

EDUCATIONAL EQUITY

Code **ACB** Issued **DRAFT/23**

2 readings

1ST Reading
7/20/23

The board is committed to the provision of an equitable education system reflected in the educational opportunities offered to all students regardless of gender, race, ethnicity, socio-economic status, English learner status, disability, and/or other characteristics, as well as the intersection of these characteristics. The board prioritizes educational equity through the allocation of resources based upon individual student needs. As such, the district will identify and address barriers that cultivate achievement and/or opportunity gaps for students.

The superintendent or his/her designee will use quantitative and qualitative district-wide and school-level data to systematically assess which students and/or student groups are experiencing the least achievement, determine the academic needs, and target resources and efforts to address identified needs and improve overall outcomes. The data may include anecdotal information from staff members, as well as formally collected and reported data. Data will be disaggregated and intersected, where feasible, based on available demographics.

In the pursuit of educational equity for students, district programs, operations, and functions will be structured to prioritize the following guiding principles:

- The district will provide multiple pathways to success to meet the needs of the diverse student body and will actively encourage, support, and expect high academic achievement and excellence from each student.
- Students will be encouraged and provided opportunities to pursue their goals and interests, to enroll in challenging programs, and to participate in school activities and interscholastic athletics without regard to biases. Students' educational achievement will neither be predicted nor predetermined by explicit bias (actions, attitudes, and beliefs about a person or group on a subconscious level) or implicit biases (actions, attitudes, or stereotypes that affect understanding, actions, and decisions in a subconscious manner).
- Students will be provided equitable access to instructional materials, assessments, curriculum, support, facilities, and other educational resources and services that reflect an appreciation for the diverse cultural perspectives, identities, and the needs of students by strategically differentiating allocations as necessary to remove barriers and improve outcomes.
- The district's curriculum will promote equity and respect, reflect the distinctive contributions of a diverse society, embed culturally responsive teaching and practices, and provide opportunities for staff members and students to interact effectively with individuals from other cultures.
- The district will promote a diverse workforce by maintaining an employment process that is free of discrimination and bias; by identifying and addressing barriers to the recruitment, hiring, retention, development, and promotion of district staff members from diverse backgrounds; and by actively recruiting and promoting candidates who are committed to educational equity.
- The district will provide professional development opportunities regarding cultural competency and proficiency that foster the skills and knowledge to cultivate equity and to create a learning environment that is student-centered and meets the individual and diverse needs of students.

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- The district will strive to create a welcoming, inclusive, and bias-free culture and environment that values, reflects, and is responsive to the diversity of students, families, and the community. Respectful and civil discourse and interactions among staff members, students, families, and community members is expected at all times.
- The district will review policies, procedures, programs, professional development, and budget allocations with an equity lens.

Staff members will conduct themselves in a manner consistent with the principles of this policy. The superintendent or his/her designee is authorized to develop an action plan and procedures in accordance with these principles.

Adopted ^

Educational Equity

Following the national events surrounding the death of George Floyd and the resulting protests, several districts inquired about a policy specifically addressing equity in education. SCSBA acted accordingly and developed a model policy that focuses on the allocation of resources, including professional development, data collection identifying the barriers that create achievement and opportunity gaps among students, and diversity in the curriculum.

SCSBA has also provided a helpful tool districts can use when making decisions to ensure that districts are considering equity throughout the educational system.

Local District Action Required: Districts should review the model policy for adoption.

Policy References: ACB (Educational Equity), the accompanying handout, and IJA (Comparability of Services)

Model policy and handout follow this summary.

2020
Model
Policy
Information

EDUCATIONAL EQUITY

Code **ACB** Issued **MODEL/20**

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PAGE 2 - ACB - EDUCATIONAL EQUITY

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Adopted ^

SERVICE ANIMALS (PUBLIC)

Code ACE Issued DRAFT/23

2 readings
1st Reading
7/20/23

It is the desire of the board to ensure that individuals with disabilities are able to participate in and benefit from all district services, programs, and activities and that the district does not discriminate against individuals on the basis of disability. Members of the public with disabilities will be permitted to utilize service animals in district buildings, on district property, and in vehicles (e.g. chaperones, special event shuttles, etc.) that are owned, leased, or controlled by the district in accordance with this policy and applicable laws and regulations.

Because some individuals are highly allergic to or fearful of certain animals, and because animals have the potential to spread disease or behave in dangerous or unpredictable ways that can cause injury to persons with whom they come into contact, the superintendent or his/her designee will develop and disseminate procedures to implement this policy and accommodate members of the public with disabilities who utilize service animals. While the district will consider the available options and attempt to accommodate both the handler and the individual(s) with allergies, fears, etc., generally, these issues will not result in automatic exclusion or removal of a service animal.

A designated administrator will ensure that all individuals involved in a situation where a service animal will regularly accompany an individual with disabilities are informed of this policy and its accompanying procedures.

Definitions

Service animal means a dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, will not be authorized as a service animal, with the exception of miniature horses in limited instances outlined in law and regulation.

The work or tasks performed by a service animal will be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, the following:

- assisting an individual who is visually impaired with navigation and other tasks
- alerting an individual who is deaf or hard of hearing to the presence of people or sounds
- pulling a wheelchair
- assisting an individual during a seizure
- alerting an individual to the presence of allergens
- retrieving items such as medicine or a communications device
- providing physical support and assistance with balance and stability to an individual with mobility disabilities
- helping a person with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors

The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

Handler means the individual responsible for caring for and supervising the service animal, which includes toileting, feeding, grooming, and veterinary care. The district is not obligated to supervise or otherwise care for a service animal.

Admission of a Service Animal

Individuals with disabilities may be accompanied by their service animal while on district property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public. The district will not require

a handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.

Participants in district services, programs, or activities will be permitted to be accompanied by a service animal in all areas of district facilities and vehicles where access is permitted to other participants.

Appropriate inquiries

In general, the district will not ask about the nature or extent of a person's disability but may make two inquiries to determine whether an animal qualifies as a service animal. Administrators of the district or their designees may ask:

- if the animal is required because of a disability
- what work or task the animal has been trained to perform

Additionally, the district will not make any inquiries about a service animal when it is readily apparent that the animal is trained to do work or perform tasks for an individual with a disability (e.g. the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

The district will not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. However, the district may request proof of current vaccinations and immunizations.

Responsibilities of the Handler

The handler of a service animal will be solely responsible for the following:

- supervision and care of the animal, including any feeding, exercising, cleaning up, and stain removal
- control of the animal at all times through the use of a harness, leash, tether, or by other effective means
- damages to district buildings, property, and vehicles caused by the animal
- injuries to students, staff members, volunteers, and visitors caused by the animal

The district may impose legitimate safety requirements as necessary for the safe operation of its services, programs, or activities. Such requirements will be based upon actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities and/or service animals.

Exclusion of a Service Animal

The service animal must be under the control of its handler at all times. The district may ask the handler to remove his/her animal from the premises if the animal is out of control and the handler does not take effective action to control it or if the animal is not housebroken. Additionally, if the presence of the animal poses a direct threat to the health or safety of others or would require a fundamental alteration to the services, programs, or activities of the district, the district may exclude the service animal.

In addition, and specific to athletic facilities, the service animal should be non-disruptive to other individuals attending the athletic event and, to the extent possible, the owner should ensure that the animal does not sniff or jump on people, tables, or the personal belongings of others or block an aisle or passageway for fire egress.

Where a service animal is removed pursuant to district policy, the district will work with the handler to determine reasonable alternative opportunities to allow the handler to attend the athletic event without having the service animal on the premises.

Complaint Process

The following person has been designated to handle inquiries, questions, and grievances regarding the district's service animal policy:

(Job Title Only) *Superintendent Designee*
Address: *P.O. Drawer 1389, 125 S. Blandley Street, Lake City, SC 29560*
Telephone: *(843) 374-8652*
Email: *Designee e-mail*

Any individual who believes that he/she is being denied access to buildings or programs, or discriminated against based on disability, should contact:

(Note: This individual should be the same staff member designated to handle disability discrimination, harassment, and retaliation complaints listed in policy AC, Nondiscrimination/Equal Opportunity.)

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Address: *P.O. Drawer 1389, 125 S. Blandley Street, Lake City, SC 29560*
Telephone: *(843) 374-8652*
Email: *Designee e-mail*

Adopted ^

Legal References:

- A. United States Code of Laws, as amended:
 - 1. Americans with Disabilities Act, 42 U.S.C.A. Section 12101, *et seq.*
 - 2. Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1400, *et seq.*
 - 3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq.*

SERVICE ANIMALS (PUBLIC)

Code **ACE** Issued **MODEL/20**

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PAGE 2 - ACE- SERVICE ANIMALS (PUBLIC)

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PAGE 3 - ACE- SERVICE ANIMALS (PUBLIC)

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DRUG AND ALCOHOL-FREE WORKPLACE AND SCHOOLS

Code ADB Issued DRAFT/23

2 readings
1ST Reading
7/20/23

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

Staff

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

Drug means any narcotic drug, depressant, stimulant or hallucinogenic drug, amphetamine, barbiturate, marijuana, any counterfeit drug, imitation controlled substance, "look-alike" substance, synthetic or designer drug (bath salts and synthetic marijuana), or any other controlled substance as defined by the acts and regulations cited below.

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

Workplace means the site for the performance of work. That includes any school building or any school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. It also includes off-school property during any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event where students are under the jurisdiction of the district.

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

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

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

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

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

Prescribed and over-the-counter medications

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

Students

No student, regardless of age, will possess, use, sell, purchase, barter, distribute, or be under the influence of alcoholic beverages or other controlled substances in the following situations:

- on school property (including buildings, grounds, vehicles, etc.)
- at any school-sponsored activity, function, or event, whether on or off school grounds (including any location where an interscholastic athletic contest is taking place)
- en route to or from, or during, any field trip or during any trip or activity sponsored by the board or under the supervision of the board or its authorized agents

No student will aid, abet, assist, or conceal the possession, consumption, purchase, or distribution of any alcoholic beverage by any other student or students in any of the circumstances listed above.

No student will market or distribute any substance which is represented to be or is substantially similar in color, shape, size, or markings of a controlled substance in any of the circumstances listed above.

All principals and other district staff will cooperate fully with law enforcement agencies and will report to them all information that would be considered pertinent or beneficial in their efforts to stop the sale, possession, and use of controlled substances.

The administration will suspend students who violate this policy, and the board may expel them. The board intends to expel all students who distribute any controlled substance on school grounds.

Cf. GBEC, JICH

Adopted ^

Legal References:

- A. S.C. Constitution:
 - 1. Article XVII, Section 14 - Must be over 21 to possess distilled liquors.
- B. United States Code of Laws, as amended:
 - 1. Controlled Substances Act, 21 U.S.C.A. Section 812 - Schedules of controlled substances.
 - 2. Drug-Free Workplace Act, 41 U.S.C.A. Section 8101, *et seq.*
 - 3. Safe and Drug-Free Schools and Communities Act, 20 U.S.C.A. Section 7101, *et seq.*
- C. S.C. Code of Laws, 1976, as amended:
 - 1. Section 16-17-530 - Any person coming to school in an intoxicated condition, or conducting themselves in a disorderly or boisterous manner, could be arrested for a misdemeanor.

PAGE 3 - ADB - DRUG AND ALCOHOL-FREE WORKPLACE AND SCHOOLS

2. Section 44-49-80 - Establishment of alcohol and drug abuse intervention, prevention, and treatment services program for the public schools.
3. Section 44-53-110, et seq. - Narcotics and controlled substances.
4. Section 44-53-440 - Distribution to persons under 18.
5. Section 59-67-150 - Drinking alcoholic liquors on a school bus is prohibited.

TOBACCO-FREE SCHOOL DISTRICT

Code ADC Issued DRAFT/23

2 readings
1/31
reading
7/20/23

The board affirms that tobacco use and exposure to secondhand smoke (environmental tobacco smoke) are hazardous to the health of human beings, especially children. Therefore, the board believes that it is essential to maintain a 100 percent tobacco-free environment in order to ensure students and staff members have access to the healthiest, most productive learning environment possible.

For purposes of this policy:

Tobacco product means a substance that contains tobacco and is intended for human consumption, including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff.

Alternative nicotine product means any vaping product, whether or not it contains nicotine, including, but not limited to, electronic smoking devices or products that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, or by any other means.

The board commits to the following:

- maintaining a 100 percent tobacco-free, smoke-free environment for all students, staff, parents/legal guardians, contract and other workers, volunteers, visitors, and other members of the public within all district facilities, vehicles, and grounds. This includes any building, facility, and vehicle owned, operated, leased, rented, or chartered by the district and applies to all school-sponsored or school-related events, on or off school grounds
- prohibiting the use of any tobacco product or alternative nicotine product by persons attending a school-sponsored event when in the presence of students or staff or in an area where smoking or other tobacco use is otherwise prohibited by law
- prohibiting the possession of all tobacco products, alternative nicotine products, or associated paraphernalia
- utilizing a proven and effective science-based tobacco use prevention curriculum
- providing access to cessation counseling or referral services for all students and staff

Notice

This policy will be communicated through a variety of efforts to educate students, staff, parents/legal guardians, contract and other workers, volunteers, visitors, and other members of the public. The policy will be posted on the school website and printed in staff and student handbooks on an annual basis.

Tobacco-free signs prohibiting the use of tobacco products and alternative nicotine products on district property will be posted in highly visible areas at facility entrances and throughout school and district grounds, including athletic facilities.

Enforcement

Students, staff members, parents/legal guardians, contract and other workers, volunteers, visitors, and other members of the public are required to comply with this tobacco-free policy. The district will enforce this policy through appropriate disciplinary actions for violators, including, but not limited to, the following:

Students

- parent/legal guardian/administrator conferences
- mandatory enrollment in tobacco prevention education or cessation programs
- community service
- in-school suspension
- suspension from extracurricular activities
- out-of-school suspension

Staff

- verbal reprimands
- written notification placed in personnel file
- suspension
- mandatory enrollment in a tobacco prevention education program
- voluntary enrollment in a cessation program

Contract or other workers

- verbal reprimand
- notification to contract employer
- removal from district property

Visitors, volunteers, or members of the public

- verbal requests to leave school property
- termination from volunteer positions
- forfeiture of any fee charged for admission
- prosecution for disorderly conduct after repeated offenses

All staff members are expected to enforce the policy under the direction of the principal or district administrator. Any violation of this policy should be reported to school or district administration.

Education and Assistance

The district will utilize a proven and effective tobacco use prevention curriculum to educate all students and will provide assistance and/or make appropriate cessation referrals. The district will collaborate with the South Carolina Department of Health and Environmental Control, the South Carolina Department of Alcohol and Other Drug Abuse Services, and the South Carolina Department of Education, as appropriate, to implement this policy.

Tobacco Industry Marketing or Sponsorship

The district will not accept any contributions, gifts, money, or materials from the tobacco industry. The district will not participate in any type of services that are funded by the tobacco industry. In addition, any gear, paraphernalia, clothing, etc., that advertises tobacco or alternative tobacco products, or tobacco or alternative tobacco product use, will not be allowed on district grounds or in the possession of students, staff, contract and other workers, and volunteers (*option: parents/legal guardians, visitors, other members of the public*) on district property or at district-sponsored events.

Cf. GBED, JICG

Adopted ^

Legal References:

- A. United States Code of Laws, as amended:
 - 1. Pro-Children Act of 2001, 20 U.S.C.A. Section 7972, *et seq.*

- B. S.C. Code of Laws, 1976, as amended:
 - 1. Section 16-17-490 - Prohibits contributing to the delinquency of a minor.
 - 2. Section 16-17-500, *et seq.* - Youth Access to Tobacco Prevention Act of 2006.
 - 3. Section 44-95-10, *et seq.* - Clean Indoor Air Act of 1990.
 - 4. Section 59-1-380 - Requires a written district policy prohibiting the use of tobacco products and alternative nicotine products on school property or at school-sponsored events.
 - 5. Section 59-67-150 - Prohibits use of tobacco products on school buses.

BOARD SELF-EVALUATION

Code BAA Issued DRAFT/23

NEW

1st reading
7/20/23

2 readings
required

The board is committed to a continuous growth process and to leading by example. To that end, the board will conduct annual self-evaluations during *(option: a regularly scheduled board meeting, special meeting, or board retreat)*. The results of the self-evaluation will be reviewed each year in ~~*****~~ ^{October} and used to establish board goals for the following year. At the next regularly scheduled board meeting following compilation of the results of the self-evaluation, the board chair will make a summary report of the process and results.

Self-assessment by the board allows its members to systematically take an in-depth look at the board as a governing body to make sure it is discharging its responsibilities to the school community effectively. The results of the evaluation provide valuable information the board will use to build a unified body of effective leaders.

The evaluation will assist the board by:

- providing a baseline for effective goal setting and long-range planning
- promoting dialogue about effective governance leading to a greater understanding of roles and responsibilities
- identifying strengths and weaknesses of the board as a public body and guiding the board's efforts to improve through training, research, and other forms of board development
- improving decision making by enhancing a common understanding of the board's philosophies and goals
- prompting an awareness and understanding among the public and parents/legal guardians about the functions of the board
- demonstrating a willingness by each board member to hold each other accountable

(DRAFTER'S NOTE: The South Carolina School Boards Association will assist the board with its annual evaluation by providing the assessment instrument and analysis.)

Adopted ^

BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

NEW

2 readings
1st 7/28/23

Code **BBAA** Issued **DRAFT/23**

The powers delegated to the board by law are delegated to the board as a whole. The board exercises its powers and duties only in properly-called meetings where a quorum has been established.

Except when performing a specific duty authorized by law or board action, the decision and actions of a single member of the board are not binding on the entire board. Unless specific authorization is granted by the board, a board member does not have any authority greater than members of the general public. Such authorization will be given to an individual board member by a majority vote of the board.

Each board member should be committed to reaching and supporting group decisions that represent the best judgment of the board. This does not limit the right of individual board members to express personal opinions. However, when expressing such opinions in public, the board member must explicitly identify the opinions as personal.

Board members will interact with district administration through the superintendent and will not give orders to any subordinates of the superintendent either publicly or privately. Suggestions and recommendations regarding the administration will be made directly to the superintendent.

Questions, requests, complaints, and other information presented to individual board members outside of a board meeting by members of the public should be referred to the superintendent.

The members of the board are officers of the state. Constitutional provisions which apply to public officers also apply to board members.

Adopted ^

Legal References:

- A. S.C. Constitution:
 1. Article XVII, Sections 1 and 1A - Qualifications for office and prohibition against dual office holding.
- B. S.C. Code of Laws, 1976, as amended:
 1. Section 8-1-10, *et seq.* - Rights and responsibilities of public officers.
- C. Attorney General's Opinion:
 1. Op. S.C. Att'y Gen., 1961 WL 8327 (April 21, 1961) Any action taken by the board must be taken at a regularly called and assembled meeting with a quorum present.

BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

Code BBAA-R Issued DRAFT/23

Board members will adhere to the following in carrying out their responsibilities.

Requesting Information

It is important for board members to be informed about the district and the performance of its students. The superintendent regularly provides board members with information in the form of the pre-meeting board packet and presentations at board meetings. Board members who seek additional information should make such requests to the superintendent. Information provided as the result of such a request will be sent to each board member.

If the information sought by individual board members is not readily available without an amount of staff effort that the superintendent deems significant, board members will be asked to obtain the approval of a majority of the board so that information requests do not result in unnecessarily high costs or distract staff from their primary responsibilities. Under no circumstances will board members engage in an investigation of staff or student issues.

Individual student information is confidential, and board members only have access to such information when it is necessary for performing a function in their official capacity. Pursuant to the Family Educational Rights and Privacy Act (FERPA), the administration may redact confidential student records from any information request unless board members are acting in their official capacity and have a legitimate educational interest in the records.

Board members will maintain the confidentiality of information, documents, and records received or reviewed in their role as board members.

Action on Complaints or Requests Made to Board Members

When a board member receives complaints or requests from staff, students, parents/legal guardians, or members of the public, he/she must remain impartial as such matters may later come before the board in its quasi-judicial capacity; otherwise, the board member will have to recuse himself/herself from later hearing the matter in the quasi-judicial hearing. The board member will refer the individual to the appropriate staff member in accordance with the district's chain of command. The board member will timely submit the complaint or request to the superintendent for action.

Requesting the Addition of Items to Board Meeting Agendas

A board member wishing to suggest an agenda item will notify the board chair and/or the superintendent, and a decision will be made whether to add the item to the agenda. If (*option: three or more, a majority of, etc.*) board members request the addition of an item, it will be added to the agenda.

Requesting Legal Opinions

All requests for formal legal opinions from the district's legal counsel regarding board issues will be directed through the board chair or the superintendent. A board member wishing to obtain a legal opinion will bring such request to the full board. A majority vote must be obtained to initiate a request for a legal opinion. Any opinion provided will be disseminated to the full board. Board members with personal legal questions should seek advice from their own private attorneys.

For additional information on legal services, including the handling of district legal matters that do not directly involve the board or any specific board member, see policy BDG, *Board Attorney/Legal Services*.

Responding to Requests from the Media

The board chair serves as the spokesperson for the board. The superintendent serves as the spokesperson for the district. If a board member speaks to the media in his/her individual capacity, he/she will inform the media he/she is not speaking for the board.

[Option: The district may wish to add additional procedures.]

Issued ^

BOARD MEMBER RESIGNATION

Code BBBC Issued DRAFT/23

New

2 readings
15/7/20/23

If a board member's permanent residence ceases to be in his/her voting district, a vacancy is immediately created, and such change will be treated as a resignation.

Whenever a board member resigns prior to the end of his/her term of office for any reason other than a change of his/her permanent residence, he/she will submit an irrevocable letter of resignation to the board chair, including the effective date of the resignation. Once the board chair is in receipt of such letter of resignation, the resignation is deemed accepted, and the resignation is binding.

The board requests that any member who wishes to resign provide the earliest possible notification of his/her intent so that *(option: it, the county board, or the local delegation)* may plan appropriately to fill the vacant seat.

(Option for boards filling vacancies by appointment: The board may select a successor prior to the effective date of a board member's resignation. However, the actual appointment will not be made before such effective date.)

(Option: Request for Resignation

Regular attendance at board meetings is essential to effective governance. If a board member engages in neglect of duty through excessive absence, the board chair will request the voluntary resignation of the board member. Excessive absence is defined as missing three or more consecutive meetings without a legitimate reason (e.g. illness, previously scheduled work commitments that cannot be rescheduled, etc.) or missing more than half of the scheduled meetings held during a given school year.)

Adopted ^

BOARD MEMBER REMOVAL FROM OFFICE

Code **BBBD** Issued **DRAFT/23**

New
2 readings
1st 7/20/23

Any board member who willfully commits or engages in chronic unexcused absenteeism, misconduct in office, persistent neglect of duty in office, misfeasance, malfeasance, conflicts of interest, or is considered medically incompetent or medically incapacitated is subject to removal from office by the Governor.

(3 consecutive missed meetings is considered 'chronic')

Prior to removal, the board member will be given written notice of the specific reason(s) for the removal, as well as an opportunity to be heard.

Vacancies

Vacancies will be filled for the unexpired term in the same manner as provided for in policy BBBE, *Unexpired Term/Vacancies*.

Cf. BBBE

Adopted 6/20/91; Revised 6/09/11, ^

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 59-19-60 - Removal of board members by the Governor; vacancies.

UNEXPIRED TERM FULFILLMENT/VACANCIES

Code **BBBE** Issued **DRAFT/23**

New

*2 readings
1st 7/20/23*

A vacancy on the board occurs when a board member is unable to complete his/her term.

If a vacancy occurs in the membership of the board more than 180 days from the general election, then the remaining board must appoint a successor. The appointed successor will serve until a new member is elected at the general election who will fill the unexpired portion of the term.

Any vacancy occurring in the membership of the board less than 180 days from the general election will remain vacant until a new member is elected at the general election, pursuant to law, for the unexpired portion of the term.

The appointed board member is eligible to run for the specified seat in the next board election or once the remainder of the term has ended.

Adopted ^

Legal References:

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

1. Section 59-19-60 - Removal of board members; vacancies.

B. S.C. Acts and Joint Resolutions:

1. 2017 Act 103 - Amends Act 84 of 2011, as amended, to extend board members' terms to four years; stagger the terms of the members; require elections at the general election held in an even-numbered year; and provide process for filling vacancies.

BOARD-SUPERINTENDENT RELATIONSHIP

*New 2 readings
1st 7/20/23*

Code **BDD** Issued **DRAFT/23**

The board believes that its most important function is the formulation and adoption of policy. The superintendent's function is the execution of the board's policies. The board delegates certain executive powers to the superintendent to manage the district within the established policies.

The board holds the superintendent responsible for the administration of its policies, the execution of board decisions, the operation of the district's educational program, and the provision of information to the board about school operations.

The relationship that exists between a board and its superintendent is an intrinsic part of the educational process within a community. Knowledge of what each can reasonably expect of the other can substantially help to promote sound working relationships.

The board will do the following:

Select a competent, established educational leader as superintendent and support that person in the discharge of assigned duties.

Serve as the policymaking body.

Allow the superintendent to administer the district.

Adopt an annual budget.

Exercise sound judgement in business affairs of the district.

Deal always in an ethical, honest, straight-forward, open, and above-board manner with the superintendent and the community.

Approve an organizational chart for the administration.

Establish salary schedules and other personnel policies.

Receive and review reports of the superintendent concerning the progress of the district.

Function only as a board rather than as individuals.

The superintendent will do the following:

Effectively provide professional educational leadership. All district staff members are responsible directly or indirectly to the superintendent.

Recommend sound policy and enforce the policies by establishing rules and regulations.

Implement board policy effectively through efficient administration.

Prepare and submit an annual budget to the board for consideration.

Keep the board informed on financial matters, use sound long-range planning, and keep current expenditures within the approved budget.

Deal always in an ethical, honest, straight-forward, open, and above-board manner with the board, staff, and the community.

Make assignments for each position with the board's authorization.

Recommend personnel policies for adoption and be responsible for assignment of all staff.

Provide accurate and complete reports to the board regarding the progress of the district.

Deal with the board as a whole rather than as individual members.

PAGE 2 - BDD - BOARD-SUPERINTENDENT RELATIONSHIP

The board will do the following:

Communicate with staff members through the superintendent.

Remember that schools exist for the benefit of the students and the community.

Hear appeals of district staff members and students resulting from decisions of the superintendent.

Present the needs of the schools to the community.

Adopt school standards, textbooks, and the annual school calendar.

The superintendent will do the following:

Ensure staff communication with the board as necessary.

Remember that schools exist for the benefit of the students and the community.

Make decisions in line with board policy.

Plan means of keeping the community informed about district matters. Serve as the representative of the district.

Recommend for approval school standards, textbooks, and the annual school calendar.

Adopted ^

Legal References:

A. S.C. Acts and Joint Resolutions:

1. 1975 Act 24 - Abolishes the office of county superintendent of education and the county board of education; devolves duties upon respective district boards.

BOARD CONSULTANTS

Code **BDH** Issued **DRAFT/23**

New

2 readings
1st 7/20/23

The board, or the administration as authorized by the board, may enlist the services of consultants to provide specialized advice, training, or assistance to the district. These services may include, but will not necessarily be limited to:

- conducting fact-finding studies, surveys, and research
- providing counsel or services requiring special expertise
- assisting the board in developing policy and program recommendations

Consultants will have no authority over the work of district staff. They will act only as advisors in the field in which they are qualified to offer assistance.

The board will have final review and approval of all recommendations made by such consultants prior to their implementation unless such authority has been delegated to the superintendent by a majority vote of the board.

Cf. CJ

Adopted ^

NEWS MEDIA SERVICES AT BOARD MEETINGS

New 2 readings
1st 7/20/23

Code BEDI Issued DRAFT/23

The board believes that one of its paramount responsibilities is to keep the public informed about the district's operations, programs, and progress. Therefore, the press and public are welcome to attend board meetings.

The superintendent will send a copy of the agenda in advance of all board meetings to members of the press who request it. In the event that representatives of news media are unable to attend a meeting, they will be provided the meeting minutes upon request.

When individual board members receive requests from news media representatives for information about board meetings, members will refer the information seekers to the board chair. The board chair is the official public spokesperson for the board (except as the board specifically delegates this responsibility to others). If a board member speaks to the media in his/her individual capacity, he/she will inform the media he/she is not speaking for the board.

Adopted ^

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 30-4-10, *et seq.* - South Carolina Freedom of Information Act.
 - 2. Section 59-1-340 - Board meetings; meetings open to news media.

BOARD MEMBERS AND ELECTRONIC COMMUNICATIONS

Code BEDL Issued DRAFT/23

New 2 readings
1st 1/20/23

Board member electronic communications about official board business are forms of communication that may be subject to both the South Carolina Freedom of Information Act (FOIA) and the state public records law. Public disclosure of such communications may be required even if board members use their personal email addresses, cellphones, and other electronic devices to send these electronic communications. Electronic communication means, but is not limited to, email, tweets, texts, phone calls, social media posts, and other similar communications.

Under no circumstances will board members use electronic communications to discuss among themselves board business that must only be discussed in an open meeting of the board or in executive session.

(Option: Board members will be provided with a district email account and are strongly encouraged to use this email account for all board business.) Board members who use a personal email account, cellphone, or other device to send or receive electronic communications related to board business will be expected to comply with applicable provisions of the state public records law.

Electronic Communications During Board Meetings

Board members are encouraged to use computers or similar portable devices during a meeting, provided such use is limited to the purposes of the meeting. These uses may include viewing board materials and policies during any part of a meeting or online research during work sessions.

Board members will refrain from electronic communication during board meetings on personal or district-owned devices. Board members will not communicate electronically during meetings with members of the public, other board members, or district staff regarding official board business, agenda items, or other board matters that are properly discussed publicly during board meetings as such communications are subject to public disclosure under the FOIA.

Board members receiving electronic communications from the public during the meeting present special concerns. Such communications promote the appearance of partiality. There is an established opportunity for public participation, so allowing the public to comment during the meeting outside of that designated public comment time excludes other members of the public from the discussion. Therefore, board members will refrain from reading and responding to electronic communications during board meetings.

Cf. BEDF

Adopted ^

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 30-1-10, *et seq.* - Maintaining public records.
 - 2. Section 30-4-10, *et seq.* - South Carolina Freedom of Information Act.

ELECTRONIC PARTICIPATION IN BOARD MEETINGS

Code **BEDM** Issued **DRAFT/23**

New

*2 readings
1st 7/20/23*

The board may allow its members to participate by electronic means of communication such as telephone or video teleconferencing in the board's public meetings, provided such participation is not disruptive to the proceedings. This allowance will be made only in exceptional circumstances (e.g. special medical and/or travel situations, military service, or job restraints). A board member participating via electronic means pursuant to this policy is considered present at the board meeting, is counted for quorum purposes, and may vote on any matter.

Board members participating electronically will be able to simultaneously hear and speak to the full board during the meeting and will be audible or otherwise discernable to the public in attendance at the meeting's location. No meeting will be conducted by electronic mail or any other form of communication that does not permit the public to hear all discussion.

Board members wishing to participate electronically under such exceptional circumstances must provide reasonable and appropriate notice to the board chair or superintendent, who will make the necessary arrangements, time permitting.

Electronic participation by telephone or video teleconferencing in the board's executive session is disfavored and will only be allowed by majority vote of the board at a particular meeting. Such vote will be recorded in the meeting minutes. Board members participating electronically will be able to simultaneously hear and speak to the full board during executive session. The board member attending and participating by electronic means will ensure confidentiality is maintained during executive session.

A board member's failure to comply with this policy may result in the board's refusal to allow that board member to participate by electronic means in board meetings.

Adopted 11/15/84; Revised 11/20/86, 10/88, 12/18/01, 5/14/08, 9/18/08, 3/12/12, 12/20/12, 3/10/22, ^

BOARD MEMBERS' USE OF DISTRICT-OWNED PORTABLE DEVICES

New
2 readings
(BT 7/20/23)

Code **BEDN** Issued **DRAFT/23**

The board recognizes the need for board members to have the use of portable electronic devices. The board will determine the device that best suits the needs of the board. Newly elected members will be offered a portable device when they are elected to the board. Members are responsible for the safe return of the device at the end of the member's term of office.

Board members will have no expectation of privacy with respect to any information contained on these devices, as the information is subject to the state's public records law and the South Carolina Freedom of Information Act. Board members will abide by the district's acceptable use policy established for the use of technology resources.

Cf. BEDL

Adopted ^

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 30-4-10, *et seq.* - South Carolina Freedom of Information Act.

BOARD MEMBER INSURANCE/LIABILITY

Code **BIE** Issued **DRAFT/23**

New

*2 readings
1st 7/20/23*

Members of the board are public officials whose powers and duties can only be exercised via a decision of the board. As such, the members of the board act as agents of the board and will not be placed in a position of personal liability for the performance of the responsibilities vested in them or assigned by the district.

Therefore, the district will maintain insurance to protect the board or members of the board. This insurance will protect these individuals against liability on account of damages or injury to persons and property resulting from any act or omission of the board, or of an individual in his/her official capacity as a member of the board, or resulting solely out of his/her membership on the board subject to terms and conditions of purchased insurance.

Adopted ^

BOARD LEGISLATIVE PROGRAM

New 2 readings
1st 7/20/23

Code BJ Issued DRAFT/23

The board, as an agent of the state, must operate within the bounds of state and federal laws affecting public education. If the board is to meet its responsibilities to the residents and students of this community, it must work vigorously for the passage of new laws designed to advance public education and for the repeal or modification of existing laws that impede this cause.

It is a role of the board to advocate in support of its policies and, further, to take a public and active position involving pending legislation that it views as potentially threatening to public education.

Therefore, board members will keep themselves informed of pending legislation and actively communicate board positions and concerns to the community and elected representatives at both the state and national level.

The board authorizes the superintendent to set the overall message and communicate on behalf of the board regarding legislative issues impacting public education. This authority extends, but is not limited to, the defense of public education in the face of pending legislation that he/she views as potentially threatening to public education. The superintendent is authorized to utilize district communications channels to convey the resulting message to the community and to elected state and national representatives.

In addition, the board will work with its legislative representatives (both state and federal), the South Carolina School Boards Association (SCSBA), and other concerned groups in developing an annual, as well as a long-range, legislative program.

Board members will participate in the SCSBA Delegate Assembly as deemed appropriate by the board.

Adopted ^

Legal References:

A. Federal Cases:

1. *Page v. Lexington County School District One*, 531 F.3d 275 (4th Cir. 2008).

BOARD LEGISLATIVE PROGRAM

Code BJ-R Issued DRAFT/23

New

At its annual organizational meeting, the board will appoint a member as its Board Legislative Contact (BLC) to the South Carolina School Boards Association (SCSBA). At least once each month, the board meeting agenda will include an opportunity for the BLC to report on educational issues pending on the state and federal levels.

The board will work with the BLC, SCSBA, and other concerned groups and organizations on matters of mutual interest.

Each year the board will develop a short and long-term legislative plan. The plan will contain at least the following elements:

- a method of maintaining regular contact with state and federal legislators and/or legislative staff to receive updates on education issues in the legislature and to inform them of the potential effect(s) on the district of pending legislation
- a method of networking with other groups, such as PTA, Chamber of Commerce, community action groups, or service clubs, to discuss education and legislative issues
- a method for having board members meet with legislators at least once per year, either in the district or in Columbia
- a method of networking with other board members from other districts within a geographic region (e.g. county or other unit) to share information, discuss legislative issues, and plan collective responses

The BLC will serve as the board's liaison to SCSBA, will attend the annual legislative conference and other state and regional association meetings as approved by the board, and will advise SCSBA of the board's views regarding SCSBA's legislative positions and activities.

Issued ^

New

ADVOCACY CALENDAR

<p><u>January</u></p> <p>Legislative session begins.</p> <p>Schedule advocacy as a board agenda item.</p> <p>Share with the board the protocol for legislative alerts.</p> <p>Invite district delegation to board meetings on a regular basis.</p> <p>Make sure you have legislators' contact information updated and available.</p> <p>Hold a grassroots network meeting to review upcoming session.</p>	<p><u>February</u></p> <p>Attend SCSBA Annual Convention.</p> <p>Connect with legislators on social media.</p>	<p><u>March</u></p> <p>Attend 2DAC (Two Days at the Capital).</p> <p>Meet with district delegation at the State House.</p> <p>Follow key legislation carefully and review daily and weekly legislative summaries from SCSBA.</p>
<p><u>April</u></p> <p>Attend 2DAC (Two Days at the Capital)</p> <p>Invite legislators to tour district's schools.</p> <p>SCSBA solicits proposed resolutions for the next year from school boards.</p> <p>Follow-up with grassroots network meeting participants, and report on key legislation and determine next steps.</p>	<p><u>May</u></p> <p>Invite district delegation to special events.</p> <p>While preparing the district budget, it's a good time to remind legislators of how their decisions impact education programming at the local level.</p> <p>Invite legislators to commencement ceremonies.</p> <p>Highlight student success stories in your district on social media and share with your local delegation.</p>	<p><u>June</u></p> <p>Legislative session ends.</p> <p>Write district delegation thanking them for their support of public education.</p> <p>Nominate legislators that would qualify for SCSBA's Champions for Public Education award. Publicize the nomination and award with local media.</p>

PAGE 2 - BJ-E - ADVOCACY CALENDAR

<p><u>July</u></p> <p>Identify issues for next legislative session.</p> <p>SCSBA legislation committee reviews proposed resolutions for the next session.</p>	<p><u>August</u></p> <p>Hold a grassroots network meeting to provide a legislative wrap-up, share and evaluate successes and challenges and thank members for support.</p> <p>SCSBA Board of Directors approves proposed resolutions for the Delegate Assembly.</p> <p>Invite local delegation to back-to-school events.</p>	<p><u>September</u></p> <p>Legislators are at home through December. Use this time to get to know your legislators, follow-up on important issues, and, most importantly, show them your district.</p>
<p><u>October</u></p> <p>Meet with district delegation.</p> <p>SCSBA sends out proposed resolutions for review before the Delegate Assembly.</p> <p>Tune in to the SCSBA Legislative Preview webinar.</p>	<p><u>November</u></p> <p>Hold organizational meeting with district grassroots network.</p> <p>Appoint a board member who will be the legislative liaison for the board and give monthly reports during board meetings.</p> <p>Board agenda item to decide the board's votes on matters to be voted on during SCSBA Delegate Assembly, including proposed resolutions, board of directors candidates, etc.</p>	<p><u>December</u></p> <p>Attend Legislative Advocacy Conference.</p> <p>SCSBA legislative platform adopted at Delegate Assembly.</p>