive session; the personnel recommendations as submitted by the administration; and, an activity bus rental request for The Goddard School.

V. Action Agenda

A-F. Approval of 1st Read Section "G" Policies

A motion was made by Terry Hutchinson, seconded by Jane Sharp, to approve the following policies for 1st read:

- *Policy **GCR** – *Non-school Employment of Professional Staff*
- *Policy **GDQB** – *Resignation of Support Staff*
- *Policy **GDF** – *Support Staff Hiring*
- *Policy **GCQE/GDQE** – *Retirement of Staff*
- *Policy **GCQE** – *Retirement of Professional Staff - elimination*
- *Policy **GDQE** – *Retirement of Support Staff - elimination*

This motion was unanimously approved, 7-0.

G. Approval of Policy IKF, IKF-R – Graduation Requirements – 1st Read

A motion was made by Terry Hutchinson, seconded by Helena Miller, to approve Policy **IKF, IKF-R** – *Graduation Requirements* for 1st read. This motion was unanimously approved, 7-0.

H-P. Approval of 2nd Read Section "G" Policies

A motion was made by Jane Sharp, seconded by Windy Cole, to approve the following policies for 2nd and final read:

- *Policy **GCA** – *Professional Staff Positions*
- *Policy **GCMD** – *Instructional Staff Extra Duties*
- *Policy **GCNA** – *Supervision of Instructional Staff*
- *Policy **GDA** – *Support Staff Positions*
- *Policy **GDO** – *Evaluation of Support Staff*

- *Policy **GCCAAA, GCCAAA-R** – *Sick Leave Bank*
- *Policy **GDJ** – *Support Staff Assignments & Transfers*
- *Policy **GCQA/GCQB** – *Professional Staff Reduction in Force*
- *Policy **GDR** – *Non-school Employment of Support Staff*

Policy **GCCAAA, GCCAAA-R** – *Sick Leave Bank* and Policy **GCQA/GCQB** – *Professional Staff Reduction in Force* were pulled for further discussion.

A motion was made by Jane Sharp, seconded by Windy Cole, to approve all of G policies except GCCAAA, GCCAAA-R and GCQA/GCQB for 2nd and final read. This motion was unanimously approved, 7-0.

After discussion, a motion was made by Jane Sharp, seconded by Terry Hutchinson, to approve Policy **GCCAAA, GCCAAA-R** – *Sick Leave Bank*. This motion was unanimously approved, 7-0.

Policy **GCQA/GCQB** – *Professional Staff Reduction in Force* will be brought back to the April work session for further discussion.

Q. Approval of YC Natural Hazard Mitigation Plan

A motion was made by Terry Hutchinson, seconded by Windy Cole, to approve the York County Natural Hazard Mitigation Plan resolution as presented. Chairman Vining read the resolution:

“Whereas, Rock Hill School District 3 of York County, South Carolina, hereinafter referred to as “RHSD”, recognizes the threat that natural hazards pose to people and property; and

Whereas, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

Whereas, an adoption of an hazards mitigation plan is required as a condition of future grant funding of mitigation projects; and

Whereas, RHSD participated jointly in the planning process with the other local units of government within the County to prepare a Hazards Mitigation Plan; and

Whereas, RHSD is aware that revision and updating of the plan is critical for active and effective Hazards Mitigation Planning.

Now, therefore, be it resolved, that the Board of Trustees for RHSD hereby adopts the York County Multi-Jurisdictional Hazard Mitigation Plan as an official plan; and

Be it further resolved, that RHSD shall submit the adoption of the Multi-Jurisdictional Hazard Mitigation Plan to the Federal Emergency Management Agency officials for final approval.”

This motion was unanimously approved, 7-0.

VI. Communications – None

VII. Report of the Superintendent

A. Announcements

Superintendent Kelly Pew made the following announcements:

- The School Board will next meet on Monday, April 9, 2018 when it holds a data session and work session. The work session will be our first meeting in the new Central Office. The next business meeting will be held on Monday, April 23. Meetings will continue to be streamed on our website and on Facebook as well as being made available for on-demand viewing immediately following each broadcast.
- Partnering with local law enforcement agencies, Rock Hill Schools is hosting a School Safety Town Hall on Tuesday, March 27 @ 6:30 p.m. at Rawlinson Road Middle School. The event will provide a forum for panelists to share how their organizations actively assist Rock Hill Schools to provide a safe and secure learning environment. Dr. Pew will be joined on the panel by Rock Hill Police Chief Chris Watts, York County Sheriff Kevin Tolson, and Winthrop University school psychology professor and co-author of the PREPaRE program Dr. Melissa Reeves. Guests in the audience will have an opportunity to ask panelists questions. The town hall will be moderated by CN2's Lucas McFadden. You are invited to attend this event.
- We are hosting a Kindergarten Registration Kickoff on Saturday, April 14 at the Central Office to begin the registration process for students who will graduate as part of the Class of 2031. At the event, families will be assisted with the district's online registration system and be able to meet teachers and administrators from our elementary schools.
- For years, we have visited schools and districts as a member of the League of Innovative Schools, and it is with great excitement that we announce more than 100 superintendents and district leaders from across the country will be in our area on April 26-27, 2018 to visit Rock Hill Schools. We look forward to this tremendous opportunity to showcase the incredible work happening in our schools.
- The Build on the Rock website has been updated with photos. You are encouraged to visit the district's capital building program, "Build on the Rock," website – www.rock-hill.k12.sc.us/BuildOnTheRock - for more information. This website provides status updates on active and planned construction projects in the district. On the page, viewers can see the project descriptions, before and after photographs, and construction timelines.

VIII. Review of School Board Work Session

Chairman Vining reviewed, for the viewing audience, the topics discussed at the March 12 work session.

IX. Other and Future Business

- *Random drug testing
- *Protest policy from SCSBA
- *Goals from November retreat
- *NSBA Conference – Cole, Hutchinson, Pew, Jaworowski to attend
- *ATC students – how many enrolled, how many applied
- *Possible community visit to aquatics center

X. Executive Session(s)

A motion was made by Windy Cole, seconded by Helena Miller, to adjourn open session and enter into executive session to discuss the following:

(2) **Contractual Matter** – Trademark Agreement

This motion was unanimously approved, 7-0.

XI. Action as required from Executive Session(s)

A motion was made by Terry Hutchinson, seconded by Jane Sharp, to adjourn executive session and reconvene open session. This motion was unanimously passed, 7-0.

There was no action taken from executive session.

XII. Adjournment

On a motion by Windy Cole, seconded by Helena Miller, the meeting adjourned.

Secretary

APPROVED: _____
Chairman

Meeting of the Board of Trustees
Monday, March 26, 2018

PERSONNEL MATTERS – March 2018

The board affirmed contracts for the following certified employee(s):

Jennifer Teknipp Adult Education
Courtney Hilton Belleview
Leah Brevard Ebinport
Caitlin Hayes Ebinport
Justin Hunt Ebinport
Sara Rowe Ebinport
Pamela Pompey Exceptional Student Education
Haily Jacobs Independence
Sara Catherine Watts Northside
Mackenzie Gresham Rock Hill High
Genesis Ostrower rock Hill High
Emily Stover rock Hill High
Tasha Stryker Rock Hill High
Thien Vo Rock Hill High
Jean Wolfe Rock Hill High
Alayna Anderson Rosewood
Grace Pannell Saluda Trail
Kylie Betlesky South Pointe
Carolyn Wilkerson South Pointe
Karlyn McCoy York Road
Virginia Theriault York Road

AS INFORMATION TO THE BOARD

Resignations – Certified

Kiersten W. Austin Adult Education
Martha A. Menchinger Applied Technology Center
Wendi R. Bachman Belleview
Robin M. Daniels Belleview
Sandra K. Jeter Belleview
Monica R. Faulkner Castle Heights
Terri L. Grabb Castle Heights
Linda Leopard Dutchman Creek
Lindsey R. Westmoreland Ebenezer
Merridy S. Mabry Ebinport
Kellie L. VanderMolen Ebinport
Jolaine B. Humphries Instruction
Kathryn H. Howe Mt. Gallant
Cathy a. Chastain Northside
Karen Kavis Northside
Alicia Y. Greene Northside

Rachel B. Glibbery Northwestern
Madison Boatwright Oakdale
Brenda R. Capps Old Pointe
Patricia Ramirez Phoenix Academy
Clara B. Walters Richmond Drive
William M. Tindall, Jr. Rock Hill High
Danielle M. Avitabile Rosewood
Katherine E. Bennett Rosewood
Stacy Patrick Rosewood
Heather A. Salisbury Rosewood
Laura R. Wallace Rosewood
Sherri W. Horency Saluda Trail
Annette R. Strong Saluda Trail
April C. Bates South Pointe
Jennifer A. Bucciarelli South Pointe
Hailey Carpenter South Pointe
Jason P. Winstead South Pointe
Erin K. Ryan York Road

Transfers – Certified

Emma Wilson Finley Road
Diane Graebner Northside
Amy N. White Old Pointe
Y. Michelle Campbell Phoenix Academy
Andra Mack Phoenix Academy

New Employees – Non-Certified

Demond Harris Facilities Services
Daniel Dukes South Pointe
Jeanette Jones South Pointe
Sheryl Tewes South Pointe

Resignations – Non-Certified

Glenda Dickerson Exceptional Student Education
Betsy Williams Finley Road
Robin Williams ParentSmart
Julie “Katy” Koon South Pointe

ROCK HILL SCHOOL DISTRICT THREE BOARD OF TRUSTEES

Called Executive Session

Friday, March 30, 2018

York County Chamber Office

The Rock Hill School District Three Board of Trustees held a called executive session for discussion of employment and contractual matters regarding the superintendent on Friday, March 30, 2018 at Noon at the York County Chamber Office. Members present were as follows: Windy Cole, Mildred Douglas, Terry Hutchinson, Helena Miller, Ann Reid, Jane Sharp, and Jim Vining.

The meeting was called to order by Chairman Vining who stated the local news media had been notified of the called meeting in writing on Thursday, March 29, 2018.

Approval of Agenda

A motion was made by Jane Sharp, seconded by Terry Hutchinson, to approve the agenda. This motion was unanimously passed, 7-0.

Executive Session

A motion was made by Jane Sharp, seconded by Terry Hutchinson, to adjourn open session and enter into executive session for discussion of employment and contractual matters regarding the superintendent. This motion was unanimously approved, 7-0.

Open Session

A motion was made by Terry Hutchinson, seconded by Windy Cole, to adjourn executive session and reconvene open session. This motion was unanimously passed, 7-0.

Action from Executive Session

A motion was made by Mildred Douglas, seconded by Helena Miller, to grant the Superintendent's request to be released from her contract and accept her resignation from her employment with the District, effective June 30, 2018. This motion was unanimously passed, 7-0.

A motion was made by Helena Miller, seconded by Terry Hutchinson, to approve the reading of the following statement. This motion was unanimously passed, 7-0.

"The Board was surprised and disappointed when Dr. Pew asked to be relieved from her contract, effective June 30, 2018. However, we understand the changing commitments of family care and have taken the step of granting her request."

We wish to thank Dr. Pew for her four years of service to our district and wish her well in her new endeavors. During this time, we have passed the largest bond referendum in our history, made significant improvements to our facilities and expanded our choice programs. Equity discussions on our facilities and programs have begun and continue.

We have many projects and strategic decisions to complete and have begun the process for finding our next superintendent to lead us to their completion.”

Adjournment

On a motion by Terry Hutchinson, seconded by Jane Sharp, the meeting adjourned at 3:48 p.m.

Secretary

APPROVED: _____
Chairman

MONTHLY BOARD REPORT

APRIL 23, 2018

PERSONNEL DEPARTMENT

SUMMARY

ROCK HILL SCHOOL DISTRICT THREE OF YORK COUNTY
ROCK HILL, SOUTH CAROLINA

1. BOARD ACTION REQUIRED

ADMINISTRATIVE

Resignation(1)

CERTIFIED

New Employees(13)

2. AS INFORMATION TO THE BOARD

CERTIFIED

Resignations.....(32)

Transfers(4)

NON-CERTIFIED

Deceased(1)

Resignations.....(7)

Transfer.....(1)

BOARD ACTION REQUIRED

RESIGNATION – ADMINISTRATIVE (1)

Diana Fitzgerald	Food Service	Food service contract administrator
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NEW EMPLOYEES – CERTIFIED (13)

Katina Heyward	Bellevue	Guidance counselor
Jennifer Werner	Bellevue	Special education resource teacher
L. Nicole Marcengill	Bellevue	Grade five teacher
Jessica Sanders	Ebenezer Avenue	Grade three teacher
Nathalie Stewart	Ebenezer Avenue	Grade four teacher
Sonni Parks	Ebinport	Guidance counselor
Allison Leonard	Exceptional Student Education	Special education resource teacher
Lynn Stewart	Exceptional Student Education	Speech therapist
Kavina Satterwhite	Northwestern	ESOL teacher
Miesha Greenlee	Oakdale	Grade three teacher
Emily Goins	Rawlinson Road	Grade eight math teacher
Tracy Moore	Rosewood	Art teacher
Charles Dagis	South Pointe	Social studies teacher

AS INFORMATION TO THE BOARD

RESIGNATIONS – CERTIFIED (32)

Rochelle M. Stone	Bellevue	Grade two teacher
Rosa W. Bockian	Castle Heights	Spanish teacher
Ashley J. Giblin	Castle Heights	Grade eight math teacher
Zain Jacobs	Castle Heights	Grade seven English L/A teacher
Mary E. Moss	Castle Heights	Grade seven social studies teacher
Brittany A. Nalley	Castle Heights	Grade six math teacher
Timothy D. Robinson	Dutchman Creek	Grade eight social studies teacher
Christine E. Lake	Ebenezer Avenue	Grade three teacher
Joanna N. Sewell	Ebenezer Avenue	Special education resource teacher
Danielle C. Harrison	Exceptional Student Education	Hearing disabled teacher
Laura K. Hunte	Exceptional Student Education	School psychologist
Tracy A. Hendel	Exceptional Student Education	School psychologist
Natalee S. Shumate	Independence	Kindergarten teacher
Joy Bower	Northwestern	School nurse
Deana B. McCloskey	Oakdale	Kindergarten teacher
Ashlyn B. Barnwell	Phoenix Academy	Math teacher
Corinne E. Emrath	Rawlinson Road	Grade eight math teacher
Sonia Castilla-Hobbs	Richmond Drive	Grade four Spanish immersion teacher
Reanna L. Clawson	Rock Hill High	Social studies teacher
Pamela W. Poag	Rock Hill High	Business education teacher
Artis Steele	Rock Hill High	Physical education teacher
Alisha G. Waldrop	Rock Hill High	English teacher
Amanda G. Clawson	Rosewood	Kindergarten teacher
Gerald W. Mew	Saluda Trail	Grade eight social studies teacher
Robert E. Yount, III	South Pointe	Social studies teacher
Alexandra B. Lorick	Sullivan	Grade eight math teacher

Natalie S. Lukity	Sullivan	Chinese teacher
Nicole Hadden	Sunset Park	Grade four teacher
Mary K. O'Grady-Jones	Sunset Park	Grade five teacher
Angela V. Covington	York Road	Grade two teacher
Gabriella McDannel	York Road	Art teacher
Erin Rast	York Road	K4 teacher

TRANSFERS – CERTIFIED (4)

Brenda K. Graham	Bellevue	Special education multi-cat I teacher
Elizabeth N. Dillingham	Central Child Development Ctr.	Guidance counselor/parent liaison
Nicole P. Hadden	Northside	Grade two teacher
Kristen G. Gainey	Rock Hill High	Social studies teacher

DECEASED – NON-CERTIFIED (1)

Sheila Lumpkin	Bellevue	Special education multi-cat I assistant
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RESIGNATIONS – NON-CERTIFIED (7)

Shelby Sapp	Central Office	Receptionist
Jonathan Westmoreland	Facilities Services	Resource planning & procurement technician
Patricia Barnhill	Flexible Learning Center	Family outreach coordinator
Brenda Shepherd	Information Technology	SIS coordinator
L. Michelle Brumfield	Rock Hill High	Secretary
Lisa L. Crocker	Rock Hill High	Drop-out prevention coordinator
Barnaby Ray	Transportation	Activity vehicle specialist

TRANSFER – NON-CERTIFIED (1)

Rasheita Junior	Castle Heights	Special education SC/multi-cat II assistant
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Facilities Services
Telephone: 981-1150

MEMORANDUM

To: Dr. Kelly Pew

From: Brian Vaughan

Date: April 19, 2018

Re: Activity Bus Rental Request

Attached you will find an Activity Bus Rental Requests from Winthrop University and Worthy Boys & Girls Club. I will be present at the work session on Monday, April 26 to answer any questions.



Activity Bus Rental Request

Today's Date: March 13, 2018		Name of Group/Organization: Office of the First-Year Experience, Winthrop University	
Mailing Address: 233 Dinkins Hall Winthrop University Rock Hill, SC 29733		Contact Person: Dana Bruneau	Phone Number: 803-517-0781
Date(s) Needed: Saturday, August 18, 2018		Time(s) Needed: 1:30pm-6:30pm We will need 20 buses and 20 drivers.	
Destination: Buses will serve as shuttles between the Dinkins parking lot and Winthrop Coliseum - approximately 1.25 miles			
Driver Name: N/A		Driver Needed?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Will there be any students or staff requiring special accommodations? If so, please list We will not know until enrollment is final.			
FEE SCHEDULE			
Mileage Rate: \$1.86 per mile	Driver Rate: \$21.21 per hour	Daily Maintenance Fee: \$25.00	

Requestor Signature: _____

Date: March 13, 2018

Board Approved: ☐ Yes ☐ No

Date Approved: _____

Submit this form to: Rock Hill Schools
Attn: Brian Vaughn - Facilities Services
P. O. Drawer 10072
Rock Hill, SC 29731



Activity Bus Rental Request

* ONE BUS NEEDED FOR ALL FIVE WEEKS *

Today's Date: 3/27/18 @ 3/14/2018		Name of Group/Organization: Worthy Boys and Girls Camp	
Mailing Address: Rock Hill Police Dept 120 E Black Street Rock Hill, SC 29731		Contact Person: Officer Chris Nelson	Phone Number: 803-329-7285
Date(s) Needed: June 11 - 15, 2018 June 18 - 22, 2018 June 25 - 29, 2018 July 9 - 13, 2018 July 16 - 20, 2018		Time(s) Needed: Mondays 7:30am - Fridays 4pm all weeks	
Destination: Worthy Boys and Girls Camp, YMCA, Movie Theatre and Strikers Bowling			
Driver Name: TBA		Driver Needed?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Will there be any students or staff requiring special accommodations? If so, please list			
FEE SCHEDULE			
Mileage Rate: \$1.86 per mile	Driver Rate: \$21.21 per hour	Daily Maintenance Fee: \$25.00	

Requestor Signature: _____

Date: ~~3/14/18~~ 3/27/18 @

Board Approved: ☐ Yes ☐ No

Date Approved: _____

Submit this form to: Rock Hill Schools
Attn: Brian Vaughn - Facilities Services
P. O. Drawer 10072
Rock Hill, SC 29731



Personnel Department
Phone: 803-981-1024 - Fax: 803-981-1025

Memo

TO: Dr. Kelly Pew

FROM: Dr. Tanya Campbell

DATE: April 19, 2018

SUBJECT: "G" Policies- Personnel Policies

Attached is the eighth set of "G" policies that have been prepared for second read. These policies have been revised with the assistance of our legal counsel, Kathy Mahoney. The recommendations are based on the firm's work with school districts throughout the State and knowledge of revisions to State and federal laws and regulations, and they take into consideration any policy update recommendations made by SCSBA.

We will not be convening a committee to review personnel policies. Employees will be given the opportunity to give feedback on the suggested revisions when Mr. Frost solicits feedback via all user email.

Most additions and deletions within the policies below are updates for clarification, legal statutes, and/or wording. Additions are in red text and deletions are noted by strike through of text.

Attachments (6):

GCR	Non-school Employment of Professional Staff
GDQB	Resignation of Support Staff
GDF	Support Staff Hiring
GCQE/GDQE	Retirement of Staff
	GCQE-Retirement of Professional Staff (Eliminate)
	GDQE-Retirement of Support Staff (Eliminate)

[DRAFT]

Policy

NONSCHOOL EMPLOYMENT OF PROFESSIONAL STAFF

Code GCR Issued _____

Purpose: To establish the basic structure for the non-school employment of professional staff.

The Board prohibits a professional staff member from engaging in any employment that would have the following effect.

- Impair the employee's ability to be effective individual's usefulness as an employee in the District.
- Make time and/or energy demands upon the individual which could interfere with his/her effectiveness in performing regular assigned duties.
- ~~Compromise or embarrass the school system.~~
- Adversely affect the individual's employment status or professional personnel standing.
- Conflict with assigned duties in any way.
- Conflict with the South Carolina Ethics Act or Board Policy GBEA (Staff Ethics/Conflict of Interest)

An employee will not engage in any other employment or in any private business during the hours necessary to fulfill appropriate assigned duties.

Adopted 4/27/78; Revised 2/26/90, 4/26/04, ____18

Policy GCR Nonschool Employment of Professional Staff

Issued 4/04

Current

Purpose: To establish the basic structure for the non-school employment of professional staff.

The board prohibits a professional staff member from engaging in any employment that would have the following effect.

- Impair the individual's usefulness as an employee in the district.
- Make time and/or energy demands upon the individual which could interfere with his/her effectiveness in performing regular assigned duties.
- Compromise or embarrass the school system.
- Adversely affect the individual's employment status or professional personnel standing.
- Conflict with assigned duties in any way.

An employee will not engage in any other employment or in any private business during the hours necessary to fulfill appropriate assigned duties.

Adopted 4/27/78; Revised 2/26/90, 4/26/04

York 3/Rock Hill School District

[DRAFT]

Policy

RESIGNATION OF SUPPORT STAFF

Code **GDQB** Issued _____

Purpose: To establish the basic structure for the resignation of support staff members.

A support staff member who wishes to terminate his/her employment with the District should ~~may~~ submit a letter of resignation to his/her supervisor. The supervisor will forward the request to the Superintendent, or his/her designee. ~~It is preferable that the staff member submit~~ This letter must be submitted two weeks before the desired termination date. The Board authorizes the Superintendent or his/her designee to accept and approve support staff resignations. The Superintendent or his/her designee will acknowledge and accept such resignations in writing.

The Superintendent will provide as information to the Board of Trustees ~~present~~ a list of resignations he/she has accepted ~~such requests to the Board of Trustees as information.~~

Adopted 2/26/90; Revised 5/24/04; 2/24/14, ____/18

Policy GDQB Resignation of Support Staff

Issued 2/14

Current

Purpose: To establish the basic structure for the resignation of support staff members.

A support staff member who wishes to terminate his/her employment with the district may submit a letter of resignation to his/her supervisor. The supervisor will forward the request to the superintendent. It is preferable that the staff member submit this letter two weeks before the desired termination date.

The superintendent will present a list of such requests to the Board of Trustees as information.

Adopted 2/26/90; Revised 5/24/04; 2/24/14

York 3/Rock Hill School District

[DRAFT]

Policy

SUPPORT STAFF HIRING

Code **GDF** Issued _____

Purpose: To establish the basic structure for the hiring of support staff.

The Board of Trustees employs all support staff.

It is the Superintendent's or his/her designee's responsibility to ensure that all persons employed meet the qualifications established for the particular position. The Superintendent or his/her designee will establish an interview and selection procedure which will allow the principal or supervisor an opportunity to aid in the selection of the employee. However, the Superintendent or his/her designee will recommend the final selection to the Board of Trustees.

The Superintendent or his/her designee will consider all candidates based on the needs of the District as well as on their merits and qualifications. The District will not discriminate or give preferential treatment with regard to race, national origin, sex, disability, alienage or religion. The District will make reasonable accommodation to known physical or mental limitations of otherwise qualified disabled persons where such accommodation would not impose an undue hardship on the operation of District programs.

The District will not employ any candidate without a personal interview.

All offers of employment are contingent upon successful completion of required criminal records checks that are satisfactory as determined by the Superintendent or his/her designee. For required criminal records checks on new employees, see Policy GCE/GCF and AR GCE-R/GCF-R.

Background Checks

The District will require appropriate State and national criminal background checks as outlined in law on any individual recommended to be employed in a paid position or on any volunteer who has direct interaction with students. The District may conduct background checks at other times after initial employment, if deemed warranted.

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

State Law Enforcement Division (SLED) background checks

The District will obtain a name-based criminal record history check from SLED on all new

PAGE 2 – GDF – SUPPORT STAFF HIRING

employees prior to their initial employment. The District will consider the results of all criminal record history checks on an individual basis, and will determine how the information obtained impacts the individual's ability to be an effective employee. When ~~in~~ determining how the information obtained impacts the individual's ability to be an effective employee, the administration ~~District~~ will consider such things as severity of the offense, age of the individual, direct impact of the offense on children, length of time since the conviction or plea, restitution, conduct or remedial actions during probation, and participation in pre-trial intervention and/or expungement.

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

National Sex Offender Registry checks

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

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

If an individual is denied employment in the District as a result of information appearing on the name-based background check, the person may be given an opportunity to respond to the reasons.

Should a vacancy due to retirement of a TERI employee occur in a support staff position during the school year, the Board authorizes the Superintendent to fill such a vacancy for the remainder of the school year or other appropriate period in which the vacancy occurs pursuant to a "Letter of Agreement," when appropriate. The Superintendent or his/her designee may determine whether advertisement of the vacancy is necessary or whether the position may be filled through some other means.

The Superintendent or his/her designee is authorized to hire retired employees to work in the District on an "as needed" basis when their employment would serve the best interests of the District. In such cases, the Superintendent or his/her designee will notify the employee of the at-will status of his/her employment. The continued employment of retired employees will be at the discretion of the Superintendent, who will make such decisions in the best interests of the District. The salaries of retired employees may be uniformly negotiated below the District's salary schedule to the extent permitted by State law. The decision to employ or not employ retired employees will not be subject to the District's grievance procedures.

PAGE 3 – GDF – SUPPORT STAFF HIRING

Federal and State laws prohibit employers from hiring aliens not legally eligible to work in the United States. They also require all new employees to present evidence of employment eligibility and require employers to verify that eligibility. The District will utilize the federal work authorization program E-Verify for verification of work authorization submitted by an employee. Newly hired employees must complete the required I-9 form no later than three days following their first working day.

Adopted 2/26/90; Revised 5/24/04, 6/20/05, 1/26/09, 11/23/09, ___/18

Legal references:

- A. United States Code:
 - 1. 20 U.S.C.A. Sections 1681-86 - Prohibits discrimination on the basis of sex.
 - 2. 29 U.S.C.A. Section 794, et. seq. - The Rehabilitation Act of 1973 - Prohibits discrimination in hiring based on disability handicap.
 - 3. 42 U.S.C.A 2000e, et seq. - Prohibits discrimination in hiring based on race, color, national origin, religion or sex.
 - 4. Public Law 99-603 - Immigration Reform and Control Act of 1987.
 - 5. Public Law 107-110 - No Child Left Behind, revised Elementary and Secondary Education Act (ESEA) of 2001, Title 1, Part A, Subpart 1, Section 1119 - Qualifications for teachers and paraprofessionals.
 - 6. Public Law 104-208 – Illegal Immigration Reform and Immigrant Responsibility Act of 1996.
- B. Code of Federal Regulations
 - 1. 8 CFR 274a.2 - Verification of employment eligibility.
 - 2. 41 CFR 60-20 (1998) – Prohibits discrimination on the basis of sex.
- C. S.C. Code, 1976, as amended:
 - 1. Section 1-1-550 - School districts shall give preference to employment of honorably discharged veterans.
 - 2. Section 9-1-1790 – Regulations regarding retirees returning to employment
 - 3. Section 9-1-2210 – TERI program participation up to five years
 - 4. ~~Section 59-1-510 – Guidelines and regulations for recruitment and hiring staff in professional areas.~~
 - 5. Section 59-1-520 - Intervention by State Department of Education for non-compliance.
 - 6. ~~Section 59-19-80 Teaching contracts to be issued in public meeting.~~
 - 7. ~~Section 59-25-410, et seq. – Employment and Dismissal Act Teachers to be notified of employment status by April 15th.~~
 - 8. ~~Section 59-26-40(M) – Before initial employment of a teacher, the local school district shall request a criminal record history from the South Carolina State Law Enforcement Division for past convictions of any crimes~~
 - 9. Section 59-18-1300 - District accountability system.
 - 10. South Carolina Illegal Immigration Reform Act (Act 280 of 2008).
- D. State Board of Education Regulations:
 - 1. R-43-209 - Nonprofessional/paraprofessional personnel positions, qualifications and duties.

Policy GDF Support Staff Hiring

Issued 11/09

Purpose: To establish the basic structure for the hiring of support staff.

The board of trustees employs all support staff.

It is the superintendent's or his/her designee's responsibility to ensure that all persons employed meet the qualifications established for the particular position. The superintendent or his/her designee will establish an interview and selection procedure which will allow the principal or supervisor an opportunity to aid in the selection of the employee. However, the superintendent or his/her designee will recommend the final selection to the board of trustees.

The superintendent or his/her designee will consider all candidates based on the needs of the district as well as on their merits and qualifications. The district will not discriminate or give preferential treatment with regard to race, national origin, sex, disability, alienage or religion. The district will make reasonable accommodation to known physical or mental limitations of otherwise qualified disabled persons where such accommodation would not impose an undue hardship on the operation of district programs.

The district will not employ any candidate without a personal interview.

Should a vacancy due to retirement of a TERI employee occur in a support staff position during the school year, the board authorizes the superintendent to fill such a vacancy for the remainder of the school year or other appropriate period in which the vacancy occurs pursuant to a "Letter of Agreement," when appropriate. The superintendent or his/her designee may determine whether advertisement of the vacancy is necessary or whether the position may be filled through some other means.

The superintendent or his/her designee is authorized to hire retired employees to work in the district on an "as needed" basis when their employment would serve the best interests of the district. In such cases, the superintendent or his/her designee will notify the employee of the at-will status of his/her employment. The continued employment of retired employees will be at the discretion of the superintendent, who will make such decisions in the best interests of the district. The salaries of retired employees may be uniformly negotiated below the district's salary schedule to the extent permitted by state law. The decision to employ or not employ retired employees will not be subject to the district's grievance procedures.

Federal and state laws prohibit employers from hiring aliens not legally eligible to work in the United States. They also require all new employees to present evidence of employment eligibility and require employers to verify that eligibility. The district will utilize the federal work authorization program E-Verify for verification of work authorization submitted by an employee. Newly hired employees must complete the required I-9 form no later than three days following their first working day.

Adopted 2/26/90; Revised 5/24/04, 6/20/05, 1/26/09, 11/23/09

Legal references:

United States Code:

20 U.S.C.A. Sections 1681-86 - Prohibits discrimination on the basis of sex.

29 U.S.C.A. Section 794, et. seq. - The Rehabilitation Act of 1973 - Prohibits discrimination in hiring based on handicap.

42 U.S.C.A 2000e, et seq. - Prohibits discrimination in hiring based on race, color, national origin, religion or sex.

Public Law 99-603 - Immigration Reform and Control Act of 1987.

Public Law 107-110 - No Child Left Behind, revised Elementary and Secondary Education Act (ESEA) of 2001, Title 1, Part A, Subpart 1, Section 1119 - Qualifications for teachers and paraprofessionals.

Public Law 104-208 - Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Code of Federal Regulations:

8 CFR 274a.2 - Verification of employment eligibility.

41 CFR 60-20 (1998) - Prohibits discrimination on the basis of sex.

S. C. Code, 1976, as amended:

Section 1-1-550 - School districts shall give preference to employment of honorably discharged veterans.

Section 9-1-1790 - Regulations regarding retirees returning to employment

Section 9-1-2210 - TERI program participation up to five years

Section 59-1-510 - Guidelines and regulations for recruitment and hiring staff in professional areas.

Section 59-1-520 - Intervention by State Department of Education for non-compliance.

Section 59-19-80 - Teaching contracts to be issued in public meeting.

Section 59-25-410, et seq. - Employment and Dismissal Act - Teachers to be notified of employment status by April 15th.

Section 59-26-40(M) - Before initial employment of a teacher, the local school district shall request a criminal record history from the South Carolina State Law Enforcement Division for past convictions of any crimes

Section 59-18-1300 - District accountability system.

South Carolina Illegal Immigration Reform Act (Act 280 of 2008).

State Board of Education Regulations:

R-43-209 - Nonprofessional/paraprofessional personnel positions, qualifications and duties.

York 3/Rock Hill School District

[DRAFT –]

Policy

RETIREMENT OF PROFESSIONAL STAFF

Code GCQE/GDQE Issued _____

[Recommend combining Retirement of Professional Staff and Retirement of Support Staff Policies into one]

Purpose: To establish the basic structure for the retirement of professional staff in a manner that will have a minimum amount of impact on the District's instructional program.

Any District employee who is a member of the South Carolina Retirement System ("SCRS") is eligible to retire when the employee has met the terms and conditions established for retirement eligibility in State law. Employees should confirm their eligibility with the SCRS.

~~Any District employee who is a member of the South Carolina Retirement System prior to June 30, 2012, may retire with full benefits if the member has five or more years of earned service; reached the age of 60 or has 28 or more years of creditable service. A member who has reached age 60 with five years of earned service may retire with reduced benefits.~~

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

An eligible employee wishing to retire and to continue his/her employment as a retired employee must adhere to the current State statutes and District policy at the time of retirement, and must be approved for rehire by the Superintendent.

The employee should notify the Superintendent or his/her designee in writing of his/her intent to retire as soon as possible, but no later than March 15 of the year in which he/she plans to retire.

Teacher and Employee Retention Incentive (TERI) program

School District employees who desire to participate in the TERI program should consult the SCRS ~~South Carolina State Retirement System~~ or the District's benefits coordinator in order to ascertain current governing rules and regulations. Employees under TERI are retired for retirement benefit purposes and retain full employment rights and benefits.

The TERI program will be closed effective June 30, 2018. In order to retire and get the full benefit of 60 months, a member must enter the TERI program on or before July 1, 2013. Anyone entering the TERI program after that will receive benefits through June 30, 2018, regardless of

PAGE 2 – GCQE/GDQE – RETIREMENT OF PROFESSIONAL STAFF

when s/he entered the TERI program. Upon termination of employment or at the end of the TERI period, whichever is earlier, the employee will receive his/her accumulated retirement benefit in either a taxable, lump-sum distribution or through a rollover into a qualified tax-sheltered retirement plan. The employee will then begin receiving his/her monthly service retirement benefit plus any cost-of-living increases.

Adopted 2/26/90; Revised 10/22/90, 3/22/04, 11/26/12; 2/24/14, ___/18

Legal references:

- A. Federal Law:
 - 1. 29 U.S.C. 621 et seq. - Age Discrimination in Employment Act of 1967.
- B. S.C. Code, 1976, as amended:
 - 2. Section 9-1-10 - Teachers are members of the state retirement system.
 - 3. Section 9-1-1510, (A), (B) -Retirement eligibility (Class One or Two member; Class Three member)
 - 4. Section 9-1-1515 - Early retirement.
 - 5. Section 9-1-1550 - Service retirement allowances.
 - 6. Section 9-1-2210 – Teacher and Employee Retention Incentive Program

Policy GCQE Retirement of Professional Staff

Issued 2/14

Purpose: To establish the basic structure for the retirement of professional staff in a manner that will have a minimum amount of impact on the district's instructional program.

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

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

An eligible employee wishing to retire and to continue his/her employment as a retired employee must adhere to the current state statutes and district policy at the time of retirement.

The employee should notify the superintendent or his/her designee in writing of his/her intent to retire as soon as possible.

Teacher and Employee Retention Incentive (TERI) program

School district employees who desire to participate in the TERI program should consult the South Carolina State Retirement System or the district's benefits coordinator in order to ascertain current governing rules and regulations. Employees under TERI are retired for retirement benefit purposes and retain full employment rights and benefits.

The TERI program will be closed effective June 30, 2018. In order to retire and get the full benefit of 60 months, a member must enter the TERI program on or before July 1, 2013. Anyone entering the TERI program after that will receive benefits through June 30, 2018, regardless of when s/he entered the TERI program. Upon termination of employment or at the end of the TERI period, whichever is earlier, the employee will receive his/her accumulated retirement benefit in either a taxable, lump-sum distribution or through a rollover into a qualified tax-sheltered retirement plan. The employee will then begin receiving his/her monthly service retirement benefit plus any cost-of-living increases.

Adopted 2/26/90; Revised 10/22/90, 3/22/04, 11/26/12; 2/24/14

Legal references:

Federal Law:

29 U.S.C. 621 et seq. - Age Discrimination in Employment Act of 1967.

S. C. Code, 1976, as amended:

Section 9-1-10 - Teachers are members of the state retirement system.

Section 9-1-1510, (A), (B) -Retirement eligibility (Class One or Two member; Class Three member)

Section 9-1-1515 - Early retirement.

Section 9-1-1550 - Service retirement allowances.

Section 9-1-2210 - Teacher and Employee Retention Incentive Program

York 3/Rock Hill School District

Policy GDQE Retirement of Support Staff

Issued 2/14

Purpose: To establish the basic structure for the retirement of support staff.

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

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

An eligible employee wishing to retire and to continue his/her employment as a retired employee must adhere to the current state statutes and district policy at the time of retirement.

The employee should notify the superintendent or his/her designee in writing of his/her intent to retire as soon as possible.

Teacher and Employee Retention Incentive (TERI) program

School district employees who desire to participate in the TERI program should consult the South Carolina State Retirement System or the district's benefits coordinator in order to ascertain current governing rules and regulations. Employees under TERI are retired for retirement benefit purposes and retain full employment rights and benefits.

The TERI program will be closed effective June 30, 2018. In order to retire and get the full benefit of 60 months, a member must enter the TERI program on or before July 1, 2013. Anyone entering the TERI program after that will receive benefits through June 30, 2018, regardless of when s/he entered the TERI program. Upon termination of employment or at the end of the TERI period, whichever is earlier, the employee will receive his/her accumulated retirement benefit in either a taxable, lump-sum distribution or through a rollover into a qualified tax-sheltered retirement plan. The employee will then begin receiving his/her monthly service retirement benefit plus any cost-of-living increases.

Adopted 11/26/12; 2/24/14

Legal references:

Federal Law:

29 U.S.C. 621 et seq. - Age Discrimination in Employment Act of 1967.

S. C. Code, 1976, as amended:

Section 9-1-10 - Teachers are members of the state retirement system.

Section 9-1-1510, (A), (B) - Retirement eligibility (Class One or Two member; Class Three member).

Section 9-1-1515 - Early retirement.

Section 9-1-1550 - Service retirement allowances.

Section 9-1-2210 - Teacher and Employee Retention Incentive Program.

York 3/Rock Hill School District



Personnel Department
Phone: 803-981-1024 - Fax: 803-981-1025

Memo

TO: Dr. Kelly Pew

FROM: Dr. Tanya Campbell

DATE: April 20, 2018

SUBJECT: "G" Policies- Personnel Policies

Attached is Policy GCQA/GCQB pulled at the Business Meeting on March 26, 2018. The requested addition has been added and indicated in blue.

Attachments (1):

GCQA/GCQB Professional Staff Reduction in Force

[DRAFT]

Policy

PROFESSIONAL STAFF REDUCTION IN FORCE

Code GCQA/GCQB Issued _____

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

General statement of policy

Under South Carolina law, the Board is responsible for maintaining good public elementary and secondary schools. The Board is also responsible for implementing the educational interests of the State. The Board's primary consideration is the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the School District. The Board recognizes, however, that it may become necessary to eliminate professional staff positions in certain circumstances. Therefore, the Board publishes this policy to provide a fair and orderly process should such eliminations become necessary.

Reasons for elimination of certified professional staff positions

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

The Board may find it necessary to eliminate certified professional staff positions because of such things as a decrease decreases in student enrollment, changes in curriculum or programs, financial constraints exigency, District reorganization, or other circumstances as determined by the Superintendent and Board.

Definitions (as used in this policy)

- "Days" means calendar days.
- "Teacher" or "certified professional staff" means any employee of the District who holds a professional certificate issued by the South Carolina State Department of Education and who is employed in a teaching or administrative position below the rank of Superintendent.
- ~~"Financial exigency" means any significant decline in the District's financial resources that is brought about by the decline in enrollment or by other actions or events that compel a reduction in the school's current operations budget.~~
- ~~"Change in curriculum" means any elimination, curtailment or reorganization of curriculum offering, program or school operation or a reorganization or consolidation of two or more individual schools that is unrelated to financial exigency.~~

Procedure

- Once the Superintendent has determined that elimination of certified staff positions is desirable or necessary, the Superintendent will determine what position(s) must be eliminated and what individual(s) is to be terminated and will present his/her recommendations to the Board of Trustees for approval. Certified staff positions may need to be eliminated because of such things as a decrease in student enrollment, changes in curriculum or programs, financial constraints, District reorganization, or other circumstances as determined by the Superintendent and Board.
- Prior to commencing an ~~Before it begins action to terminate certified staff members to not renew professional staff contracts~~ under this policy procedure, the Superintendent will give due consideration to the ~~Board will consider its ability to achieve position elimination~~ eliminate positions and/or reduction in ~~reduce staff by~~ voluntary retirement or resignation, reassignment and part-time employment ~~any of the following.~~
 - voluntary retirement
 - voluntary resignation
 - transfer of existing staff members
 - part-time employment
- In the event further reduction is required, the administration Board will adhere to the following guidelines:
 - Reduction in force terminations will be on a Districtwide basis. Therefore, the Superintendent is not limited to considering for RIF termination only those professional staff members in a particular school, area or program in which the loss of enrollment, program change or financial constraints exigency has occurred.
 - Once the Superintendent has determined that a reason exists which requires an elimination of professional staff positions, the Superintendent will, after considering the possibilities set forth above, determine which positions must be eliminated. The Superintendent will present his/her recommendations to the Board for approval.
 - Once the Board has approved the elimination of the specified positions or changes to be made in programs, the Superintendent will use specified criteria to select those professional staff members who are to be considered for nonrenewal or termination. The Superintendent will make a recommendation to the Board based on the following considerations:
 - professional experience;
 - area(s) of certification;
 - education level;
 - performance evaluation;
 - ~~attendance record;~~
 - experience in other areas of certification;
 - principal's or supervisor's recommendation;
 - type of contract;
 - extra-curricular needs of the schools;
 - length of service in the District;

PAGE 3 – GCQA/GCQB – PROFESSIONAL STAFF REDUCTION IN FORCE

- “highly qualified” status as defined by No Child Left Behind Act; and
- any other factor considered appropriate by the Superintendent.

The Superintendent may determine the appropriate weight to give to these factors depending upon the needs and circumstances of the District.

Notice to individual staff member

If, after considering the Superintendent's recommendation, the Board acts to terminate employment of a professional staff member, the Board will give written notice of that decision to the affected member. The Superintendent or his/her designee will verbally notify the individual staff member and the Superintendent will send the written notice by certified mail, return receipt requested, and regular U.S. mail. The notice will include a statement of the conditions requiring termination of employment.

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

Review of individual terminations

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

The request for review must be in writing and addressed to the Chairperson of the Board. The request must clearly state the grounds on which the staff member contends the decision was arbitrary or capricious, discriminatory, or otherwise improper and ~~capricious or generated by ill-will, fraud, collusion or other such motives.~~ The request must include a short, plain statement of facts that the employee believes supports his or her ~~to support the contention.~~

The Board ~~will hold a hearing~~ will be held within 30 calendar days after ~~they receive the request~~ is received. The Board will give the staff member at least five days' notice of the hearing.

The hearing shall be conducted in an informal manner as determined by the Board. The employee may be accompanied by legal counsel and shall be required to satisfy the Board by clear and convincing evidence that the decision to terminate was arbitrary or capricious, discriminatory or otherwise improper. The employee shall be notified within 10 calendar days following the hearing of the Board's decision.

Obligations with respect to re-employment or other employment

As provided in S.C. Code Ann. § 59-25-415, for two years after the effective date of a termination pursuant to the provisions of this policy, the Board will not replace the certified

PAGE 4 – GCQA/GCQB – PROFESSIONAL STAFF REDUCTION IN FORCE

~~teacher professional staff member~~ whose employment has been terminated without first giving due consideration towards the re-employment of the terminated ~~teacher professional staff member~~. The Board will make the offer by certified mail, return receipt requested, and regular U.S. mail. The Board will notify the ~~teacher professional staff member~~ that he/she must submit written acceptance within 15 calendar days of the date of the letter. Failure to make written acceptance within 15 calendar days or rejection of the position eliminates all re-employment rights of the ~~teacher professional staff member~~.

An employee who has been terminated under this procedure, but who is recalled to employment within two years shall have restored to him/her all of the sick and personal leave accrued but not used on the effective date of termination.

Exclusive RIF procedure

This RIF procedure is the only procedure that may be used in a reduction in force.

Adopted 5/24/82; Revised 2/26/90, 3/22/04, 11/23/09, ___/18

Legal references:

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

Policy GCQA/GCQB Professional Staff Reduction in Force

Issued 11/09

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

General statement of policy

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

Reasons for elimination of professional staff positions

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

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

Definitions (as used in this policy)

- "Days" means calendar days.
- "Teacher" or "professional staff" means any employee of the district who holds a professional certificate issued by the South Carolina State Department of Education and who is employed in a teaching or administrative position below the rank of superintendent.
- "Financial exigency" means any significant decline in the district's financial resources that is brought about by the decline in enrollment or by other actions or events that compel a reduction in the school's current operations budget.
- "Change in curriculum" means any elimination, curtailment or reorganization of curriculum offering, program or school operation or a reorganization or consolidation of two or more individual schools that is unrelated to financial exigency.

Procedure

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

- voluntary resignation
- transfer of existing staff members
- part-time employment
- In the event further reduction is required, the board will adhere to the following guidelines.
 - Reduction in force will be on a districtwide basis. Therefore, the superintendent is not limited to considering for RIF termination only those professional staff members in a particular school, area or program in which the loss of enrollment, program change or financial exigency has occurred.
 - Once the superintendent has determined that a reason exists which requires an elimination of professional staff positions, the superintendent will, after considering the possibilities set forth above, determine which positions must be eliminated. The superintendent will present his/her recommendations to the board for approval.
 - Once the board has approved the elimination of the specified positions or changes to be made in programs, the superintendent will use specified criteria to select those professional staff members who are to be considered for nonrenewal. The superintendent will make a recommendation to the board based on the following considerations:
 - professional experience;
 - area(s) of certification;
 - education level;
 - performance evaluation;
 - attendance record;
 - experience in other areas of certification;
 - principal's or supervisor's recommendation;
 - type of contract;
 - extra-curricular needs of the schools;
 - length of service in the district;
 - "highly qualified" status as defined by No Child Left Behind Act; and
 - any other factor considered appropriate by the superintendent.

The superintendent may determine the appropriate weight to give to these factors depending upon the needs and circumstances of the district.

Notice to individual staff member

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

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

Review of individual terminations

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

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

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

The hearing shall be conducted in an informal manner as determined by the board. The employee may be accompanied by legal counsel and shall be required to satisfy the board by clear and convincing evidence that the decision to terminate was arbitrary, discriminatory or otherwise improper. The employee shall be notified within 10 calendar days following the hearing of the board's decision.

Obligations with respect to re-employment or other employment

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

An employee who has been terminated under this procedure, but who is recalled to employment within two years shall have restored to him/her all of the sick and personal leave accrued but not used on the effective date of termination.

Exclusive RIF procedure

This RIF procedure is the only procedure that may be used in a reduction in force.

Adopted 5/24/82; Revised 2/26/90, 3/22/04, 11/23/09^

Legal references:

S.C. Code, 1976, as amended:

Section 59-25-415 - Rehiring of employees terminated for economic reasons.

York 3/Rock Hill School District



Personnel Department
Phone: 803-981-1024 - Fax: 803-981-1025

Memo

TO: Dr. Kelly Pew
FROM: Dr. Tanya Campbell
DATE: April 19, 2018
SUBJECT: "G" Policies- Personnel Policies

Attached is the ninth set of "G" policies that have been prepared for first read. These policies have been revised with the assistance of our legal counsel, Kathy Mahoney. The recommendations are based on the firm's work with school districts throughout the State and knowledge of revisions to State and federal laws and regulations, and they take into consideration any policy update recommendations made by SCSBA. We will not be convening a committee to review personnel policies. Employees will be given the opportunity to give feedback on the suggested revisions when Mr. Frost solicits feedback via all user email.

Most additions and deletions within the policies below are updates for clarification, legal statutes, and/or wording. Additions are in red text and deletions are noted by strike through of text.

Attachments (4):

GDBC	Support Staff Supplementary Pay/Overtime GDBC(R)
GBEBD	Acceptable Use Policy GBEBD(R)
GCC/GCD	Staff Leaves and Absences
GDC/GDD	Support Staff Leaves and Absences (Eliminate)

[DRAFT]

Policy

GDBC Support Staff Supplementary Pay/Overtime

Issued _____

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

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

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

The board also recognizes that it may occasionally be necessary for non-exempt persons to work more than 40 hours during a given work week. Individuals will be paid time-and-a-half (in money or compensatory time off) for each hour of overtime worked. No overtime, as defined by the FLSA, will be required or permitted without authorization from the employee's immediate supervisor.

The district requires all employees who are subject to the provisions of the FLSA to develop a daily time record showing actual hours worked. This record may be maintained electronically or in hard copy form. Failure to maintain or falsification of such records may be grounds for disciplinary action.

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

Adopted 2/26/90; Revised 4/26/04, 4/_/18

Legal references:

United States Code:

Fair Labor Standards Act, [29 U.S.C. §§ 201-216](#).

Department of Labor Regulations:

[29 C.F.R. Parts 511-800](#).

United States Supreme Court:

Garcia v. San Antonio Metropolitan Transit Authority, 105 S.Ct. 1005 (1985) -
Minimum wage and overtime hours provisions of the federal FLSA applied to state
and local government employees.

York 3/Rock Hill School District

DRAFT

2/20/10 Document

Policy GDBC Support Staff Supplementary Pay/Overtime

Issued 4/04

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

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

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

The board also recognizes that it may occasionally be necessary for non-exempt persons to work more than 40 hours during a given work week. Individuals will be paid time-and-a-half (in money or compensatory time off) for each hour of overtime worked. No overtime, as defined by the FLSA, will be required or permitted without authorization from the employee's immediate supervisor.

The district requires all employees who are subject to the provisions of the FLSA to develop a daily time record showing actual hours worked. This record may be maintained electronically or in hard copy form. Failure to maintain or falsification of such records may be grounds for disciplinary action.

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

Adopted 2/26/90; Revised 4/26/04

Legal references:

United States Code:

Fair Labor Standards Act, 29 U.S.C. §§ 201-216.

Department of Labor Regulations:

29 C.F.R. Parts 511-800.

United States Supreme Court:

Garcia v. San Antonio Metropolitan Transit Authority, 105 S.Ct. 1005 (1985) - Minimum wage and overtime hours provisions of the federal FLSA applied to state and local government employees.

York 3/Rock Hill School District

[DRAFT]

Administrative Rule

SUPPORT STAFF SUPPLEMENTARY PAY/OVERTIME

Code GDBC-R Issued _____

Minimum wage

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

Workweek

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

Hours worked

Hours worked means all hours during which the individual is required to be on duty - generally from the required starting time to normal quitting time. Meal periods of thirty minutes or longer do not count as hours worked unless the individual is required to be on duty or perform work duties during the meal period. *A duty-free meal period is mandatory for employees with a scheduled lunch or other meal break. Working during a designated meal period must be authorized in advance by the employee's supervisor. Other duty-free break periods of 20 minutes or longer do not count as work time.*

- *Travel*

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

- *Leave*

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

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~~• Part time in different capacity~~

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

Overtime hours

Overtime hours will be held to a minimum consistent with the needs and requirements of sound and orderly administration. All **overtime** hours worked by non-exempt employees must be scheduled and duly authorized. Overtime hours worked over 40 hours during the workweek must be authorized prior to the time the work is performed. Unauthorized overtime will not be tolerated.

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

~~• Monetary compensation~~

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

Volunteers

A volunteer is defined as an individual who receives no compensation or who is paid expenses, reasonable benefits, or a nominal fee to perform the services for which the individual volunteered and such services are not the same type of services which the individual is employed to perform for the District. **District employees who work as volunteers will not be compensated for the time spent performing volunteer work. Before any District employee performs any volunteer service, he or she must sign a standard form acknowledgement of volunteer service.**

Students

Vocational students performing work as part of a curriculum are students and not workers. Students helping in office capacities for short periods of time are volunteers and not employees.

Exemptions Exclusions

Executive, administrative and professional employees will be considered exempt **from overtime payment** if they meet **all of the salary and duties tests for exemption from coverage under the Fair Labor Standards Act (FLSA) and applicable Department of Labor regulations following** ~~respective tests for exemption from coverage under the law.~~

▪ ~~Executive~~

- ~~The employee's primary duty must be management of the enterprise or of a customarily recognized department or subdivision.~~
- ~~The employee must customarily and regularly direct the work of at least two or more employees therein.~~
- ~~The employee must have the authority to hire or fire; or recommend hiring and firing; or whose recommendations on these and other actions affecting employees are given particular weight.~~
- ~~The employee must customarily and regularly exercise discretionary powers.~~
- ~~The employee must devote no more than 20 percent of his/her hours worked to activities not directly and closely related to the managerial duties.~~
- ~~The employee must be paid on a salary basis at a rate of at least \$155 a week exclusive of board, lodging or other facilities.~~

NOTE: An executive employee paid at least \$250 a week on a salary basis, (exclusive of board, lodging and other facilities) is exempt if the employee regularly directs the work of at least two or more other employees and the employee's primary duty is management of the enterprise, or a recognized department or subdivision thereof.

▪ ~~Administrative~~

- ~~The employee's primary duty must be either of the following:~~
 - ~~Be responsible office or non-manual work directly related to the management, policies, general business operations of the employer or the employer's customers~~
 - ~~Be responsible work that is directly related to academic instruction or training carried on in the administration of a school system or educational establishment~~
- ~~The employee must customarily and regularly exercise discretion and independent judgement, as distinguished from using skills and following procedures, and must have the authority to make important decisions.~~
- ~~The employee must do one of the following:~~
 - ~~Regularly assist a proprietor or bonafide executive or administrative employee.~~
 - ~~Perform work under only general supervision along specialized or technical lines requiring special training, experience or knowledge.~~
 - ~~Execute under only general supervision special assignments.~~
- ~~The employee must not spend more than 20 percent of the time worked in the workweek on work that is not directly and closely related to the administrative duties discussed above.~~
- ~~The employee must be paid on a salary or fee basis at a rate of not less than \$155 a week exclusive of board, lodging or other facilities, or in the case of academic administrative employees in public or private schools, the salary requirement for exemption must be at least \$155 a week or one which is at least equal to the entrance salary for teachers in the employing school system or educational establishment or~~

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institution.

NOTE: An administrative employee who is paid on a salary or fee basis of at least \$250 a week exclusive of board, lodging or other facilities will be exempt if the employee's primary duty consists of either of the first two provisions under administrative exemption and such primary duty includes work requiring the exercise of discretion and independent judgement.

~~• Professional~~

- ~~— The employee's primary duty must be one of the following:~~
 - ~~▪ Work requiring knowledge of an advanced type in a field of science or learning, customarily obtained by a prolonged course of specialized instruction and study.~~
 - ~~▪ Work that is original and creative in character in a recognized field of artistic endeavor the result of which depends primarily on the employee's invention, imagination or talent.~~
 - ~~▪ Work as a teacher certified or recognized as such in the school system or educational institution by which he/she is employed.~~
- ~~— The employee must consistently exercise discretion and judgement.~~
- ~~— The employee must do work that is predominately intellectual and varied as distinguished from routine mental, manual, mechanical or physical duties.~~
- ~~— The employee must not spend more than 20 percent of the time worked in the workweek on activities not essentially a part of and necessarily incident to the professional duties.~~
- ~~— The employee must be paid on a salary or fee basis at a rate of not less than \$170 a week exclusive of board, lodging or other facilities. (This salary requirement does not apply to an employee who is the holder of a valid license or certificate permitting the practice of law or medicine and who is actually engaged in such practice; an employee who is the holder of the requisite academic degree for the general practice of medicine and is engaged in an internship or resident program; or an employee employed and engaged as a teacher in a school or educational institution.)~~

NOTE: A professional employee who is paid on a salary or fee basis at a rate of at least \$250 a week exclusive of board, lodging or other facilities will be exempt if one of the following occurs.

- ~~— The employee's primary duty consists of work requiring knowledge of an advance type in field of science or learning or work as a teacher in an activity of imparting knowledge which requires consistent exercise of discretion and judgement.~~
- ~~- The primary duty is artistic work that requires invention, imagination or talent in a recognized field of artistic endeavor.~~

Improper Deductions

The District prohibits improper pay deductions. Employees who believe that improper pay deductions have been taken should immediately report the concern to the Chief Human Resources Officer. Employee will be reimbursed for any improper pay deductions. If an

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employee's request for reimbursement of a deduction is denied, the employee may appeal that decision by following the grievance procedure set forth in District policy GBK.

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

Record-keeping

- *Exempt employees*

- The following records must be kept for each employee.
 - name and identifying number
 - home address
 - birth date if the employee is under 19
 - sex and occupation in which employed
 - the basis on which wages are paid in detail sufficient to permit calculation for each pay period for the employee's total remuneration for employment

- *Non-exempt employees*

- The following records must be kept for each employee.
 - name and identifying number
 - home address
 - sex and occupation in which employed
 - time and day on which his/her workweek or work period begins and length of the work period
 - regular rate of pay for any workweek or work period
 - hours worked each day and each workweek or work period
 - total daily, weekly or work period straight-time earnings (includes one time, but not time and one-half pay for overtime)
 - overtime excess compensation (the "half time" or more extra compensation for overtime)
 - total additions to or deductions from wages paid each pay period
 - total wages paid each pay period
 - date of payment and the pay period covered by the payment (29 C.F.R. See 516.2)——

- *Retention of records*

- records to be preserved **five** three years
 - payroll records
 - certificates, agreements, plans, notices, etc. (e.g. contracts, written agreements or memoranda summarizing the terms of oral agreements)

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- sales and purchase records (~~29 C.F.R. Sec 516.5~~)
- records to be preserved two years
 - supplementary basic records such as basic employment and earnings records, wage rate tables and work time schedules
 - order, shipping and billing records
 - records of additions to or deductions from wages paid
 - records which explain the basis for payment of any wage differential to employees of the opposite sex in the same establishment (29 C.F.R. Sec 516.6)

Issued 2/26/90; Revised 4/26/04, ___/16

AR GDBC-R Support Staff Supplementary Pay/Overtime

Issued 4/04

Minimum wage

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

Workweek

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

Hours worked

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

- *Travel*

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

- *Leave*

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

- *Part time in different capacity*

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

Overtime hours

Overtime hours will be held to a minimum consistent with the needs and requirements of sound and orderly administration. All hours worked by non-exempt employees must be scheduled and duly authorized. Overtime hours worked over 40 hours during the workweek must be authorized prior to the time the work is performed. Unauthorized overtime will not be tolerated.

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

- *Monetary compensation*

Current

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

Volunteers

A volunteer is defined as an individual who receives no compensation or who is paid expenses, reasonable benefits, or a nominal fee to perform the services for which the individual volunteered and such services are not the same type of services which the individual is employed to perform for the district.

Students

Vocational students performing work as part of a curriculum are students and not workers. Students helping in office capacities for short periods of time are volunteers and not employees.

Exclusions

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

- *Executive*

- The employee's primary duty must be management of the enterprise or of a customarily recognized department or subdivision.
- The employee must customarily and regularly direct the work of at least two or more employees therein.
- The employee must have the authority to hire or fire; or recommend hiring and firing; or whose recommendations on these and other actions affecting employees are given particular weight.
- The employee must customarily and regularly exercise discretionary powers.
- The employee must devote no more than 20 percent of his/her hours worked to activities not directly and closely related to the managerial duties.
- The employee must be paid on a salary basis at a rate of at least \$155 a week exclusive of board, lodging or other facilities.

NOTE: An executive employee paid at least \$250 a week on a salary basis, (exclusive of board, lodging and other facilities) is exempt if the employee regularly directs the work of at least two or more other employees and the employee's primary duty is management of the enterprise, or a recognized department or subdivision thereof.

- *Administrative*

- The employee's primary duty must be either of the following:
 - Be responsible office or non-manual work directly related to the management, policies, general business operations of the employer or the employer's customers
 - Be responsible work that is directly related to academic instruction or training carried on in the administration of a school system or educational establishment
- The employee must customarily and regularly exercise discretion and independent judgement, as distinguished from using skills and following procedures, and must have the authority to make important decisions.

- The employee must do one of the following.
 - Regularly assist a proprietor or bonafide executive or administrative employee.
 - Perform work under only general supervision along specialized or technical lines requiring special training, experience or knowledge.
 - Execute under only general supervision special assignments.
- The employee must not spend more than 20 percent of the time worked in the workweek on work that is not directly and closely related to the administrative duties discussed above.
- The employee must be paid on a salary or fee basis at a rate of not less than \$155 a week exclusive of board, lodging or other facilities, or in the case of academic administrative employees in public or private schools, the salary requirement for exemption must be at least \$155 a week or one which is at least equal to the entrance salary for teachers in the employing school system or educational establishment or institution.

NOTE: An administrative employee who is paid on a salary or fee basis of at least \$250 a week exclusive of board, lodging or other facilities will be exempt if the employee's primary duty consists of either of the first two provisions under administrative exemption and such primary duty includes work requiring the exercise of discretion and independent judgement.

- *Professional*

- The employee's primary duty must be one of the following.
 - Work requiring knowledge of an advanced type in a field of science or learning, customarily obtained by a prolonged course of specialized instruction and study.
 - Work that is original and creative in character in a recognized field of artistic endeavor the result of which depends primarily on the employee's invention, imagination or talent.
 - Work as a teacher certified or recognized as such in the school system or educational institution by which he/she is employed.
- The employee must consistently exercise discretion and judgement.
- The employee must do work that is predominately intellectual and varied as distinguished from routine mental, manual, mechanical or physical duties.
- The employee must not spend more than 20 percent of the time worked in the workweek on activities not essentially a part of and necessarily incident to the professional duties.
- The employee must be paid on a salary or fee basis at a rate of not less than \$170 a week exclusive of board, lodging or other facilities. (This salary requirement does not apply to an employee who is the holder of a valid license or certificate permitting the practice of law or medicine and who is actually engaged in such practice; an employee who is the holder of the requisite academic degree for the general practice of medicine and is engaged in an internship or resident program; or an employee employed and engaged as a teacher in a school or educational institution.)

NOTE: A professional employee who is paid on a salary or fee basis at a rate of at least \$250 a week exclusive of board, lodging or other facilities will be exempt if one of the following occurs.

- The employee's primary duty consists of work requiring knowledge of an advance type in field of science or learning or work as a teacher in an activity of imparting knowledge which requires

consistent exercise of discretion and judgement.

- The primary duty is artistic work that requires invention, imagination or talent in a recognized field of artistic endeavor.

Record-keeping

- *Exempt employees*

- The following records must be kept for each employee.
 - name and identifying number
 - home address
 - birth date if the employee is under 19
 - sex and occupation in which employed

- *Non-exempt employees*

- The following records must be kept for each employee.
 - name and identifying number
 - home address
 - sex and occupation in which employed
 - time and day on which his/her workweek or work period begins and length of the work period
 - regular rate of pay for any workweek or work period
 - hours worked each day and each workweek or work period
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- records to be preserved two years

-- supplementary basic records such as basic employment and earnings records, wage rate tables and work time schedules

-- order, shipping and billing records

-- records of additions to or deductions from wages paid

-- records which explain the basis for payment of any wage differential to employees of the opposite sex in the same establishment (29 C.F.R. Sec 516.6)

Issued 2/26/90; Revised 4/26/04

York 3/Rock Hill School District

[DRAFT]

Policy

ACCEPTABLE USE OF TECHNOLOGY

Code **GBEBD** Issued _____

Purpose: To establish the Board's vision and the basic structure for the acceptable use of the Rock Hill School District's technology resources by staff and students.

Technology is a vital part of education in the Rock Hill School District. For this reason, the District has made arrangements to provide resources to staff and students that promote learning and expand educational resources.

~~Access to the network, Internet, e-mail, and other technological services is a privilege, not a right. With this privilege, There is also a responsibility to use access to the network, Internet, e-mail and other technological services~~ these technologies solely for educational purposes and not to access or share inappropriate materials. To that end, the District administration is directed to develop appropriate guidelines governing the use of technology and to implement technology protection measures and safety rules as may be required by the conditions of eligibility for any Federal or State technology funding assistance program.

As part of the implementation of the administration's guidelines, students and staff must be instructed on the appropriate use of the network, Internet, e-mail, and other technological services. Students and staff members must also sign a form acknowledging that they have read and understand the Acceptable Use of Technology policy and administrative rule, that they will comply with the policy and rule, and that they understand the consequences of violating the policy or regulations. Inappropriate use of the network, Internet, e-mail or other technological service by any person will not be tolerated, and violations of these guidelines could subject the user to appropriate disciplinary actions, including but not limited to, ~~denial of further access to the technologies~~, termination, or removal from the regular school setting.

District and school computer technicians who are working with a computer and come across sexually inappropriate material, including sexually explicit images of children or any other material that could be criminal in nature, must report this to local law enforcement, as well as the appropriate District administrator.

Adopted 11/26/07; Revised ____/18

Legal references:

- A. Federal Law:
 - 1. 47 USC Section 254(h) – Children's Internet Protection Act.
 - 2. The Digital Millennium Copyright Act of 1998, Section 512 – Limitations on liability relating to material online.

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

1. Section 16-3-850 – Encountering child pornography while processing film or working on a computer.
2. Section 16-15-305 – Disseminating, procuring or promoting obscenity unlawful; definitions; penalties; obscene material designated contraband.
3. Section 10-1-205 – Computers in public libraries; regulation of Internet access

Policy GBEBD Acceptable Use of Technology

Current

Issued 11/07

Purpose: To establish the Board's vision and the basic structure for the acceptable use of the Rock Hill School District's technology resources by staff and students.

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(Cf. IHAJ)

Adopted 11/26/07

Legal references:

Federal Law:

47 USC Section 254(h) - Children's Internet Protection Act.

The Digital Millennium Copyright Act of 1998, Section 512 - Limitations on liability relating to material online.

S.C. Code, 1976, as amended:

Section 59-13-20 - Qualifications of superintendents

Section 16-3-850 - Encountering child pornography while processing film or working on a computer.

Section 16-15-305 - Disseminating, procuring or promoting obscenity unlawful; definitions; penalties; obscene material designated contraband.

Section 10-1-205 - Computers in public libraries; regulation of Internet access

York 3/Rock Hill School District

[DRAFT]

Administrative Rule

ACCEPTABLE USE OF TECHNOLOGY

Code **GBEBD-R** Issued _____

Access to the network, Internet, e-mail, and other technological services is a privilege, not a right. With this privilege, There also is a responsibility to use access to the network, Internet, email and other technological services these technologies solely for educational purposes and not to access or share inappropriate materials. Inappropriate use by any person will not be tolerated.

I. Access

A. General Access

Because technology is a vital part of the educational process and the curriculum of the District, students and staff will be provided access to technology resources. By providing this access, the District intends to promote educational excellence in schools by facilitating resource sharing, innovation, communication, and learning by allowing access to resources unavailable through traditional means. Through the network, Internet, and e-mail (staff only), students and staff will have access to the following:

- locally networked reference and research sources;
- global information and news;
- discussion groups on a vast range of topics;
- local, regional, public, State, and national library catalogs;
- worldwide web; and
- electronic mail services (staff only); and
- online learning and collaboration tools.

The availability of Internet access provides a unique educational opportunity for students and staff to contribute to the District's presence on the ~~World Wide Web~~ Internet. This medium of communication provides an opportunity to share accurate information with the community, our nation, and the world about the District's curriculum and instruction, school-authorized activities, and other related information. The District provides this instructional resource as an educational tool for staff and students, and the technology acceptable use for network, Internet, and e-mail services and administrative rule will govern its use, and its use will be governed by this administrative rule. The failure to follow these policies the policy or this administrative rule or responsibilities may result in the loss of privileges and/or other disciplinary measures.

With access to computers and people all over the world also comes the availability of material that may not be of educational value in the context of the school setting. The District has taken precautions to restrict access to controversial or inappropriate materials; however, on a global

network it is impossible to control access to all materials and an industrious user may discover controversial information. The District firmly believes that the valuable information and interaction available on ~~this worldwide network~~ **the Internet** far outweighs the possibility that users may procure material which is inconsistent with the educational goals of the District. **Users are responsible for reporting to the District's Executive Director of Technology, or his/her designee, controversial, or inappropriate websites they are able to access so the websites can be added to the District's filter.**

The smooth operation of the network, Internet, and e-mail services relies on the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided so that students and staff are aware of their responsibilities when using these technologies. In general, this requires efficient, ethical, and legal utilization of the network resources.

Because access to the network provides connections to other computer systems located all over the world, users (and parents of students who are users) must understand that neither the District nor any District employee controls the content of the information available on the systems. Every effort will be made by the District to monitor and restrict ready access to known objectionable sites; however, the District does not condone the use of controversial or offensive materials and cannot be held responsible for such use.

B. Technology Protection Measures

In compliance with the Children's Internet Protection Act ("CIPA"), 47 U.S.C. § 254(h), the District uses technological devices designed to filter and block the use of any of the District's computers with Internet access to retrieve or transmit any visual depictions that are obscene, child pornography, or "harmful to minors" as defined in the CIPA. **At the same time, the District cannot guarantee that filtering software will in all instances successfully block access to materials deemed harmful, indecent, offensive, pornographic, or otherwise inappropriate. The use of filtering software does not negate or otherwise affect the obligations of users to abide by the terms of this administrative rule and to refrain from accessing such inappropriate materials.** Adult users of a District computer with Internet access may request that the "technology protection measures" be temporarily disabled by the chief building administrator of the building in which the computer is located for bona fide research purposes or other lawful purposes not otherwise inconsistent with this administrative rule. Such requests will be forwarded to the Executive Director of Technology for action.

C. Internet Safety Policy

For purposes of this administrative rule, this is the District's "Internet safety policy." This rule includes provisions to address access by minors to inappropriate ~~matter~~ **material** on the Internet and ~~World Wide Web~~; the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; to provide for the education of minors about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response; unauthorized access, including so-called "hacking" and other unlawful activities by minors online; unauthorized disclosure, use, and dissemination of personal identification information

regarding minors; and measures designed to restrict minors' access to materials harmful to minors.

D. Responsibilities for Compliance

Prior to accessing the network, Internet, or e-mail services (~~staff only~~), students and staff will receive instruction on the appropriate use of these services. Students and staff members must sign a form (Exhibits 1 and 2) acknowledging that they have read and understand this administrative rule, that they will comply with the guidelines set forth herein, and that they understand the consequences for violating these guidelines.

II. Terms and Conditions of Use

A. Acceptable Use

The purpose of the District's educational network is to support research and education by providing access to unique resources and the opportunity for collaborative work. All use of the network, Internet, and e-mail services must be in support of education and research and consistent with the educational objectives of the District. Use of other networks or computing resources must comply with the guidelines governing those networks. Transmission of any material in violation of any federal or State laws or regulations is prohibited; this includes, but is not limited to, copyrighted material, **materials protected by intellectual property**, threatening or obscene material, or material protected by trade secret. Access to computer systems and networks owned or operated by the District imposes certain responsibilities and obligations on users and is subject to District policies and local, State, and federal laws.

Users will use District provided software in a manner that strictly adheres to all licensing provisions, including installation, use, copying, number of simultaneous users, and other terms of the license. Furthermore, users will comply with District policies and follow the District's best practices where possible to maintain the confidentiality, integrity, and availability of computer systems and information on all devices under their control.

Acceptable use is always ethical, reflects honesty, and shows restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of information, system security mechanisms, and the individual's rights to privacy and freedom from intimidation, harassment, and unwarranted annoyance.

B. Procedures for Use

- Administrators and ~~teachers~~ **staff** may access the Internet or e-mail for educational or work-related purposes at any time which is not disruptive and does not interfere with the performance of other responsibilities by the employee.
- The District will notify parents/**legal** guardians about the District network, related safety issues, and issues governing its Internet through a general letter to all parents/**guardians**. **Parental permission is not required for use of the Internet, but parents/legal guardians will be notified that they have the right to file a parent/legal guardian denial form**

available from the school principal if they do not want their children to have access to Internet resources.

- All computer usage, Internet usage and e-mail usage by District employees and students must be consistent with the Rock Hill School District mission and policies.

C. Rules Governing Use of Internet and E-mail

Permitted Uses

- Users will utilize the system for educational and professional or career development activities only.
- Users may download text and other non-executable files attached to e-mail messages or from the Internet for school-related business only. ~~Large files should be downloaded during off-peak hours whenever possible.~~
- Users will check their e-mail frequently and delete unwanted messages promptly. Be aware that the system administrator may delete e-mail at any time.
- Users will subscribe only to ~~high-quality~~ discussion group mail lists that are relevant to their educational or professional/career development.

General Prohibitions

- Users may not use the District system for commercial purposes, defined as offering or providing goods or services or purchasing goods or services for personal use. Rock Hill School District will not be responsible for any obligations resulting from any unauthorized use of the system.
- Users may not use the system for political activities or to seek to impress or impose personal views on others.
- Users will not post chain letters or engage in spamming. Spamming is sending an unnecessary message to a large number of people.
- Users will not use their e-mail accounts for personal use, with the exception of contacting a family member for emergency, work-related, or school-related purposes.
- **Users should not utilize the District e-mail system to advertise or solicit business.**
- **Users should adhere to common rules for e-mail etiquette.**

Personal Safety

- Students will not post personal contact information about themselves or other people unless it is in conjunction with a specific teacher-approved assignment or approved college/career communication. Personal contact information includes address, telephone number, school address, etc.
- Students will not agree to meet with someone they have met online without their parent/guardian's approval.
- Students will promptly disclose to an administrator, teacher, or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.

Illegal Activities

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- Users will not attempt to gain unauthorized access to the e-mail system, the District Web pages, or any other computer systems through the Rock Hill School District e-mail and/or Internet and/or network access. Users will not attempt to perform functions that exceed their authorized access. This includes attempting to log in through another person's account or access another person's files. These actions are illegal.
- Users will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means. These actions are illegal.
- Users will not use the District system to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of another person, or any other activity that violates existing District policies or procedures. Reference to such activities will not even be made in a joking manner or as a prank.
- The District will notify law enforcement **consistent with State law, when potential criminal conduct occurs, as set forth in South Carolina Code Section 59-24-60.** ~~should such illegal activities as described above take place.~~

System Security

- Users will not share their account information (User ID and/or password) or attempt to log in to another user's account. Any sharing of User ID or password will result in immediate restriction or removal of account privileges. The only potential exception is the sharing of information with IT staff if requested for troubleshooting purposes.
- Users will immediately notify the IT staff if they have identified a possible security problem (students should notify a teacher and/or principal). Do not actively seek security problems but immediately report any potential issues that are found.
- Users will not download or install any unauthorized software or install any unauthorized hardware.
- **If a User needs to access the Internet through a personal hotspot, the User shall notify the Executive Director of Technology or his/her designee so the underlying need for the hotspot can be reviewed and addressed, if needed.**
- Users will not knowingly vandalize or cause damage to District equipment or software.
- Users will not knowingly use portable data storage devices which contain viruses or in any other way knowingly spread computer viruses.

Use of Appropriate Language

Restrictions against inappropriate language apply to public messages, private messages, and material posted on Web pages.

- Users will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or gang-related language or symbols.
- Users will not post or e-mail information which could cause damage or a danger of disruption **of network services.**
- Users will not engage in personal attacks, including prejudicial or discriminatory remarks.

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- Users will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a user is told by a person to stop sending messages, he/she must stop.
- Users will not use any language in an e-mail that threatens another person, whether it is the recipient of the message or a third party.
- Users will not knowingly or recklessly post false or defamatory information about a person or organization.

Access to Inappropriate Material

- Users will not use the District system to access or send material that is profane, lewd, vulgar, indecent, libelous, or obscene, e.g., pornography that advocates illegal acts or that advocates violence or discrimination towards other people, e.g., hate literature.
- Adult Users who mistakenly access inappropriate information or images should immediately report this to their supervisor. This will initiate proceedings to have the materials blocked.
- Students who mistakenly access inappropriate information or images should immediately report this to the attending teacher. The principal should be notified if it is deemed warranted. This will protect users against an allegation that they have intentionally violated this policy.
- Students are expected to follow parental guidance regarding limitation of access to additional types of inappropriate materials.

Respect for Privacy

- Users will not repost or e-mail a message that was sent to them privately without permission from the person who originally sent the message.
- Users will not post or e-mail private information about another person.

III. Penalties for Improper Use

An employee who violates the terms of this administrative rule or otherwise misuses e-mail or the Internet to access or send inappropriate material will be subject to disciplinary action, up to and including discharge. In addition, the privilege of accessing the Internet and e-mail services also will be subject to cancellation. Students who violate the terms of this administrative rule or who otherwise misuse their access to e-mail or the Internet also will be subject to disciplinary action in accordance with the District Student Behavior Code. Internet access privileges also may be cancelled. Violations of the laws of the United States or the State of South Carolina also may subject student or employee users to criminal prosecution. If a user incurs unauthorized costs, the user, as well as the user's parents if the user is a student, will be responsible for all such costs.

Any user who deliberately damages District hardware will be charged for any repair or replacement costs. Costs to repair damages that result from deliberate attempts to override or disable protection software will be charged to the user.

IV. Warranty

The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages suffered by any user. This includes loss of data resulting from delays, non-deliveries, misdirected deliveries, or service interruptions caused by the system's negligence, user errors, or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

V. Security

Security on any computer system is a high priority, especially when the system involves many users. If a student or employee believes s/he has identified a security problem on the network, s/he must notify the administrator for the school or the IT department. Do not demonstrate the problem to other users. Attempts to log on to any network as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be subject to severe restrictions, cancellation of privileges, or other disciplinary and/or legal action.

VI. User Privacy

E-mail messages sent or received via a District-issued e-mail account (including home accounts offered through the District) and all other electronic files created using District resources or stored with District resources are property of the District. The District reserves the right to examine, restrict, or remove any material that is on or passes through its network, just as it does any other work or material generated or brought to school by staff or students. Access to electronic information related to any student or staff member will be governed by the same policies that would apply to that information if it were not in electronic form.

VII. School Board Policies

All documents **data housed** on the District's server(s) **resources** must conform to Board policies and regulations, as well as established school guidelines. Copies of Board policies are available on the District's web site. Persons developing or maintaining web documents are responsible for complying with these and other policies. Some of the relevant issues and related Board policies include the following:

- Electronic transmission of materials is a form of copying. As specified in District policy, no unlawful copies of copyrighted materials may be knowingly produced or transmitted via the District's equipment, including its web server(s).
- Documents **Content** created for the web and linked to District web pages **or social networking sites** must meet the criteria for use as an instructional resource **in accordance with District policies, regulations, and guidelines.**
- Any links to **on District/school web pages or social networking sites** that are not specifically curriculum-related must be approved by the District's Executive Director of Technology. Any other non-curricular materials should be limited to information about

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other youth activities, agencies, or organizations which are known to be non-sectarian, exclusively devoted to community interests or child welfare, non-profit, and non-discriminatory. Web page links may not include entities whose primary purpose is commercial or political advertising.

- All communications via District web pages or social networking sites will comply with this policy and the District Student Behavior Code. Offensive behavior that is expressly prohibited by this policy includes religious, racial, and sexual harassment and/or violence.
- Any student information communicated via District web pages or social networking sites must comply with District policies on data privacy and public use of school records.

VIII. OTHER

1. Material on a web page reflects an individual's thoughts, interests, and activities. Such web pages do not, in any way, represent individual schools or the District, nor are they endorsed or sanctioned by any individual school or the District. Concern about the content of any page(s) created by students or staff should be directed to the building principal of that school.
2. Given the rapid change in technology, some of the technical standards outlined in this regulation may require change throughout the year. Such changes will be made with approval of the Superintendent and the Board of Trustees. This regulation may be updated on an annual basis or more frequently if required.

Adopted 11/07; Revised ___/18

AR GBEBD-R Acceptable Use of Technology

Issued 11/07

Access to the network, Internet, e-mail, and other technological services is a privilege, not a right. With this privilege, there also is a responsibility to use these technologies solely for educational purposes and not to access or share inappropriate materials. Inappropriate use by any person will not be tolerated.

I. Access

A. GENERAL ACCESS

Because technology is a vital part of the educational process and the curriculum of the District, students and staff will be provided access to technology resources. By providing this access, the District intends to promote educational excellence in schools by facilitating resource sharing, innovation, communication, and learning by allowing access to resources unavailable through traditional means. Through the network, Internet, and e-mail (staff only), students and staff will have access to the following:

1. locally networked reference and research sources;
2. global information and news;
3. discussion groups on a vast range of topics;
4. local, regional, public, state, and national library catalogs;
5. worldwide web; and
6. electronic mail services (staff only).

The availability of Internet access provides a unique educational opportunity for students and staff to contribute to the District's presence on the World Wide Web. This medium of communication provides an opportunity to share accurate information with the community, our nation, and the world about the District's curriculum and instruction, school-authorized activities, and other related information. The District provides this instructional resource as an educational tool for staff and students, and its use will be governed by this administrative rule. The failure to follow these policies or responsibilities may result in the loss of privileges or other disciplinary measures.

With access to computers and people all over the world also comes the availability of material that may not be of educational value in the context of the school setting. The District has taken precautions to restrict access to controversial or inappropriate materials; however, on a global network it is impossible to control access to all materials and an industrious user may discover controversial information. The District firmly believes that the valuable information and interaction available on this worldwide network far outweighs the possibility that users may procure material which is inconsistent with the educational goals of the District.

The smooth operation of the network, Internet, and e-mail services relies on the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided so that students and staff are aware of their responsibilities when using these technologies. In general, this requires efficient, ethical, and legal utilization of the network resources.

Because access to the network provides connections to other computer systems located all over the world, users (and parents of students who are users) must understand that neither the District nor any District employee controls the content of the information available on the systems. Every effort

will be made by the District to monitor and restrict ready access to known objectionable sites; however, the District does not condone the use of controversial or offensive materials and cannot be held responsible for such use.

B. TECHNOLOGY PROTECTION MEASURES

In compliance with the Children's Internet Protection Act ("CIPA"), 47 U.S.C. § 254(h), the District uses technological devices designed to filter and block the use of any of the District's computers with Internet access to retrieve or transmit any visual depictions that are obscene, child pornography, or "harmful to minors" as defined in the CIPA. Adult users of a District computer with Internet access may request that the "technology protection measures" be temporarily disabled by the chief building administrator of the building in which the computer is located for bona fide research purposes or other lawful purposes not otherwise inconsistent with this administrative rule. Such requests will be forwarded to the Director of Networking for action.

C. INTERNET SAFETY POLICY

For purposes of this administrative rule, this is the District's "internet safety policy." This rule includes provisions to address access by minors to inappropriate matter on the Internet and World Wide Web; the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; to provide for the education of minors about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response; unauthorized access, including so-called "hacking" and other unlawful activities by minors online; unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and measures designed to restrict minors' access to materials harmful to minors.

D. RESPONSIBILITIES FOR COMPLIANCE

Prior to accessing the network, Internet, or e-mail services (staff only), students and staff will receive instruction on the appropriate use of these services. Students and staff members must sign a form (Exhibits 1 and 2) acknowledging that they have read and understand this administrative rule, that they will comply with the guidelines set forth herein, and that they understand the consequences for violating these guidelines.

II. Terms and Conditions of Use

A. ACCEPTABLE USE

The purpose of the District's educational network is to support research and education by providing access to unique resources and the opportunity for collaborative work. All use of the network, Internet, and e-mail services must be in support of education and research and consistent with the educational objectives of the District. Use of other networks or computing resources must comply with the guidelines governing those networks. Transmission of any material in violation of any federal or state laws or regulations is prohibited; this includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secret. Access to computer systems and networks owned or operated by the District imposes certain responsibilities and obligations on users and is subject to District policies and local, state, and federal laws.

Acceptable use is always ethical, reflects honesty, and shows restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of information, system security mechanisms, and the individual's rights to privacy and freedom from intimidation, harassment, and unwarranted annoyance.

B. PROCEDURES FOR USE

1. Administrators and teachers may access the Internet or e-mail for educational or work-related purposes at any time which is not disruptive and does not interfere with the performance of other responsibilities by the employee.
2. The District will notify parents/guardians about the District network, related safety issues, and issues governing its Internet through a general letter to all parents.
3. All computer, Internet usage and e-mail usage by District employees and students must be consistent with the Rock Hill School District mission and policies.

C. RULES GOVERNING USE OF INTERNET AND E-MAIL

Permitted Uses

- Users will utilize the system for educational and professional or career development activities only.
- Users may download text and other non-executable files attached to e-mail messages or from the Internet for school-related business only. Large files should be downloaded during off-peak hours whenever possible.
- Users will check their e-mail frequently and delete unwanted messages promptly. Be aware that the system administrator may delete e-mail at any time.
- Users will subscribe only to high quality discussion group mail lists that are relevant to their educational or professional/career development.

General Prohibitions

- Users may not use the District system for commercial purposes, defined as offering or providing goods or services or purchasing goods or services for personal use. Rock Hill School District will not be responsible for any obligations resulting from any unauthorized use of the system.
- Users may not use the system for political activities or to seek to impress or impose personal views on others.
- Users will not post chain letters or engage in spamming. Spamming is sending an unnecessary message to a large number of people.
- Users will not use their e-mail accounts for personal use, with the exception of contacting a family member for emergency, work-related, or school-related purposes.

Personal Safety

- Students will not post personal contact information about themselves or other people unless it is in conjunction with a specific teacher-approved assignment or approved college/career communication. Personal contact information includes address, telephone number, school address, etc.
- Students will not agree to meet with someone they have met online without their parent/guardian's approval.
- Students will promptly disclose to an administrator, teacher, or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.

Illegal Activities

- Users will not attempt to gain unauthorized access to the e-mail system, the District Web pages, or any other computer systems through the Rock Hill School District e-mail and/or Internet and/or network access. Users will not attempt to perform functions that exceed their authorized access. This includes attempting to log in through another person's account or access another person's files. These actions are illegal.
- Users will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means. These actions are illegal.
- Users will not use the District system to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of another person, or any other activity that violates existing District policies or procedures. Reference to such activities will not even be made in a joking manner or as a prank.
- The District will notify law enforcement should such illegal activities as described above take place.

System Security

- Users will not share their account information (User ID and/or password) or attempt to log in to another user's account. Any sharing of User ID or password will result in immediate restriction or removal of account privileges. The only potential exception is the sharing of information with IT staff if requested for troubleshooting purposes.
- Users will immediately notify the IT staff if they have identified a possible security problem (students should notify a teacher and/or principal). Do not actively seek security problems but immediately report any potential issues that are found.
- Users will not download or install any unauthorized software or install any unauthorized hardware.
- Users will not knowingly vandalize or cause damage to District equipment or software.
- Users will not knowingly use portable data storage devices which contain viruses or in any other way knowingly spread computer viruses.

Use of Appropriate Language

Restrictions against inappropriate language apply to public messages, private messages, and material posted on Web pages.

- Users will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or gang-related language or symbols.
- Users will not post or e-mail information which could cause damage or a danger of disruption.
- Users will not engage in personal attacks, including prejudicial or discriminatory remarks.
- Users will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a user is told by a person to stop sending messages, he/she must stop.

- Users will not use any language in an e-mail that threatens another person, whether it is the recipient of the message or a third party.
- Users will not knowingly or recklessly post false or defamatory information about a person or organization.

Access to Inappropriate Material

- Users will not use the District system to access or send material that is profane, lewd, vulgar, indecent, libelous, or obscene, e.g., pornography that advocates illegal acts or that advocates violence or discrimination towards other people, e.g., hate literature.
- Adult Users who mistakenly access inappropriate information or images should immediately report this to their supervisor. This will initiate proceedings to have the materials blocked.
- Students who mistakenly access inappropriate information or images should immediately report this to the attending teacher. The principal should be notified if it is deemed warranted. This will protect users against an allegation that they have intentionally violated this policy.
- Students are expected to follow parental guidance regarding limitation of access to additional types of inappropriate materials.

Respect for Privacy

- Users will not repost or e-mail a message that was sent to them privately without permission from the person who originally sent the message.
- Users will not post or e-mail private information about another person.

III. Penalties for Improper Use

An employee who violates the terms of this administrative rule or otherwise misuses e-mail or the Internet to access or send inappropriate material will be subject to disciplinary action, up to and including discharge. In addition, the privilege of accessing the Internet and e-mail services also will be subject to cancellation. Students who violate the terms of this administrative rule or who otherwise misuse their access to e-mail or the Internet also will be subject to disciplinary action in accordance with the District Student Behavior Code. Internet access privileges also may be cancelled. Violations of the laws of the United States or the State of South Carolina also may subject student or employee users to criminal prosecution. If a user incurs unauthorized costs, the user, as well as the user's parents if the user is a student, will be responsible for all such costs.

IV. Warranty

The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages suffered by any user. This includes loss of data resulting from delays, non-deliveries, misdirected deliveries, or service interruptions caused by the system's negligence, user errors, or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

V. Security

Security on any computer system is a high priority, especially when the system involves many users. If a student or employee believes s/he has identified a security problem on the network, s/he must notify the administrator for the school or the IT department. Do not demonstrate the problem to other users.

Attempts to log on to any network as a system administrator will result in cancellation of user privileges.

Any user identified as a security risk or having a history of problems with other computer systems may be subject to severe restrictions, cancellation of privileges, or other disciplinary and/or legal action.

VI. User Privacy

E-mail messages sent or received via a District-issued e-mail account (including home accounts offered through the District) and all other electronic files created using District resources or stored with District resources are property of the District. The District reserves the right to examine, restrict, or remove any material that is on or passes through its network, just as it does any other work or material generated or brought to school by staff or students. Access to electronic information related to any student or staff member will be governed by the same policies that would apply to that information if it were not in electronic form.

VII. School Board Policies

All documents on the District's server(s) must conform to Board policies and regulations, as well as established school guidelines. Copies of Board policies are available on the District's web site. Persons developing or maintaining web documents are responsible for complying with these and other policies. Some of the relevant issues and related Board policies include the following:

1. Electronic transmission of materials is a form of copying. As specified in District policy, no unlawful copies of copyrighted materials may be knowingly produced or transmitted via the District's equipment, including its web server(s).
2. Documents created for the web and linked to District web pages must meet the criteria for use as an instructional resource.
3. Any links to District web pages that are not specifically curriculum-related must be approved by the District's IT administrator. Any other non-curricular materials should be limited to information about other youth activities, agencies, or organizations which are known to be non-sectarian, exclusively devoted to community interests or child welfare, non-profit, and non-discriminatory. Web page links may not include entities whose primary purpose is commercial or political advertising.
4. All communications via District web pages will comply with this policy and the District Student Behavior Code. Offensive behavior that is expressly prohibited by this policy includes religious, racial, and sexual harassment and/or violence.
5. Any student information communicated via District web pages must comply with District policies on data privacy and public use of school records.

VIII. OTHER

1. Material on a web page reflects an individual's thoughts, interests, and activities. Such web pages do not, in any way, represent individual schools or the District, nor are they endorsed or sanctioned by any individual school or the District. Concern about the content of any page(s) created by students or staff should be directed to the building principal of that school.
2. Given the rapid change in technology, some of the technical standards outlined in this regulation may require change throughout the year. Such changes will be made with approval of the Superintendent. This regulation may be updated on an annual basis or more frequently if required.

File GBEBD-E(1) Employee Guidelines for the Use of Electronic Resources

View or Print [Employee Guidelines for the Use of Electronic Resources](#).

York 3/Rock Hill School District

Rock Hill School District Three of York County

Employee Guidelines for the Use of Electronic Resources

Rock Hill School District Three encourages the use of technology resources in the design and delivery of engaging student work. Employees are expected to exercise responsibility in the use of these resources, including:

1. **User Name IDs, Account Numbers and Passwords:** User names, account numbers, and passwords issued to staff members must remain confidential. Employees obtaining Internet at home through the district should not give students their user ID and the access phone number. Any staff member violating this policy will be subject to disciplinary action.
2. **Electronic communications:** Employees are expected to communicate in a professional manner consistent with state and federal laws, including federal guidelines regarding the use of copyrighted materials. The use of electronic communications to display, send, or receive offensive messages or pictures; the harassment, insult, or attack of others via electronic communication; and the use of electronic communications for commercial purposes are strictly prohibited.
3. **Independent navigation on the Internet by Faculty and Staff:** Employees are encouraged to explore WWW resources. Clearly, such explorations should be for educational purposes. Downloading and/or printing files and images containing content which is inappropriate for a K-12 setting is prohibited. Staff members are expected to employ professional judgement in the determination of inappropriate content.
4. **Teacher-led exploration of the Internet:** Faculty who are exploring Internet sites with a class do not need special parental permission if the faculty member is in control of the navigation and/or is directing the students to known educational sites. A student who is navigating the Net at the teacher's direction is not considered to be independently using Internet; this circumstance does not require parent permission.
Students should not be directed to an Internet site that the teacher has not previewed.
5. **Independent Navigation of the Internet by Students:** Independent navigation of the Internet by students requires both the student signature and parental permission on the Student Assurances Form. The intent of the permission is not to discourage independent research on the Internet; however, constant teacher supervision under these circumstances will not be possible. Students are not permitted to search for, download or print any objectionable, vulgar or offensive material. Unsupervised participation in group discussion chats or newsgroups is not permitted. The signed permission form should be maintained by the school and should be obtained prior to assigning independent research on the Internet. Students utilizing the computer lab before and/or after school for Internet activities of their own choice should also have assurances on file at the school.
6. **Installation of Personal Software:** Teachers may install *legal* copies (original disks and documentation must be kept at school) on their classroom computer(s). Shareware and freeware can be used in the classroom. Teachers should be aware that the district periodically updates the network. It is possible that teacher software and/or files will be removed and will require reinstallation. It is recommended that teachers maintain regularly updated backup copies of all files saved on the internal hard drive.

I have read these guidelines and agree to abide by them in my assigned role as an employee of Rock Hill School District Three.

Employee Signature

Date

File GBEBD-E(2) Parental Permission and Student Assurances in the Use of Network/Internet Resources

View or Print Parental Permission and Student Assurances in the Use of Network/Internet Resources.

York 3/Rock Hill School District

Rock Hill School District Three of York County

Parental Permission and Student Assurances in the Use of Network/Internet Resources

Dear Parent(s),

Rock Hill School District Three provides students with access to network and Internet resources in every school. These resources provide students with powerful tools necessary to enhance student learning. When using these resources, students are responsible for good behavior just as they are in a classroom or school hallway.

There are many on-going educational projects available on the Internet that are appropriate for K-12 students. Many encourage subject area studies or support "virtual field trips" to museums or other locations around the world. Much of this information can be immediately printed from the computer screen for inclusion in student or faculty research projects or papers assigned in class.

Unfortunately, network resources and the Internet can be misused. There are images, information, and discussions that are not appropriate for K-12 pupils. Our faculty members directly and continuously supervise individuals and classes of students who are accessing the Internet to ensure that inappropriate content is not seen on the computer. This kind of screening is not new; schools have always screened materials for student use to exclude many books, magazines and videos not appropriate in a school setting. However, it is possible that a student conducting individual research may disregard teacher's instructions and actively seek out inappropriate material.

We believe that students can be provided opportunities to use the Internet as a research tool within clearly understood parameters. These conditions are:

1. Parents are advised of the rules and give their written permission;
2. The student gives written assurances regarding appropriate behaviors while operating the Internet; and,
3. The student and parents understand that violations of these assurances will result in disciplinary action, and possible loss of Internet privileges in instances of flagrant abuse, i.e., searching for and/or downloading inappropriate material.

Please contact your child's teacher if you have questions. Please feel free to contact me if you have other questions.

Sincerely,

Principal

Rock Hill School District Three of York County

Student Assurances

When using network or Internet resources, I will:

1. Use the Internet for legitimate educational purposes;
2. Send e-mail only at the direction of my teacher or media specialist;
3. Not register the name, home address, or telephone number of myself or anyone else in any location on the Internet;
4. Not attempt to download or save files to the computer hard drive or to a disk without teacher permission;
5. Not search for, download or print any material that violates school handbook codes regarding possession or display of inappropriate, offensive or vulgar material, or assist any other student in such activities;
6. Not use or attempt to use Telnet, Internet Relay Chats or other interactive exchanges without teacher permission;
7. Not harass, insult, or attack others via electronic communications;
8. Not damage or alter computers, computer systems, or computer networks;
9. Not violate copyright laws;
10. Not trespass in another's folders, work, or files.

I understand that my participation in any violation of these student assurances will result in disciplinary action and possible loss of access privileges to such resources, depending on the nature of the offense.

Student Signature

School

Parent Permission

I give permission for my child to conduct independent research on the Internet under the conditions described above.

Parent Signature

Date

[DRAFT]

Policy

PROFESSIONAL STAFF LEAVES AND ABSENCES

Code **GCC/GDC/GCD** Issued _____

Purpose: To establish the basic structure for all types of professional staff leaves and absences.

The continuous presence of employees promotes excellence in the instructional program. ~~by ensuring the following.~~ _____

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

Therefore, the Board expects employees to come to work every day. The Board recognizes, however, that certain absences are unavoidable. At such times, employees should take leave in accordance with this policy.

STANDARD SICK LEAVE

Employees eligible for standard "sick leave" benefits under this policy are those ~~employed in a position for which certification is required by the State Department of Education or a person who~~ is employed in the school District **who** and work at least thirty (30) hours per week.

Employees eligible for **Family and Medical Leave Act** "family leave" (FMLA) benefits are those individuals who have been employed by the school District for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months.

ACCRUAL OF SICK LEAVE

Sick leave shall be accrued by eligible employees at the rate of one and one-fourth days for each month of active service yielding the following leave entitlements:

- 12 days for 185 days of active service,
- 13 days for 210 days of active service,
- 14 days for 230 days of active service, and
- 15 days for 12 months of active service.

Accrued sick leave that is not used may be accumulated up to ninety (90) days provided that such employees do not violate their respective contracts.

ISSUANCE OF SICK LEAVE

Employees eligible to earn sick leave shall be issued at the beginning of their eligibility sick leave days in a number equal to the number earnable during their particular employment period.

If the recipient of such advance leave is separated from the District's employ for any reason, and, at the time of separation, has used any portion of the advanced leave prior to its becoming "vested" or "earned" leave via the requisite days of active service, the amount paid the employee for such used but unearned sick leave shall be deducted from the employee's final paycheck. Leave may be transferred to another State agency upon separation from employment with the District **as set forth in State law.** ~~provided the employee does not have a period of unemployment between jobs.~~

USE OF SICK LEAVE

~~Use of sick leave days shall be limited to:—~~

- ~~• Personal illness/physical incapacity;—~~
- ~~• Attending to ill/physically incapacitated spouse, child, or parent; or~~
- ~~• Leave for childbirth or adoption.~~

The primary reason for the use of sick leave will be the personal illness of the individual employee or illness in the immediate family, which includes spouse, children, and parents (for further information regarding leaves due to illness please refer to the section entitled Family and Medical Leave Act.)

Use of sick leave days in excess of accrued number will be without pay. An employee legitimately using accrued "sick leave" will not be terminated from employment nor shall any such employee be terminated during a continuing sick leave of less than ninety-one (91) days.

Absences are calculated on a half-day basis. Any part of a half-day missed is considered as a half-day absent. **Twelve month employees may take sick leave on a quarter-day basis.**

VERIFICATION AND USE OF SICK LEAVE

The use of sick leave is subject to verification. Specifically, an employee must submit a healthcare provider's statement verifying an illness when the employee has been on sick leave for more than 10 working days within a school year, after an absence of three consecutive days, or if the employee is requesting extended leave. The District also reserves the right to require an employee to submit a medical healthcare provider's statement verifying an illness when the administration believes verification is needed or when an employee's use of sick leave forms a pattern or abuse is suspected. A healthcare provider's statement that the illness of an immediate family member requires the presence of the employee must be submitted for absences greater than three consecutive days.

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If the employee does not provide the required healthcare provider's statement within five working days upon written request, the District may take appropriate disciplinary actions, up to and including a recommendation of termination from employment, unless the District receives notice that the employee has experienced severe extenuating circumstances.

The District may require the opinion of a second healthcare provider designated and paid for by the District regarding verification of any illness or disability.

The District may require an employee to provide a healthcare provider's statement attesting to his/her ability to perform required duties before returning to work.

In order that the District may secure an adequate replacement and make other appropriate arrangements, employees must provide reasonable and appropriate advance notice of absences as specified within this policy, or as quickly as is practicable. Reasonable and appropriate advance notice of the employee's absence is essential for scheduling a substitute.

~~Absence of five or fewer consecutive work days~~

~~A sick leave absence of five (5) or fewer consecutive work days must be accompanied by a statement signed by the employee stating the reason for the absence. Such statement shall be provided via the District's report form and filed within two days following the employee's return to active service. The District may require the written statement of a physician attesting to the employee's need for the absence and his or her physical and emotional fitness to resume employment duties.~~

~~Absence of more than five, but fewer than eleven, consecutive work days~~

~~A sick leave absence of more than five (5) but less than eleven (11) consecutive work days must be supported by a statement signed by a licensed physician that identifies the nature of the illness/disability. The physician's statement shall be attached to the "Absent Employee Report" and filed within two work days following the employee's return to work. The District may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties.~~

~~Absence of more than ten consecutive work days~~

~~A sick leave absence that is expected to exceed ten consecutive work days must, upon reaching the fifth consecutive day of absence, be supported by a licensed physician's written statement of diagnosis and prognosis which contains a projected date of return to active work. The District may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties.~~

Use of Sick Leave for Childbirth or Adoption ~~Absence for childbirth or adoption~~

Use of standard paid sick leave for the purpose of recovering from childbirth or for purposes of child adoption shall be limited to a period of six consecutive weeks (30 days) immediately

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following the birth (~~or placement~~) of the child – eight weeks (40 days) for childbirth via C-section. ~~For adoption, use of standard sick leave shall be granted only for children of a very tender age, i.e. just days or weeks old, or when adoption agency rules and regulations require the adoptive parent(s) full-time availability for a prescribed initial period of time.~~ Use of paid sick leave in excess of six weeks must be supported by written certification of a licensed physician prior to taking any such leave. The limit for use of accrued paid sick leave will be thirty (30) days for standard recovery (40 days for a C-section) and child adoption or the actual number of accrued days credited to the employee if less than the above. Days beyond thirty (30) - forty (40) for a C-section - or the actual number will be unpaid.

LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT (FMLA)

The Board will provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA). Eligible employees are entitled to up to 12 work weeks of unpaid family and medical leave in a fiscal year (July 1 to June 30) or up to 26 work weeks of unpaid leave during a single 12 month period to care for a covered service member with a serious illness or injury incurred in the line of duty on active duty, as defined in this policy. The District will continue to pay the District's portion of the employee's health insurance premiums during the leave. The employee must continue to pay his/her portion of all insurance premiums to maintain coverage.

~~"FMLA" leave is a supplemental form of leave governed by the terms of the federal "Family and Medical Leave Act" of 1993 (P.L. 103-3). This means that it is available in addition to standard "sick leave" benefits.~~ FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. In complying with the FMLA, the District will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and State laws.

To be eligible for "FMLA" leave, an individual must be employed by the school District for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months.

Eligible employees are entitled to up to a combined total of twelve (12) work weeks of unpaid leave per "rolling" 12-month period measured backward from the date an employee uses any FMLA leave for **any of the following** ~~the following five leave situations:~~

1. The birth **of a child of the employee** ~~and first-year care of a child;~~
2. The ~~adoption or foster~~ placement of a child **of the employee for adoption or foster care;**
3. **To care for the** ~~The "serious health condition" of an employee's spouse, parent, or child if~~ **such spouse, parent or child has a serious health condition;**
4. The employee's own "serious health condition"; and
5. A qualifying exigency arising out of a spouse, child or parent who is on active duty or has been notified of impending call to active duty in support of a contingency operation.

The entitlement to leave for the birth or placement of a child for adoption or foster care expires 12 months after such date of birth or placement. Benefits accrued before "FMLA" leave is taken

will not be altered, and upon return, the employee is entitled to restoration to an equivalent position with equivalent pay, benefits, and conditions of employment. However, the employee will not accrue seniority or employment benefits during the time he or she is on “FMLA” leave.

Military Caregiver Leave

An eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness is entitled to up to a total of 26 workweeks of unpaid leave during a “single 12-month period” to care for the service member. A covered service member is a current member of the armed forces, including a member of the national guard or reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness. An eligible employee is limited to a combined total of 26 work weeks for any FMLA qualifying reason during the “single 12-month period.”

Limits on ~~child-care~~/Spouses Employed by the District

Spouses employed by the District are limited in the amount of FMLA leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for the covered service member with a serious injury or illness is used.) Leave for birth or care of placement for adoption or foster care must conclude within 12 months of the birth or placement.

~~In dealing with birth, adoption, and foster placement, the entitlement for childcare ends after: (a) the child reaches age one, or (b) twelve (12) months after the adoption or placement. When both spouses are employed by the District, the combined amount of leave for birth, adoption, foster placement, and illness of a parent will be limited to twelve (12) weeks. The limit for use of accrued paid sick leave for adoption, foster placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.~~

Leave Taken Intermittently or on a Reduced Leave Schedule

“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 may include leave periods from one hour or more to several weeks.

A “reduced schedule leave” is a leave schedule that reduces an employee’s usual number of working hours per workweek or hours per workday.

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.

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 and as approved by the District.

If any 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 has equivalent pay and benefits and better accommodates recurring periods of leave or family and medical leave (for instructional employees, specific FMLA regulations apply when leave period occurs near the end of an academic semester), if such position is available. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the District's operations.

~~Childcare leave under situations "1" and "2" shall not be taken intermittently or on a reduced leave schedule unless the employee and the District Superintendent agree otherwise.~~

~~Leave under situations "3" and "4" may be taken intermittently or on a reduced leave schedule when medically necessary. If an employee requests such leave that is foreseeable based on planned medical treatment, the District may require such employee to transfer temporarily to an available alternative position for which the employee is qualified and that (a) has equivalent pay and benefits; and (b) better accommodates recurring periods of leave than the regular employment position of the employee.~~

Substitution for Paid Leave

An employee using "FMLA" leave shall be required to substitute and exhaust any accrued paid vacation leave, personal leave, or sick leave of the employee in the exercise of "FMLA" leave. If such accrued paid leave is not sufficient to cover the "FMLA" leave entitlement, the additional days of leave necessary to satisfy the "FMLA" entitlement shall be without compensation. The limit for use of accrued paid sick leave for adoption, foster placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.

Foreseeable Leave

When "FMLA" leave is foreseeable, the employee must provide at least thirty (30) days notice of the date when leave is to begin - unless circumstances dictate otherwise. In addition, with respect to family or employee medical treatments which are foreseeable, the employee shall make a reasonable effort to schedule treatment (including intermittent and reduced hour leave) so as not to disrupt unduly the operation of the District.

Certification regarding leave————

~~Certification to take leave. The District requires the employee to provide timely certification from his/her health care provider, or a family member's health care provider as to: (a) the date that the condition commenced, (b) the duration, (c) the necessity for the employee's leave, (d) the employee's inability to perform his/her job functions, or (e) Form WH-384 or WH-385, as~~

PAGE 7 – GCC/GCD – PROFESSIONAL STAFF LEAVES AND ABSENCES

~~applicable. Where doubt exists as to the certification, the District, at its own expense, may designate a second health care provider (other than a District employee) to provide a second opinion with the opinion of a third health care provider, if necessary, to be binding.~~

~~Certification to continue leave. The District may require certification from the health care provider that a serious medical condition of the employee or family member continues to prevent the employee from returning to work.~~

~~Certification to return from leave. Upon return to work, the District requires the employee to provide certification by his/her health provider that the employee is able to resume work. Furthermore, if State or local law requires a public health official to examine an employee as a condition for returning to work, the employee must fulfill that requirement in order to return to work.~~

Failure to Return from Leave/Recovery of Health Premiums

If an employee fails to return to work after the leave period has expired (other than family or personal illness or other circumstances beyond his or her control), the employer may recover the premium expenditures extended during the leave period.

PERSONAL LEAVE

An employee may use three days per school year (non-cumulative) for personal reasons with these exceptions.

- on the last day before or the first day after a holiday
- during the first or last two weeks of school

An employee should give his/her principal or supervisor as much advance notice as possible prior to the day of requested leave.

The District will deduct personal leave from sick leave. Absences for personal leave may be granted on a half-day or full-day basis. Employees do not have to state the reason for personal leave.

LEGAL ABSENCE

The District will grant employees leave without loss of pay, vacation time, or existing leave days when they are summoned for jury duty or subpoenaed. Whenever a prospective juror is dismissed before the end of the working day, he/she will return to his/her official duties. Compensation paid to the employee for serving on jury duty is to be kept by the employee.

When selected for jury duty, teachers, certified personnel at the building level or bus drivers are encouraged to request a postponement to a date that does not conflict with the school term.

BEREAVEMENT LEAVE

PAGE 8 – GCC/GCD – PROFESSIONAL STAFF LEAVES AND ABSENCES

The District will grant an employee three days bereavement leave following the notification of the death of a member of his/her immediate family (spouse, children, grandchildren, parents, grandparents, brothers, sisters, and in-laws to the same degree). The three days are exclusive of Saturdays, Sundays and holidays.

MILITARY LEAVE

Eligible employees who are family members of covered service members may also take leave as provided for in the FMLA and its accompanying regulations.

When possible, employees of the District serving in the military reserves/national guard should attempt to schedule their military leave so as not to conflict with their work schedules.

Requests for military leave should be made in writing to the Chief Personnel Officer as far in advance as possible, along with the appropriate verifying data.

Employees may take military leave without loss of pay, seniority or efficiency rating for one or more periods not exceeding a total of 15 workdays in one year. Saturdays, Sundays and State holidays may not be included in this 15 days unless the Saturday, Sunday or holiday is a regularly scheduled work day for the employee.

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

In the event an employee is called upon to serve during an emergency, he/she will be entitled to such **military leave of absence for a period not exceeding 30 additional days without loss of pay, consistent with State law.** ~~the Family and Medical Leave Act as prescribed above.~~ In compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), an employee returning from military service **who otherwise is eligible to be re-employed** must be reemployed in the job that s/he would have attained had s/he not been absent for military service. ~~and with the same seniority, status and pay, as well as other rights and benefits determined by seniority, provided s/he meets reemployment eligibility.~~

~~The Board expects employees to request their training for a period when school is not in session.~~

~~An employee seeking leave for annual active duty training must forward a written request, including the appropriate verifying data, to the Superintendent no later than 30 days prior to the pre-arranged military activity.~~

PAGE 9 – GCC/GCD – PROFESSIONAL STAFF LEAVES AND ABSENCES

REIMBURSEMENT FOR ACCUMULATED ANNUAL AND/OR SICK LEAVE UNDER THE TEACHER AND EMPLOYEE RETENTION INCENTIVE PROGRAM (TERI)

The District will reimburse employees exiting TERI for up to ten days of unused annual leave at the time of separation from the District. The District will pay the employee at his or her current daily rate of pay, **or hourly rate of pay for classified employees.**

PROFESSIONAL LEAVE FOR CONFERENCES/TRAINING WORKSHOPS

The Board believes that it is desirable to provide professional leave for **employees** ~~teachers and others~~ in order to attract and retain **employees** ~~faculty~~ who will continue to grow professionally and enhance their service to the District.

The District **may** ~~will~~ grant an employee professional leave to attend a meeting of an organization in which he/she is an officer (president/chairman, vice-president, secretary, or treasurer), **provided the employee's participation in the organization is of benefit to the employee's employment with the District.**

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 Superintendent or his/her designee may authorize professional leave for attending State, regional and national meetings, workshops, and conferences (including observing in other schools) without pay deduction. The employee must apply for prior approval through his/her principal or supervisor.

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

SABBATICALS

Teachers and other professionally certificated employees who have completed five or more years of service in the District may, upon recommendation of the Superintendent and approval of the Board, be granted leave of absence without pay for the purpose of study or travel when, in the judgment of the Superintendent, such travel and study contributes to the welfare of the employee and the District.

In order to provide for as much continuity in the instruction of students as possible, leaves for the purpose of study and travel will be granted in increments of semesters and for no more than two consecutive semesters (one school year). Requests must be submitted to the Superintendent by April 15 for leave for the following school year or at least 60 days prior to the date the leave is to begin, if it is expected to occur within the same school year. Applications will be considered on the basis of the following criteria in the order of importance.

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- availability of temporary replacements
- relative merits of reasons for desiring leave
- reasonable distribution of applicants by schools
- professional merit of the proposal
- the order in which applications have been received

A leave recipient may not deviate from his/her approved plan except by written permission of the Board or its designee.

Upon return to the District, the employee will be granted first refusal of a comparable position for which he/she is certified to teach. When in the judgment of the Superintendent it is advisable, a temporary contract may be issued to the replacement for the employee on leave.

No more than one percent of the District's teaching or administrative staff may be on leave for study or travel at any one time.

The Superintendent must approve any exceptions to this policy, based on individual circumstances.

VACATIONS AND HOLIDAYS

School-year personnel

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

Administrators and year-round personnel

Regular full-time administrators employed on a 12 month full-year basis (52 weeks) and other 12 month employees year-round instructional personnel will receive vacations and holidays as follows.

Vacations

- All District employees who are 12-month employees accrue vacation leave at the rate of 5/6th day per month for a total of 10 days per year. For fractions of a month worked, the District will figure the number of days worked as opposed to the number of working days in any given month. Once the total number of vacation days is compiled, if a person has any fraction more than a whole day earned, the fraction will count as a whole day.
- Employees with less than 10 days of two-weeks' vacation with pay may take up to a maximum of 10 days two-weeks, with the extra days being without pay.
- Employees must obtain the prior approval of their supervisor before using accrued vacation leave.
- Employees may accumulate an unlimited amount of vacation leave.
- At retirement, resignation, or when employees otherwise separate from their employment with the District, employees will be paid for a maximum of 10 days of only two-weeks

accrued vacation leave at their daily rate of pay, if they have 10 or more ~~more than 10~~ days accrued. Otherwise, upon separation, they will be paid for the number of vacation days they have accrued (10 or less) at their daily rate of pay, or hourly rate of pay for classified employees.

- The District allows vacation to be taken on a half quarter-day basis.

Adopted 4/27/78; Revised 4/27/81, 10/29/85, 11/24/86, 2/26/90, 2/23/04, 3/23/09, ___/18

Legal references:

- A. United States Code:
 - 1. P.L.103-3 and 29 CFR Part 825 - The Family and Medical Leave Act of 1993.
 - 2. Chapter 43, Title 38 – Uniformed Services Employment and Reemployment Rights Act of 1994
- B. S.C. Code, 1976, as amended:
 - 1. Section 8-7-20 - Requires granting of military leave, without pay, up to five years.
 - 2. Section 8-7-90 - Requires 15 days per year of leave with pay for members of National Guard and Reserve Units of the various Armed Forces. Also grants an additional 30 days of leave with pay in emergency situations.
 - 3. Section 9-1-2210 – Teacher and Employee Retention Incentive Program.
 - 4. Section 14-1-190 - Compensation received for jury duty deemed to be expense money.
 - 5. Section 14-7-845 - Relating to optional postponement of jury service for students and employees.
 - 6. Section 25-1-2250 - Employees entitled to leave with pay when serving in National Guard.
 - 7. Section 59-1-400 - Sick leave for public school District employees.

Policy GCC/GCD Professional Staff Leaves And Absences

Current

Issued 3/09

Purpose: To establish the basic structure for all types of professional staff leaves and absences.

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

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

Therefore, the board expects employees to come to work every day. The board recognizes, however, that certain absences are unavoidable. At such times, employees should take leave in accordance with this policy.

Standard Sick leave

Employees eligible for standard "sick leave" benefits under this policy are those employed in a position for which certification is required by the State Department of Education or a person who is employed in the school district and works at least thirty (30) hours per week.

Employees eligible for "family leave" (FMLA) benefits are those individuals who have been employed by the school district for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months.

Accrual of Sick Leave

Sick leave shall be accrued by eligible employees at the rate of one and one-fourth days for each month of active service yielding the following leave entitlements:

- * 12 days for 185 days of active service,
- * 13 days for 210 days of active service,
- * 14 days for 230 days of active service, and
- * 15 days for 12 months of active service.

Accrued sick leave that is not used may be accumulated up to ninety (90) days provided that such employees do not violate their respective contracts.

Issuance of Sick Leave

Employees eligible to earn sick leave shall be issued at the beginning of their eligibility sick leave days in a number equal to the number earnable during their particular employment period.

If the recipient of such advance leave is separated from the district's employ for any reason, and, at the time of separation, has used any portion of the advanced leave prior to its becoming "vested" or "earned" leave via the requisite days of active service, the amount paid the employee for such used but unearned sick leave shall be

deducted from the employee's final paycheck. Leave may be transferred to another state agency upon separation from employment with the district, provided the employee does not have a period of unemployment between jobs.

Use of sick leave

Use of sick leave days shall be limited to:

- * Personal illness/physical incapacity;
- * Attending to ill/physically incapacitated spouse, child, or parent; or
- * Leave for childbirth or adoption.

Use of sick leave days in excess of accrued number will be without pay. An employee legitimately using accrued "sick leave" will not be terminated from employment nor shall any such employee be terminated during a continuing sick leave of less than ninety-one (91) days.

Absences are calculated on a half-day basis. Any part of a half-day missed is considered as a half-day absent.

Absence of five or fewer consecutive work days

A sick leave absence of five (5) or fewer consecutive work days must be accompanied by a statement signed by the employee stating the reason for the absence. Such statement shall be provided via the district's report form and filed within two days following the employee's return to active service. The district may require the written statement of a physician attesting to the employee's need for the absence and his or her physical and emotional fitness to resume employment duties.

Absence of more than five, but fewer than eleven, consecutive work days

A sick leave absence of more than five (5) but less than eleven (11) consecutive work days must be supported by a statement signed by a licensed physician that identifies the nature of the illness/disability. The physician's statement shall be attached to the "Absent Employee Report" and filed within two work days following the employee's return to work. The district may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties.

Absence of more than ten consecutive work days

A sick leave absence that is expected to exceed ten consecutive work days must, upon reaching the fifth consecutive day of absence, be supported by a licensed physician's written statement of diagnosis and prognosis which contains a projected date of return to active work. The district may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties.

Absence for childbirth or adoption

Standard sick leave for the purpose of recovering from childbirth or for purposes of child adoption shall be limited to a period of six consecutive weeks (30 days) immediately following the birth of the child - eight weeks (40 days) for childbirth via C-section. For adoption, standard sick leave shall be granted only for children of a very tender age, i.e. just days or weeks old, or when adoption agency rules and regulations require the adoptive parent(s) full-time availability for a prescribed initial period of time. Sick leave in excess of six weeks must be supported by written certification of a licensed physician prior to taking any such leave. The limit for use of accrued paid sick leave will be thirty (30) days for standard recovery (40 days for a C-section) and child adoption or the actual number of accrued days credited to the employee if less than the above. Days beyond thirty (30) - forty (40) for a C-section - or the actual number will be unpaid.

Family Leave under the Family and Medical Leave Act (FMLA)

"FMLA" leave is a supplemental form of leave governed by the terms of the federal "Family and Medical Leave Act" of 1993 (P.L. 103-3). This means that it is available in addition to standard "sick leave" benefits. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. In complying with the FMLA, the district will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and state laws.

To be eligible for "FMLA" leave, an individual must be employed by the school district for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months.

Eligible employees are entitled to up to a combined total of twelve (12) work weeks of unpaid leave per "rolling" 12-month period measured backward from the date an employee uses any FMLA leave for the following five leave situations:

1. The birth and first-year care of a child;
2. The adoption or foster placement of a child;
3. The "serious health condition" of an employee's spouse, parent, or child;
4. The employee's own "serious health condition"; and
5. A qualifying exigency arising out of a spouse, child or parent who is on active duty or has been notified of impending call to active duty in support of a contingency operation.

Benefits accrued before "FMLA" leave is taken will not be altered, and upon return, the employee is entitled to restoration to an equivalent position with equivalent pay, benefits, and conditions of employment. However, the employee will not accrue seniority or employment benefits during the time he or she is on "FMLA" leave.

Limits on child care/spouses employed by the district

In dealing with birth, adoption, and foster placement, the entitlement for childcare ends after: (a) the child reaches age one, or (b) twelve (12) months after the adoption or placement. When both spouses are employed by the district, the combined amount of leave for birth, adoption, foster placement, and illness of a parent will be limited to twelve (12) weeks. The limit for use of accrued paid sick leave for adoption, foster placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.

Leave taken intermittently or on a reduced leave schedule

Childcare leave under situations "1" and "2" shall not be taken intermittently or on a reduced leave schedule unless the employee and the district Superintendent agree otherwise.

Leave under situations "3" and "4" may be taken intermittently or on a reduced leave schedule when medically necessary. If an employee requests such leave that is foreseeable based on planned medical treatment, the district may require such employee to transfer temporarily to an available alternative position for which the employee is qualified and that (a) has equivalent pay and benefits; and (b) better accommodates recurring periods of leave than the regular employment position of the employee.

Substitution for paid leave

An employee using "FMLA" leave shall be required to substitute and exhaust any accrued paid vacation leave, personal leave, or sick leave of the employee in the exercise of "FMLA" leave. If such accrued paid leave is not sufficient to cover the "FMLA" leave entitlement, the additional days of leave necessary to satisfy the "FMLA" entitlement shall be without compensation. The limit for use of accrued paid sick leave for adoption, foster

placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.

Foreseeable leave

When "FMLA" leave is foreseeable, the employee must provide at least thirty (30) days notice of the date when leave is to begin - unless circumstances dictate otherwise. In addition, with respect to family or employee medical treatments which are foreseeable, the employee shall make a reasonable effort to schedule treatment (including intermittent and reduced hour leave) so as not to disrupt unduly the operation of the district.

Certification regarding leave

Certification to take leave. The district requires the employee to provide timely certification from his/her health care provider, or a family member's health care provider as to: (a) the date that the condition commenced, (b) the duration, (c) the necessity for the employee's leave, (d) the employee's inability to perform his/her job functions, or (e) Form WH-384 or WH-385, as applicable. Where doubt exists as to the certification, the district, at its own expense, may designate a second health care provider (other than a district employee) to provide a second opinion - with the opinion of a third health care provider, if necessary, to be binding.

Certification to continue leave. The district may require certification from the health care provider that a serious medical condition of the employee or family member continues to prevent the employee from returning to work.

Certification to return from leave. Upon return to work, the district requires the employee to provide certification by his/her health provider that the employee is able to resume work. Furthermore, if state or local law requires a public health official to examine an employee as a condition for returning to work, the employee must fulfill that requirement in order to return to work.

Failure to return from leave/recovery of health premiums

If an employee fails to return to work after the leave period has expired (other than family or personal illness or other circumstances beyond his or her control), the employer may recover the premium expenditures extended during the leave period.

Personal Leave

An employee may use three days per school year (non-cumulative) for personal reasons with these exceptions.

- on the last day before or the first day after a holiday
- during the first or last two weeks of school

An employee should give his/her principal or supervisor as much advance notice as possible prior to the day of requested leave.

The district will deduct personal leave from sick leave. Absences for personal leave may be granted on a half-day or full-day basis. Employees do not have to state the reason for personal leave.

Legal Absence

The district will grant employees leave without loss of pay, vacation time, or existing leave days when they are summoned for jury duty or subpoenaed. Whenever a prospective juror is dismissed before the end of the working day, he/she will return to his/her official duties. Compensation paid to the employee for serving on jury duty is to be kept by the employee.

When selected for jury duty, teachers, certified personnel at the building level or bus drivers are encouraged to request a postponement to a date that does not conflict with the school term.

Bereavement Leave

The district will grant an employee three days bereavement leave following the notification of the death of a member of his/her immediate family (spouse, children, grandchildren, parents, grandparents, brothers, sisters, and in-laws to the same degree). The three days are exclusive of Saturdays, Sundays and holidays.

Military Leave

Employees may take military leave without loss of pay, seniority or efficiency rating for one or more periods not exceeding a total of 15 workdays in one year. Saturdays, Sundays and state holidays may not be included in this 15 days unless the Saturday, Sunday or holiday is a regularly scheduled work day for the employee.

This leave may be taken when the employee is engaged in training or other duties ordered by the governor, the department of defense, the department of the army, the department of the air force, the department of the navy, the department of the treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service. This leave applies to employees who are either enlisted or commissioned members of the South Carolina National Guard, the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve or the United States Coast Guard Reserve.

In the event an employee is called upon to serve during an emergency, he/she will be entitled to such leave of absence under the Family and Medical Leave Act as prescribed above. In compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), an employee returning from military service must be reemployed in the job that s/he would have attained had s/he not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority, provided s/he meets reemployment eligibility.

The board expects employees to request their training for a period when school is not in session.

An employee seeking leave for annual active duty training must forward a written request, including the appropriate verifying data, to the superintendent no later than 30 days prior to the pre-arranged military activity.

Reimbursement for accumulated annual and/or sick leave under Teacher and Employee Retention Incentive Program (TERI)

The district will reimburse employees exiting TERI for up to ten days of unused annual leave at the time of separation from the district. The district will pay the employee at his or her current daily rate of pay.

Professional Leave for Conferences/Training Workshops

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

The district will grant an employee professional leave to attend a meeting of an organization in which he/she is an officer (president/chairman, vice-president, secretary, or treasurer).

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

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

Sabbaticals

Teachers and other professionally certificated employees who have completed five or more years of service in the district may, upon recommendation of the superintendent and approval of the board, be granted leave of absence without pay for the purpose of study or travel when, in the judgment of the superintendent, such travel and study contributes to the welfare of the employee and the district.

In order to provide for as much continuity in the instruction of students as possible, leaves for the purpose of study and travel will be granted in increments of semesters and for no more than two consecutive semesters (one school year). Requests must be submitted to the superintendent by April 15 for leave for the following school year or at least 60 days prior to the date the leave is to begin, if it is expected to occur within the same school year. Applications will be considered on the basis of the following criteria in the order of importance.

- availability of temporary replacements
- relative merits of reasons for desiring leave
- reasonable distribution of applicants by schools
- professional merit of the proposal
- the order in which applications have been received

A leave recipient may not deviate from his/her approved plan except by written permission of the board or its designee.

Upon return to the district, the employee will be granted first refusal of a comparable position for which he/she is certified to teach. When in the judgment of the superintendent it is advisable, a temporary contract may be issued to the replacement for the employee on leave.

No more than one percent of the district's teaching or administrative staff may be on leave for study or travel at any one time.

The superintendent must approve any exceptions to this policy, based on individual circumstances.

Vacations and Holidays

School-year personnel

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

Administrators and year-round personnel

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

Vacations

- All district employees who are 12-month employees accrue leave at the rate of 5/6th day per month for a total of 10 days per year. For fractions of a month worked, the district will figure the number of days worked as opposed to the number of working days in any given month. Once the total number of vacation days is compiled, if a person has any fraction more than a whole day earned, the fraction will count as a whole day.

- Employees with less than two weeks vacation with pay may take up to a maximum of two weeks with the extra days being without pay.
- Employees must obtain the prior approval of their supervisor before using accrued leave.
- Employees may accumulate an unlimited amount of vacation.
- At retirement or resignation, employees will be paid for only two weeks of leave, if they have more than 10 days accrued. Otherwise, they will be paid for the number of days they have at their daily rate of pay.
- The district allows vacation to be taken on a half-day basis.

(CF. GDC/GDD)

Adopted 4/27/78; Revised 4/27/81, 10/29/85, 11/24/86, 2/26/90, 2/23/04, 3/23/09

Legal references:

United States Code:

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

Chapter 43, Title 38 - Uniformed Services Employment and Reemployment Rights Act of 1994

S. C. Code, 1976, as amended:

Section 8-7-20 - Requires granting of military leave, without pay, up to five years.

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 an additional 30 days of leave with pay in emergency situations.

Section 9-1-2210 - Teacher and Employee Retention Incentive Program.

Section 14-1-190 - Compensation received for jury duty deemed to be expense money.

Section 14-7-845 - Relating to optional postponement of jury service for students and employees.

Section 25-1-2250 - Employees entitled to leave with pay when serving in National Guard.

Section 59-1-400 - Sick leave for public school district employees.

York 3/Rock Hill School District

{DRAFT}

Policy

SUPPORT STAFF LEAVES AND ABSENCES

Code GDC/GDD Issued _____

~~Purpose: To establish the basic structure for all types of support staff leaves and absences.~~

~~The continuous presence of employees promotes excellence in programs by ensuring the following.~~

- ~~• the uninterrupted continuity~~
- ~~• appropriate role model emulation~~
- ~~• reduced cost~~

~~Therefore, the Board expects employees to come to work every day. The Board recognizes, however, that certain absences are unavoidable. At such times, employees should take leave in accordance with this policy.~~

Standard Sick leave

~~Employees eligible for standard "sick leave" benefits under this policy are those employed in the School District and work at least thirty (30) hours per week.~~

~~Employees eligible for "family leave" (FMLA) benefits are those individuals who have been employed by the School District for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months.~~

Accrual of Sick Leave

~~Sick leave shall be accrued by eligible employees at the rate of one and one fourth days (converted to hours for hourly employees) for each month of active service yielding the following leave entitlements:-~~

- ~~• 12 days for 185 days of active service,~~
- ~~• 13 days for 210 days of active service,~~
- ~~• 14 days for 230 days of active service, and~~
- ~~• 15 days for 12 months of active service.~~

~~Accrued sick leave that is not used may be accumulated up to the equivalent of ninety (90) days provided that such employees do not violate their respective agreements.~~

Issuance of Sick Leave

PAGE 2 – GDC/GDD – SUPPORT STAFF LEAVES AND ABSENCES

~~Employees eligible to earn sick leave shall be issued at the beginning of their eligibility sick leave days in a number equal to the number earnable during their particular employment period.~~

~~If the recipient of such advance leave is separated from the District's employ for any reason, and, at the time of separation, has used any portion of the advanced leave prior to its becoming "vested" or "earned" leave via the requisite days of active service, the amount paid the employee for such used but unearned sick leave shall be deducted from the employee's final paycheck. Leave may be transferred to another state agency upon separation from employment with the District, provided the employee does not have a period of unemployment between jobs.~~

~~*Use of sick leave*~~

~~Use of sick leave days shall be limited to:~~

- ~~• Personal illness/physical incapacity;~~
- ~~• Attending to ill/physically incapacitated spouse, child, or parent; or~~
- ~~• Leave for childbirth or adoption.~~

~~Use of sick leave days in excess of accrued number will be without pay. An employee legitimately using accrued "sick leave" will not be terminated from employment nor shall any such employee be terminated during a continuing sick leave of less than ninety one (91) days.~~

~~Absences are calculated on a quarter basis. Any part of a quarter day/hour missed is considered as a quarter day/hour absent.~~

~~*Absence of five or fewer consecutive work days*~~

~~A sick leave absence of five (5) or fewer consecutive work days must be accompanied by a statement signed by the employee stating the reason for the absence. Such statement shall be provided via the District's report form and filed within two days following the employee's return to active service. The District may require the written statement of a physician attesting to the employee's need for the absence and his or her physical and emotional fitness to resume employment duties.~~

~~*Absence of more than five, but fewer than eleven, consecutive work days*~~

~~A sick leave absence of more than five (5) but less than eleven (11) consecutive work days must be supported by a statement signed by a licensed physician that identifies the nature of the illness/disability. The physician's statement shall be attached to the "Absent Employee Report" and filed within two work days following the employee's return to work. The District may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties.~~

~~*Absence of more than ten consecutive work days*~~

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~~A sick leave absence that is expected to exceed ten consecutive work days must, upon reaching the fifth consecutive day of absence, be supported by a licensed physician's written statement of diagnosis and prognosis which contains a projected date of return to active work. The District may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties. —~~

~~*Absence for childbirth or adoption*~~

~~Standard sick leave for the purpose of recovering from childbirth or for purposes of child adoption shall be limited to a period of six consecutive weeks (30 days) immediately following the birth of the child — eight weeks (40 days) for childbirth via C-section. For adoption, standard sick leave shall be granted only for children of a very tender age, i.e. just days or weeks old, or when adoption agency rules and regulations require the adoptive parent(s) full time availability for a prescribed initial period of time. Sick leave in excess of six weeks must be supported by written certification of a licensed physician prior to taking any such leave. The limit for use of accrued paid sick leave will be thirty (30) days for standard recovery (40 days for a C-section) and child adoption or the actual number of accrued days credited to the employee if less than the above. Days beyond thirty (30) — forty (40) for a C-section — or the actual number will be unpaid.~~

~~**Family Leave under the Family and Medical Leave Act (FMLA)**~~

~~"FMLA" leave is a supplemental form of leave governed by the terms of the federal "Family and Medical Leave Act" of 1993 (P.L. 103-3). This means that it is available in addition to standard "sick leave" benefits.¹ FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. In complying with the FMLA, the District will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and State laws.~~

~~To be eligible for "FMLA" leave, an individual must be employed by the School D for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months. —~~

~~Eligible employees are entitled to up to a combined total of twelve (12) work weeks of unpaid leave per "rolling" 12 month period measured backward from the date an employee uses any FMLA leave for the following five leave situations:-~~

- ~~1. The birth and first year care of a child; —~~
- ~~2. The adoption or foster placement of a child; —~~
- ~~3. The "serious health condition" of an employee's spouse, parent, or child; —~~
- ~~4. The employee's own "serious health condition"; and —~~
- ~~5. A qualifying exigency arising out of a spouse, child or parent who is on active duty or has been notified of impending call to active duty in support of a contingency operation. —~~

~~Benefits accrued before "FMLA" leave is taken will not be altered, and upon return, the employee is entitled to restoration to an equivalent position with equivalent pay, benefits, and conditions of employment. However, the employee will not accrue seniority or employment~~

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benefits during the time he or she is on “FMLA” leave.——

~~*Limits on child care/spouses employed by the District*~~

~~In dealing with birth, adoption, and foster placement, the entitlement for childcare ends after: (a) the child reaches age one, or (b) twelve (12) months after the adoption or placement. When both spouses are employed by the District, the combined amount of leave for birth, adoption, foster placement, and illness of a parent will be limited to twelve (12) weeks. The limit for use of accrued paid sick leave for adoption, foster placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.——~~

~~*Leave taken intermittently or on a reduced leave schedule*~~

~~Childcare leave under situations “1” and “2” shall not be taken intermittently or on a reduced leave schedule unless the employee and the district Superintendent agree otherwise.~~

~~Leave under situations “3” and “4” may be taken intermittently or on a reduced leave schedule when medically necessary. If an employee requests such leave that is foreseeable based on planned medical treatment, the District may require such employee to transfer temporarily to an available alternative position for which the employee is qualified and that (a) has equivalent pay and benefits; and (b) better accommodates recurring periods of leave than the regular employment position of the employee.~~

~~*Substitution for paid leave*~~——

~~An employee using “FMLA” leave shall be required to substitute and exhaust any accrued paid vacation leave, personal leave, or sick leave of the employee in the exercise of “FMLA” leave. If such accrued paid leave is not sufficient to cover the “FMLA” leave entitlement, the additional days of leave necessary to satisfy the “FMLA” entitlement shall be without compensation. The limit for use of accrued paid sick leave for adoption, foster placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.~~

~~*Foreseeable leave*~~——

~~When “FMLA” leave is foreseeable, the employee must provide at least thirty (30) days’ notice of the date when leave is to begin unless circumstances dictate otherwise. In addition, with respect to family or employee medical treatments which are foreseeable, the employee shall make a reasonable effort to schedule treatment (including intermittent and reduced hour leave) so as not to disrupt unduly the operation of the District.~~

~~*Certification regarding leave*~~

~~*Certification to take leave.* The District requires the employee to provide timely certification from his/her health care provider, or a family member’s health care provider as to: (a) the date~~

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~~that the condition commenced, (b) the duration, (c) the necessity for the employee's leave, (d) the employee's inability to perform his/her job functions, or (e) Form WH-384 or WH-385, as applicable. Where doubt exists as to the certification, the District, at its own expense, may designate a second health care provider (other than a District employee) to provide a second opinion – with the opinion of a third health care provider, if necessary, to be binding.~~

~~*Certification to continue leave.* The District may require certification from the health care provider that a serious medical condition of the employee or family member continues to prevent the employee from returning to work.~~

~~*Certification to return from leave.* Upon return to work, the District requires the employee to provide certification by his/her health provider that the employee is able to resume work. Furthermore, if State or local law requires a public health official to examine an employee as a condition for returning to work, the employee must fulfill that requirement in order to return to work.~~

~~*Failure to return from leave/recovery of health premiums*~~

~~If an employee fails to return to work after the leave period has expired (other than family or personal illness or other circumstances beyond his or her control), the employer may recover the premium expenditures extended during the leave period.~~

Personal Leave

~~An employee may use three days per school year (non-cumulative) for personal reasons with these exceptions.~~

- ~~• on the last day before or the first day after a holiday~~
- ~~• during the first or last two weeks of school~~

~~An employee should give his/her principal or supervisor as much advance notice as possible prior to the day of requested leave.~~

~~The District will deduct personal leave from sick leave. Absences for personal leave may be granted on a half-day or full-day basis. Employees do not have to state the reason for personal leave.~~

Legal Absence

~~The District will grant employees leave without loss of pay, vacation time, or existing leave days when they are summoned for jury duty or subpoenaed. Whenever a prospective juror is dismissed before the end of the working day, he/she will return to his/her official duties. Compensation paid to the employee for serving on jury duty is to be kept by the employee.~~

~~When selected for jury duty, bus drivers are encouraged to request a postponement to a date that does not conflict with the school term.~~

Bereavement Leave—

The District will grant an employee three days bereavement leave following the notification of the death of a member of his/her immediate family (spouse, children, grandchildren, parents, grandparents, brothers, sisters, and in-laws to the same degree). The three days are exclusive of Saturdays, Sundays and holidays.

Military Leave——

Employees may take military leave without loss of pay, seniority or efficiency rating for one or more periods not exceeding a total of 15 workdays in one year. Saturdays, Sundays and State holidays may not be included in this 15 days unless the Saturday, Sunday or holiday is a regularly scheduled work day for the employee.

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

In the event an employee is called upon to serve during an emergency, he/she will be entitled to such leave of absence under the Family and Medical Leave Act as prescribed above. In compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), an employee returning from military service must be reemployed in the job that s/he would have attained had s/he not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority, provided s/he meets reemployment eligibility.——

The Board expects employees to request their training for a period when school is not in session.

An employee seeking leave for annual active duty training must forward a written request, including the appropriate verifying data, to the Superintendent no later than 30 days prior to the pre-arranged military activity.——

Reimbursement for accumulated annual and/or sick leave under Teacher and Employee Retention Incentive Program (TERI)——

The District will reimburse employees exiting TERI for up to ten days of unused annual leave at the time of separation from the District. The District will pay the employee at his or her current hourly rate of pay.——

Professional Leave for Conferences/Training Workshops——

PAGE 7 – GDC/GDD – SUPPORT STAFF LEAVES AND ABSENCES

~~The Board believes that it is desirable to provide professional leave for support personnel in order to attract and retain faculty who will continue to grow professionally and enhance their service to the District.~~

~~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 Superintendent or his/her designee may authorize professional leave for attending State, regional and national meetings, workshops, and conferences (including observing in other schools) without pay deduction. The employee must apply for prior approval through his/her principal or supervisor.~~

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

~~Vacations and Holidays~~

~~School year personnel~~

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

~~Twelve month support personnel~~

~~Twelve month support personnel will receive vacations and holidays as follows.~~

~~Vacations~~

- ~~• All District employees who are 12 month employees accrue leave at the rate of 5/6th day per month for a total of 10 days per year. For fractions of a month worked, the District will figure the number of days worked as opposed to the number of working days in any given month. Once the total number of vacation days is compiled, if a person has any fraction more than a whole day earned, the fraction will count as a whole day.~~
- ~~• Employees with less than two weeks' vacation with pay may take up to a maximum of two weeks with the extra days being without pay.~~
- ~~• Employees must obtain the prior approval of their supervisor before using accrued leave.~~
- ~~• Employees may accumulate an unlimited amount of vacation.~~
- ~~• At retirement or resignation, employees will be paid for only two weeks of leave, if they have more than 10 days accrued. Otherwise, they will be paid for the number of days they have at their hourly rate of pay.~~
- ~~• The District allows vacation to be taken on a half day basis.~~

Adopted 4/27/78; Revised 4/27/81, 10/29/85, 11/24/86, 2/26/90, 5/24/04, 3/23/09, ___/16

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Legal references:

A. United States Code:

1. P.L. 103-3 and 29 CFR Part 825 – The Family and Medical Leave Act of 1993.
2. Chapter 43, Title 38 – Uniformed Services Employment and Reemployment Rights Act of 1994

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

1. Section 8-7-20 – Requires granting of military leave, without pay, up to five years.
2. Section 8-7-90 – Requires 15 days per year of leave with pay for members of National Guard and Reserve Units of the various Armed Forces. Also grants an additional 30 days of leave with pay in emergency situations.
3. Section 9-1-2210 – Teacher and Employee Retention Incentive Program.
4. Section 14-1-190 – Compensation received for jury duty deemed to be expense money.
5. Section 14-7-845 – Relating to optional postponement of jury service for students and employees.
6. Section 25-1-2250 – Employees entitled to leave with pay when serving in National Guard.
7. Section 59-1-400 – Sick leave for public school district employees.

Policy GDC/GDD Support Staff Leaves and Absences

Issued 3/09

Purpose: To establish the basic structure for all types of support staff leaves and absences.

The continuous presence of employees promotes excellence in programs by ensuring the following.

- the uninterrupted continuity
- appropriate role-model emulation
- reduced cost

Therefore, the board expects employees to come to work every day. The board recognizes, however, that certain absences are unavoidable. At such times, employees should take leave in accordance with this policy.

Standard Sick leave

Employees eligible for standard "sick leave" benefits under this policy are those employed in the school district and work at least thirty (30) hours per week.

Employees eligible for "family leave" (FMLA) benefits are those individuals who have been employed by the school district for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months.

Accrual of Sick Leave

Sick leave shall be accrued by eligible employees at the rate of one and one-fourth days (converted to hours for hourly employees) for each month of active service yielding the following leave entitlements:

- * 12 days for 185 days of active service,
- * 13 days for 210 days of active service,
- * 14 days for 230 days of active service, and
- * 15 days for 12 months of active service.

Accrued sick leave that is not used may be accumulated up to the equivalent of ninety (90) days provided that such employees do not violate their respective agreements.

Issuance of Sick Leave

Employees eligible to earn sick leave shall be issued at the beginning of their eligibility sick leave days in a number equal to the number earnable during their particular employment period.

If the recipient of such advance leave is separated from the district's employ for any reason, and, at the time of separation, has used any portion of the advanced leave prior to its becoming "vested" or "earned" leave via the requisite days of active service, the amount paid the employee for such used but unearned sick leave shall be deducted from the employee's final paycheck. Leave may be transferred to another state agency upon separation from employment with the district, provided the employee does not have a period of unemployment between jobs.

Use of sick leave

Use of sick leave days shall be limited to:

- * Personal illness/physical incapacity;
- * Attending to ill/physically incapacitated spouse, child, or parent; or
- * Leave for childbirth or adoption.

Use of sick leave days in excess of accrued number will be without pay. An employee legitimately using accrued "sick leave" will not be terminated from employment nor shall any such employee be terminated during a continuing sick leave of less than ninety-one (91) days.

Absences are calculated on a quarter basis. Any part of a quarter day/hour missed is considered as a quarter day/hour absent.

Absence of five or fewer consecutive work days

A sick leave absence of five (5) or fewer consecutive work days must be accompanied by a statement signed by the employee stating the reason for the absence. Such statement shall be provided via the district's report form and filed within two days following the employee's return to active service. The district may require the written statement of a physician attesting to the employee's need for the absence and his or her physical and emotional fitness to resume employment duties.

Absence of more than five, but fewer than eleven, consecutive work days

A sick leave absence of more than five (5) but less than eleven (11) consecutive work days must be supported by a statement signed by a licensed physician that identifies the nature of the illness/disability. The physician's statement shall be attached to the "Absent Employee Report" and filed within two work days following the employee's return to work. The district may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties.

Absence of more than ten consecutive work days

A sick leave absence that is expected to exceed ten consecutive work days must, upon reaching the fifth consecutive day of absence, be supported by a licensed physician's written statement of diagnosis and prognosis which contains a projected date of return to active work. The district may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties.

Absence for childbirth or adoption

Standard sick leave for the purpose of recovering from childbirth or for purposes of child adoption shall be limited to a period of six consecutive weeks (30 days) immediately following the birth of the child - eight weeks (40 days) for childbirth via C-section. For adoption, standard sick leave shall be granted only for children of a very tender age, i.e. just days or weeks old, or when adoption agency rules and regulations require the adoptive parent(s) full-time availability for a prescribed initial period of time. Sick leave in excess of six weeks must be supported by written certification of a licensed physician prior to taking any such leave. The limit for use of accrued paid sick leave will be thirty (30) days for standard recovery (40 days for a C-section) and child adoption or the actual number of accrued days credited to the employee if less than the above. Days beyond thirty (30) - forty (40) for a C-section - or the actual number will be unpaid.

Family Leave under the Family and Medical Leave Act (FMLA)

"FMLA" leave is a supplemental form of leave governed by the terms of the federal "Family and Medical Leave Act" of 1993 (P.L. 103-3). This means that it is available in addition to standard "sick leave" benefits. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. In complying with the FMLA, the district will

adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and state laws.

To be eligible for "FMLA" leave, an individual must be employed by the school district for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months.

Eligible employees are entitled to up to a combined total of twelve (12) work weeks of unpaid leave per "rolling" 12-month period measured backward from the date an employee uses any FMLA leave for the following five leave situations:

1. The birth and first-year care of a child;
2. The adoption or foster placement of a child;
3. The "serious health condition" of an employee's spouse, parent, or child;
4. The employee's own "serious health condition"; and
5. A qualifying exigency arising out of a spouse, child or parent who is on active duty or has been notified of impending call to active duty in support of a contingency operation.

Benefits accrued before "FMLA" leave is taken will not be altered, and upon return, the employee is entitled to restoration to an equivalent position with equivalent pay, benefits, and conditions of employment. However, the employee will not accrue seniority or employment benefits during the time he or she is on "FMLA" leave.

Limits on child care/spouses employed by the district

In dealing with birth, adoption, and foster placement, the entitlement for childcare ends after: (a) the child reaches age one, or (b) twelve (12) months after the adoption or placement. When both spouses are employed by the district, the combined amount of leave for birth, adoption, foster placement, and illness of a parent will be limited to twelve (12) weeks. The limit for use of accrued paid sick leave for adoption, foster placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.

Leave taken intermittently or on a reduced leave schedule

Childcare leave under situations "1" and "2" shall not be taken intermittently or on a reduced leave schedule unless the employee and the district Superintendent agree otherwise.

Leave under situations "3" and "4" may be taken intermittently or on a reduced leave schedule when medically necessary. If an employee requests such leave that is foreseeable based on planned medical treatment, the district may require such employee to transfer temporarily to an available alternative position for which the employee is qualified and that (a) has equivalent pay and benefits; and (b) better accommodates recurring periods of leave than the regular employment position of the employee.

Substitution for paid leave

An employee using "FMLA" leave shall be required to substitute and exhaust any accrued paid vacation leave, personal leave, or sick leave of the employee in the exercise of "FMLA" leave. If such accrued paid leave is not sufficient to cover the "FMLA" leave entitlement, the additional days of leave necessary to satisfy the "FMLA" entitlement shall be without compensation. The limit for use of accrued paid sick leave for adoption, foster placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.

Foreseeable leave

When "FMLA" leave is foreseeable, the employee must provide at least thirty (30) days notice of the date when leave is to begin - unless circumstances dictate otherwise. In addition, with respect to family or employee medical treatments which are foreseeable, the employee shall make a reasonable effort to schedule treatment (including intermittent and reduced hour leave) so as not to disrupt unduly the operation of the district.

Certification regarding leave

Certification to take leave. The district requires the employee to provide timely certification from his/her health care provider, or a family member's health care provider as to: (a) the date that the condition commenced, (b) the duration, (c) the necessity for the employee's leave, (d) the employee's inability to perform his/her job functions, or (e) Form WH-384 or WH-385, as applicable. Where doubt exists as to the certification, the district, at its own expense, may designate a second health care provider (other than a district employee) to provide a second opinion - with the opinion of a third health care provider, if necessary, to be binding.

Certification to continue leave. The district may require certification from the health care provider that a serious medical condition of the employee or family member continues to prevent the employee from returning to work.

Certification to return from leave. Upon return to work, the district requires the employee to provide certification by his/her health provider that the employee is able to resume work. Furthermore, if state or local law requires a public health official to examine an employee as a condition for returning to work, the employee must fulfill that requirement in order to return to work.

Failure to return from leave/recovery of health premiums

If an employee fails to return to work after the leave period has expired (other than family or personal illness or other circumstances beyond his or her control), the employer may recover the premium expenditures extended during the leave period.

Personal Leave

An employee may use three days per school year (non-cumulative) for personal reasons with these exceptions.

- on the last day before or the first day after a holiday
- during the first or last two weeks of school

An employee should give his/her principal or supervisor as much advance notice as possible prior to the day of requested leave.

The district will deduct personal leave from sick leave. Absences for personal leave may be granted on a half-day or full-day basis. Employees do not have to state the reason for personal leave.

Legal Absence

The district will grant employees leave without loss of pay, vacation time, or existing leave days when they are summoned for jury duty or subpoenaed. Whenever a prospective juror is dismissed before the end of the working day, he/she will return to his/her official duties. Compensation paid to the employee for serving on jury duty is to be kept by the employee.

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The district will grant an employee three days bereavement leave following the notification of the death of a member of his/her immediate family (spouse, children, grandchildren, parents, grandparents, brothers, sisters, and in-laws to the same degree). The three days are exclusive of Saturdays, Sundays and holidays.

Military Leave

Employees may take military leave without loss of pay, seniority or efficiency rating for one or more periods not exceeding a total of 15 workdays in one year. Saturdays, Sundays and state holidays may not be included in this 15 days unless the Saturday, Sunday or holiday is a regularly scheduled work day for the employee.

This leave may be taken when the employee is engaged in training or other duties ordered by the governor, the department of defense, the department of the army, the department of the air force, the department of the navy, the department of the treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service. This leave applies to employees who are either enlisted or commissioned members of the South Carolina National Guard, the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve or the United States Coast Guard Reserve.

In the event an employee is called upon to serve during an emergency, he/she will be entitled to such leave of absence under the Family and Medical Leave Act as prescribed above. In compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), an employee returning from military service must be reemployed in the job that s/he would have attained had s/he not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority, provided s/he meets reemployment eligibility.

The board expects employees to request their training for a period when school is not in session.

An employee seeking leave for annual active duty training must forward a written request, including the appropriate verifying data, to the superintendent no later than 30 days prior to the pre-arranged military activity.

Reimbursement for accumulated annual and/or sick leave under Teacher and Employee Retention Incentive Program (TERI)

The district will reimburse employees exiting TERI for up to ten days of unused annual leave at the time of separation from the district. The district will pay the employee at his or her current hourly rate of pay.

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

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

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

Vacations and Holidays

School-year personnel

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

Twelve-month support personnel

Twelve-month support personnel will receive vacations and holidays as follows.

Vacations

- All district employees who are 12-month employees accrue leave at the rate of 5/6th day per month for a total of 10 days per year. For fractions of a month worked, the district will figure the number of days worked as opposed to the number of working days in any given month. Once the total number of vacation days is compiled, if a person has any fraction more than a whole day earned, the fraction will count as a whole day.
- Employees with less than two weeks vacation with pay may take up to a maximum of two weeks with the extra days being without pay.
- Employees must obtain the prior approval of their supervisor before using accrued leave.
- Employees may accumulate an unlimited amount of vacation.
- At retirement or resignation, employees will be paid for only two weeks of leave, if they have more than 10 days accrued. Otherwise, they will be paid for the number of days they have at their hourly rate of pay.
- The district allows vacation to be taken on a half-day basis.

(CF. GCC/GCD)

Adopted 4/27/78; Revised 4/27/81, 10/29/85, 11/24/86, 2/26/90, 5/24/04, 3/23/09

Legal references:

United States Code:

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

Chapter 43, Title 38 - Uniformed Services Employment and Reemployment Rights Act of 1994

S. C. Code, 1976, as amended:

Section 8-7-20 - Requires granting of military leave, without pay, up to five years.

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 an additional 30 days of leave with pay in emergency situations.

Section 9-1-2210 - Teacher and Employee Retention Incentive Program.

Section 14-1-190 - Compensation received for jury duty deemed to be expense money.

Section 14-7-845 - Relating to optional postponement of jury service for students and employees.

Section 25-1-2250 - Employees entitled to leave with pay when serving in National Guard.

Section 59-1-400 - Sick leave for public school district employees.

York 3/Rock Hill School District

STUDENT PROTESTS, DEMONSTRATIONS, AND STRIKES

Code **JIJ** Issued **MODEL/18**

The board believes students benefit from being active participants in democracy. Therefore, the board recognizes the rights of students to dissent peacefully, and it is committed to striking a proper balance between students' right to free speech and expression and the district's responsibility to ensure safety and order in its schools.

District Response

Upon the receipt of credible information that a protest, demonstration, strike, or similar expressive activity may foreseeably occur and may result in a material or substantial disruption of the school environment or otherwise impinge on the rights of others, the building-level administrator will contact the superintendent to begin implementation of response efforts as detailed in the district safety plan.

Because student safety is paramount in every situation, the **superintendent or his/her designee** (*option: superintendent, building-level administrator, etc.*) may seek support and assistance from the school resource officer and/or local law enforcement, as appropriate.

District employees will provide supervision as necessary and appropriate during a protest, demonstration, strike, or other similar expressive activity to ensure that order is maintained. A staff member, while acting pursuant to his/her official duties in his/her capacity as a district employee, will remain neutral and will not offer opinions about the underlying issue for which the expressive activity is occurring.

Student Consequences

While student expression is encouraged at an appropriate time and place, and in an appropriate manner that does not disrupt the school environment, students who violate the district code of conduct before, during, or after a protest, demonstration, strike, or other expressive activity will be subject to disciplinary action. Students will not receive more severe consequences for code of conduct violations in the context of an expressive activity than for any other violation.

Students may receive unexcused absences for participation in expressive activities if these activities result in missed class time. These absences will be treated as any other unexcused absence for purposes of the code of conduct, opportunities to complete make-up assignments, participation in afterschool activities, etc.

Cf. JH, JICDA

Adopted ^

Legal references:

A. Federal Cases:

1. *Tinker v. Des Moines Ind. Comm. Sch. Dist.*, 393 U.S. 503 (1969).



MEMORANDUM

To: Board of Trustees

From: Kelly Pew

Date: April 19, 2018

Re: Employee Request for Leave of Absence

An employee has requested a leave of absence for four years to hold an office in a professional organization. (Policy GCC/GCD)

Policy GCC/GCD Professional Staff Leaves And Absences

Issued 3/09

Purpose: To establish the basic structure for all types of professional staff leaves and absences.

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

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

Therefore, the board expects employees to come to work every day. The board recognizes, however, that certain absences are unavoidable. At such times, employees should take leave in accordance with this policy.

Standard Sick leave

Employees eligible for standard "sick leave" benefits under this policy are those employed in a position for which certification is required by the State Department of Education or a person who is employed in the school district and works at least thirty (30) hours per week.

Employees eligible for "family leave" (FMLA) benefits are those individuals who have been employed by the school district for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months.

Accrual of Sick Leave

Sick leave shall be accrued by eligible employees at the rate of one and one-fourth days for each month of active service yielding the following leave entitlements:

- * 12 days for 185 days of active service,
- * 13 days for 210 days of active service,
- * 14 days for 230 days of active service, and
- * 15 days for 12 months of active service.

Accrued sick leave that is not used may be accumulated up to ninety (90) days provided that such employees do not violate their respective contracts.

Issuance of Sick Leave

Employees eligible to earn sick leave shall be issued at the beginning of their eligibility sick leave days in a number equal to the number earnable during their particular employment period.

If the recipient of such advance leave is separated from the district's employ for any reason, and, at the time of separation, has used any portion of the advanced leave prior to its becoming "vested" or "earned" leave via the requisite days of active service, the amount paid the employee for such used but unearned sick leave shall be deducted from the employee's final paycheck. Leave may be transferred to another state agency upon separation from employment with the district, provided the employee does not have a period of unemployment between jobs.

Use of sick leave

Use of sick leave days shall be limited to:

- * Personal illness/physical incapacity;
- * Attending to ill/physically incapacitated spouse, child, or parent; or
- * Leave for childbirth or adoption.

Use of sick leave days in excess of accrued number will be without pay. An employee legitimately using accrued "sick leave" will not be terminated from employment nor shall any such employee be terminated during a continuing sick leave of less than ninety-

one (91) days.

Absences are calculated on a half-day basis. Any part of a half-day missed is considered as a half-day absent.

Absence of five or fewer consecutive work days

A sick leave absence of five (5) or fewer consecutive work days must be accompanied by a statement signed by the employee stating the reason for the absence. Such statement shall be provided via the district's report form and filed within two days following the employee's return to active service. The district may require the written statement of a physician attesting to the employee's need for the absence and his or her physical and emotional fitness to resume employment duties.

Absence of more than five, but fewer than eleven, consecutive work days

A sick leave absence of more than five (5) but less than eleven (11) consecutive work days must be supported by a statement signed by a licensed physician that identifies the nature of the illness/disability. The physician's statement shall be attached to the "Absent Employee Report" and filed within two work days following the employee's return to work. The district may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties.

Absence of more than ten consecutive work days

A sick leave absence that is expected to exceed ten consecutive work days must, upon reaching the fifth consecutive day of absence, be supported by a licensed physician's written statement of diagnosis and prognosis which contains a projected date of return to active work. The district may require the written statement of a physician attesting to the employee's physical and emotional fitness to resume employment duties.

Absence for childbirth or adoption

Standard sick leave for the purpose of recovering from childbirth or for purposes of child adoption shall be limited to a period of six consecutive weeks (30 days) immediately following the birth of the child - eight weeks (40 days) for childbirth via C-section. For adoption, standard sick leave shall be granted only for children of a very tender age, i.e. just days or weeks old, or when adoption agency rules and regulations require the adoptive parent(s) full-time availability for a prescribed initial period of time. Sick leave in excess of six weeks must be supported by written certification of a licensed physician prior to taking any such leave. The limit for use of accrued paid sick leave will be thirty (30) days for standard recovery (40 days for a C-section) and child adoption or the actual number of accrued days credited to the employee if less than the above. Days beyond thirty (30) - forty (40) for a C-section - or the actual number will be unpaid.

Family Leave under the Family and Medical Leave Act (FMLA)

"FMLA" leave is a supplemental form of leave governed by the terms of the federal "Family and Medical Leave Act" of 1993 ([P.L. 103-3](#)). This means that it is available in addition to standard "sick leave" benefits.¹ FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. In complying with the FMLA, the district will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and state laws.

To be eligible for "FMLA" leave, an individual must be employed by the school district for a total of twelve (12) months and have worked at least 1,250 hours during the previous twelve (12) months.

Eligible employees are entitled to up to a combined total of twelve (12) work weeks of unpaid leave per "rolling" 12-month period measured backward from the date an employee uses any FMLA leave for the following five leave situations:

1. The birth and first-year care of a child;
2. The adoption or foster placement of a child;
3. The "serious health condition" of an employee's spouse, parent, or child;
4. The employee's own "serious health condition"; and
5. A qualifying exigency arising out of a spouse, child or parent who is on active duty or has been notified of impending call to active duty in support of a contingency operation.

Benefits accrued before "FMLA" leave is taken will not be altered, and upon return, the employee is entitled to restoration to an equivalent position with equivalent pay, benefits, and conditions of employment. However, the employee will not accrue seniority or employment benefits during the time he or she is on "FMLA" leave.

Limits on child care/spouses employed by the district

In dealing with birth, adoption, and foster placement, the entitlement for childcare ends after: (a) the child reaches age one, or (b)

twelve (12) months after the adoption or placement. When both spouses are employed by the district, the combined amount of leave for birth, adoption, foster placement, and illness of a parent will be limited to twelve (12) weeks. The limit for use of accrued paid sick leave for adoption, foster placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.

Leave taken intermittently or on a reduced leave schedule

Childcare leave under situations "1" and "2" shall not be taken intermittently or on a reduced leave schedule unless the employee and the district Superintendent agree otherwise.

Leave under situations "3" and "4" may be taken intermittently or on a reduced leave schedule when medically necessary. If an employee requests such leave that is foreseeable based on planned medical treatment, the district may require such employee to transfer temporarily to an available alternative position for which the employee is qualified and that (a) has equivalent pay and benefits; and (b) better accommodates recurring periods of leave than the regular employment position of the employee.

Substitution for paid leave

An employee using "FMLA" leave shall be required to substitute and exhaust any accrued paid vacation leave, personal leave, or sick leave of the employee in the exercise of "FMLA" leave. If such accrued paid leave is not sufficient to cover the "FMLA" leave entitlement, the additional days of leave necessary to satisfy the "FMLA" entitlement shall be without compensation. The limit for use of accrued paid sick leave for adoption, foster placement, or birth and first year care of a child, will be thirty (30) days or the actual number of accrued days credited to the employee if less than thirty (30). Days beyond thirty (30) or the actual number will be unpaid.

Foreseeable leave

When "FMLA" leave is foreseeable, the employee must provide at least thirty (30) days notice of the date when leave is to begin - unless circumstances dictate otherwise. In addition, with respect to family or employee medical treatments which are foreseeable, the employee shall make a reasonable effort to schedule treatment (including intermittent and reduced hour leave) so as not to disrupt unduly the operation of the district.

Certification regarding leave

Certification to take leave. The district requires the employee to provide timely certification from his/her health care provider, or a family member's health care provider as to: (a) the date that the condition commenced, (b) the duration, (c) the necessity for the employee's leave, (d) the employee's inability to perform his/her job functions, or (e) Form WH-384 or WH-385, as applicable. Where doubt exists as to the certification, the district, at its own expense, may designate a second health care provider (other than a district employee) to provide a second opinion - with the opinion of a third health care provider, if necessary, to be binding.

Certification to continue leave. The district may require certification from the health care provider that a serious medical condition of the employee or family member continues to prevent the employee from returning to work.

Certification to return from leave. Upon return to work, the district requires the employee to provide certification by his/her health provider that the employee is able to resume work. Furthermore, if state or local law requires a public health official to examine an employee as a condition for returning to work, the employee must fulfill that requirement in order to return to work.

Failure to return from leave/recovery of health premiums

If an employee fails to return to work after the leave period has expired (other than family or personal illness or other circumstances beyond his or her control), the employer may recover the premium expenditures extended during the leave period.

Personal Leave

An employee may use three days per school year (non-cumulative) for personal reasons with these exceptions.

- on the last day before or the first day after a holiday
- during the first or last two weeks of school

An employee should give his/her principal or supervisor as much advance notice as possible prior to the day of requested leave.

The district will deduct personal leave from sick leave. Absences for personal leave may be granted on a half-day or full-day basis. Employees do not have to state the reason for personal leave.

Legal Absence

The district will grant employees leave without loss of pay, vacation time, or existing leave days when they are summoned for jury duty or subpoenaed. Whenever a prospective juror is dismissed before the end of the working day, he/she will return to his/her official duties. Compensation paid to the employee for serving on jury duty is to be kept by the employee.

When selected for jury duty, teachers, certified personnel at the building level or bus drivers are encouraged to request a postponement to a date that does not conflict with the school term.

Bereavement Leave

The district will grant an employee three days bereavement leave following the notification of the death of a member of his/her immediate family (spouse, children, grandchildren, parents, grandparents, brothers, sisters, and in-laws to the same degree). The three days are exclusive of Saturdays, Sundays and holidays.

Military Leave

Employees may take military leave without loss of pay, seniority or efficiency rating for one or more periods not exceeding a total of 15 workdays in one year. Saturdays, Sundays and state holidays may not be included in this 15 days unless the Saturday, Sunday or holiday is a regularly scheduled work day for the employee.

This leave may be taken when the employee is engaged in training or other duties ordered by the governor, the department of defense, the department of the army, the department of the air force, the department of the navy, the department of the treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service. This leave applies to employees who are either enlisted or commissioned members of the South Carolina National Guard, the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve or the United States Coast Guard Reserve.

In the event an employee is called upon to serve during an emergency, he/she will be entitled to such leave of absence under the Family and Medical Leave Act as prescribed above. In compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), an employee returning from military service must be reemployed in the job that s/he would have attained had s/he not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority, provided s/he meets reemployment eligibility.

The board expects employees to request their training for a period when school is not in session.

An employee seeking leave for annual active duty training must forward a written request, including the appropriate verifying data, to the superintendent no later than 30 days prior to the pre-arranged military activity.

Reimbursement for accumulated annual and/or sick leave under Teacher and Employee Retention Incentive Program (TERI)

The district will reimburse employees exiting TERI for up to ten days of unused annual leave at the time of separation from the district. The district will pay the employee at his or her current daily rate of pay.

Professional Leave for Conferences/Training Workshops

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

The district will grant an employee professional leave to attend a meeting of an organization in which he/she is an officer (president/chairman, vice-president, secretary, or treasurer).

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

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

Sabbaticals

Teachers and other professionally certificated employees who have completed five or more years of service in the district may, upon recommendation of the superintendent and approval of the board, be granted leave of absence without pay for the purpose of study or travel when, in the judgment of the superintendent, such travel and study contributes to the welfare of the employee and the district.

In order to provide for as much continuity in the instruction of students as possible, leaves for the purpose of study and travel will be granted in increments of semesters and for no more than two consecutive semesters (one school year). Requests must be submitted to the superintendent by April 15 for leave for the following school year or at least 60 days prior to the date the leave is to begin, if it is expected to occur within the same school year. Applications will be considered on the basis of the following criteria in the order of importance.

- availability of temporary replacements
- relative merits of reasons for desiring leave
- reasonable distribution of applicants by schools
- professional merit of the proposal
- the order in which applications have been received

A leave recipient may not deviate from his/her approved plan except by written permission of the board or its designee.

Upon return to the district, the employee will be granted first refusal of a comparable position for which he/she is certified to teach. When in the judgment of the superintendent it is advisable, a temporary contract may be issued to the replacement for the employee on leave.

No more than one percent of the district's teaching or administrative staff may be on leave for study or travel at any one time.

The superintendent must approve any exceptions to this policy, based on individual circumstances.

Vacations and Holidays

School-year personnel

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

Administrators and year-round personnel

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

Vacations

- All district employees who are 12-month employees accrue leave at the rate of 5/6th day per month for a total of 10 days per year. For fractions of a month worked, the district will figure the number of days worked as opposed to the number of working days in any given month. Once the total number of vacation days is compiled, if a person has any fraction more than a whole day earned, the fraction will count as a whole day.
- Employees with less than two weeks vacation with pay may take up to a maximum of two weeks with the extra days being without pay.
- Employees must obtain the prior approval of their supervisor before using accrued leave.
- Employees may accumulate an unlimited amount of vacation.
- At retirement or resignation, employees will be paid for only two weeks of leave, if they have more than 10 days accrued. Otherwise, they will be paid for the number of days they have at their daily rate of pay.
- The district allows vacation to be taken on a half-day basis.

(CF. GDC/GDD)

Adopted 4/27/78; Revised 4/27/81, 10/29/85, 11/24/86, 2/26/90, 2/23/04, 3/23/09

Legal references:

United States Code:

[P.L.103-3](#) and [29 CFR Part 825](#) - The Family and Medical Leave Act of 1993.

[Chapter 43, Title 38](#) - Uniformed Services Employment and Reemployment Rights Act of 1994

S. C. Code, 1976, as amended:

GCC/GCD

[Section 8-7-20](#) - Requires granting of military leave, without pay, up to five years.

[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 an additional 30 days of leave with pay in emergency situations.

[Section 9-1-2210](#) - Teacher and Employee Retention Incentive Program.

[Section 14-1-190](#) - Compensation received for jury duty deemed to be expense money.

[Section 14-7-845](#) - Relating to optional postponement of jury service for students and employees.

[Section 25-1-2250](#) - Employees entitled to leave with pay when serving in National Guard.

[Section 59-1-400](#) - Sick leave for public school district employees.

York 3/Rock Hill School District



Communications Department
Telephone: 981-1008 - Fax: 981-1094

Memorandum

TO: Dr. Kelly Pew
FROM: April 19, 2018
SUBJECT: Announcements for April 23rd School Board Meeting

Upcoming Board Meetings

The School Board will next meet on Monday, May 14, 2018 when it holds a data session and work session. Due to the Memorial Day holiday, the next business meeting will be held on Tuesday, May 29. Meetings will continue to be streamed on our website and on Facebook as well as being made available for on-demand viewing immediately following each broadcast.

Online Enrollment and Registration for the 2018-2019 School Year

Beginning today, parents and legal guardians of our current students can begin the online enrollment and registration process for the 2018-2019 school year. The registration window is opening early this year to allow our families to complete the process before summer. For more information or to begin, please visit our website, www.rock-hill.k12.sc.us/register.

League of Innovative Schools Visit

This is a big week for Rock Hill Schools as more than 80 district-level administrators from across the United States will convene on Rock Hill for school and program tours on Thursday. This much-anticipated event is part of the League of Innovative Schools conference being held in Charlotte this week. We look forward to this tremendous opportunity to showcase the incredible work happening in our schools.

Follow Capital Program Updates

The Build on the Rock website has been updated with photos. You are encouraged to visit the district's capital building program, "Build on the Rock," website – www.rock-hill.k12.sc.us/BuildOnTheRock -- for more information. This website provides status updates on active and planned construction projects in the district. On the page, viewers can see project descriptions, before and after photographs, and construction timelines.

Alternative Certification Pathways to Teaching

Tomorrow, Tuesday, April 24, Rock Hill Schools is hosting an information seminar in partnership with the South Carolina Department of Education for anyone interested in pursuing an alternative certification to enter the teaching profession. Anyone interested should bring a copy of their college transcripts and be prepared to meet with representatives from the South Carolina Department of Education. There are several alternate entry pathways that will be discussed at the seminar including, Alternative pathways to the classroom are presently available through: Program of Alternative Certification for Educators (PACE), American Board for Certified Teaching Excellence (ABCTE), Teach for America, and Teachers of Tomorrow.

At its work session on April, 2018, held at the Central Office, the board:

- held its monthly data session;
- held an executive session for legal advice regarding policies; contract recommendations; custodial services; and, employment matters regarding the superintendent;
- heard a report from the Mt. Holly School Improvement Council;
- received activity bus rental requests from Winthrop University and The Boys & Girls Club;
- discussed Section “G” policies (2 sets);
- discussed model policy **IIJ** – Student Protests, Demonstrations, and Strikes;
- received a quarter three construction update;
- received a budget timeline update;
- discussed whether or not to proceed with the student drug testing program;
- received as information graduation recommendations; and,
- discussed other and future business

Other and Future Business

Jim Vining

Executive Session

- Personnel Matters > *Hirings, Assignments, Transfers*
> *Custodial Services*
- Legal Matter: > *Telecommunications Services Contract*

Action as Required from Executive Session

Adjournment