

**Section A**  
**FOUNDATIONS AND BASIC COMMITMENTS**

*Note: Drafts for Section A have been prepared from two file sources for the district - SCSBA and the district's online policy manual. The source or sources will be so noted in the chart for clarification in the review process.*

<b>NEW CODE</b>	<b>HEADING</b>	<b>YOUR CODE</b>	<b>NOTES</b>
AA	School District Legal Status	AA (SCSBA, FL 3)	This is the model policy which deletes extraneous information regarding the structure and selection of the State Board of Education.
AC	Nondiscrimination/Equal Opportunity	AC (FL 3)	This is the model policy to include general information applicable to all areas of operation within the district. See the 2018 <i>Policy and Legislative Update</i> manual, pg. 29, for additional information. Insert district information as appropriate. More specific policies for students and staff will be in sections J and G.
ACB	Educational Equity	New policy	This is the model policy addressing equity in education through the allocation of resources. See the 2020 <i>Policy and Legislative Update</i> manual, pg. 99, for additional information.
ACE	Service Animals (Public)	New policy	This is the model policy regarding service animals in the education service community and is focused on members of the public with disabilities who utilize service animals. See 2020 <i>Policy and Legislative Update</i> manual. pg. 104, for additional information. Insert district information as appropriate.
ADA,-R	School District Goals and Objectives	AD (FL 3), AE (FL 3)	This is the model policy and rule based on federal and state laws. Update mission statement if needed.

ADB	Drug and Alcohol-Free Workplace and Schools	New policy	This is the model policy containing information outlining the district commitment to providing a drug and alcohol-free environment and workplace. More specific policies for students and staff will be in sections J and G.
ADC	Tobacco-Free School District	New policy	This is the comprehensive 100% tobacco-free policy establishing the basic structure in place to ensure the board's vision of a workplace and learning environment free of tobacco and alternative nicotine products as mandated by the legislature in 2019. Policies GBED and JICG will correspond with this new information.
ADD (Optional)	Face Coverings	ADD (FL 3)	This is your information. Please review and determine if this is still applicable.
ADF	District Wellness	ADF (FL 3)	This is your information. Any changes?

**Relocated policies (your code)**

- AB - in new BB
- ABA - in new BB
- ABB - in new BBA
- ABCC - in new BBB
- ABCF - in new BBBD
- AC (School District Organization Plan) - in new IC
- ACA - in new GBAC, JIAB AD - in new JCA
- AEA - in new IC AEB - in new ID
- AEBA - in new IHCA

# SCHOOL DISTRICT LEGAL STATUS

NEW

Code AA Issued DRAFT/23

The General Assembly of South Carolina, under mandate of the South Carolina Constitution, has provided for public school districts. A public school district is an area of territory comprising a legal entity whose sole purpose is that of providing education, whose boundary lines are a matter of public record, and the area of which constitutes a complete tax unit in that it can levy and collect taxes.

In Florence County, the organizational pattern consists of five public school districts, one of which is Florence County School District Three.

Florence County School District Three is a body politic and corporate. Under its name, it may sue and be sued. It may enter into contracts to the extent of its school funds and may hold such real and personal property as it may come into possession of by an authorized purchase or by will or otherwise. All such property will be used for educational purposes.

Adopted 2/7/85; Revised 5/17/88, 1/10/91, 1/24/02, 2/11/20, ^

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## Legal References:

- A. S.C. Constitution:
  - 1. Article X, Section 5 - Power of a school district to assess and collect taxes.
  - 2. Article XI, Section 3 - Provides for a system of free public schools.
  
- B. S.C. Code of Laws, 1976, as amended:
  - 1. Section 59-1-160 - School district defined.
  - 2. Section 59-17-10 - School districts as bodies politic and corporate.
  - 3. Section 59-73-20 - School districts declared tax districts.
  - 4. Section 59-73-30 - School districts permitted to levy and collect taxes.

old

## SCHOOL DISTRICT LEGAL STATUS

Code: AA Adopted: 02/07/1985 Latest revision: 04/06/2023 Latest review: 04/06/2023

Purpose: To establish the basic structure of public education in the district.

The federal government has delegated the responsibility for public education to the state.

The General Assembly of South Carolina has provided a state system of public education. Under South Carolina law, the control of public instruction is vested in the SC State Board of Education, which is composed of 17 members appointed by the Governor, who are elected at each general election, the State Superintendent of Education, and the Governor as an ex-officio member. The State Superintendent is charged with general supervision of education in the state.

The General Assembly of South Carolina has provided for school districts. A school district is an area of territory comprising a legal entity, whose sole purpose is that of providing for school education, whose boundary lines are a matter of public record, and the area of which constitutes a complete tax unit.

In Florence County the organizational pattern consists of four school districts, one of which is Florence County School District Three.

Florence County School District Three is a body politic and corporate. Under its name it may sue and be sued. It may enter into contracts to the extent of its school funds and may hold such real and personal property as it may come into possession of by an authorized purchase or by will or otherwise.

Adopted 2/7/85; Revised 5/17/88, 1/10/91, 1/24/02, 2/11/2020

### Constitutional and Statutory Provisions:

1. S. C. Constitution
  1. Article X, Section 5 - Power of School District to assess and collect taxes.
  2. Article XI, Section 1 - Creation of the State Board of Education.
  3. Article XI, Section 2 - Creation of the position of State Superintendent of Education.
  4. Article XI, Section 3 - Provides for a system of free public schools.
2. S. C. Code, 1976, as amended:
  1. Title 59, Chapters 1 - 73 - Public Education, K-12.
  2. Section 59-1-160 - School District defined.
  3. Section 59-3-309 - State Superintendent of Education.
  4. Section 59-5-10 - Composition and organization of State Board of Education.
  5. Section 59-17-10 - School districts as Bodies Politic and
  6. Section 59-73-20 - School districts declared tax districts.

# NONDISCRIMINATION/EQUAL OPPORTUNITY

*new*

Code AC Issued DRAFT/23

The board affirms the right of all individuals to be treated with respect and to be protected from intimidation, discrimination, physical harm, and/or harassment. Respect for each individual will be a consideration in the establishment of all policies by the board and in the administration of those policies by district staff.

The district is committed to a policy of nondiscrimination and equal opportunity for all students, parents/legal guardians, staff, visitors, and community members who participate or seek to participate in its programs or activities. Therefore, the district does not discriminate against any individual on the basis of race, religion, sex (including pregnancy, childbirth, or any related medical conditions), color, disability, age, genetic information, national origin, or any other applicable status protected by local, state, or federal law. The district also provides equal access to the Boy Scouts and other designated youth groups as required by law.

## Resolution of Discrimination Complaints

The district will use the grievance procedures set forth in policy to process complaints based on alleged violations of Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Age Discrimination in Employment Act of 1967; the Equal Pay Act of 1963; the Genetic Information Nondiscrimination Act of 2008; the Boy Scouts of America Equal Access Act; and Titles I and II of the Americans with Disabilities Act of 1990.

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

*(Job Title Only)*  
Address:  
Telephone:  
Email:

In the event that the *(Job Title)* is unavailable or is the subject of a grievance that would otherwise be made to the *(Job Title)*, reports should instead be directed to:

*(Job Title Only)*  
Address:  
Telephone:  
Email:

***(DRAFTER'S NOTE: If the district has additional coordinators for the following programs, the job title and contact information for each position should be listed individually above: Title IX, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Age Discrimination Act.)***

Any person who is unable to resolve a problem or grievance arising under any of the laws and regulations cited above may contact:

United States Department of Education  
Office for Civil Rights, Washington DC (Metro)  
400 Maryland Avenue, SW  
Washington, DC 20202-1475  
Telephone (202) 453-6020; Fax (202) 453-6021; TDD 800-877-8339  
Email: [OCR.DC@ed.gov](mailto:OCR.DC@ed.gov)

Florence County School District Three

Cf. GBA, GBAA, GBK, JB, JIAA, JII

Adopted 2/11/20; Revised ^

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Legal References:

A. United States Code of Laws, as amended:

1. Age Discrimination Act of 1975, 42 U.S.C.A. Section 6101, *et seq.*
2. Age Discrimination in Employment Act of 1967, 29 U.S.C.A. Section 621, *et seq.*
3. Americans with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, *et seq.*
4. Boy Scouts of America Equal Access Act, 20 U.S.C.A. Section 7905.
5. Equal Pay Act of 1963, 29 U.S.C.A. Section 206d.
6. Genetic Information Nondiscrimination Act of 2008, Section 42 U.S.C.A. 2000ff, *et seq.*
7. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq.*
8. Title IV of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000c, *et seq.*
9. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d, *et seq.*
10. Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e, *et seq.*
11. Title IX of the Education Amendments of 1972, 20 U.S.C.A. Section 1681, *et seq.*
12. Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C.A. Section 4301, *et seq.*

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

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

C. Federal Cases:

1. *Plyler v. Doe*, 457 U.S. 202 (1982).

old

## Nondiscrimination/Equal Opportunity

Code: AC Adopted: 2/11/2020 Latest Review: 04/06/2023

Purpose: To establish the basic structure for conduct of district programs in compliance with applicable laws regarding nondiscrimination/equal opportunity.

The board affirms the right of all individuals to be treated with respect and to be protected from intimidation, discrimination, physical harm, and/or harassment. Respect for each individual will be a consideration in the establishment of all policies by the board and in the administration of those policies by district staff.

Therefore, the district does not discriminate against any individual on the basis of race, color, religion, national origin, disability, pregnancy (including childbirth or related medical conditions), age, sex, sexual orientation, gender identity status, genetic information, spousal affiliation, or any other protected characteristic as may be required by local, state, or federal law.

Further, the board affirms the right of all students and staff to be treated with respect and to be protected from intimidation, discrimination, physical harm, and/or harassment.

Harassment/Discriminatory behavior that denies civil rights or access to equal educational opportunities includes comments, name-calling, physical conduct, or other expressive behavior directed at an individual or group that intentionally demeans the race, color, religion, national origin, age, immigrant status or English-speaking status, sex, or disability of the individual or individuals or creates an intimidating, hostile, or demeaning environment for education.

### Resolution of Discrimination Complaints

The district will use the grievance procedures set forth in policy to process complaints based on alleged violations of Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IV of the Education Amendments Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Age Discrimination in Employment Act of 1967; the Equal Pay Act of 1963; the Genetic Information Nondiscrimination Act of 2008; and Titles I and II of the Americans with Disabilities Act of 1990 (referred to as “civil rights grievances”). SC Code of Laws, 176, as amended Section 1-13-80 – Prohibits discrimination in hiring and other employment practices on the basis of race, color, religion (including pregnancy, childbirth, or related medication conditions), age, national origin, or disability.

The following person has been designated to handle inquiries, questions, and grievances regarding the district’s nondiscrimination policy:

Civil Rights Coordinator (Superintendent’s Designee)  
125 S. Blanding St.  
Lake City, SC 29560  
843-374-8652

Any person who is unable to resolve a problem or grievance arising under any of the laws and regulations cited above may contact:

United States Department of Education  
Office for Civil Rights, Washington DC (Metro)  
400 Maryland Avenue, SW  
Washington, DC 20202-1475  
Telephone (202) 453-6020; Fax (202) 453-6021; TDD 800-877-8339  
Email: [OCR.DC@ed.gov](mailto:OCR.DC@ed.gov)

Adopted 2/11/2020

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*Legal References:*

United States Code of Laws, as amended:

Age Discrimination Act of 1975, 42 U.S.C.A. Section 6101, *et seq.*

Age Discrimination in Employment Act of 1967, 29 U.S.C.A. Section 621, *et seq.*

American with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, *et seq.*

Equal Pay Act of 1963, 29 U.S.C.A. Section 206d.

Genetic Information Nondiscrimination Act of 2008, Section 42 U.S.C.A. 2000ff, *et seq.*

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq.*

Title II of the Americans with Disabilities Act, 42 U.S.C.A. Section 12132.

Title IV of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000c, *et seq.*

Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d, *et seq.*

Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e, *et seq.*

Title IX of the Education Amendments of 1972, 20 U.S.C.A. Section 1681, *et seq.*

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

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

Federal Cases:

*Plyler v. Doe*, 457 U.S. 202 (1982).



# EDUCATIONAL EQUITY

*2 readings*

Code **ACB** Issued **DRAFT/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.

PAGE 2 - ACB - EDUCATIONAL EQUITY

- 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 ^

# SERVICE ANIMALS (PUBLIC)

*2 readings*

Code ACE Issued DRAFT/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)*

*Address:*

*Telephone:*

*Email:*

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.)*

*(Job Title Only)*

*Address:*

*Telephone:*

*Email:*

Adopted ^

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#### 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.*

# SCHOOL DISTRICT GOALS AND OBJECTIVES

Code ADA Issued DRAFT/23

Replaces Old  
AD + AE

2 readings

## Mission Statement

The mission of Florence School District Three is to transform lives through education, empowering all students to achieve their potential and dreams.

The district will implement this vision by providing lifelong learning opportunities that will develop the potential of all individuals and thereby improve the quality of life for all citizens of the district.

## District Strategic Plan and School Renewal Plans

The district will develop a five-year strategic plan and schools will develop five-year school renewal plans to align resources and initiatives that are focused on accountability and the improvement of student academic performance, data-driven decision making, and continuous improvement.

### *Accountability system*

The board will ensure the establishment of a district system of performance-based accountability and incorporate it into the district's strategic plan. Each school will indicate the accountability components in its renewal plan.

The board will review and revise the overall accountability system annually.

The district will involve key stakeholders, including administrators, teachers, support staff, parents/legal guardians, and community members in the development, annual review, and revision of the district accountability system.

### *Strategic plan and school renewal plan*

The district will develop and implement a five-year strategic plan and school renewal plans. District and school plans will be based on strategies derived from scientifically based education research.

The district will submit copies of its five-year comprehensive plans and annual updates to the South Carolina Department of Education for review in accordance with the law.

Adopted 11/20/86; Revised 4/18/91, 3/21/96, 1/24/02, 3/15/12, 2/11/20, 3/10/22, ^

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### Legal References:

- A. United States Code of Laws, as amended:
  1. Every Student Succeeds Act of 2015, Pub. L. No. 114-95, 129 Stat. 1802.
- B. S.C. Code of Laws, 1976, as amended:
  1. Section 59-18-1300 - District accountability system; development and review.
  2. Section 59-18-1310 - Reports consolidated; submission dates.
  3. Section 59-18-1500 - Review and revision of improvement plan.
  4. Section 59-18-1510 - Assignment of external review committee; activities and recommendations.
  5. Section 59-20-60 - Improvement councils.
  6. Section 59-139-05, et seq. - Early Childhood Development and Academic Assistance Act.

PAGE 2 - ADA - SCHOOL DISTRICT GOALS AND OBJECTIVES

- C. S.C. State Board of Education Regulations:
  - 1. R43-261 - District and school planning.

# SCHOOL DISTRICT GOALS AND OBJECTIVES

*Code ADA-R Issued DRAFT/23*

## **District and School Plans and Accountability System**

The district and each school in the district will prepare a district performance-based accountability system and plans with annual updates. The school and district plans will be coordinated and will align improvement initiatives.

The board will approve the district strategic plan, school renewal plans, and annual updates which will coordinate funding from local, state, federal, and private sources and will be developed collaboratively by a broad-based group of stakeholders using a consensus process.

Each school improvement council will actively participate in the development of its school's plans.

The plans will address the following initiatives:

- early childhood initiative (preschool - grade three) which addresses a parenting/family literacy component; a plan for half-day child development programs; an academic assistance component for grades K through three; school practices in grades K through three; and other federal, state, or district programs
- academic assistance initiative (grades four through 12)
- staff development initiative to provide ongoing, long-range professional development which meets national professional development standards and provides participants the knowledge and skills necessary to implement the district strategic and school renewal plans
- parent/legal guardian involvement initiative including goals, objectives, and method of evaluation
- an innovation initiative component designed to improve student learning and accelerate the performance of all students will be based on different categories; these categories may include defining new approaches as to what and how students learn, applying different teaching methods, redefining how schools operate, and creating appropriate relationships between schools and other social service agencies

During the planning process, the district and each school will include these specific components:

- comprehensive needs assessment
- performance goals
- interim performance goals
- strategies and action plans
- evaluation of the strategies
- evidence of comprehensive consensus building
- assurances

The annual needs assessment must identify targeted areas of discrepancy between the desired performance levels and the current status as indicated by available data. The district will develop measurable performance goals and interim performance goals to address the major areas of discrepancy. The district will design strategies to meet the goals and incorporate certain components. The district will evaluate each strategy as to its level of effectiveness.



## **Report to the Community**

### *Alternative plan*

Schools that use the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI) accreditation process may substitute the COGNIA/SACS CASI plan for the school renewal plan provided it includes the appropriate components.

## **Review of District and School Plans**

The district planning team will submit the district strategic plan, school renewal plans, and annual updates to the board for review and approval prior to or following peer review.

The district will follow the South Carolina Department of Education (SCDE) schedule for submission of combined strategic plan/school renewal plans.

The SCDE review panel will approve the plan, provisionally approve the plan pending suggested modifications, or disapprove the plan. The SCDE will provide technical assistance to schools needing help in modifying aspects of the plan not meeting approval criteria. Plans developed by deregulated schools are exempt from the peer review process.

## **Evaluation of Program and Strategies**

Districts and schools will maintain financial records and collect sufficient program information to provide accountability for expenditures and results. This process applies particularly in the areas of K through three academic assistance, four through 12 academic assistance, parenting/family literacy, half-day child development programs, innovation, and staff development as well as accountability elements.

## **Waivers**

The board may request a waiver to regulations that would impede the implementation of an approved plan in accordance with SCDE guidelines.

Issued ^

# DRUG AND ALCOHOL-FREE WORKPLACE AND SCHOOLS

2 readings

Code ADB Issued DRAFT/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 ^

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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

2 readings

Code ADC Issued DRAFT/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.

# FACE COVERING

Code ADD Issued DRAFT/23

Review to see if still applicable

To reduce the spread of the pandemic (COVID-19), the Centers for Disease Control (CDC) recommends that a face covering be worn in public settings when other social distancing measures are difficult to maintain. The district will consider the circumstances in the community and consult local health officials for the implementation and continuation of this policy.

## Definitions

A *face covering* is a piece of fabric, cloth, or other material that covers the wearer's nose, mouth, and chin simultaneously and is secured to the wearer's face by elastic, ties, or other means. Acceptable face coverings may be homemade, and they may be reusable or disposable.

A *face shield* made of flexible plastic that wraps around the wearer's face and extends below his/her chin may also be used as a face covering.

## Staff Members

Staff members will wear a face covering while on district property or conducting business on behalf of the district (e.g. driving a bus, conducting a home visit, supervising athletic events, etc.). Staff members include, but are not limited to, salaried and hourly staff, school volunteers, student teachers, and interns. The district will provide masks to staff members and expects that reusable masks will be washed regularly to ensure maximum protection.

## Students

All students from Kindergarten through 12th grade will wear face coverings while on district property, on district transportation, or attending a school related activity (e.g. athletic events, field trips, etc.). Certain classes or activities may be granted a limited exception to this requirement at the discretion of the superintendent or his/her designee. The district will provide masks to students and expects that reusable masks will be washed regularly to ensure maximum protection.

Exceptions for wearing a face covering may include, but are not limited to, the following activities:

- mealtimes
- outdoor recess where students can maintain a physical distance of at least six feet
- administration of medication

## Visitors

Non-essential visitors to district buildings will be limited in accordance with administrative rule KI-R, *Visitors*. Visitors include, but are not limited to, parents/legal guardians, contract service providers, and delivery persons. Visitors may be required to wear a face covering while on district property. Visitors may be asked to leave district property if they refuse to wear a face covering.

## Accommodations

Requests for exceptions under this policy for health or developmental conditions or religious exemption will be considered by the superintendent or his/her designee, who may request documentation justifying the exception.

Students (or parents/legal guardians) who request to be exempted from wearing a face covering for other than a health or developmental condition or religious exemption will be offered virtual learning for the period that face coverings are required on district property.



**Harassment and Bullying**

The district will not tolerate harassment of anyone wearing face coverings or those with recognized exemptions to the face covering requirement and will appropriately discipline students, staff, or visitors who engage in behavior that interferes with any student or staff member's ability to comply with this policy.

**Discipline**

Failure or refusal to wear a face covering by a staff member or student may result in discipline in accordance with district policy and codes of conduct, as applicable.

This policy is intended to be effective until further notice and to align with district policies, including, but not limited to, student and staff dress codes. To the extent this policy does not align, this policy will supersede others in accordance with applicable law and regulations in effect at the time. For clarification on potential conflicts between policies, the interpretation of the superintendent or his/her designee is final.

The board authorizes the superintendent or his/her designee to amend these requirements as necessary to meet health and safety guidelines.

Adopted 10/15/20; Revised 3/10/22, ^

# FACE COVERING

Code **ADD** Adopted: **10/15/2020** Latest Revision: **04/06/2023** Latest Review: **04/06/2023**

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To reduce the spread of the pandemic (COVID-19), the Centers for Disease Control (CDC) **may** recommends that a face covering be worn in public settings when other social distancing measures are difficult to maintain. The district will consider the circumstances in the community and consult local health officials for the implementation and continuation of this policy.

## Definitions

A *face covering* is a piece of fabric, cloth, or other material that covers the wearer's nose, mouth, and chin simultaneously and is secured to the wearer's face by elastic, ties, or other means. Acceptable face coverings may be homemade, and they may be reusable or disposable.

A *face shield* made of flexible plastic that wraps around the wearer's face and extends below his/her chin may also be used as a face covering.

## Staff Members

Staff members may be required to wear a face covering while on district property or conducting business on behalf of the district (e.g. driving a bus, conducting a home visit, supervising athletic events, etc.). Staff members include, but are not limited to, salaried and hourly employees, school volunteers, student teachers, and interns. The district will provide masks to staff members and expects that reusable masks will be washed regularly to ensure maximum protection.

## Students

All students from Kindergarten through 12th grade may be required to wear face coverings while on district property, on district transportation, or attending a school related activity (e.g. athletic events, field trips, etc.). Certain classes or activities may be granted a limited exception to this requirement at the discretion of the superintendent or his/her designee. The district will provide masks to students and expects that reusable masks will be washed regularly to ensure maximum protection.

Exceptions for wearing a face covering may include, but are not limited to, the following activities:

- mealtimes
- outdoor recess where students can maintain a physical distance of at least six (6) feet
- administration of medication

## Visitors

Non-essential visitors to district buildings will be limited in accordance with administrative rule KI-R, Visitors. Visitors include, but are not limited to, parents/legal guardians, contract service providers, and delivery persons. Visitors may be required to wear a face covering while on district property. Visitors may be asked to leave district property if they refuse to wear a face covering.

## **PAGE 2 - ADD - FACE COVERING**

### **Accommodations**

Requests for exceptions under this policy for health or developmental conditions or religious exemption will be considered by the superintendent or his/her designee, who may request documentation justifying the exception.

Students (or parents/legal guardians) who request to be exempted from wearing a face covering for other than a health or developmental condition or religious exemption will be offered virtual learning for the period that face coverings are required on district property.

### **Harassment and Bullying**

The district will not tolerate harassment of anyone wearing face coverings or those with recognized exemptions to the face covering requirement and will appropriately discipline students, staff, or visitors who engage in behavior that interferes with any student or staff member's ability to comply with this policy.

### **Discipline**

Failure or refusal to wear a face covering by a staff member or student may result in discipline in accordance with district policy and codes of conduct, as applicable.

This policy is intended to be effective until further notice and to align with district policies, including, but not limited to, student and staff dress codes. To the extent this policy does not align, this policy will supersede others in accordance with applicable law and regulations in effect at the time. For clarification on potential conflicts between policies, the interpretation of the superintendent or his/her designee is final.

The board authorizes the superintendent or his/her designee to amend these requirements as necessary to meet health and safety guidelines.

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Adopted 10/15/2020. Revised 3/10/2022, 04/06/2023

# DISTRICT/SCHOOL WELLNESS

Any changes??

Code ADF Issued DRAFT/23

The district recognizes that student wellness and proper nutrition are related to students' physical wellbeing, growth, development, and readiness to learn. The district is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience. In a healthy school environment, students will learn about and participate in positive dietary and lifestyle practices.

## Food and Beverage Availability

The district is committed to serving healthy meals to students, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk, and that are moderate in sodium, low in saturated fat, and have zero grams trans fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns, and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the district participate in USDA child nutrition programs through the National School Lunch Program (NSLP) and the School Breakfast Program (SBP) and are committed to offering school meals that:

- are accessible to all students
- are appealing and attractive to children
- are served in clean and pleasant settings
- meet or exceed current nutrition requirements established by local, state, and federal statutes and regulations

Students in grades Pre-K to five will be provided a minimum of 20 minutes to consume lunch after they have received their food.

Schools will not use foods or beverages as rewards for academic performance or good behavior. Additionally, schools will not withhold food or beverages as punishment. Teachers are provided with a list of alternative ideas for behavior management.

## *Competitive foods and beverages*

The district is committed to ensuring that all foods and beverages available to students on school campuses during the school day support healthy eating. The foods and beverages sold outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. See Policy EEA, *Competitive Foods Sales/Vending Machines*, for more information.

<http://www.florence3.k12.sc.us/common/pages/DisplayFile.aspx?itemID=29624864>

All foods that meet the competitive food standards may be sold at fundraisers on the school campus during school hours. The number of fundraisers exempt from the nutrition requirements will be determined by the South Carolina State Board of Education (See "Exempt Fundraisers Memorandum 2015).

<http://ed.sc.gov/newsroom/school-district-memoranda-archive/smart-snacks-and-exempt-fundraisers/smartsnacks-and-exempt-fundraisers/>



## **District Goals for Health and Wellness**

### *Nutrition promotion*

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents/legal guardians, students, and the community.

The district will promote healthy food and beverage choices for all students throughout the school campus and will encourage participation in school meal programs. This promotion will occur through using evidence-based healthy food promotion techniques through the school meal programs through strategies and best practices meeting the USDA Smart Snacks in School nutrition standards.

### *Nutrition education*

The district will teach, model, encourage, and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that fulfills the following criteria:

- fosters the adoption and maintenance of healthy eating behaviors such as acquiring skills for reading food labels and menu planning
- is part of a sequential comprehensive standards-based health education program designed to provide students with the knowledge and skills necessary to promote and protect their health
- promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, and healthy food preparation methods
- emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise)
- links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, and other school foods and nutrition-related community services
- teaches media literacy with an emphasis on food and beverage marketing
- includes nutrition education training for teachers and other staff

### *Physical Activity*

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program, which includes quality physical education as the foundation; physical activity before, during and after school; staff involvement; and family and community engagement. Schools may promote opportunities for physical activity via in school announcements, newsletters, posters, etc. The district is committed to providing these opportunities, and schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education. The district encourages the use of physical activity as a reward when feasible. Physical activity during the school day (including but not limited to recess, classroom physical activity breaks, or physical education) will not be withheld as punishment for any reason. This does not include participation on sports teams or with other sports-related after school activities, nor does it include participation on sports teams with specific academic requirements.

### ***Physical Education***

The district will provide students with physical education using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits and incorporate essential health education concepts. The curriculum will support the essential components of physical education. All students will be provided equal opportunity to participate in physical education classes. The district will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

### **District Wellness Committee/Coordinated District Health Advisory Council**

The district will convene a wellness committee that meets at least once per year to establish district wellness goals and to oversee school health and safety policies and programs including development, implementation, and periodic review and update of the wellness policy. Wellness committee members will include, to the extent possible, parents/legal guardians, students, representatives of district nutrition services, physical education teachers, school health professionals, the school board, school administrators, and the general public. The designated officer for ensuring district compliance with the wellness policy and oversight of the committee will be the superintendent or his/her designee. (Refer to LWP Contacts)

Annually, the district will notify the public about the content and implementation of the wellness policy and share any updates to the policy. The district will also publicize the name and contact information of the superintendent or his/her designee with information on how the public can become involved with the wellness committee or obtain additional information on the wellness policy. The information for this annual review can be gathered through and utilized in the district's strategic planning process.

Every three years, the district will assess its compliance with the policy, how it compares to model wellness policies published by state and federal agencies, and the district's progress in attaining the goals of the policy. The results of this assessment will be made available to the public to showcase the wellness efforts being made by the district and how each school is in compliance with the wellness policy. Following this assessment, the district will update or modify the policy as necessary and share these changes with the public.

### **Recordkeeping**

The district will retain records to document compliance with the requirements of the wellness policy.

Documentation maintained by the district will include but will not be limited to:

- the written wellness policy
- documentation demonstrating that the policy has been made available to the public
- documentation of efforts to review and update the policy, including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the district wellness committee (e.g., copy of meeting notice posted on the district website)
- documentation to demonstrate compliance with the annual public notification requirements
- the most recent assessment on the implementation of the wellness policy
- documentation demonstrating the most recent assessment on the implementation of the wellness policy has been made available to the public



### **Food and Beverage Marketing**

The district is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The district strives to teach students how to make informed choices about nutrition, health, and physical activity. These efforts will be weakened if students are subjected to advertising on district property that contains messages inconsistent with the health information the district is imparting through nutrition education and health promotion efforts. It is the intent of the district to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the district's wellness policy.

Any foods and beverages marketed or promoted to students on school campuses during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students. These standards do not apply to marketing that occurs at events outside of school hours such as after school sporting events or any other events, including school fundraisers.

**Contracts for goods or services that include a food and beverage marketing component executed after June 30, 2017, must conform to federal nutrition standards. No exceptions will be granted.**

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing includes any oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- brand names, trademarks, logos, or tags, except when placed on a physically present food or beverage product or its container
- displays, such as on vending machine exteriors
- corporate brand, logo, name, or trademark on school equipment that is displayed during the school day, such as marquees, message boards, scoreboards, or backboards (**Note: Immediate replacement of these items is not required; however, the district will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with this policy.**)
- corporate brand, logo, name, or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans, and other food service equipment; as well as on posters, book covers, pupil assignment books, or school supplies displayed, distributed, offered, or sold by the district
- advertisements in school publications or school mailings
- free product samples, taste tests, or coupons of a product, or free samples displaying advertising of a product

Therefore, it is the policy of the board to ensure the following:

- Child nutrition programs (e.g., school lunch, school breakfast, after school snack, and summer food service programs) will comply with federal, state, and local requirements and will be accessible to all children.
- Qualified child nutrition professionals will provide all students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students.
- All foods and beverages sold or served on campus will comply with the current United States Department of Agriculture (USDA) Dietary Guidelines for Americans and Smart

Snacks in School regulation (including vending machines, á la carte foods, beverage contracts, school stores and canteens, and school parties).

- Food items sold in fundraisers that meet the nutrition requirements are not limited. The number of fundraisers exempt from the nutrition requirements will be determined by the South Carolina Department of Education.
- All foods made available on campus will adhere to food safety and security guidelines.
- The school environment will be safe, comfortable, and pleasing and will allow ample time and space for eating meals.
- Nutrition education will be offered at each grade level as a part of a sequential, comprehensive standards-based health education program designed to provide students with the knowledge and skills necessary to promote and protect their health. Nutrition education may also be integrated into other areas of the curriculum.
- Students will be given opportunities for physical activity during the school day through physical education (PE) classes, daily recess periods for elementary school students, physical activity breaks, and the integration of physical activity into the academic curriculum.
- Schools will not withhold food or beverages as a punishment.
- Advertising messages and promotional activities will be consistent with and reinforce the objectives of the education and wellness policy goals of the board and individual schools. This includes product decals on vending machines.
- The district will provide opportunities for ongoing professional training and development for food service staff, teachers, and volunteers on the importance of physical activity for young children and the relationship of physical activity and good nutrition to academic performance and healthy lifestyles.
- Local wellness policy goals will be considered in planning all school-based activities (such as school events, field trips, dances, and assemblies).

### **LWP Committee Members**

Shelia Knotts, Executive Administrative Assistant to the Superintendent, Local Wellness Policy (LWP) communications - [sknotts@fsd3.org](mailto:sknotts@fsd3.org)

Valerie Mouzon, School Nutrition Supervisor - [vmouzon@fsd3.org](mailto:vmouzon@fsd3.org)

Michelle Gaskins, Assistant School Nutrition Supervisor - [mgaskins@fsd3.org](mailto:mgaskins@fsd3.org)

Pam Coker, District Nurse - [pcoker@fsd3.org](mailto:pcoker@fsd3.org)

Rutha Frieson, School Board Trustee/Community - [rutha.frieson@fsd3.org](mailto:rutha.frieson@fsd3.org)

Jac'Kel Brown, School Board Trustee/Community - [jackel.brown@fsd3.org](mailto:jackel.brown@fsd3.org)

Nakisha McKnight, FSD3 parent/COO Administrative Assistant - [nmcknight@fsd3.org](mailto:nmcknight@fsd3.org)

Adopted 2/22/18; Revised 2/11/20, 7/22/21, 5/19/22, ^

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#### Legal References:

- A. United States Code of Laws, as amended:
  - 1. Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, 124 Stat. 3183.
- B. S.C. Code of Laws, 1976, as amended:
  - 1. Section 59-10-10, *et seq.* - Physical education, school health services, and nutritional standards.
  - 2. Section 59-10-330 - Coordinated School Health Advisory Council (CSHAC).
  - 3. Section 59-10-350 - Length of elementary school lunch period.
  - 4. Section 59-32-30 - Comprehensive health education program; guidelines and restrictions.
- C. Code of Federal Regulations, as amended:
  - 1. National School Lunch Program and School Breakfast Program: Nutrition Standards for All Goods Sold in School, 7 C.F.R. § 210 and 220.
  - 2. Local School Wellness Policy Implementation, 7 C.F.R. § 210 and 220.



- D. S.C. State Board of Education Regulations:
  - 1. R43-168 - Nutrition standards for elementary (K-5) school food service meals and competitive foods.
  - 2. R43-238 - Health education requirements.
  
- E. S.C. State Board of Education Academic Standards:
  - 1. 2009 Academic Standards for Health and Safety Education.
  - 2. 2014 SC Academic Standards for Physical Education.
  
- F. Other:
  - 1. National Standards for Physical Education, NASPE (National Association for Sport and Physical Education).
  - 2. National Health Education Standards, Joint Committee on National Health Education Standards.
  - 3. USDA Dietary Guidelines for Americans.
  - 4. USDA Guide to Smart Snacks in School (2016).
  - 5. USDA Professional Standards for State and Local School Nutrition Programs (2015).

## *Policy*

### **DISTRICT/SCHOOL WELLNESS**

*Code: ADF      Issued: 02/22/2018      Revised: 5/19/2022*

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The district recognizes that student wellness and proper nutrition are related to students' physical well-being, growth, development, and readiness to learn. The district is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular-physical activity as part of the total learning experience. In a healthy school environment, students will learn about and participate in positive dietary and lifestyle practices.

#### **Food and Beverage Availability**

The district is committed to serving healthy meals to students, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams trans fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns, and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the district participate in USDA child nutrition programs through the National School Lunch Program (NSLP) and the School Breakfast Program (SBP) and are committed to offering school meals that:

- are accessible to all students
- are appealing and attractive to children
- are served in clean and pleasant settings
- meet or exceed current nutrition requirements established by local, state, and federal statutes and regulations

Students in grades Pre-K to fifth grade will be provided a minimum of 20 minutes to consume lunch after they have received their food.

Schools will not use foods or beverages as rewards for academic performance or good behavior. Additionally, schools will not withhold food or beverages as punishment. Teachers are provided with a list of alternative ideas for behavior management.

#### *Competitive foods and beverages*

The district is committed to ensuring that all foods and beverages available to students on school campuses during the school day support healthy eating. The foods and beverages sold outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. See Policy EEA, Competitive Foods Sales/Vending Machines, for more information. - <http://www.florence3.k12.sc.us/common/pages/DisplayFile.aspx?itemID=29624864>

All foods that meet the competitive food standards may be sold at fundraisers on the school campus during school hours. The number of fundraisers exempt from the nutrition requirements will be determined by the South Carolina State Board of Education (See "Exempt Fundraisers Memorandum 2015) – <http://ed.sc.gov/newsroom/school-district-memoranda-archive/smart-snacks-and-exempt-fundraisers/smart-snacks-and-exempt-fundraisers/>

## **District Goals for Health and Wellness**

### *Nutrition promotion*

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents/legal guardians, students, and the community.

The district will promote healthy food and beverage choices for all students throughout the school campus and will encourage participation in school meal programs. This promotion will occur through using evidence-based healthy food promotion techniques through the school meal programs through strategies and best practices meeting the USDA Smart Snacks in School nutrition standards.

### *Nutrition education*

The district will teach, model, encourage, and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that fulfills the following criteria:

- fosters the adoption and maintenance of healthy eating behaviors such as acquiring skills for reading food labels and menu planning
- is part of a sequential comprehensive standards-based health education program designed to provide students with the knowledge and skills necessary to promote and protect their health
- promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, and healthy food preparation methods
- emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise)
- links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, and other school foods and nutrition-related community services
- teaches media literacy with an emphasis on food and beverage marketing
- includes nutrition education training for teachers and other staff

### *Physical Activity*

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program, which includes quality physical education as the foundation; physical activity before, during and after school; staff involvement; and family and community engagement. Schools may promote opportunities for physical activity via in school announcements, newsletters, posters, etc. The district is committed to providing these opportunities, and schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education. The district encourages the use of physical activity as a reward when feasible. Physical activity during the school day (including but not limited to recess, classroom physical activity breaks, or physical education) will not be withheld as punishment for any reason. This does not include participation on sports teams or with other sports-related after school activities, nor does it include participation on sports teams or with other sports-related after school activities, nor does it include participation on sports teams with specific academic requirements.

### *Physical Education*

The district will provide students with physical education using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits and incorporate essential health education concepts. The curriculum will support the essential components of physical education. All students will be provided equal opportunity to participate in physical education classes. The district will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

#### **District Wellness Committee/Coordinated District Health Advisory Council**

The district will convene a wellness committee that meets at least once per year to establish district wellness goals for and to oversee school health and safety policies and programs including development, implementation, and periodic review and update of the wellness policy. Wellness committee members will include, to the extent possible, parents/legal guardians, students, representatives of district nutrition services, physical education teachers, school health professionals, the school board, school administrators, and the general public. The designated officer for ensuring district compliance with the wellness policy and oversight of the committee will be the Superintendent or his/her designee. (Refer to LWP Contacts)

Annually, the district will notify the public about the content and implementation of the wellness policy and share any updates to the policy. The district will also publicize the name and contact information of the Superintendent or his/her designee with information on how the public can become involved with the wellness committee or obtain additional information on the wellness policy. The information for this annual review can be gathered through and utilized in the district's strategic planning process.

Every three years, the district will assess its compliance with the policy, how it compares to model wellness policies published by state and federal agencies, and the district's progress in attaining the goals of the policy. The results of this assessment will be made available to the public to showcase the wellness efforts being made by the district and how each school is in compliance with the wellness policy. Following this assessment, the district will update or modify the policy as necessary and share these changes with the public.

#### **Recordkeeping**

The district will retain records to document compliance with the requirements of the wellness policy. Documentation maintained by the district will include but will not be limited to:

- the written wellness policy
- documentation demonstrating that the policy has been made available to the public
- documentation of efforts to review and update the policy, including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the district wellness committee (e.g., copy of meeting notice posted on the district website)
- documentation to demonstrate compliance with the annual public notification requirements
- the most recent assessment on the implementation of the wellness policy
- documentation demonstrating the most recent assessment on the implementation of the wellness policy has been made available to the public

#### **Food and Beverage Marketing**

The district is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The district strives to teach students how to make informed choices about nutrition, health, and physical activity. These efforts will be weakened if students are subjected to

advertising on district property that contains messages inconsistent with the health information the district is imparting through nutrition education and health promotion efforts. It is the intent of the district to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the district's wellness policy.

Any foods and beverages marketed or promoted to students on school campuses during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students. These standards do not apply to marketing that occurs at events outside of school hours such as after school sporting events or any other events, including school fundraisers.

**Contracts for goods or services that include a food and beverage marketing component executed after June 30, 2017, must conform to federal nutrition standards. No exceptions will be granted.**

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing includes any oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- brand names, trademarks, logos, or tags, except when placed on a physically present food or beverage product or its container
- displays, such as on vending machine exteriors
- corporate brand, logo, name, or trademark on school equipment that is displayed during the school day, such as marquees, message boards, scoreboards, or backboards (**Note: Immediate replacement of these items is not required; however, the district will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with this policy.**)
- corporate brand, logo, name, or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans, and other food service equipment; as well as on posters, book covers, pupil assignment books, or school supplies displayed, distributed, offered, or sold by the district
- advertisements in school publications or school mailings
- free product samples, taste tests, or coupons of a product, or free samples displaying advertising of a product

Therefore, it is the policy of the board to ensure the following:

- Child nutrition programs (e.g., school lunch, school breakfast, after school snack, and summer food service programs) will comply with federal, state, and local requirements and will be accessible to all children.
- Qualified child nutrition professionals will provide all students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students.
- All foods and beverages sold or served on campus will comply with the current United States Department of Agriculture (USDA) Dietary Guidelines for Americans and Smart Snacks in School regulation (including vending machines, á la carte foods, beverage contracts, school stores and canteens, and school parties).
- Food items sold in fundraisers that meet the nutrition requirements are not limited. The number of fundraisers exempt from the nutrition requirements will be determined by the South Carolina Department of Education.
- All foods made available on campus will adhere to food safety and security guidelines.
- The school environment will be safe, comfortable, and pleasing and will allow ample time and space for eating meals.
- Nutrition education will be offered at each grade level as a part of a sequential, comprehensive standards-based health education program designed to provide students with the knowledge and

skills necessary to promote and protect their health. Nutrition education may also be integrated into other areas of the curriculum.

- Students will be given opportunities for physical activity during the school day through physical education (PE) classes, daily recess periods for elementary school students, physical activity breaks, and the integration of physical activity into the academic curriculum.
- Schools will not withhold food or beverages as a punishment.
- Advertising messages and promotional activities will be consistent with and reinforce the objectives of the education and wellness policy goals of the board and individual schools. This includes product decals on vending machines.
- The district will provide opportunities for ongoing professional training and development for food service staff, teachers, and volunteers on the importance of physical activity for young children and the relationship of physical activity and good nutrition to academic performance and healthy lifestyles.
- Local wellness policy goals will be considered in planning all school-based activities (such as school events, field trips, dances, and assemblies).

### **LWP Committee Members**

Shelia Knotts, Executive Administrative Assistant to the Superintendent, Local Wellness Policy (LWP) communications – [sknotts@fsd3.org](mailto:sknotts@fsd3.org)

Valerie Mouzon, School Nutrition Supervisor – [vmouzon@fsd3.org](mailto:vmouzon@fsd3.org)

Michelle Gaskins, Assistant School Nutrition Supervisor – [mgaskins@fsd3.org](mailto:mgaskins@fsd3.org)

Pam Coker, District Nurse – [pcoker@fsd3.org](mailto:pcoker@fsd3.org)

Rutha Frieson, School board Trustee/Community – [rutha.frieson@fsd3.org](mailto:rutha.frieson@fsd3.org)

Jac'Kel Brown, School Board Trustee/Community – [jackel.brown@fsd3.org](mailto:jackel.brown@fsd3.org)

Nakisha McKnight, FSD3 parent/COO Administrative Assistant – [nmcknight@fsd3.org](mailto:nmcknight@fsd3.org)

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*Adopted: 02/22/2018. Reviewed/revise: 02/11/2020, 07/22/2021. 5/19/2022*

### Legal references:

#### Federal Law:

Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, 124 Stat. 3183.

#### Federal Regulations:

1. National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School, 7 C.F.R. Parts 210 and 220 (2016).
2. Local School Wellness Policy Implementation, 7 C.F.R. Parts 210 and 220 (2016).

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

Section 59-10-10, et seq. - Physical education, school health services, and nutritional standards.

Section 59-10-330 - Coordinated School Health Advisory Council (CSHAC).

#### State Board of Education Regulations:

R43-168 - Nutrition standards for elementary (K-5) school food service meals and competitive foods.

#### State Board of Education Academic Standards:

2015 SC “Smart Snacks” and Exempt Fundraisers Memorandum.

#### Other references:

USDA Dietary Guidelines for Americans.

USDA *Guide to Smart Snacks in School* (2016).

USDA Professional Standards for State and Local School Nutrition Programs (2015).

**SECTION B**  
**SCHOOL BOARD GOVERNANCE AND OPERATIONS**

*Note: When organizing the policies to begin the revision of this section, SCSBA noticed that for some individual policies there were in-house files for the district as well as different versions that are posted on the district website. As a result, the draft policies are a compilation of these two files and our model policies. Any concerns with the source of policy language as presented in these drafts will be addressed during the board review process, at the board's request.*

<b>NEW CODE</b>	<b>HEADING</b>	<b>OLD CODE</b>	<b>NOTES</b>
BA	Board Operational Goals	BA	This is the model policy with new introductory language to include your goals. Any additional goals from the district?
BAA	Board Self-Evaluation	New policy	This is the model policy outlining the process for a self-evaluation by the board.
BB	Board Legal Status	AB, ABA	This is the model policy to include information from your local laws. <u>Highlighted sections are your information.</u>
BBA	Board Powers and Duties	ABB, BBA	This is the model policy which combines both your policies and paraphrases state law. Highlighted area is your local law.
BBAA, -R	Board Member Authority and Responsibilities	New policy	This is the model policy and rule addressing the authority of a board member as an individual and as a member of the board. Includes procedures to follow when carrying out responsibilities as a board.
BBB	Board Membership - Elections	ABCC	This is the model policy dealing just with elections and is based on your local laws. Highlighted areas are your local language/laws.
BBBA	Board Member Qualifications	BBB/BBBA	This is model policy for qualifications of board members to include persons convicted of a felony and dual office-holding.
BBBC	Board Member Resignation	New policy	This is the model policy outlining the process to be followed when a board member resigns.

BBBD	Board Member Removal From Office	New policy	This is the model policy addressing the removal of individual board members for cause and replaces your local policy. See the 2022 <i>Policy and Legislative Update</i> manual, pg. 28, for additional information.
BBBE	Unexpired Term Fulfillment/Vacancies	New policy	This is the model policy with district language on filling a vacancy. Highlighted language is per your local law.
BC	Board Member Conduct	BH	This is the model policy outlining the standards of conduct for the board to reflect their individual responsibility as a board member. Includes the majority of your bullets.
BCA	Board Member Code of Ethics	BCC	This is the model policy which paraphrases the contents of the State Ethics Act with special emphasis on what a board member will <b>not</b> do.
BCB	Board Member Conflict of Interest	BHA	This is the model policy with extensive discussion of any situations involving conflict of interest for a board member, including nepotism.
BD, -R	Organization of the Board	BBAA	This is the model policy and rule with your information (highlighted) added to the first section of the policy. The election process section is new language. Note options. The duties of the officers have been expanded upon in the rule.
BDD	Board-Superintendent Relationship	New policy	This is the model policy with detailed information about the board/superintendent relationship and subsequent expectations.
BDE	Board Committees	BBC	This is the model policy expanding on the use of special committees by the board. Applicable provisions of FOIA are presented as well. Highlighted portion is your information.
BDF, -R	Advisory Committees	BBF	This is the model policy dealing with the creation of advisory committees within the district. The model rule contains the specific information for School Improvement Councils.



BDG, -R	Board Attorney/Legal Services	BBE	This is model policy and rule that greatly expand on the process for retaining an attorney for the district, to include the choice of independent counsel and general counsel.
BDH	Board Consultants/Staff Assistants	New policy	This is the model policy for enlisting the services of consultants.
BE	Board Meetings	BC, BCA, BCBF	This is the model policy which includes general information on public hearings and the cancellation of meetings. The general statement on parliamentary procedure refers to Robert's Rules of Order as the source for conducting meetings. Your information on board member participation through electronic means will be in policy BEDM. Highlighted areas are your information.
BEC	Executive Session/Open Meetings	BCBK	This is the model policy with updated language on conducting executive sessions (added last bullet to items for executive session). See <i>2016 Policy and Legislative Update</i> manual, pg. 108, for additional information.
BEDA	Board Meeting Notification	BCBB	This is the model policy addressing notification to include changes to FOIA, posting agendas on the district website, and use of agendas by public bodies. See the <i>2014 Policy and Legislative Update</i> manual, pg. 35, and the <i>2015 Policy and Legislative Update</i> manual, pg. 11, for additional information.
BEDB	Board Agenda	BCBD	This is the model policy with updated procedures for preparing the agenda, the inclusion of items, and following the order of business. See the <i>2014 Policy and Legislative Update</i> manual, pg. 35, and the <i>2015 Policy and Legislative Update</i> manual, pg. 11, for additional information.

BEDF	Voting Method at Board Meetings	BCBF (part of it)	This is the model policy expanding on your information. Note the statement on secret ballots.
BEDG	Minutes of Board Meetings	BCBH	This is the model policy with expanded information on FOIA requirements and the posting of board meeting minutes on the district website. Note last bullet.
BEDH	Public Participation at Meetings	BCBI	This is the model policy focusing on public participation at board meetings which will be allowed only as indicated in the agenda and at an open forum at the discretion of the board.
<b>BEDI</b>	News Media Services at Board Meetings	New policy	This is the model policy for dealing with the news media at board meetings.
<b>BEDL</b>	Board Members and Electronic Communications	New policy	This is the model policy covering board members and the use of electronic communications during meetings.
<b>BEDM</b>	Electronic Participation in Board Meetings	New policy, BCBF (part of it), BC (part of it)	This is the model policy allowing the board members to participate in public board meetings by electronic means of communication and expands on your information.
<b>BEDN</b>	Board Members' Use of District-Owned Portable Devices	New Policy	This is the model policy if the board recognizes a need for board members to have the use of portable electronic devices.
BEE	Public Hearings	BCAE	This is your information. Any changes?
BG/BGD, -R	School Board Policy Process/Board Review of Administrative Rules	BD, BDF	This is the model policy and rule for the development and revision process for board policies and accompanying administrative rules to include the suspension or repeal of policy. Highlighted section is your information.
BIA/BIB	New Member Orientation/ Board Member Development Opportunities	BBBB, BBBC	This is the model policy which updates and combines your information. Your local information (highlighted) on new board member orientation has been added. Still current?

BID	Board Member Compensation and Expenses	BBBE	This is the model policy to include your statement on reimbursement for attendance at meetings. Your information (highlighted) on the reimbursement process has been added.
BIE	Board Member Insurance Liability	New policy	This is the model policy regarding personal liability protection for board members.
BJ, -R, -E	Board Legislative Program	New policy, rule, and exhibit	This is SCSBA advocacy program information for the board's consideration.
BK	Board Memberships in Professional Associations	BGA	This is the model policy for maintaining membership in SCSBA.

**Relocated policies**

BE - will be in new EHB

# **BOARD OPERATIONAL GOALS**

*Code BA Issued DRAFT/23*

The board is committed to the education and success of all students.

The board will function in a non-partisan manner, and each member will allow his/her consideration for the entire district to take precedence over every form of partisanship and special interest - political, racial, religious, geographic, economic, social, civic, or other. The board will provide the best possible educational program to address the educational needs of the students in the district and will accomplish this goal by efficiently managing district resources.

The board, as a primarily legislative body, will establish the policies of the district and the superintendent will carry out those policies through the administration of the district. The board will function publicly and will seek the input of the community, students, and staff, when applicable, in its decision-making processes.

The board will establish a culture of competence, collaboration, and trust.

Accordingly, the board's goals are as follows:

- to provide leadership through clearly defined written policies based on a thorough understanding of the district's educational program and in consultation with individuals and groups affected by those policies, as appropriate
- to establish and evaluate the goals and objectives of the district
- to formulate a sound fiscal policy that demands efficient use of resources
- to choose the superintendent and work responsibly with him/her
- to maintain effective communication with the public, parents/legal guardians, and students served by the district
- to identify the educational and technological needs of the community and to transform such needs into programs aimed at preparing students for future careers
- to review its performance relative to its goals on a periodic basis

Adopted 5/83; Revised 12/19/01, 2/11/20, ^

# BOARD SELF-EVALUATION

NEW

Code BAA Issued DRAFT/23

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 \*\*\*\*\* 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 LEGAL STATUS

Code **BB** Issued **DRAFT/23**

Florence County School District Three is a political and corporate body of the State of South Carolina. The legally constituted governing body of the district is the board of trustees. The board is composed of **nine** members who reside in designated areas within the boundaries of the county.

The board's powers are derived from the South Carolina Constitution and acts of the South Carolina General Assembly. Consequently, the board may perform only those acts for which authority exists. This authority may be expressly stated or implied either in state law or in rules and regulations of the State Board of Education.

The board is responsible to the community it serves and represents. Therefore, it is the duty of the board to act in the best interest of the community in matters of public education within the boundaries set by the laws and regulations of the state of South Carolina and Florence County.

The will of the people of the district is expressed at the annual Citizen's Meeting, held the second Tuesday in May, or as prescribed by statute of the South Carolina Legislature as pertains to the district schools.

All powers of the board lie in its action as a governing body. Board members acting as individuals have no authority over personnel or school affairs except when such authority is specifically delegated to a member by the board.

Adopted 2/7/85; Revised 11/20/86, 5/17/88, 1/24/02, 5/15/08, 2/11/20, ^

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## Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 59-17-10, *et seq.* - School districts.
  - 2. Section 59-19-10 - District will be under the management of the board of trustees.
  
- B. 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.
  - 2. 2011 Act 84 - Provides for the election of nine board members with the general election; terms of three years; election districts; approval of district budget.
  - 3. 2015 Act 101 - Amends Act 84 of 2011, as amended, relating to time and method for election of board members; reapportions election districts.
  - 4. 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.
  
- 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 POWERS AND DUTIES**

*Code BBA Issued DRAFT/23*

State law and regulation requires the board to discharge certain duties and confers upon them legislative, judicial, and executive powers.

## **Legislative/Polycymaking**

The board is responsible for the development and adoption of policy to direct the general management and administrative actions of the district. The policies will be in written form and continually re-evaluated in terms of the changing needs and functions of the district.

## **Executive**

The board will employ a superintendent to serve as the district's chief executive officer. In that role, the superintendent performs administrative duties for the board by virtue of the powers delegated to him/her. The board will hold the superintendent accountable for the proper and efficient administration of the district.

## **Quasi-Judicial**

The board is responsible for hearing appeals of professional and support staff members, parents/legal guardians, students, and others when such appeals are contemplated by local, state, or federal law or board policy.

## **Operational Action**

The board is responsible for carrying out board business, such as adopting procedures for meetings, electing board officers, and ensuring compliance with local, state, and federal laws.

## **Appraisal and Approval**

The board is responsible for evaluating the effectiveness of its policies and the implementation of its policies. The board will appraise the superintendent's recommendations and act on each proposal in the district's best interest. The board will hold the superintendent accountable for furnishing complete information necessary for the board's evaluation.

## **Educational Planning and Evaluation**

The board is responsible for establishing educational goals which will guide both the board and the staff in working together toward the continued improvement of the educational program of the district. The educational program will be evaluated regularly as measured through the goals and objectives set forth by the board. The board is responsible for requiring and acquiring reliable information to make informed decisions.

## **Provision of Financial Resources**

The board will oversee the district's finances by authorizing, appropriating, and adopting a budget and by proposing tax levies or bond elections, when appropriate and as allowed by law, to provide for operation of the district's educational program.

## **Staffing**

The board is responsible for employing the professional and support staff necessary for carrying out the district's educational program. The board is also responsible for establishing salary schedules, terms of employment, and other personnel policies.

### **Reviewing Action**

The board has final authority within the law for the operation of the district. No section of these policies and procedures may be construed to limit the statutory powers of the board to exercise its own judgment.

### **Visits to Schools**

Board members will visit schools with the full knowledge of and coordination with staff including the superintendent and building level administrators.

Visits to schools or classrooms will occur only after making arrangements through the building-level administration of each school. Board members must check in at the school's front office and follow all visitation procedures.

Such visits will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes.

### **Public Relations**

The board is responsible for providing adequate and direct means for keeping the community informed about the district and for providing opportunities for public engagement. The board encourages community members to attend board meetings.

Adopted 11/20/86; Revised 12/19/01, 1/24/02, 3/15/12, ^

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#### **Legal References:**

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

1. Section 59-19-90 - General powers and duties of school boards.

B. 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.



NEW

# BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

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 ^

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## 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 MEMBERSHIP/ELECTIONS

Code **BBB** Issued **DRAFT/23**

The members of the board must be elected at a general election held in an even-numbered year on the first Tuesday following the first Monday in November in the year of the expiration of their respective terms.

The regular term of office for each board member is four years.

The term of office of every elected board member of the district must commence on January first of the year following election and continue until their successors are elected and qualify. one week following the certification of his/her election.

At the first meeting following commencement of a board member's term of office, he/she will be administered the oath of office by the district superintendent, the state superintendent, a judge, a notary, or a clerk of court.

Within one year of taking office, board members will complete the state-mandated orientation program on the powers, duties, and responsibilities of a board member.

Adopted 5/17/88; Revised 1/24/02, 7/17/08, 3/15/12, 12/20/12, 7/20/17, 10/19/17, 2/11/20, 10/20/22, ^

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## Legal References:

### A. S.C. Constitution:

1. Article VI, Section 4 - Officers to take and subscribe oath.
2. Article VI, Section 5 - Form of oath.

### B. S.C. Code of Laws, 1976, as amended:

1. Section 59-19-45 - Orientation required for board members.
2. Section 59-19-315 - Commencement of board member's term of office.

### C. 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.
2. 2011 Act 84 - Provides for the election of nine board members with the general election; terms of three years; election districts; approval of district budget.
3. 2015 Act 101 - Amends Act 84 of 2011, as amended, relating to time and method for election of board members; reapportions election districts.
4. 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 MEMBER QUALIFICATIONS

*change*

Code BBBA Issued DRAFT/23

Members of the board should have a genuine interest in and devotion to public education, a willingness to give time and effort to the district, and the ability to work cooperatively with others.

Constitutional and statutory provisions require that all officers of the state and its subdivisions be qualified electors; that is, registered to vote, in their resident precinct. Persons convicted of a felony under state or federal law or other crimes related to elections and voting are prohibited from being elected to and serving in an office in this state or its political subdivisions, including school districts.

Board members are prohibited from dual office-holding except in instances when an officer is given ex-officio status by statute. Any office-holder who is elected to a second office must vacate the first office. Under this provision, "office-holding" means being elected or appointed to an office of the state or its subdivisions.

Adopted ^

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## Legal References:

### A. S.C. Constitution:

1. Article II, Sections 3 and 4 - Definition of qualified electors.
2. Article II, Section 7 - Disqualifications by reason of mental incompetence or conviction of crime.
3. Article VI, Section 3 - Prohibits dual office-holding.
4. Article VI, Section 1 - Prohibits persons convicted of certain crimes from election to office (with some exceptions).
5. Article XVII, Section 1 and 1A - Qualification for office and prohibition against dual office-holding.

### B. S.C. Code of Laws, 1976, as amended:

1. Section 7-5-120 - Qualifications for voter registration.

# BOARD MEMBER RESIGNATION

Code BBBC Issued DRAFT/23

*New*

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

*New*

Code **BBBD** Issued **DRAFT/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.

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, ^

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## 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*

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 ^

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## 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 MEMBER CONDUCT

Code BC Issued DRAFT/23

*change*

Because of the importance of the board's responsibility to make decisions related to the district's educational program while maintaining effective relationships with school administrators, staff, and community members, the board will conduct themselves professionally in accordance with the level of responsibility bestowed upon them by the public.

It is the responsibility of each board member to do the following:

- Remember that the first and greatest concern must be the educational welfare of all students attending public schools.
- Become familiar with district policies, rules, and procedures as well as state and federal school laws and regulations.
- Have a general knowledge of educational goals and objectives of the district.
- Work harmoniously with other board members without trying to dominate the board or neglect one's share of the work.
- Vote and act in board meetings impartially for the good of the district, representing all district constituents equally.
- Recognize that authority rests only with the board in official meetings and that an individual member has no legal status to bind the board outside of such meetings.
- Refuse to participate in irregular or secret meetings which are not official and which all members of the public do not have the opportunity to attend.
- Accept the will of the majority vote in all cases and support the resulting policy or decision.
- Maintain the confidentiality of all matters discussed in executive session.
- Understand that the basic function of a board is policymaking, not administration, and accept the responsibility of learning to discriminate intelligently between these two functions.
- Strive to procure, when a vacancy exists, the best professional leader available for the superintendency.
- Give the superintendent full administrative authority for properly discharging his/her professional duties and hold him/her responsible for acceptable results.
- Refer suggestions and complaints to the superintendent and abstain from individual counsel and action.
- Participate in the various board training opportunities which are offered locally, regionally, statewide, and nationally.
- Respond, as appropriate, to the wishes and desires expressed by the community and educate the public on the district's educational program and policies in such a way as to promote community interest and support.

Adopted 11/86; Revised 12/18/01, 1/24/02, 3/10/22, ^

# BOARD MEMBER CODE OF ETHICS

*change*

Code **BCA** Issued **DRAFT/23**

The board desires to operate in the most ethical manner possible, and in furtherance of that goal, adopts this code of ethics to serve as a guide to its members as they strive to render effective and efficient service.

In carrying out his/her duties, a board member **will not** do the following:

- perform an official act which directly and substantially confers an economic benefit on a business or other undertaking in which he/she has a substantial financial interest or in which he/she is engaged as a counsel, consultant, representative, or agent
- accept a gift of substantial value, or substantial economic benefit tantamount to a gift of substantial value, as a payment or reward for official action taken or advice and assistance given
- disclose or use confidential information acquired in the course of official duties for personal financial gain, which includes, but is not limited to, economic gain for family members, associates, or business interests
- employ or promote a family member to a position which the board member supervises or manages (i.e. superintendent)
- participate in an action relating to the discipline of a family member
- accept anything of value for speaking before a public or private group as a board member
- neglect to annually submit a statement of economic interest to the South Carolina Ethics Commission

It will not be considered a breach of ethics for a board member to receive the following:

- an occasional non-pecuniary gift which is insignificant in value
- a non-pecuniary award publicly presented in recognition of public service
- payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a speaking engagement, convention, or other meeting at which he/she is scheduled to participate
- a benefit as an indirect consequence of transacting district business

Each board member will be knowledgeable of and comply with these and all other applicable provisions of the S.C. Ethics, Government Accountability, and Campaign Reform Act.

Adopted 12/01; Revised 2/28/19, ^

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## Legal References:

- A. S.C. Code of Laws, 1976, as amended:
1. Section 8-13-100, *et seq.* - Ethics, Government Accountability, and Campaign Reform Act.
  2. Section 59-19-300 - Prohibits receiving pay as teacher in same district where serving on board.
  3. Section 59-25-10 - Prohibits board members from employing members of immediate family as teachers, with exceptions.

# BOARD MEMBER CONFLICT OF INTEREST

*change*

Code **BCB** Issued **DRAFT/23**

Board membership is an act of public service and, as such, the board strives to avoid any impropriety or the appearance of impropriety. However, a conflict of interest may arise between a board member's personal interest and his/her responsibilities as an elected official in a matter proposed or pending before the board. Board members have a legal and ethical responsibility to avoid not only these conflicts of interest, but also the appearance of conflicts of interest.

Board members are required to disclose any potential conflict of interest to the board. A board member with a personal or private interest in a matter proposed or pending before the board will disclose such interest to the board, will not deliberate on the matter, will not vote on the matter, and will not attempt to influence other members of the board regarding the matter.

If, in the discharge of official responsibilities, the board member is required to take action or make a decision which affects his/her economic interest or the economic interest of a family member or an individual or business with whom he/she is associated, the board member must prepare a written statement outlining the conflict and give it to the chair of the board. The minutes of the meeting should reflect the conflict and the reasons for it.

The board member may vote on matters where he/she has no greater interest than does any other member of the board. For example, a board member may vote on a budget that includes salaries of all staff members, even if the board member has a family member employed by the district. However, the board member may not vote on the contract of the family member.

The S.C. Ethics, Government Accountability, and Campaign Reform Act ("Ethics Act") provides that a public official may not have an economic interest in a contract with the district if the official is authorized to perform an official function relating to the contract. The law defines official function to include accepting bids and awarding contracts.

A board member may provide services or sell products to the district in which he/she serves, provided all transactions are in accordance with the State Ethics Act and the procurement process and the board member is excluded from deliberating or voting on the matter.

A board member may not participate in an action relating to the discipline of his/her family member.

## **Nepotism**

No immediate family member of a board member will be employed as a teacher without the written approval of the board. This does not apply to teachers employed before his/her family member became a member of the board.

Immediate family member is defined as a child residing in a board member's household; a spouse of a board member; or an individual claimed by the board member or his/her spouse as a dependent for income tax purposes.

## **Employment and Volunteering Prohibited**

A board member may not receive pay as a teacher of a public school, or otherwise be employed, in the same school district where he/she serves. This includes employment handled through third party entities such as temporary agencies that place substitute teachers. A board member is not permitted to serve in a volunteer position in the district as he/she would have responsibility for a curricular, co-curricular, extracurricular program or activity, or students and would report directly to the superintendent, principal, athletic director, or other school administrator.

Adopted 10/88; Revised 12/01, ^

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Legal References:

A. S.C. Constitution:

1. Article XVII, Section 1A - Dual office holding prohibited.

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

1. Section 8-13-100, *et seq.* - Ethics, Government Accountability, and Campaign Reform Act.
2. Section 59-19-300 - Prohibits receiving pay as teacher in same district where serving on board.
3. Section 59-25-10 - Prohibits board from employing members of immediate family as a teacher, with exceptions.
4. Section 59-31-590 - Prohibits service as agent of school book publisher.
5. Section 59-69-260 - Authorizes board members to provide services or sell products to the district so long as these transactions are in accordance with state ethical provision of law.

C. Attorney General's Opinion:

1. Op. S.C. Att'y Gen., 2016 WL 386066 (January 5, 2016) A master-servant conflict would arise if a board member were to serve as the head or assistant coach, even on a volunteer basis, and as a trustee of the board in the same district.

# ORGANIZATION OF THE BOARD

*change*

Code **BD** Issued **DRAFT/23**

The officers of the board are chair, vice-chair, and secretary (*option: parliamentary*). The officers are elected and sworn in annually at the board's organizational meeting in **January**.

Each officer will serve for a **one-year** term. Officers can serve no more than **\*\*\*\*\*** consecutive terms.

## **Election Process**

The superintendent will serve as the presiding officer for purposes of electing officers.

Officers will be elected by a majority vote of the board. Voting will be conducted by (*option: voice vote or secret ballot*). *The superintendent will appoint a member of the district staff to count secret ballots.* Once the chair is elected, he/she will assume the role of presiding officer.

## *Nominations*

The superintendent or presiding officer will make a call for nominations for the officer position to be elected. Any board member may nominate any eligible member for the office, including him/herself. Nominations need not be seconded.

If a candidate accepts the nomination, his/her name will be included in the vote(s) for the officer position until such time as he/she may withdraw his/her name from consideration. If a candidate declines the nomination, his/her name is not included in the vote(s) for the position.

## *Voting*

Once the nominees for the specified position are clearly established, a vote will be taken. All board members who are participating in the meeting, including all nominees for the specified position, may cast a vote. In the event that there is only one nominee for an office, the board may conduct a voice vote to elect the officer.

When more than two nominees are on the ballot and no candidate receives a majority of votes, a runoff will be held between the nominees receiving the two highest vote counts.

## **Vacancies**

Vacancies in the above-mentioned offices will be filled by the board at its discretion.

Adopted 2/73; Revised 11/20/86, 10/20/88, 12/19/01, 5/14/08, 3/15/12, 3/10/22, ^

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## Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 59-19-70 - Election of officers.

### **Duties of the Secretary**

The secretary attends all board meetings and records the proceedings. The secretary will also supply records and other information which the board may require or need. Among his/her duties will be the following:

- Keep a permanent record of all proceedings of the board.
- Prepare such reports and perform such duties as may be prescribed by statutes or directions of the chair of the board.

The board, at its discretion, may employ an individual who is not a member of the board to record minutes and proceedings of the board.

In the absence of the chair and vice chair, the secretary will act as the presiding officer.

In the absence of the chair, vice chair, and secretary, the board will elect a temporary chair to preside over the meeting.

### *(Option: Duties of the Parliamentarian)*

*The parliamentarian attends all meetings of the board and gives advice in parliamentary procedure. Among the parliamentarian duties are the following:*

- *Be knowledgeable of parliamentary procedure and board policies.*
- *Advises the presiding officer on matters of procedure at meetings. The parliamentarian should be seated next to the presiding officer.*
- *Maintains a current copy of Robert's Rules of Order.*

Issued 2/73; Revised 11/20/86, 10/20/88, 12/19/01, 5/14/08, 3/15/12, 3/10/22, ^

# **ORGANIZATION OF THE BOARD**

*Code BD-R Issued DRAFT/23*

## **Duties of the Chair**

The chair presides at all meetings of the board and performs other duties as directed by law, regulation, and by the board. In carrying out these responsibilities, the chair will do the following:

- Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the board.
- Consult with the superintendent in the planning of the board's agendas.
- Confer with the superintendent on crucial matters which may occur between board meetings.
- Appoint board committees, subject to board approval.
- Call special meetings of the board as necessary.
- Act as the public spokesperson for the board at all times, except as this responsibility is specifically delegated to others.
- Be responsible for the orderly conduct of all board meetings.
- As presiding officer at all meetings of the board, the chair will do the following:
  - Call the meeting to order at the appointed time.
  - Announce the business to come before the board in its proper order.
  - Enforce the board's policies relating to the order of business and the conduct of meetings.
  - Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference.
  - Explain what the effect of a motion would be if it is not clear to every member.
  - Restrict discussion to the question when a motion is before the board.
  - Answer all parliamentary inquiries, referring questions of legality to the board attorney.
  - Put motions to a vote, stating definitely and clearly the vote and result thereof.
- The chair has the right, as other board members have, to offer resolutions, discuss questions, and vote.

## **Duties of the Vice-Chair**

The vice-chair will have the powers and duties of the chair in his/her absence or during his/her disability and such other powers and duties as the board may from time to time determine.



# BOARD-SUPERINTENDENT RELATIONSHIP

*New*

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, straightforward, 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, straightforward, 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.

**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 ^

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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 COMMITTEES

Code **BDE** Issued **DRAFT/23**

There will be no standing committees of the board, other than the ongoing policy committee, as the board believes that it operates most effectively without committees. Board members will receive the same information, explore options, and make decisions together.

The chair may appoint special committees when the need arises. The function of special committees will be fact-finding, deliberative, and advisory, but never legislative or administrative. All committees will report their findings to the board for discussion and action.

Any special committee's authority and scope of its assignment will be specified by the board chair at the time of its formation. Such committees will serve until they have accomplished their purpose and/or until they are discharged by the chair. The superintendent will serve as an ex-officio member of all special committees.

All committees appointed by or created for the purpose of reporting directly to the board will be subject to the provisions of the South Carolina Freedom of Information Act (FOIA) regardless of whether any board member serves on such committee, including, but not limited to, providing the public and the media with appropriate notice of the meeting, establishing a quorum of committee members at each meeting, and drafting and posting minutes of each meeting.

Cf. BE, BEC, BEDA, BEDB, BEDG

Adopted 11/20/86; Revised 12/19/01, 3/10/22, ^

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## 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 59-19-110 - Board may designate members to hear or otherwise explore matters under its control.
  
- B. Attorney General's Opinion:
  - 1. Op. S.C. Att'y Gen., 2019 WL 4235546 (August 26, 2019) Committees constitute public bodies for purposes of the South Carolina Freedom of Information Act.

# ADVISORY COMMITTEES

Code **BDF** Issued **DRAFT/23**

Advisory committees may be created for limited purposes or to provide continuing consultation in a particular area of education. The central purpose of all advisory committees is to contribute to the educational program by conducting studies, identifying problems, and developing recommendations that will enhance the effectiveness of the board's decision-making process. The ultimate authority to make decisions will continue to reside with the board.

Advisory committees that are required under federal and state law will be formed and will function in accordance with such laws.

The composition of an advisory committee will be broadly representative and take into consideration the specific tasks assigned to the committee.

Advisory committees will not be permitted to continue for prolonged periods without a defining assignment. Each advisory committee will be instructed as to the length of time each member will serve, the service the committee will provide, the resources the board will provide, the approximate dates reports will be submitted, and the approximate date the committee will be dissolved. An advisory committee is only granted authority to carry out the established function of the committee.

The board will have the sole power to dissolve any of its advisory committees and will reserve the right to exercise this power at any time during the term of any advisory committee. The board may seek the advice of the superintendent before establishing or dissolving any advisory committee.

All committees appointed by or created for the purpose of reporting directly to the board will be subject to the provisions of the South Carolina Freedom of Information Act (FOIA) regardless of whether any board member serves on such committee, including, but not limited to, providing the public and the media with appropriate notice of the meeting, establishing a quorum of committee members at each meeting, and drafting and posting minutes of each meeting.

This policy is not intended to limit the ability of the superintendent or his/her designee to appoint district-level or school-level advisory committees to advise on administrative functions.

Cf. BE, BEC, BEDA, BEDB, BEDG

Adopted ^

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## 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 59-20-60 - Establishes school improvement councils.
- B. Attorney General's Opinion:
  - 1. Op. S.C. Att'y Gen., 2019 WL 4235546 (August 26, 2019) Committees constitute public bodies for purposes of the South Carolina Freedom of Information Act.

# ADVISORY COMMITTEES - SCHOOL IMPROVEMENT COUNCILS

Code **BDF-R** Issued **DRAFT/23**

## **Purpose**

- Provide means of representative participation by parents/legal guardians, teachers, students, and the community in planning and monitoring school improvement outlined in the five-year plan.
- Disseminate information to other parents/legal guardians and citizens within the community and clarify information concerning school programs and school improvement initiatives.
- Provide suggestions to school principals for program improvements.
- Annually review an evaluation of school programs and make suggestions to the school principal concerning changes or continuation.

## **Duties**

State law sets forth the following specific duties for school improvement councils (SICs):

- Assist in the preparation of the five-year school improvement or renewal plan and the district performance-based accountability system and annual updates.
- Assist with the development and monitoring of school improvement and innovation.
- Consult with the school on development of the family engagement portion of the School Reading Plan as required by the Read to Succeed Act.
- Prepare the annual SIC Report to the Parents each year. The report will provide information on the school's progress in meeting the district goals and objectives.
- Assist the principal in writing the narrative report for the annual South Carolina School Report Card.
- Provide advice on the use of school incentive grant awards.
- Provide additional assistance as the principal may request.
- Carry out other duties prescribed by the local school board.
- Work with an external review team if a school receives a rating of unsatisfactory or a school rating below average; if this occurs, the SIC will gather additional information on the strengths and weaknesses of a school for the purpose of revising the school improvement plan.
- Provide membership information to the SIC Assistance office at the University of South Carolina as prescribed by law.

## **Composition**

Each SIC will be comprised of at least two parents/legal guardians, elected by the parents/legal guardians of the children enrolled in the school; at least two teachers, elected by the faculty; and, if applicable, at least two students in grades nine and above in the school, elected by the students. The principal will appoint additional members of the SIC from the community. The number of appointed community members must equal half the number of elected members. This means that schools without grade nine and higher must have at least two appointed community members and schools with grade nine and higher must have at least three appointed community members. If an SIC chooses to increase the number of elected members, it must also increase the number of appointed members. The SIC will also include ex-officio members such as the principal or other individuals holding positions of leadership in the school or other school organizations.

## **Eligibility**

### *Parent/Legal guardian representatives*

To serve as a parent/legal guardian representative on the SIC, the parent/legal guardian must have a child attending the schools in the district.

### *Teacher representatives*

The teacher representatives will be any certified staff members working at least half-time at the local school level. The certified staff member's seat will be declared vacant if the employee is no longer employed at the school.

### *Student representatives*

No student may serve as the student representative after the student has left the school. No student will be prohibited from nomination or election due to grade level, academic standing, race, religion, sex (including pregnancy, childbirth, or any related medical conditions), color, disability, national origin, or any other applicable status protected by law.

### *Community representatives*

A community member may be appointed by the principal if he/she meets the following criteria:

- Does not currently have a child enrolled in the school.
- Is not employed by the district.
- Lives and/or does business in the school's attendance zone or surrounding community.

## **Election/Appointment Process**

### *Parents/Legal guardians*

Parents/Legal guardians will be elected by nomination either from themselves or from another parent/legal guardian. The school will prepare a ballot of all nominations and a method of casting ballots which encourages the broadest participation. Ballots will be counted and election results announced by the principal.

### *Teachers*

The faculty of each school will elect a minimum of two teachers in a manner determined by the faculty. Schools are encouraged to hold elections during a regularly scheduled faculty meeting or other event that all teachers are required to attend.

### *Students*

Student representatives will be elected during the time the student body of the school is holding its regular elections for student government offices. The student council will determine a process to elect a minimum of two students.

### *Community members*

The principal of the school will appoint qualifying community members who will connect the school with diverse neighborhoods, community groups, and/or resources and who have skills and expertise not otherwise represented among elected SIC membership.

*Ex-officio*

The principal, PTA/O president, past SIC chair, Title I parent advisory council chair, business partner, and/or others may be seated on the SIC, as stated in the by-laws.

**Term of Office**

The elected members of the SIC will serve a minimum term of two years; the terms will be staggered and determined by lot. Parents/Legal guardians of a student or students in their last year of enrollment at an individual school may serve terms of only one year. The names of all SIC members and other information will be submitted to the SIC Assistance office at the University of South Carolina for the purpose of sharing information.

The term of office for appointed members will be established by the by-laws adopted by each SIC.

**Time of Election**

Annual elections will occur within district guidelines as set out in the SIC by-laws. Elections should occur no later than October 15th annually and may be held at the beginning of the new school year or the preceding spring (May-June). Elections should be organized to ensure broad participation by parents/legal guardians, faculty, and students.

**Vacancies**

Vacancies will be filled by appointment from the principal with approval of the SIC.

**Meetings**

Each SIC will meet monthly (at least eight times a year). The school will maintain a record of actions in the school office. As public bodies, SICs are subject to all applicable state open meeting and public record requirements in accordance with the South Carolina Freedom of Information Act.

**SIC Operations and By-Laws**

All SIC operations will conform to state and federal laws and regulations, district policies, and professional ethics.

Each SIC will develop a set of by-laws governing its operations consistent with district policy. A copy of the by-laws will be filed with the district office.

**Release of Information**

The principal will provide each SIC with appropriate information so that they can provide advisory assistance with the development and monitoring of the school's improvement efforts. This information will include, but not be limited to, the following:

- test data for the school
- total school improvement plans
- demographic composition of the local school community
- success of graduates during first year of college, if applicable
- dropout information, if applicable
- needs assessment information as related to student achievement progress, including survey information

Cf. CM



Issued 10/88; Revised 12/01, 1/24/02, ^

# **BOARD ATTORNEY/LEGAL SERVICES**

Code **BDG** Issued **DRAFT/23**

The complexity of board operations requires the frequent procurement of legal services. Consequently, the board, by majority vote, may designate an attorney or law firm to counsel the board and administration on legal matters involving the district's welfare. The board retains the right to counsel with or employ other attorneys and to terminate the service of any attorney.

The board may ask the attorney to attend board meetings or other meetings as may be needed. The district will only pay for legal services that are provided in accordance with the board-approved representation agreement or are otherwise authorized by board policy.

*Optional:*

*\*(if option is selected, add the heading "**Independent Counsel**" at the beginning of this policy)*

## **General Counsel**

*The superintendent is responsible for selecting and recommending to the board for hire a general counsel to represent the district. The general counsel will report directly to the superintendent and will provide legal guidance and representation to the district and its administration on a broad range of legal issues involving district policies, programs, staff members, and students.*

Adopted 11/20/86; Revised 4/18/91, 12/19/01, ^

# **BOARD ATTORNEY/LEGAL SERVICES**

*Code BDG-R Issued DRAFT/23*

The board may retain an attorney or law firm to serve as legal counsel for the purpose of systematically securing legal services in a timely and organized manner. The following administrative rule sets forth the board's expectations for its legal services.

## **Qualifications**

The board will select an attorney or law firm based on qualifications submitted from interested firms.

The attorney will be licensed to practice law in South Carolina.

The attorney will be sufficiently familiar with school law to enable him/her to offer legal advice.

The attorney will possess any additional qualifications as the board finds appropriate.

## **Reports To**

The attorney will be the chief legal adviser and representative of the board and will serve at the will of the board, reporting directly to the board.

## **Evaluation**

The board and superintendent will annually evaluate the performance of the attorney.

## **Compensation**

Compensation for legal services will be negotiated with the board at the time an attorney is appointed or within 30 days of the appointment. The finalization of an appointment is subject to a compensation agreement between the board and the attorney.

## **Services**

The board and administration will make all requests for legal services, including routine information and assistance, in a timely and organized manner and in accordance with board policy. The attorney will provide the board with periodic legal briefings and a status report on all requests for assistance that have not been provided or completed within 30 days of the request. The attorney will give the board a monthly status report when necessary on all litigation or potential litigation involving the district.

### *Board legal services*

Many instances of legal assistance provided to the board may be considered routine and not necessitating specific board approval or prior vote. The board chair may initiate inquiries on these routine matters at his/her discretion.

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. In the event of a dispute between the board and the superintendent, the attorney represents the interest of the board.

*(Option for districts without in-house general counsel: Administration legal services)*

*Many instances of legal assistance provided to the district administration may be considered routine and not necessitating specific board approval or prior vote. For example, the superintendent may consult with the school attorney to interpret statutory requirements or regulations, prepare or review contracts, and seek legal opinions regarding other day-to-day district operational issues. Routine legal assistance does not include anything that directly involves the board or any board member. When the superintendent concludes that unusual types or amounts of professional legal services may be required, he/she will advise the board and seek either initial or continuing authorization for such services.*

Issued ^

# BOARD CONSULTANTS

New

Code **BDH** Issued **DRAFT/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 ^

# BOARD MEETINGS

Code **BE** Issued **DRAFT/23**

All board meetings will be conducted in accordance with the South Carolina Freedom of Information Act. Every meeting of the board will be open to the public except for executive session held in accordance with state law.

## Annual Meeting

The board holds its annual organizational meeting **in January**. The board elects officers at the annual meeting.

## Regular Board Meetings

Regular board meetings are scheduled **at the administrative office or a district school** on the **third Thursday** of each month. The regularly scheduled time will be 6:00 p.m. All meetings will adjourn no later than **\*\*\*\*\*** p.m. unless extended by a majority vote of the board. *(Option: There is no meeting held in \*\*\*\*\*.)*

The board may change the time and place of the regular meeting upon a majority vote of the board at a duly called board meeting.

## Work Sessions

From time to time the board may meet in work sessions. *(Option: The board will have regularly scheduled work sessions at \*\*\*\*\* on the \*\*\*\*\* of each month. The regularly scheduled time will be \*\*\*\*\* p.m.)* These sessions provide the board opportunities for in-depth planning and discussion without formal action. Topics for discussion will be announced publicly, and sessions will be conducted in accordance with state law.

## Special Meetings

The chair of the board or a majority of the board may call a special meeting of the full board. The superintendent should give at least 24-hours notice to all members of the board and the public except when emergency conditions make such notice impossible. The board will not transact any business other than that which is stated in the notice.

## Public Hearings

The board may occasionally conduct public hearings for the community to express their views regarding a specific issue. The board will conduct such meetings consistent with board policy and state law.

## Cancellation of Meetings

A board meeting may be cancelled:

- by a majority vote of the board at a duly called board meeting
- by a declaration by the board chair, or if the chair is unavailable, the vice chair, in consultation with the superintendent, when a significant event beyond the board's control renders attendance at the meeting unsafe or unreasonable in light of the circumstances (e.g., inclement weather conditions or local, state, or national emergencies)
- when a quorum cannot be reached

**Parliamentary Procedure**

The latest edition of Robert's Rules of Order will govern all matters not covered by board policies or state law.

Adopted 11/15/84; Revised 12/19/01, 5/14/08, 9/18/08, 12/20/12, 2/11/20, 3/10/22, ^

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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.
  - 3. Section 59-19-110 - Board may designate members to hear or otherwise explore matters under its control.

# EXECUTIVE SESSIONS/OPEN MEETINGS

Code BEC Issued DRAFT/23

The board, by majority vote, may go into executive session for reasons provided for by law. Only upon request of the board may persons other than board members be present during executive session.

Before going into executive session, the board chair will put the question of whether to meet in executive session to a vote. If such vote is favorable, the chair will then announce the specific purpose of the executive session (i.e. identify the matter(s) to be considered in executive session), which will be reflected in the minutes.

As permitted by law, executive session matters may involve the following:

- individual student disciplinary actions
- individual personnel actions (unless the individual requests a public meeting)
- discussion of negotiations incident to proposed contractual arrangements
- acquisition or sale of property
- receipt of legal advice relating to a pending, threatened, or potential claim, including settlement of a claim, or other matters covered by attorney-client privilege
- security
- investigation of criminal misconduct
- discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body

The board will not take any formal action in executive session. Formal action means a recorded vote committing the board to a specific course of action. The board will not take a vote, nor will it poll members in executive session. A vote may be taken on any matter discussed in executive session only after the board returns to open session. However, no action may be taken on an item discussed in executive session unless the meeting's agenda provides sufficient notice to the public that action may be taken on the topics discussed therein.

Pursuant to the South Carolina Freedom of Information Act, board members and other persons attending the executive session are duty bound not to disclose matters discussed in the session. Board members or any other persons attending will not use tape recorders or any other means of sonic or video reproduction to record executive sessions. Additionally, board members will refrain from electronic communications during executive sessions on personal or district-owned devices as communications regarding board matters are subject to public disclosure.

Adopted 10/19/88; Revised 12/01, 12/06, 10/20/22, ^

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## Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  1. Section 30-4-70 - South Carolina Freedom of Information Act; use of executive session.
- B. S.C. Cases:
  1. *Brock v. Town of Mount Pleasant*, 415 S.C. 625, 785 S.E.2d 198 (2016).
  2. *Donohue v. City of North Augusta*, 412 S.C. 526, 773 S.E.2d 140 (2015).



# BOARD MEETING NOTIFICATION

Code **BEDA** Issued **DRAFT/23**

The board and any committee thereof will provide notification of regular meetings in annual announcements that are made available in printed and/or electronic form to the news media and public.

## Notification to Board Members

The superintendent will distribute notice of each regular meeting of the board with the agenda and supporting materials to board members at least three days in advance of the meeting, if possible, to permit them to give items of business careful consideration.

The superintendent will give notice of all special called meetings to the members of the board at least 24 hours prior to the time for the meeting. The notice will indicate the purpose of the meeting and include the agenda with supporting documents.

## Public Notice

Written notice of regular board meetings will be made public at the beginning of each calendar year. The notice will include the dates, times, and places of regular board meetings. The superintendent will send the notice to local news media that request such information and post it at the board meeting place and on the district's website. The superintendent will post an agenda for regularly scheduled meetings at least 24 hours prior to the meeting on the district website.

The superintendent will post notice of any called, special, or rescheduled meetings in the same manner as the notice for a regular meeting. The notice for called, special, or rescheduled meetings will include the agenda, date, time, and place of the meeting. The superintendent will post notice at least 24 hours prior to the meeting time. This will not apply to emergency meetings.

The superintendent will notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings. The secretary will note the efforts to comply with this policy in the minutes of the meeting.

Adopted 2/73; Revised 1/24/02, 3/15/12, 2/11/20, ^

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## Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 30-4-80 - South Carolina Freedom of Information Act; notice of meetings of public bodies.
- B. S.C. Cases:
  - 1. *Lambries v. Saluda County Council*, 409 S.C. 1, 760 S.E.2d 785 (2014).

# BOARD AGENDA

Code **BEDB** Issued **DRAFT/23**

The superintendent, in cooperation with the board chair, will prepare the agenda for each meeting of the board. The agenda will include items the board will address in performing its duties as the governing body of the district in accordance with board policy. The agenda will include references to board policy, where appropriate.

Items of business may be suggested by board members, staff members, or the public. To be considered for placement on the agenda, an item must be within the scope of the board's duties, must be timely, and must be appropriate for consideration. The written request must be received by the superintendent or board chair a minimum of (*option: six, ten, etc.*) business days prior to the desired meeting for it to be reviewed for the agenda. The board chair, in consultation with the superintendent, will decide whether or not to include requested items. If (*option: three or more, a majority of, etc.*) board members request addition of an item, it will be added to the agenda. The final agenda will be approved by the board at the start of each board meeting.

The board will follow the order of business set by the agenda unless the order is altered by a majority vote of the members present. The board may amend the agenda during any meeting by a two-thirds vote of the members present if the matter is a discussion item. If the matter is one in which final action will be taken without prior notice to the public, the agenda may only be amended by a two-thirds vote and a finding via a vote that an emergency or exigent circumstance exists.

Materials distributed to the board which reflect staff recommendations in their final form are subject to public disclosure unless exempt from disclosure by law. Materials of a personal nature such that public disclosure would constitute unreasonable invasion of personal privacy are exempt from public disclosure.

Anyone desiring additional information regarding an agenda item should direct inquiries to the superintendent.

Adopted 11/15/84; Revised 12/19/01, 3/10/22, ^

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## Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 30-4-80 - South Carolina Freedom of Information Act; posting of agendas.
- B. S.C. Cases:
  - 1. *Atkins v. Wilson*, 417 S.C. 3, 788 S.E.2d 228 (S.C. Ct. App. March 9, 2016, revised June 29, 2016).
  - 2. *Brock v. Town of Mount Pleasant*, 415 S.C. 625, 785 S.E.2d 198 (2016).
  - 3. *Donohue v. City of North Augusta*, 412 S.C. 526, 773 S.E.2d 140 (2015).
  - 4. *Lambries v. Saluda County Council*, 409 S.C. 1, 760 S.E.2d 785 (2014).
- C. Attorney General's Opinion:
  - 1. Op. S.C. Att'y Gen., 2018 WL 3326902 (June 28, 2018) Changing the order of items on a meeting agenda during a meeting may require formal amendment in compliance with the South Carolina Freedom of Information Act, including a 2/3 vote and, in the case of action items, a finding of emergency.
  - 2. Op. S.C. Att'y Gen., 2018 WL 4385558 (September 5, 2018) Definition of emergency/exigent circumstance; statutory deadlines cannot be deemed emergencies.

# VOTING METHOD AT BOARD MEETINGS

*Code BEDF Issued DRAFT/23*

The board will conduct votes on all motions and resolutions by the employment of “yes,” “no,” or abstention. No secret ballots will be used except when electing board officers.

If a member has a conflict of interest with regard to an issue before the board, the member may leave the meeting until voting on the issue is concluded but must recuse himself/herself from all discussion and voting on the matter. The conflict and recusal will be noted in the official minutes of the meeting.

Board members voting on the prevailing side of an issue may move to reconsider an item at the same meeting.

There will be no representation by proxy of any member of the board at any time. All members present are authorized to speak on issues, offer and second motions, and vote.

The presiding officer will have the option of speaking to, offering, and seconding motions and voting on all items of business. If the chair makes or seconds a motion, the vice chair will act as presiding officer until the vote is concluded.

Adopted 11/20/86; Revised 10/88, 12/18/01, 9/18/08, 3/12/12, ^

# MINUTES OF BOARD MEETINGS

Code **BEDG** Issued **DRAFT/23**

The minutes of a board meeting constitute the permanent and official record of board action.

The board secretary or his/her designee will keep a complete record of the action of board meetings. As provided by the South Carolina Freedom of Information Act (FOIA), these minutes will include, but need not be limited to, the following:

- the date, time, and place of the meeting
- the members recorded as either present or absent
- the substance of all materials proposed, discussed, or decided and, at the request of any member, a record, by an individual member, of any votes taken
- information that any board member requests be included in the minutes and written statements, which will be subject to the following:
  - limited to written materials germane to the public agenda which, absent exceptional or special circumstances as determined by the board chair, will be limited to \*\*\*\*\* pages (front and back) and must be presented in writing to the board's recording secretary or the board chair at the time of the meeting
  - designated as an attachment to the minutes, with the disclaimer that such materials are included at the request of a board member pursuant to state FOIA and do not imply approval or disapproval by the board majority or any other board action
  - the board chair, or presiding officer, always has the prerogative to rule any such request out of order for the reason that such materials are not germane to the agenda, are inappropriate as an attachment, or that the materials are otherwise publicly available; such ruling by the presiding officer will stand unless overturned by the board majority

A record of efforts made to comply with the notice provisions of the FOIA will be included in the minutes.

The minutes, with the agenda, will become permanent records of the board and will be in the custody of the superintendent. The minutes will be available on the district website within 10 days of the next board meeting, and the superintendent will also make them available to interested citizens of the district upon request, with exceptions as provided by law, at reasonable times during the working day.

Adopted 11/86; Revised 1/24/02, ^

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## Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 30-4-90 - South Carolina Freedom of Information Act; minutes of board meetings.
  - 2. Section 59-19-80 - Contracts offered for employment and purchases required to be recorded in board minutes.
  
- B. S.C. Cases:
  - 1. *Donohue v. City of North Augusta*, 412 S.C. 526, 773 S.E.2d 140 (2015).

# **PUBLIC PARTICIPATION AT MEETINGS**

Code **BEDH** Issued **DRAFT/23**

The public is cordially invited to attend board meetings to become better acquainted with the operation and programs of the district. The board conducts meetings for the purpose of carrying on the official business of the district. The meetings are not public hearing meetings but are meetings held in public. Public participation will be permitted only as indicated on the agenda and at the discretion of the board.

In order that the board may conduct the meeting in a civil and professional manner, comments from the public should not include gossip, defamatory words, or abusive and vulgar language. The board reserves the right to terminate any presentation which does not adhere to the guidelines set forth in this policy.

Orderly conduct of a meeting does not permit spontaneous discussion from the audience. All persons who wish to participate must do so through established procedures. These procedures are designed to encourage participation and ensure the orderly management of the meetings. The board is committed to compliance with the South Carolina Freedom of Information Act as well as all other federal and state laws which regulate or affect board actions and policy.

## **Agenda Items**

Citizens wanting an item to be placed on the agenda for a specific board meeting should direct requests to the superintendent or board chair. A citizen must submit a written request for an item to be placed on the agenda no later than 5:00 p.m. on the (*option: sixth, tenth, etc.*) working day prior to a scheduled meeting of the board. That request will state the name of the individual or group submitting the request, the address, the purpose of the request, and the topic to be addressed.

The chair of the board will introduce speakers who have previously submitted a request to the board at the appropriate time during the meeting and invite them to make comments on agenda topics. Speakers may offer objective comments on school operations and programs that concern them. The board will not permit in public session any expression of personal complaints about individual staff members or any other person connected with the district.

The chair reserves the right to limit discussion of same topic issues in an effort to provide individuals the opportunity to be heard on a variety of topics. The chair also reserves the right to limit time for individual speakers. Public participation will not exceed 30 minutes unless waived by a majority vote of the board. Consideration may be given for a public hearing for gaining input on critical issues.

## **Open Forum**

The board may provide a specified period of time for comments from any citizen, group representative, staff member, parent/legal guardian, or student regarding any topic over which the board has jurisdiction. If the board determines there is not sufficient time at a meeting for public comments, the comment period may be deferred to the next scheduled meeting or to a special called meeting. The board reserves the right to allocate a period of time for this purpose and limit time for speakers accordingly.

All persons who wish to comment during the open forum period will fill out the appropriate form provided by the board before the meeting begins. The chair of the board will introduce speakers who have signed up on the appropriate form and invite them to address the board. The chair reserves the right to limit discussion of same topic issues in an effort to provide individuals the opportunity to be heard on a variety of topics.

## PAGE 2 - BEDH - PUBLIC PARTICIPATION AT MEETINGS

The board will not permit any expression of personal complaints about individual staff members or any other person connected with the district during public session. Specific student or staff member issues should be handled through the appropriate procedures as indicated in district policy.

Presentations for unsolicited services will not be permitted. Companies or businesses offering services of possible interest to the district should send information to the district office for distribution to the appropriate district officials.

The board may provide factual information or recite existing policy in response to inquiries, but the board will not deliberate or decide matters regarding any subject not included on the agenda. The board may request that staff members address any concerns or comments presented by the public during the open forum.

Cf. BEDB

Adopted 11/86; Revised 2/19/01, 3/15/12, ^

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### Legal References:

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

# NEWS MEDIA SERVICES AT BOARD MEETINGS

New

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 ^

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## 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*

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 ^

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### 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*

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

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 ^

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Legal References:

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

# **PUBLIC HEARINGS**

*Code BEE Issued DRAFT/23*

Interested or affected persons will be afforded an opportunity to be heard informally before the district superintendent or his/her delegated administrative official. If necessary, a hearing before the board may be granted. In most cases, procedure outlines in policy BEDH should be followed.

Occasionally large delegations may request a hearing regarding a critical issue. In that case, a specific meeting of the board should be called and these procedures followed.

## **Position of the Board Stated**

After the meeting has been officially opened, the chair will briefly state the position of the board and give reasons therefore. If official action on the issue has not as yet been taken, the chair may so state and may summarize briefly the arguments for and against the issue to be decided. Other members of the board may also be heard as this time at the discretion of the chair.

## **Speakers For and Against the Issue**

The chair will secure the names of all those persons wishing to be heard before the board during the 20 minutes prior to the designated official meeting time. Those desiring to speak will indicate whether they are for or against the issue involved. Each individual seeking to speak before the board will be limited to five minutes. The chair will indicate that questions pertaining directly to the issue involved may be directed to the board and may be answered within the allotted time for the individual speaker. Persons not responding to the chair's request will not be heard.

## **Action by the Board**

Upon a ruling by the chair closing the public discussion, the board may proceed with its deliberations and take whatever action it deems advisable.

The board may at any hearing, by a majority vote, take the issue under submission and continue the hearing from time to time but not for a period of more than 60 days from the date of the next regular meeting of the board.

Adopted 2/73; Revised 1/24/02, ^

# **BOARD POLICY PROCESS/BOARD REVIEW OF ADMINISTRATIVE RULES**

*Code BG/BGD Issued DRAFT/23*

The board believes that the development, adoption, and review of board policies is its most important governance function. Board policies establish the goals, direction, and structure of the district. In addition to policies required by local, state, and federal laws and regulations, the board adopts policies to provide direction to the superintendent and other administrators, to guide the district's educational program, and to provide clear expectations for district staff, students, and parents.

The board regards policy development and review as an ongoing process. The need for a new policy or revision or deletion of an existing policy may arise from a change in law and/or regulations, modification of the district's vision or goals, educational research or trends, the occurrence of a significant incident, or a recommendation or request from an interested party. Proposals regarding policies may originate with board members, the superintendent, staff members, parents/legal guardians, students, consultants, civic groups, advisory committees, or any resident of the district. All proposals, including those from external sources, will be presented in writing and given to the superintendent for review. Upon recommendation from the superintendent, the board will examine proposals prior to acting upon them.

Each proposed policy (including proposals to amend policy) will require two readings at regular meetings or work sessions of the board. The formal adoption of the policies will be recorded in the minutes of the board. Only those written statements so adopted and so recorded will be regarded as official board policy.

The board will conduct an annual review of its written policies to determine the adequacy and effectiveness of those policies. Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of present and future boards.

## **Suspension or Repeal of Policy**

In emergency situations, a majority of the board members at a meeting may temporarily suspend the operation of any section or sections of board policy which are not established by law or contract. A proposal for such change must be listed on the agenda of the meeting. All members must be notified in writing of a meeting to discuss policy changes.

The board may also suspend a policy in certain emergency situations although such change was not listed on the agenda of the meeting if the favorable vote is unanimous and the agenda is amended in compliance with the South Carolina Freedom of Information Act.

## **Review of Administrative Rules**

Often policies of the board are accompanied by rules and exhibits that are referred to as administrative rules. These rules are generally drawn up by the administration to execute the policies of the board.

The board will approve administrative rules when such approval is required by law or otherwise advisable. The superintendent will have freedom, however, to amend or issue additional rules and procedures consistent with board policies.

The board may nullify any administrative rules determined to be inconsistent with the policies adopted by the board.

Adopted 11/20/86; Revised 12/19/01, 1/24/02, 2/11/20, 3/10/22, ^

PAGE 2 - BG/BGD - BOARD POLICY PROCESS/BOARD REVIEW OF  
ADMINISTRATIVE RULES

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Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 30-4-80 - South Carolina Freedom of Information Act; posting of agendas.
- B. Attorney General's Opinion:
  - 1. S.C. Att'y Gen. Op. (September 5, 2018) – Definition of emergency/exigent circumstance; statutory deadlines cannot be deemed emergencies.

# **BOARD POLICY PROCESS/BOARD REVIEW OF ADMINISTRATIVE RULES**

*Code BG/BGD-R Issued DRAFT/23*

The superintendent or his/her designated policy manual coordinator has the responsibility of drafting policy proposals, maintaining the board's manual, and serving as liaison between the board and the South Carolina School Boards Association's (SCSBA) policy services and other sources of policy research information.

- The superintendent will present a proposed policy in writing to the board at least 30 days prior to possible approval.
- If legalities are involved, the board will consult legal counsel before action is taken.
- After the first reading, the superintendent will make the policy available for public review.
- Once the board gives a policy final approval, the superintendent will have the policy posted online or distribute a copy of the policy to each building administrator and district office administrator.
- The policy manual coordinator will send the policy to the SCSBA for final formatting and posting.
- In the absence of highly unusual circumstances, the administration must not allow proposed policies to "linger" unresolved and dormant for longer than 60 calendar days after presentation to the board.
- Without official board authorization, no administrator is permitted to physically or otherwise "just remove" a policy from the manual or online manual. A policy may be deleted by official board action only.
- The superintendent will supervise a review of the policy manual on a continuing basis. The district may seek the aid of SCSBA policy services in performing this review.

Issued 11/86; Revised 12/19/01, ^



# NEW MEMBER ORIENTATION/BOARD MEMBER DEVELOPMENT OPPORTUNITIES

Code BIA/BIB Issued DRAFT/23

The board and superintendent, to the best of their ability, will assist each newly elected member in understanding the board's functions, policies, and procedures. The superintendent will provide each newly elected member with materials pertinent to board operations, including access to the board policy manual.

## Orientation for New Members

The magnitude of school board membership calls for knowledge of, and orientation to, many areas of information and understandings. Under the guidance of experienced board members and the superintendent, orientation will be provided to new board members through activities such as these:

- workshops for new board members conducted by state and area school boards' associations
- discussions and visits with the superintendent and other members of the school staff
- provisions of materials on school laws, board policies, and administrative procedures

Copies of the board's policy manual, state school board manual, and board minutes for the previous three months will be delivered to new members as soon as possible after their election.

Orientation will be considered as an ongoing process for all board members, and may include such activities as those indicated above and the addition of items such as these:

- attendance at school board and administrative conferences and conventions on a local, area, state, regional and national basis
- exchange of ideas through joint meetings with neighboring boards
- develop a new board member manual and provide local training

State law requires all new members elected or appointed after July 1, 1997, to successfully complete a state-approved orientation program within one year of taking office. The program will include the powers, duties, and responsibilities of board members as well as other topics.

Board members already serving on July 1, 1997, and continuously reelected or reappointed are exempt from this requirement.

## Board Member Development Opportunities

The board will encourage all its members to participate in meetings and activities of state, area, and national school boards associations and other educational groups and to study and examine the materials received from these organizations.

The district budget will include allocations for travel expenses for individual members to advance their development as board members. When the full board does not attend a conference, convention, or workshop, those who do participate will be asked to share information, recommendations, and materials acquired at the meeting.

To help members develop an understanding of the education program, the superintendent will request members of the professional staff or consultants to appear before the board to present and discuss new developments in various areas of curriculum and instruction and district administration.

Adopted 2/73; Revised 11/20/86, 11/20/88, 10/16/97, 12/19/01, 3/15/12, 2/11/20, ^

Florence County School District Three

PAGE 2 - BIA/BIB - NEW MEMBER ORIENTATION/BOARD MEMBER DEVELOPMENT OPPORTUNITIES

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Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 8-15-60 - Boards authorized to foster, encourage, and provide for training for board members.
  - 2. Section 59-19-45 - Orientation program for new board members.



# BOARD MEMBER COMPENSATION AND EXPENSES

Code **BID** Issued **DRAFT/23**

Board members receive no compensation for their services but are paid **\$150** per **month** as a per diem for attendance at meetings.

The board may attend any meeting or conference at their discretion within the limits of the budget and with the approval of the board.

The district will reimburse board members for all reasonable and necessary expenses incurred in attending any meeting or conference when on official business of the board or the district. **Travel expense vouchers for board members must be reviewed and signed by the vice-chair as authorization for the finance department to make payment. Expense vouchers turned in by the vice-chair must be reviewed and signed by the chair.**

Cf. DKC

Adopted 2/7/85; Revised 11/20/86, 3/21/91, 12/19/01, 3/15/12, 2/28/19, 2/11/20, 3/10/22, ^

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Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 8-15-10 - Compensation of public officials.
  - 2. Section 59-1-350 - Compensation of board members.

# **BOARD MEMBER INSURANCE/LIABILITY**

*Code BIE Issued DRAFT/23*

*New*

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*

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 ^

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## 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><b><u>January</u></b></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><b><u>February</u></b></p> <p>Attend SCSBA Annual Convention.</p> <p>Connect with legislators on social media.</p>	<p><b><u>March</u></b></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><b><u>April</u></b></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><b><u>May</u></b></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><b><u>June</u></b></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><b><u>July</u></b></p> <p>Identify issues for next legislative session.</p> <p>SCSBA legislation committee reviews proposed resolutions for the next session.</p>	<p><b><u>August</u></b></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><b><u>September</u></b></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><b><u>October</u></b></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><b><u>November</u></b></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><b><u>December</u></b></p> <p>Attend Legislative Advocacy Conference.</p> <p>SCSBA legislative platform adopted at Delegate Assembly.</p>

# **BOARD MEMBERSHIP IN PROFESSIONAL ASSOCIATIONS**

*Code BK Issued DRAFT/23*

The board, as it deems appropriate, will maintain membership in the South Carolina School Boards Association and take an active part in the activities of the association, both as a group and as individual members. The district pays dues for such membership as authorized by law.

Adopted 11/20/88; Revised 1/24/02, 3/10/22, ^

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## **Legal References:**

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

1. Section 59-19-280 - Board members may be members of the S.C. School Boards Association.