

BOARD AGENDA ITEM

April 19, 2022

SUBJECT:

Review and/or revision of the following policies, administrative rules, and files:

- Policy IB Academic Freedom, Second Reading
- Policy ID School Day, Second Reading
- Policy IE Organization of Instruction, Second Reading
- Policy IG Curriculum Development, Adoption and Review, Second Reading
- Policy IHAL Religious Instruction, Second Reading
- Policy IHAM Health Education, Second Reading
- Policy IHAN Driver Training, Second Reading
- Policy IHBA Special Education/Programs for Handicapped/Disabled Students, Second Reading
- Policy IHBH Charter Schools, Second Reading
- Policy IHCA Summer School, Second Reading
- Policy IHCD Advanced College Placement, Second Reading
- Policy IJ Instructional Resources and Materials (Including Library Materials), Second Reading
- Policy IJK Supplementary Materials Selection and Adoption, Second Reading
- Policy IJKA Technology Resource Selection and Adoption, Second Reading
- Policy IJNDB Use of Technology Resources, Second Reading

BACKGROUND INFORMATION:

Aiken County Public School District cyclically reviews policies, administrative rules, and files. Section I – Instruction are policies that provide guidance for the district on instructional practices in the district.

ADMINISTRATIVE CONSIDERATION:

Administration has reviewed policies and the administrative rule in Section I Instruction. Administration recommends the revision of the policies, administrative rules, and files to reflect currently practice.

RECOMMENDATION:

Approve the following policies, administrative rules, and files:

- Policy IB Academic Freedom
- Policy ID School Day
- Policy IE Organization of Instruction
- Policy IG Curriculum Development, Adoption and Review
- Policy IHAL Religious Instruction
- Policy IHAM Health Education
- Policy IHAN Driver Training
- Policy IHBA Special Education/Programs for Handicapped/Disabled Students
- Policy IHBH Charter Schools

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Policy IHCD Advanced College Placement
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ATTACHMENTS:

Policy IB Academic Freedom
Policy ID School Day
Policy IE Organization of Instruction
Policy IG Curriculum Development, Adoption and Review
Policy IHAL Religious Instruction
Policy IHAM Health Education
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Policy

ACADEMIC FREEDOM

Code **IB** Issued **1/024/22**

Purpose: to establish the board's position on academic freedom in the district.

The board believes that academic freedom is essential to the fulfillment of the purposes of the school system. Board policy must protect teachers from any censorship or restraint that might hinder their obligation to pursue truth in the performance of their classroom functions. The district will maintain an atmosphere of academic freedom in the schools. Therefore, the board sets out the following positions on academic freedom.

Citizens of an American democracy must be able to listen to all sides of a controversial issue. They must be able to sort out the facts and to arrive at independent conclusions. The schools must expose students to current issues that are within their intellectual grasp.

Teachers, as individuals through their councils, committees, departments and faculties, will be responsible for determining when and how to deal with controversial issues according to the maturity and needs of students and the policies of the board of education.

Teachers will not attempt, directly or indirectly, to limit or control students' judgment concerning any issue. Teachers will make certain that full and fair consideration is given to the subject and that facts are carefully examined as to their accuracy and interpretation.

The community has a right to expect that teachers will present controversial issues in a fair and unbiased manner. The community also has a right to communicate concerns regarding these matters through proper channels to the board.

Teachers will consult with the administration on the appropriateness of discussing any planned controversial issues with students. The final decision on controversial curricular content will rest with the superintendent.

Adopted 9/9/75; Revised 1/8/02, 4/19/22

Policy

SCHOOL DAY

Code ID Issued **01/024/22**

~~Purpose: to establish the basic structure for the length and uses of the school day.~~

~~State laws and regulations require that the length of the instructional day for secondary students be at least six hours, or its weekly equivalent, excluding lunch. The length of the school day for elementary and middle school students must be six hours, or its weekly equivalent, including lunch.~~

~~Schools may reduce the length of the school day to not less than three hours on not more than three days each school year for staff development or for the purpose of administering end-of-semester and end-of-year examinations.~~

~~The district must obtain board approval before varying the length of the school day. The school faculty and parents must be consulted before such recommendation is made.~~

~~The schools must give priority to teaching and learning tasks and may interrupt classes only for emergencies.~~

Moment of silence

~~All schools will provide for a minute of mandatory silence at the beginning of each school day.~~

~~State law and regulations require that the length of the instructional day for high school students must be at least six (6) hours, or its weekly equivalent, excluding lunch. The length of the school day for elementary and middle school students must be at least six (6) hours or its weekly equivalent, including lunch.~~

~~Schools may reduce the length of the school day to not less than three (3) hours on not more than three (3) days each school year for staff development, teacher conferences, or for the purpose of administering end-of-semester and end-of-year examinations.~~

~~The number of hours in an instructional day may vary as determined by the board and does not have to be uniform among the schools in the district. The administration must obtain board approval before varying the length of the school day.~~

~~The schools must give priority to teaching and learning tasks and may interrupt classes only for emergencies.~~

Moment of Silence

~~All schools will provide for one (1) minute of mandatory silence at the beginning of each school~~

day.

Adopted 7/26/76; Revised 9/27/83, 10/9/84, 11/28/89, 1/8/02: 4/19/22

Legal references:

~~A. S.C. Code, 1976, as amended:~~

- ~~1. Section 59-1-440 – Provides for length of instructional day.~~
- ~~2. Section 59-1-443 – Moment of silence.~~

~~B. State Board of Education regulations:~~

- ~~1. R-43-144 – Instructional day for students.~~
- ~~2. R-43-142 – The instructional year.~~
- ~~3. R-43-231.1 – Adjustment in instructional time for basic skills.~~

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

1. Section 59-1-425 - School terms; instructional days; make-up days.
2. Section 59-1-443 - Moment of silence.

B. S.C. State Board of Education Regulations:

1. R43-231 - Defined program grades, K-5.
2. R43-232 - Defined program grades, 6-8.
3. R43-234 - Defined program grades, 9-12 and graduation requirements.

ORGANIZATION OF INSTRUCTION

Code **IE** Issued **1/024/22**

Purpose: To establish the basic structure for consistency of instruction in the district and to meet the needs of the community's school-age population and adult learners.

The board of the School District of Aiken County is legally responsible for meeting the needs of persons of all ages for elementary and secondary education.

In establishing an educational structure to provide the required programs, the board organized its schools under the following structures.

- elementary schools (K through five)
- intermediate schools (six)
- middle schools (six through eight)
- high schools (nine through twelve)

The district will provide pre-school, child development, career education and adult/parenting programs structured to meet the needs of the citizens of the district.

Exceptions to this policy must be approved by the board of education.

Adopted 1974; Revised 2/8/83, 1/8/02, 4/19/22

Policy

CURRICULUM DEVELOPMENT, ADOPTION AND REVIEW

Code **IG** Issued **10/164/22**

~~Purpose: To establish the basic structure for the development, adoption, and review of curriculum (including pilot programs) in order to maintain the board's mission for instruction concurrent with accountability to the community it serves.~~

~~The district will develop and implement an appropriate curriculum for all children.~~

~~Curriculum development and the implementation of change are intricate processes. They require close cooperation of instructional personnel and relevant others as well as continuous research, experimentation, and critical analysis. Generally speaking, curriculum development concerns itself with what is to be taught—its scope and sequence. Instruction is involved with how, where, when, and by whom curriculum is implemented. The board wants an effective, academically focused instructional program. Such a program may require constant change in the curriculum and courses of study based on annual evaluations of program effectiveness.~~

~~The board expects the administration, with the assistance of appropriate staff, to design a curriculum to carry out the instructional goals of the district. The curriculum will include a basic program that provides for intellectual growth as well as educational or work-related pursuits beyond high school. It will take into consideration a student's total learning environment.~~

~~The official process for accomplishing curriculum development requires the involvement of professional staff members who use the curriculum and are responsible for its implementation. The curriculum review process, as well as proposed courses of study, also requires the input of internal and external stakeholder groups where appropriate. The board must approve significant alteration or reduction of a course of study.~~

~~Curriculum development and the implementation of change are intricate processes. They require the close cooperation of instructional personnel and other people involved as well as use of internal and external research, experimentation, and critical analysis. Generally speaking, curriculum development includes the scope and sequence of what is to be taught. Instruction is the how, where, when, and by whom curriculum is implemented. The board strives to continuously provide a dynamic instructional program. Such a program may require constant change in the curriculum and courses of study.~~

~~The board expects the administration, with the assistance of appropriate staff, to implement a curriculum aligned with state content standards, and organized around a career cluster system that provides students with strong academics as well as real-world problem solving skills. The district will provide students individualized educational, academic, and career-oriented choices and greater exposure to career information and opportunities by doing the following:~~

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- laying the foundation for the clusters of study system in the elementary grades through career awareness activities
- providing programs in middle school that allow students to identify career interests and abilities and align them with clusters of study for the development of individual graduation plans
- providing students in grades nine through 12 with guidance and curricula that will enable them to complete successfully their individual graduation plans, thus preparing them for a seamless transition to relevant employment, further training, or post-secondary study

This system must promote the involvement and cooperative effort of parents/legal guardians, teachers, and school counselors in assisting students in making appropriate choices, setting career goals, and developing individual graduation plans to achieve these goals.

The administration will not eliminate basic courses or add new courses without approval of the board. The board must approve significant alteration or reduction of a course of study.

Adopted 6/10/75; Revised 1/28/97, 1/8/02, 10/25/16, 4/19/21

Legal references:

- A. S.C. Code, 1976, as amended:
 - 1. Section 59-59-10, et seq. - South Carolina Education and Economic Development Act.
- B. State Board of Education Regulations:
 - 1. R43-234 - Defined program, grades 9-12.
 - 2. R43-234 - Defined program, grades 9-12 and graduation requirements.
- C. ~~South Carolina State Department of Education:~~
 - 1. ~~South Carolina Education and Economic Development Act Guidelines (2006).~~

TEACHING ABOUT RELIGION RELIGIOUS INSTRUCTION

Code **IHAL** Issued **1/024/22**

~~Purpose: To establish the district's practice regarding the teaching about religion in schools.~~

~~Religious education is the responsibility of the home and church. Within this school district religious beliefs will remain the free choice of the individual, true to the American heritage and constitution.~~

~~Religion influences many areas of education, including such subjects as literature and history. Advancing students' knowledge and appreciation for religion's role in the social, cultural and historical development of civilization is an expectation of every educational system. In this context religion's role in civilization can and should be properly taught. Moreover, it is proper for teachers to explain the generally accepted moral and ethical principles of all religions. Teachers may also provide information to students and the opportunity for students to study the forms of various religions.~~

~~Teachers may therefore teach about religion but they will not advocate openly or covertly, or by any means of subtlety, a particular religion or specific religious or sectarian beliefs.~~

~~The board recognizes that one of the district's educational goals is to advance students' knowledge and appreciation of the role that religion has played in the social, cultural, and historical development of civilization. Religious instruction in the context of history, literature, art, music, and other core subjects is encouraged. Religious instruction provides an opportunity for learning about different cultures and fostering understanding and tolerance of diversity among students.~~

~~The district does not promote any specific religion or religion in general. The district will not interfere with a student's religious beliefs or religious expression. Accommodations for students will be made as long as such accommodations do not interfere with school schedules and procedures designed to ensure an orderly and safe environment for all students. Religious accommodations should not interfere with the religious beliefs and religious expressions of others. Students and staff members will be tolerant of the beliefs and expressions of others.~~

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

- ~~• Students will not be penalized for absences to celebrate religious holidays.~~
- ~~• Students are responsible for assignments or tests that are missed due to religious observances. Teachers will allow students the opportunity to turn in assignments and make-up tests within a reasonable amount of time.~~
- ~~• Students' personal expression of religious beliefs in assignments such as homework, artwork, and oral presentations will be judged by ordinary academic standards. The district will accommodate student-initiated expressions or assignments which reflect their beliefs or non-beliefs about a religious theme.~~
- ~~• Students will be excused without penalty from participating in an activity that is objectionable based on religious or personal beliefs or practices. This does not include merely reading or discussing materials, or mere exposure to ideas that are part of the district curriculum and are presented for the purpose of studying comparative religion, the history of religion and its relationship to the advancement of civilization, or religious texts for their literary and historic~~

qualities. Where possible, students will be provided with appropriate accommodations or with an alternate activity.

- Students will not be penalized because they are unable to participate in an extracurricular activity due to observance of a religious holiday.

Religious instruction to enhance the curriculum for social, cultural, and historical purposes is encouraged. However, the promotion of religion in the classroom is not permissible. Instruction will include a variety of religions and cultures to promote diversity and tolerance.

Religious symbols and displays associated with religious holidays may be used as teaching aids or resources only during the period of instruction. No religious symbols should be represented on classroom materials unless the materials relate to curricular study about religion or culture.

The district will permit music, art, literature, and drama having religious themes or basis as part of the curriculum for school-sponsored activities and programs if they are presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday.

Adopted 9/9/75; Revised 9/22/92, 1/8/02, 4/19/22

Legal References:

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

1. Section 59-1-435 - Religious Viewpoints Antidiscrimination Act.
2. Section 59-17-140 - Religion and public schools training for teachers and administrators.
3. Section 59-29-230 - Old and New Testament era courses.

B. Federal Cases:

1. *Wood v. Arnold*, 915 F.3d 308 (4th Cir. 2019).

HEALTH EDUCATION

Code **IHAM** Issued **1/024/22**

Purpose: To establish the board's adherence to state laws and regulations regarding health education.

The school district is committed to a sound, comprehensive health education program that is an integral part of each student's general education.

The district will fulfill its responsibility for meeting the health needs of children and youth through a comprehensive program of health education in grades kindergarten through 12. Comprehensive health education includes instruction that maintains, reinforces or enhances the health, health-related skills and health attitudes and practices of children and youth that are conducive to their good health. Instruction will promote skills, practices and attitudes that promote wellness, health maintenance and disease prevention. Instruction also will include reproductive health education, pregnancy prevention education and family life education, in accordance with state law.

Comprehensive health education at all levels should encourage the development of positive self-concept, responsible personal values, responsible decision-making skills, responsible behavior and strong family relations among students and their families.

Reproductive health education means instruction in human physiology, conception, prenatal care and development, childbirth and postnatal care, but does not include instruction concerning sexual practices outside marriage or practices unrelated to reproduction except within the context of the risk of disease. Abstinence and the risks associated with sexual activity outside marriage must be strongly emphasized.

Reproductive health education information for grade four girls and grade five girls and boys will be presented in gender separated classes.

Sexually transmitted diseases are to be excluded from instruction on the prevention and control of diseases and disorders in grades kindergarten through five. Sexually transmitted diseases will be included as a part of instruction in grades six through 12.

Family life education means instruction intended to do the following.

- Develop an understanding of the physical, mental, emotional, social, economic and psychological aspects of close personal relationships, and an understanding of the physiological and cultural foundations of human development.
- Provide instruction that will support the development of responsible personal values and behavior and aid in establishing a strong family life for themselves in the future and emphasize the responsibilities of marriage.
- Provide instruction as to the laws of this state relating to the sexual conduct of minors, including criminal sexual conduct.

PAGE 2 - IHAM - HEALTH EDUCATION

Pregnancy prevention education means instruction intended to do the following.

- Stress the importance of abstaining from sexual activity until marriage.
- Help students develop skills to enable them to resist peer pressure and abstain from sexual activity.
- Explain methods of contraception and the risks and benefits of each method. Abortion must not be included as a method of birth control. Instruction explaining the methods of contraception must not be included in any education program for grades kindergarten through fifth. Contraceptive information must be given in the context of future family planning.

Instruction in family life education and pregnancy prevention education in grades six through eight will exclude explanation of contraceptives.

Instruction in pregnancy prevention education must be presented separately to male and female students.

At least one time during the four years of grades nine through 12, each student will receive instruction in comprehensive health education, including at least 750 minutes of reproductive health education and pregnancy prevention education.

The program of instruction may not include a discussion of alternate sexual life-styles from heterosexual relationships except in the context of instruction concerning sexually transmitted diseases.

In grades nine through 12, students must also be given appropriate instruction that adoption is a positive alternative.

No contraceptive device or contraceptive medication may be distributed in or on the school grounds of any public elementary or secondary schools.

Schools may not offer programs, instruction or activities including abortion counseling, information about abortion services or assist in obtaining abortion materials. No abortion information may be distributed in schools. School authorities are not prevented from referring students to a physician for medical reasons after making reasonable efforts to notify the student's parents/legal guardians or the appropriate court, if applicable.

Films, pictures or diagrams in any comprehensive health education program in the schools must be designed solely for the purpose of explaining bodily functions or the human reproduction process and may not include actual or simulated portrayals of sexual activities or sexual intercourse.

The administration will develop a method whereby principals notify parents of students in the relevant grades of the content of the instructional materials concerning reproductive health, family life, sexually transmitted diseases and pregnancy prevention. The notice will inform parents of their option to exempt their child from this instruction.

Teachers who provide instruction in family life and sexuality education will have professional preparation in the subject area, both at the pre-service and in-service level.

Teachers who provide instruction in accordance with the Comprehensive Health Education Act of South Carolina and who use the board-approved curriculum will be deemed to be in compliance with this policy and with the provisions of law.

PAGE 3 - IHAM - HEALTH EDUCATION

Teaching about drugs, alcohol and tobacco

All schools in the district will teach the nature of alcohol and narcotics and their effects upon the human system. Schools should help students develop an awareness of the consequences of the use and abuse of alcoholic drinks, ~~and drugs~~, ~~and tobacco~~, including vaping. Instruction will emphasize problems related to their use, pharmacological aspects, physiological effects and the impact upon the total community. Schools will present drug education as thoroughly, and in the same manner, if practicable, as all other required subjects.

HIV/AIDS Education

The district will teach students about the life-threatening dangers of acquired immunodeficiency syndrome (AIDS) and its prevention. The district will develop an AIDS prevention education program in consultation with teachers, administrators, parents and other community members including, but not limited to, persons from medical, public health and mental health organizations and agencies. The curriculum for AIDS prevention education will be designed to teach students which behaviors place a person dangerously at risk of infection by the human immunodeficiency virus (HIV) and methods to avoid such risk including the following.

- the dangers of drug abuse, especially involving the use of hypodermic needles
- the dangers of sexual intercourse

The program of AIDS prevention education will stress the life-threatening dangers of contracting AIDS and will stress that abstinence from sexual activity is the only certain means for the prevention of the spread or contraction of the AIDS virus through sexual contact.

Adopted 11/19/71; Revised 8/14/73, 12/14/82, 4/25/89, 1/8/02, 9/27/16, 4/19/22

Legal references:

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

1. Sections 59-20-20, 59-20-30, 59-20-40 - Instruction required regarding the effects of alcohol and narcotics.
2. Section 59-32-10 et seq. - Comprehensive Health Education Act.

B. State Board of Education Regulations:

1. R-43-231, 43-232, 43-234 - Basic program.

DRIVER TRAINING

Code **IHAN** Issued **1/024/22**

Purpose: To establish the board's adherence to the driver training program as required by state regulation.

The state mandates that every secondary school must offer a complete program of driver education as an elective course unless driver training is suspended by a Proviso. Proviso 1.40 states "For the current fiscal year, the requirement for high schools to provide a course in 32 driver education is suspended however, high schools may continue to offer driver education courses if they choose to do so." The program will include classroom and behind-the-wheel phases, and it will be provided each semester on an elective basis for eligible students.

Summer programs of driver education are permissible but may not be substituted for the regular school year program.

Schools will adhere to the rules established under Regulation Number 43-242, Driver Training.

The district offers driver training as an elective subject in its high school. The course is open to students whose physical and mental condition gives reasonable promise of their ability to fulfill the requirements for a driver's license. Each student must have a valid driver's permit in order to participate in the driving portion of the driver's education program.

The district course meets the requirements outlined by the South Carolina State Department of Education. The instructor is certified according to South Carolina State Department of Education standards.

Adopted 1/8/02, 4/19/22

Legal references:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 59-39-310 et seq. - Mandatory driver education and training.
- B. State Board of Education Regulations:
 - 1. R-43-242 - Driver training.

SPECIAL EDUCATION/PROGRAMS FOR HANDICAPPED/DISABLED STUDENTS WITH DISABILITIES

Code **IHBA** Issued **1/024/22**

~~Purpose: To establish the board's vision for educating children with exceptional educational needs that are consistent with district, state and federal statutes and regulations.~~

~~In keeping with its responsibility to educate all children in the district, the Aiken County Board of Education provides special education programs for children with various disabilities that prevent their educational progress in normal classroom situations. Such children may be disabled physically, mentally, emotionally or socially.~~

~~Special education services will be provided to children ages 3-21 in accordance with applicable state and federal statutes and regulations. The district will maintain currently valid procedures for the provision of such special education services. Special education will be a part of, and not apart from, regular education.~~

~~Every child has a right to a high quality educational program that provides for success. In the case of a child with a disabling condition, this success may be contingent upon an adjustment of the techniques and materials of instruction to meet individual needs.~~

~~The district provides special education and related services to all preschool age children with disabilities. Preschool children with disabilities are children ages three to five whose developmental progress is delayed to the extent that a special education program is required and includes children with deficits in cognitive, social, emotional, perceptual, visual, hearing, motor and speech language abilities.~~

~~On or before their third birthday, preschool children with disabilities meeting the placement criteria developed by the state department of education must have an individualized education program developed for them.~~

~~Individual student needs may be met through one of three program models: the self-contained model provides for the student to remain with one teacher during the entire day and is appropriate for use with children manifesting severe disabling conditions; the resource room model combines the benefits of the regular classroom with the services of a specialist for certain areas of training, such as reading, mathematics and behavior management; the itinerant teacher model provides for a student to remain in the regular class with a special education teacher providing instruction in the class or in a small amount of pull-out service.~~

~~The director of special education will assist with interviews and approval of placement or transfer of any prospective special education teacher with reference to personal and professional qualifications to teach a special education class when deemed necessary by assistant superintendents or principals.~~

~~In keeping with its responsibility to educate all students in the district, the board will provide special education programs for students with various disabilities.~~

~~The board believes that students with exceptional educational needs should be served in regular classrooms whenever possible. To this extent, the board views special education as an integral part of the general education program offered to all students.~~

PAGE 2 - IHBA - SPECIAL EDUCATION/PROGRAMS FOR HANDICAPPED/DISABLED STUDENTS WITH DISABILITIES

Every student has a right to an appropriate educational program in which he/she can experience success. If a student has a disability, his/her success may be contingent upon an adjustment to the techniques and materials of instruction to meet his/her individual needs.

The district will provide special programs in accordance with state and federal laws and regulations.

Educational Rights of Adult Students

When a student who receives special education services reaches the age of 18, he/she will be entitled to make his/her own educational decisions. However, depending on the nature of the student's disability and the student's wishes and needs, the student's rights will be impacted in one of the following ways:

- The student may elect to make his/her educational decisions with the support and assistance of an adult of his/her choice.
- The student may elect to delegate his/her educational rights to an agent using a delegation form approved by the South Carolina Department of Education (SCDE) or by a duly executed power of attorney.
- A representative may be appointed to represent the educational interests of the student while he/she is enrolled in school using a certification process that involves the attestation of a medical professional that the student is incapable of communicating, with or without reasonable accommodations, his/her wishes, interests, or preferences regarding his/her educational program.
- A guardian may be appointed and assigned the student's educational and other rights by a South Carolina Probate Court.

A principal is required to notify a student in writing if a certification letter is received by the school in which a medical professional has certified that the student is incapable of communicating or otherwise exercising his/her educational rights, and the principal must designate an individual to represent the student's educational interests. The notice must inform the student that he/she may challenge the designation of this educational representative. If the student challenges the medical certification and the designation of an educational representative, then the district may not rely upon the educational representative for any decision-making purpose.

An educational representative does not have the authority to remove a student from educational services.

Employability Credential for Students with Disabilities

The district is authorized by law to offer a state-recognized employability credential for certain students with disabilities, for whom such a credential is appropriate, as an alternative to personalized diploma pathways. For program components and criteria, see policy IKFC, *Employability Credential for Students with Disabilities*.

Adopted prior to 1975; Revised 2/11/86, 12/10/91, 1/12/93, 10/26/93, 1/8/02, 4/19/22

Legal references:

The School District of Aiken County

PAGE 3 - IHBA - SPECIAL EDUCATION/PROGRAMS FOR HANDICAPPED/DISABLED STUDENTS WITH DISABILITIES

~~A. Federal Legislation:~~

- ~~1. Education of the Handicapped Act, Public Law 93-380, amended by Public Law 94-142, Education of All Handicapped Children Act.~~
- ~~2. 20 USCA Sections 1400-1485 - IDEA (Individuals with Disabilities Education Act) - 101-476, amended by Public Law 105-17.~~

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

- ~~1. Sections 59-21-410 et seq. and 59-33-10 et seq. - Mandates that the state board education establish a program for all handicapped children.~~
- ~~2. Section 59-1-580 - The State Board shall establish rules and regulations for identification and assignment of handicapped students and for determining certification requirements.~~

~~C. State Board of Education Regulations:~~

- ~~1. R-43-82 - Transportation of handicapped children.~~
- ~~2. R-43-243 - Education of handicapped children.~~

~~D. State Department of Education: Criteria for Program Entry into Programs of Special Education for Students with Disabilities.~~

A. United States Code of Laws, as amended:

1. Individuals with Disabilities Education Act (IDEA), 20 U.S.C.A. Section 1400.
2. McKinney-Vento Homeless Education Improvements Act of 2001, P.L. 107-110, 42 U.S.C.A. Section 11431, et seq.

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

1. Section 59-21-510, et seq. - Education of students with disabilities.
2. Section 59-33-10, et seq. - Special education for students with disabilities.
3. Section 59-33-310, et seq. - Adult Students with Disabilities Educational Rights Consent Act.
4. Section 59-39-100 - Issuance of uniform diplomas by accredited high school: units required.

C. S.C. State Board of Education Regulations:

1. R43-80 - Operation of public student transportation services.
2. R43-243 - Special education: education of students with disabilities: discipline.
3. R43-243.1 - Criteria for entry into programs of special education for students with disabilities.
4. R43-235 - Employability credential for students with disabilities.

CHARTER SCHOOLS

Code **IHBH** Issued **1/024/22**

~~Purpose: To establish the basic structure for the board's decision to grant a charter.~~

~~A charter school will be a public, nonsectarian, nonreligious, nonhome-based, nonprofit corporation forming a school that operates within a public school district. A charter school is accountable to the local school board.~~

~~A charter school will be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry or need for special education services.~~

~~Enrollment must be open to any child who resides in the district. Except as may be allowed by the sponsor, the charter school will not charge tuition or charges of any other kind.~~

~~A charter school will be responsible for its own operation including, but not limited to, preparation of a budget, contracting for services and personnel matters. It may negotiate and contract with the school district or other parties for the use of a school building and grounds, the operation thereof and for services required to carry out its educational program. Services for which a charter school contracts with the school district will be negotiated and provided at district cost. The district will not charge rent for use of district facilities.~~

~~An approved charter school application, submitted in accordance with district procedures, will become a part of a contract between the charter school and the board of education. The contract will reflect all agreements including the release of the charter school from state laws and regulations. A material revision of the terms of the contract may be made only with the approval of the board and the charter committee.~~

~~A charter school will have an education program, pupil achievement standards and curriculum that meet or exceed any content standards adopted by the district and the state.~~

~~The board will establish a schedule for receiving applications from charter schools and will make the schedule available to interested parties upon request. The board will hold community meetings to obtain information to assist in its decision to grant a charter school application in the affected area.~~

~~The district will accept applications for charter schools in January of each year for the next school year.~~

~~To achieve its goal of promoting diversity, educational improvement, and academic excellence for all students, the board supports the establishment of charter schools within the district.~~

~~A charter school is a public, nonreligious, non-home-based, nonprofit corporation forming a school that operates by sponsorship of a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning but is accountable to the board, or in the case of technical colleges, the area commission, of the sponsor that grants its charter.~~

~~A charter school sponsor will adopt national industry standards of quality charter schools and will authorize and implement practices consistent with those standards.~~

~~A charter school is considered a public school and will meet the following conditions:~~

The School District of Aiken County

- Be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of race, religion, sex (including pregnancy, childbirth, or any related medical conditions), color, disability, national origin, need for special education services, or any other applicable status protected by law (by law, however, a single gender charter school may be formed in which case gender may be the only reason to show preference or deny admission). Enrollment must not differ from the racial composition of the district or that of the targeted student population of the charter school by more than twenty (20) percent.
- Open enrollment to any child who resides in the district subject to space limitations. The charter school will not charge tuition or charges of any other kind unless allowed by the sponsor and comparable to the charges of the district in which the charter school is located.
- Assume responsibility for its own operation including preparation of a budget, contracting for services, audits and curriculum, and personnel matters.
- Have an education program, curriculum, and student achievement standards that meet or exceed any content standards adopted by the State Board of Education and the sponsor.
- Follow the application process as required by law. In the case of sponsorship by the South Carolina Public Charter School District or a public or independent institution of higher learning, the applicant must provide notice of the application to the district for informational purposes only.

All board members and employees are subject to the ethics and government accountability requirements for public members and public employees.

A charter school may be designated as an Alternative Education Campus (AEC) as outlined in state law. An AEC is any charter school with an explicit mission as outlined in its charter to serve an enrolled student population meeting the requirements established in state statute.

A charter school is eligible for federally-sponsored, state-sponsored, or district-sponsored interscholastic leagues, competitions, awards, scholarships, grants, and recognition programs for students, educators, administrators, staff, and schools to the same extent as other public schools.

A charter school student is eligible to compete for, and, if chosen, participate in any extracurricular activity not offered by the student's charter school which are offered at the resident public school he/she would otherwise attend, as well as any activities governed by the South Carolina High School League not offered at the charter school. Eligibility requirements and fees for these activities will be the same as those applied to full-time students of the resident school, and the district may not impose any additional requirements for participation on charter school students that are not imposed on full-time students.

If the board has information that an approved application by the South Carolina Public Charter School District or a public or independent institution of higher learning sponsor adversely affects the other students in the district, as defined in state regulation, or that the approval of the application fails to meet the spirit and intent of the law, the board may appeal the granting of the charter to the state administrative law court.

The performance of students attending a charter school sponsored by the district will be reflected on a separate line on the district's report card and will not be included in the overall performance ratings of the district.

The sponsor may deny, revoke or not renew a charter under certain conditions outlined in the law. This decision may be appealed to the state administrative law court for review.

Adopted 12/10/96; Revised 1/8/02, 4/19/22

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 59-18-900 - Annual report cards and performance ratings.
3. Section 59-18-920 - Requirements of report cards.
4. Section 59-40-10, et seq. - South Carolina Charter Schools Act of 1996.

B. S.C. State Board of Education Regulations:

1. R43-601 - Procedures and standards for review of charter school applications.

SUMMER SCHOOL

Code **IHCA** Issued **4/17/22**

Purpose: To establish the basic structure for summer instruction of students.

The district will offer a summer school program ~~whenever there is enough interest by students and parents for such a program to meet the needs of identified students.~~ The district will operate the summer program in accordance with standards required by the ~~state department of education State Department of Education.~~ and AdvancED.

Schools ~~will~~ may charge students a fee to cover the expenses of staffing, providing instructional materials, textbooks and other expenses directly related to the instructional program of the summer school when funds are not available.

~~Academic officers who plan to operate summer schools will meet with district staff to establish a tentative annual tuition fee for the area's summer school program and to staff the schools for operation. If Fees are charged for the summer program, the fees should be the same within the district should be the same if at all possible.~~

Once the fee is established, the district will publicize it along with the conditions for non-payment before summer school begins.

Adopted 6/10/75; Revised 9/13/88, 1/8/02, 2/7/12, 4/18/17, 4/19/22

Legal references:

S.C. Code, 1976, as amended:

Section 59-155-110, et seq. - South Carolina Read to Succeed Act of 2014.

State Board of Education Regulations:

R-43-231 - Defined program K-5.

R-43-232 - Defined program 6-8.

R-43-234 - Defined program, grades 9-12.

R-43-240 - Summer programs.

South Carolina Department of Education:

Intervention Guidance Document, Kindergarten through Grade Five (2017)

Read to Succeed Third Grade Retention Guidance Document, Fall 2016 (2016).

ADVANCED COLLEGE PLACEMENT

Code **IHCD** Issued **1/024/22**

~~Purpose: To establish the basic structure for the district's advanced college placement program.~~

~~The district will provide advanced placement course offerings in each high school enrolling an adequate number of academically talented students to support the courses.~~

~~Students successfully completing advanced placement course requirements and the advanced placement examinations will receive advanced placement credit in post-secondary public colleges in South Carolina in the manner specified by the South Carolina Commission on Higher Education in conjunction with the South Carolina State Board of Education.~~

The district will provide advanced placement course offerings in each high school.

Students successfully completing advanced placement course requirements and the advanced placement examinations will receive advanced placement credit in post-secondary public colleges in South Carolina or in other states in the manner specified by the South Carolina Commission on Higher Education in conjunction with the State Board of Education.

Adopted 10/9/84; Revised 1/8/02, 4/19/22

Legal references:

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

1. Section 59-29-190 - Advanced placement courses for academically talented students.

B. S.C. State Board of Education Regulations:

1. R43-234 - Defined program, grades 9-12 and graduation requirements.
2. R43-258.1- Advanced placement.

INSTRUCTIONAL RESOURCES AND MATERIALS (INCLUDING LIBRARY MATERIALS)

Code **IJ** Issued **2/124/22**

~~Purpose: To establish the board's direction for selection and use of instructional materials and the basic structure for parental examination of certain materials.~~

~~The school library media center is an extension of the classroom and serves to implement and to enrich the instructional program. The main purposes of the library media center include provision of a comprehensive collection of instructional materials and the provision of maximum accessibility to these materials.~~

Selection of materials

Responsibility

~~The responsibility for the selection of library media materials is delegated to the professionally trained library media personnel employed by the school system. Selection of materials should involve parents, students, teachers, administrators and staff. Purchases of materials must have prior approval of the principal and academic officer. Final approval of purchases and distribution of funds rests with the superintendent or his/her designee.~~

Criteria

~~Materials for purchase should be considered on the basis of the following:~~

- ~~• educational significance~~
- ~~• appropriateness for students in each school~~
- ~~• need and value to the collection~~
- ~~• reputation and significance of author and producer~~
- ~~• clarity, adequacy and scope of text or audiovisual presentation~~
- ~~• validity, accuracy, objectivity, up to dateness and appropriateness of text or audiovisual presentation~~
- ~~• organization and presentation of contents~~
- ~~• high degree of readability and/or comprehensibility~~
- ~~• high degree of potential user appeal~~
- ~~• high artistic quality and/or literary style~~
- ~~• quality format~~
- ~~• value commensurate with cost and/or need~~

Procedures

~~Selection of materials should be based upon consultation with reputable, unbiased, professionally prepared selection aids approved by the state department of education.~~

~~Decisions concerning gift material will be based on the same standards as for other materials.~~

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~~Teachers are to advise the principal through a brief written statement of any required material that may be objectionable to students or parents/legal guardians and state how the material is to be handled or if optional materials will be made available.~~

~~Challenged materials~~

~~Parents/Legal guardians have the right and the responsibility to restrict the access of their children to library resources or other instructional resources that they find offensive. Any parent/legal guardian may lodge a complaint against any materials being used in the system.~~

~~The parent/legal guardian who has a complaint against materials being used in a school should contact the principal of the school involved. If he/she contacts anyone else, the parent/legal guardian should be directed to the principal.~~

~~The principal should assure the parent/legal guardian that his/her opinion will be considered and that his/her interest is welcome. They should then discuss the complaint.~~

~~If after discussion, the parent/legal guardian would like to continue with the complaint, the principal should explain the procedure adopted by the district for handling such complaints. The parent/legal guardian should be given two copies of IJ-E, "Parent's Request for Review or Withdrawal of Instructional Material."~~

~~The parent/legal guardian will complete the form, sending one copy to the principal and retaining one copy for him/herself.~~

~~The principal will make copies of the complaint and distribute them to the assistant superintendent for the area and to the library media specialist or teacher whose material is under criticism.~~

~~The material will be reviewed again in light of objections raised. During the review period, it will be temporarily withdrawn pending a decision. The reviewing will be done at the earliest possible time after the material has been questioned. A definite routine will be followed to ensure that the incident is given due importance and treated objectively and unemotionally.~~

~~Review procedures~~

~~To re-evaluate the challenged material, the principal will appoint a review committee composed of the following (one member to be the recorder):~~

- ~~• the school library media specialist~~
- ~~• a teacher in the school who is familiar with the content area~~
- ~~• one parent representing a school family other than complainant~~
- ~~• the assistant superintendent for the area~~
- ~~• the superintendent's designee~~
- ~~• the principal as chairperson~~

~~Members of the committee will study all materials referred to them and will also read reviews of materials.~~

~~The committee will allow the teacher whose material has been challenged to appear before the committee or forward a written statement to provide the context in which the material will be used, and to explain how objectionable components will be addressed, if at all addressed. The complainant, as well, will be allowed to appear before the committee to explain concerns about objectionable components of the material.~~

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~~The report of this review committee will be completed within 10 school days after receipt of the complaint, and copies in writing will be sent to the complainant and to the superintendent.~~

Appeal procedures

~~The decision of the review committee may be appealed to the superintendent by the complainant.~~

~~This appeal must be made in writing within 10 school days after receipt of the report.~~

~~The superintendent or his/her designee will preside over the appellate hearing.~~

~~A decision will be rendered within 10 school days after the hearing.~~

~~An appeal of the decision may be made to the board by giving a written request to the superintendent within 10 school days after receipt of his/her written decision.~~

~~This appeal will be heard at the next regular meeting of the board and the decision will be final.~~

~~Written notification will be sent to the complainant and the chairperson of the school review committee within one week of the board's decision.~~

~~See IJ-E for form to be used for this request entitled "Parent's Request for Review or Withdrawal of Instructional Material."~~

Purpose.

To establish the local board's direction for selection and use of library/media center materials and the basic structure of handling questioned or challenged library/media center materials.

Role of the School Library/Media Center Professionals.

The function of the school library/media center is to support and enrich the instructional program and recreational reading needs of the school and must provide a broad range of materials.

The local board has the legal responsibility for the purchase of all instructional materials. The selection and ordering of library books, audiovisuals, electronic resources, and other materials for the library/media centers are the responsibility of the school librarian in accordance with this adopted policy.

The school librarian will identify, order and organize materials that will implement, enrich and support the educational program of the school district. Principals, teachers, supervisors, students, and members of the community may give suggestions, recommendations and other assistance.

Final decisions on purchase shall rest with the superintendent and/or his/her designee.

Materials Selection Criteria.

Materials should be consistent with the district's general educational goals and the educational goals and objectives of each individual school. Consideration should be given for purchase based on the work as a whole and on the basis of the following:

The School District of Aiken County

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1. educational significance;
2. appropriateness for students in each school, such as grade and age level;
3. needs of the school and value to the collection;
4. reputation and significance of author and producer;
5. clarity, adequacy, and scope of text;
6. validity, accuracy, objectivity, currency, and appropriateness of text;
7. organization and presentation of contents;
8. high degree of readability and/or comprehensibility;
9. high artistic quality and/or literary style; and
10. value commensurate with cost.

The school librarian shall use their professional training and expertise to evaluate the existing collection and consult reputable, unbiased, professionally prepared selection aides when selecting materials for the library/media centers.

Procedures for Handling Questioned or Challenged Library/Media Center Materials.

Any individual who has a child who attends a school in the school district may lodge a complaint against any material used in the school library/media center within the district. A student who objects to or finds offensive any material located in the library/media center should be provided alternatives. If the complaint cannot be resolved satisfactorily during an informal conference with the principal and school librarian or teacher concerned, then the following procedure will be used:

A materials challenge shall be filed by completing and returning to the principal a form entitled "Reconsideration of Library/Media Center Materials Form". A separate form must be completed for each material being requested for reconsideration. This form shall be attached to this policy, posted prominently on the district website, and available upon request at schools.

To evaluate the challenged resource(s), the Principal shall appoint a review committee. An example of an appropriate composition for the committee is the following:

1. The district supervisor of library media services (if applicable);
2. A school library media specialist within the district;
3. A teacher within the district;
4. At least one parent representing a school family other than complainant;
5. A principal within the district (serving as chairman); and
6. At least one member of the School Improvement Council.

Members of the committee shall read the materials referred to them in its entirety. Pending review by the committee, the challenged books or materials shall be withdrawn for use throughout the district.

The committee shall complete its review and issue a report within fifteen (15) business days after receipt of the complaint. A copy in writing shall be sent to the complainant and to the district Superintendent.

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If the materials are deemed to be inappropriate, the district must ensure no other copies exist in circulation within the district. If the materials are deemed to be acceptable and appropriate, the district must immediately place such materials back into circulation.

The local board shall be responsible for determining an appeals process.

The committee's decision, and if applicable, the local board's review, regarding the appropriateness of a book or reading material cannot be challenged again until the expiration of two years from the original challenge date.

Adopted 6/10/75; Revised 4/12/83, 12/14/99, 1/8/02, 2/7/12, 4/19/22

Legal references:

A. 20 U.S.C. Code, Section 1232h, as amended:

1. Sec. 439.

- (a) All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.
- (b) No student shall be required, as part of any applicable program, to submit to a survey, analysis or evaluation that reveals information concerning --
 - (1) political affiliations;
 - (2) mental and psychological problems potentially embarrassing to the student or his family;
 - (3) sex behavior or attitudes;
 - (4) illegal, anti-social, self-incriminating and demeaning behavior;
 - (5) critical appraisals of other individuals with whom respondents have close family relationships;
 - (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
 - (7) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.
- (c) Educational agencies and institutions shall give parents and students effective notice of their rights under this section.

Policy

SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

Code **IJK** Issued **01/024/22**

~~Purpose: to establish the basic structure for the use of supplementary materials.~~

~~The use of videos, filmstrips and television programs as supplementary instructional materials and programs is to be directly related to instructional objectives that are a part of the official curriculum. Such instructional aids are to be used judiciously. The use of the materials or programs is to be preplanned and effectively integrated into the presentation of the lesson. Therefore, instructional plans must reflect the use of such instructional aids. All supplementary instructional aids are to have a direct benefit on the educational attainment of students and must have the approval of the principal.~~

~~This policy also applies to functions that are non-instructional in nature (e.g., study halls, advisory periods, extra-curricular activities, etc.).~~

~~For the purpose of this policy, supplementary materials are any instructional materials other than textbooks including, but not limited to, the following:~~

- ~~• books~~
- ~~• periodicals~~
- ~~• newspapers~~
- ~~• pictures~~
- ~~• diagrams~~
- ~~• maps~~
- ~~• charts~~
- ~~• photocopies~~
- ~~• slides~~
- ~~• audio materials~~
- ~~• computer hardware~~
- ~~• computer software~~
- ~~• electronic media~~

~~It is the policy of the board to provide supplemental educational materials that support and enrich the curriculum and enhance the district's educational program. The board believes that the availability of a carefully selected and widely varied collection of supplementary materials enhances students' learning.~~

~~The principal must approve supplementary materials.~~

~~Adopted 9/9/97; Revised 1/8/02, 4/19/22~~

TECHNOLOGY RESOURCE SELECTION AND ADOPTION

Code **IJKA** Issued **1/024/22**

~~Purpose: To establish the basic structure for the selection and adoption of computer hardware and software.~~

~~The district will select and purchase computer software and hardware in accordance with district policies on selection of instructional materials and equipment and purchasing.~~

Software

~~The district will select educational computer software in the same manner in which other instructional material is selected, giving care to avoid sexual, ethnic, racial or religious stereotypes or biases.~~

~~All software purchased by the district or any of its schools will remain the official property of the district.~~

~~All software will be subject to systematic and on-going evaluation with respect to quality, appropriateness and contribution to curricular objectives. Software must be consistent with the educational standards of the school district.~~

Hardware

~~The purchase of computer hardware will be in keeping with state bidding regulations and with the district's best analysis of the suitability of specific equipment.~~

~~The director of educational technology should be consulted with when considering the selection and adoption of computer hardware.~~

~~The district will select and purchase computer hardware, software, and cloud-based and other virtual electronic materials in accordance with district policies on selection of instructional materials and equipment and purchasing.~~

Software and Cloud-Based/Virtual Electronic Materials

~~The district will select educational computer software or cloud-based/virtual electronic materials that are aligned to the instructional program in the same manner in which other instructional material is selected, giving care to avoid sexual, ethnic, racial, or religious stereotypes or biases. All such electronic materials under consideration for purchase must be approved by the technology director to ensure compatibility with the district's current system and by the chief officer of instruction to ensure the software supports curricular objectives.~~

~~All software and other electronic materials purchased by the district or any of its schools will remain the official property of the district.~~

~~All software and other electronic materials will be subject to systematic and on-going evaluation with respect to quality, appropriateness, and contribution to curricular objectives.~~

Hardware

The purchase of computer hardware will be in keeping with state bidding regulations and with the district's best analysis of the suitability of specific equipment.

Adopted 1/8/02, Revised 4/19/22

USE OF TECHNOLOGY RESOURCES IN INSTRUCTION

Code **IJNDB** Issued **8/154/22**

Introduction

~~Each employee, student, or non-student user of an Aiken County Public School District (ACPSD) information system is expected to be familiar with and follow the expectations and requirements of this policy and corresponding administrative rule. The purpose of this policy is to ensure that individuals are aware of their responsibilities regarding the Internet and related technology and equipment. This rule also helps ensure the safety and privacy of current and former employees and students.~~

Legal Requirements

~~ACPSD is committed to complying with applicable information security requirements and relevant information security standards and protocols. These requirements include, but are not limited to, the following:~~

- ~~• The Family Educational Rights and Privacy Act (FERPA)~~
- ~~• Children's Internet Protection Act (CIPA)~~
- ~~• Individuals with Disabilities Education Act (IDEA)~~
- ~~• Children's Online Privacy Protection Act (COPPA)~~
- ~~• Health Insurance Portability and Accountability Act (HIPPA)~~

~~Users of ACPSD's network are required to adhere to state and federal law as well as board policy. Any attempt to break those laws or policies through the use of ACPSD networks may result in discipline or litigation against the offender(s) by the proper authority. ACPSD will provide any information necessary in order to fully cooperate with the appropriate authorities in the civil and/or criminal process.~~

Acceptable Use

~~ACPSD provides computer, network, email, and Internet access to individuals as part of the learning environment. The use of these resources is a privilege and not a right. While these systems have the power to deliver a vast number of resources to classrooms and enhance education, their effectiveness depends on the responsible and ethical use by every individual. Violation of this administrative rule will result in the loss of this privilege and may result in discipline or litigation in accordance with board policy and state and federal law.~~

Employee acceptable use

~~This section is dedicated to provide ACPSD employees with guidance of acceptable use of the district's information technology resources including, but not limited to, the following:~~

- ~~• the internet, intranet, email, and portals, including Office 365 and student management systems~~
- ~~• personal devices not owned by the district, but present on district property~~
- ~~• district assigned computing devices such as personal electronic devices, laptops, and desktops~~
- ~~• the district's network and supporting systems and data transmitted by and stored on the ACPSD systems~~

Annual responsibilities and information security awareness

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Staff members will review the Information Security Awareness materials presented on the ACPSD website annually.

Prohibited use of ACPSD resources

The following uses of ACPSD computer resources by staff members are prohibited at all times:

- ~~unauthorized or excessive personal use—any personal use should not interfere with or impair an employee's job performance~~
- ~~infringing upon the intellectual property rights of others or violating copyright laws~~
- ~~unauthorized advancing of personal profit~~
- ~~furthering political causes in violation of board policy or the State Ethics Act~~
- ~~uploading or transferring out of the district's direct control any software licensed to the district or data owned by the district without explicit written authorization; failure to observe copyright or license agreements can result in disciplinary action from ACPSD or legal action by the copyright owner~~
- ~~unauthorized use of resources (including, but not limited to, servers, networks, computers, and printed output) to reveal confidential or sensitive information, student data, or any other information covered by existing district, state, or federal privacy or confidentiality laws; regulations; rules; policies; procedures; or contract terms~~
- ~~downloading software unless it is required to complete their job responsibilities and is approved and implemented by Educational Technology (ET)~~
- ~~bypassing or attempting to bypass any of the district's security or content filtering safeguards~~
- ~~accessing or attempting to access resources for which an employee does not have explicit authorization by means of assigned user accounts, valid passwords, file permissions, or other legitimate access and authentication methods~~
- ~~granting another individual access to any district accounts that have been authorized to a specific user or using another individual's district authorized accounts, user ID, and/or passwords (specific exceptions are allowed for ET personnel for authorized system operations and maintenance)~~
- ~~allowing another person to use a district system under his or her login~~
- ~~adding, modifying, repairing, removing, reconfiguring, or tampering with any device on the network infrastructure~~
- ~~bypassing or attempting to bypass any of the district's security or content filtering safeguards, including the use of cellular or external Internet connectivity not through the district's network (the use of a "hot spot," for example)~~
- ~~allowing non-district persons permission to use district-assigned information systems on district equipment taken off-site~~
- ~~sharing the password of the unique ACPSD user ID or allowing this password to be used to access other third party websites or applications by another person~~
- ~~the use of any tools that can be used for "computer hacking," as defined in the South Carolina Computer Crime Act (may not be possessed on school property, on any district premise, or run or loaded on any district system without expressed written permission from ET)~~
- ~~violating any state or federal law or regulation, board policy, or administrative rule~~

Sensitive information

ACPSD employees who have or may have access to personally identifiable student records will adhere to all standards included in the Family Educational Rights and Privacy Act (FERPA); Health Insurance Portability and Accountability Act (HIPPA); Children's Online Privacy Protection Act (COPPA), and other applicable laws and regulations as they relate to the release of student information.

Employees may not disclose sensitive or personally identifiable information regarding students to individuals and/or parties not authorized to receive it. Authorization to disclose information of a student to individuals and/or parties must strictly adhere to regulations set forth in the FERPA.

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~~Information contained in these records must be securely handled and stored according to ACPSD directives, rules, and policies and if necessary destroyed in accordance with state information retention standards and archival policy.~~

Granting access to secure locations

~~Staff members may only grant access to sensitive and secure areas including, but not limited to, server rooms and wire closets, after verification with ET of the credentials and need for access of the person requesting access. These spaces may not be used to store or house unauthorized equipment or items.~~

Limited personal use

~~ACPSD does not grant any ownership, privacy, or expectation of privacy in the contents of any message, including email or other Internet activities involving ACPSD resources or equipment.~~

~~Personal use is prohibited in the following circumstances:~~

- ~~• It interferes with the use of IT resources by the district.~~
- ~~• Such use burdens the district with additional costs~~
- ~~• Such use interferes with the staff member's employment duties or other obligations to the District.~~
- ~~• Such use includes any activity that is prohibited under any district (including this policy), board policy, or state or federal law.~~

Email maintenance

~~Each district email user is responsible for the content of all text, audio, or image that he/she places or sends over the Internet or district email systems.~~

~~While the email system has unlimited storage, the district cannot guarantee that any particular email or emails will not be lost due to computer or human error. District employees should back up or store any critical emails. Examples of storing emails are printing, saving to other document types (such as PDF), or archiving messages in off-line email folders. An employee must preserve all emails and other relevant records related to an incident that is subject to litigation once that employee is made aware of the legal action.~~

~~Email messages are considered public records and may be released pursuant to the requirements of the South Carolina Freedom of Information Act.~~

Consequences

~~Employees who violate this administrative rule may be subject to discipline including and up to termination. Incidents should be reported to an employee's supervisor and directly to the ET Help Desk (the work order system). Suspected criminal activity must be immediately reported to law enforcement.~~

Student Acceptable Use

~~This section is dedicated to provide ACPSD students with guidance of acceptable use of the district's information technology resources including, but not limited to, the following:~~

- ~~• the internet, intranet, email, and portals, including Office 365 and student management systems~~
- ~~• personal devices not owned by the district, but present on district property~~
- ~~• district assigned computing devices such as personal electronic devices, laptops, and desktops~~

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- ~~the district's network and supporting systems and data transmitted by and stored on the ACPSD systems~~

Compliance with copyright laws

~~Students are to follow copyright laws at all times. Students should refer all questions regarding copyright concerns to administrators and/or qualified staff or faculty at their school.~~

Filtering and monitoring computer resources

~~The district takes reasonable precautions by using filtering software to keep inappropriate Internet sites and email out of the classroom. The district strongly adheres to the guidelines set forth by COPPA and CIPA when installing filtering/monitoring software devices on district equipment. The district does not necessarily supervise individual email accounts.~~

~~The district reserves the right to review any email sent or received using district equipment and/or email accounts.~~

~~Students must adhere to the behavior expectations while using technology and email including, but not limited to, those expectations contained in board policy.~~

~~Technology is constantly changing and evolving. Due to the nature of the Internet, online communications, and evolving technology, the district cannot ensure or guarantee the absolute safety of students during the use of technology, including email and the Internet. Parents/Legal guardians and students should contact the school immediately with any concerns related to the use of technology and the school should contact ET via the Help Desk.~~

Prohibited uses of ACPSD resources

~~The following uses of ACPSD computer resources by students are prohibited:~~

- ~~the use of school computers for private (not authorized by the district and/or school) commercial purposes~~
- ~~the use of obscene, bullying, profane, lewd, threatening, disrespectful, or gang-related language or symbols~~
- ~~bypassing or attempting to bypass any of the district's security or content filtering safeguards, including the use of cellular or external Internet connectivity not through the district's network (the use of a "hot spot," for example)~~
- ~~allowing another person to use the computer under a student's assigned district login~~
- ~~adding, modifying, repairing, reconfiguring, or otherwise tampering with any device on the network infrastructure including, but not limited to, wireless network devices, computers, printers, servers, cabling, switches/hubs, and routers~~
- ~~unauthorized access, use, overloading (more commonly known as Distributed Denial of Service or Denial of Service), or attempted unauthorized access or use of district information systems~~
- ~~destroying or tampering with any computer equipment or software~~
- ~~the use of any tools that can be used for "computer hacking," as defined in the South Carolina Computer Crime Act (may not be possessed on school property, on any district premise, or run or loaded on any district system)~~

- ~~the use of school computers for illegal activities including, but not limited to, planting viruses, hacking, or attempted unauthorized access to any system~~
- ~~violating any state or federal law or regulation, board policy, or administrative rule~~

~~Furthermore, students are prohibited from using "smart" or "connected" devices (including, but not limited to, smart watches, smart glasses, or other devices capable of storing, transmitting, or~~

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~~receiving information) unless under the supervision of an instructor. Students are permitted to have cellular telephones, but they are not to be used in class without express permission from the instructor. Additionally, the use of cameras and other recording devices are prohibited without permission. See board policy JICJ.~~

Agreement of use

~~Students and parent/legal guardians agree that ACPSD computer equipment must be handled with care and respect.~~

Consequences

~~Students who violate this policy and corresponding administrative rule may be subject to disciplinary action up to and including expulsion in accordance with board policy and state and federal law. Suspected criminal activity must be immediately reported to law enforcement.~~

~~ACPSD Internet Safety and Other Terms of Use~~

General access

~~In compliance with the Children's Internet Protection Act ("CIPA"), the district uses technological devices designed to filter and block the use of any of the district's computers with Internet access to retrieve or transmit any visual depictions that are categorized as obscene, child pornography, or "harmful to minors" as defined in the CIPA.~~

~~Though the district makes reasonable efforts to filter such Internet content, the district cannot warrant the effectiveness of its Internet filtering due to the dynamic nature of the Internet.~~

Education, supervision, and monitoring

~~It will be the responsibility of all district school staff to make a reasonable effort to educate, supervise, and monitor appropriate usage of online computer network access to the Internet in accordance with this policy and corresponding administrative rule, CIPA, COPPA, and the Protecting Children in the 21st Century Act.~~

Personal safety

~~The following list is considered precautions taken by ACPSD to ensure the safety of their students, employees, and other individuals:~~

- ~~• Students will not post or email personal contact information about themselves or other people unless it is in conjunction with a specific teacher approved assignment or approved college/career communication.~~
- ~~• Students will not agree to meet with someone they have met online without their parent/legal guardian's approval.~~
- ~~• Students will promptly disclose to an administrator, teacher, or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.~~
- ~~• Employees will report any concerns related to their use of technology to their immediate supervisor.~~

Expectation of privacy

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Individuals should not have an expectation of privacy in the use of the district's email, systems, or equipment. The district may, for a legitimate reason, perform the following:

- obtain emails sent or received via district email or other messaging/communication system
- monitor an individual's use on the district's systems, including all Internet activity
- confiscate and/or search district-owned software or equipment

Note: The district may confiscate for a reasonable period of time any personal electronic device being used in violation, or apparent violation, of policy and may search recent activation and/or utilization of the device to determine or confirm such inappropriate utilization or violation of policy, in accordance with the scope and permitted searches of such devices under the standards of *New Jersey v. T.L.O.* and other applicable law.

In order for the district to be able to continue to make its computer network and internet access available, all users, including students, must take responsibility for appropriate and lawful use of these technologies. Students accessing district-provided internet access are responsible for appropriate online behavior. The same general rules for behavior apply to students' use of district-provided devices. While the district's teachers and other staff will make reasonable efforts to supervise use of network and internet access, they must have student cooperation in exercising and promoting responsible use of this access, and students must be held responsible and accountable for their own conduct.

All use of electronic networks will be consistent with the goals of the district's educational program and should facilitate resource sharing, innovation, and communication. The failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

Accessing Inappropriate Sites

Each district computer or other technology device with internet access will have a filtering device that blocks access to visual depictions that are obscene, pornographic, harmful, or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the superintendent or his/her designee.

The district will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or other material that is inappropriate and/or harmful to minors. The superintendent or his/her designee will enforce the use of such filtering devices.

The district will provide reasonable notice of and at least one public hearing or meeting to address and communicate its internet safety measures. The district's main webpage will also include the district's policy and procedures regarding enforcement of this policy, and they will be available for review at the district office.

Discipline and Reporting

If any user violates this policy or any related procedures, the student's access to the district's internet system and computers or other technology devices will be suspended, revoked, or denied, and he or she may be subject to additional disciplinary action. Actions which violate local, state, or federal law may be referred to local law enforcement.

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District and school computer technicians who are working with a computer or other technology device and come across sexually explicit images of children must report this to local law enforcement. The report must include the name and address of the owner or person in possession of the computer.

Online Behavior

The district will educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. The superintendent or his/her designee will develop a program to educate students on these issues.

Off-Campus Conduct

Students, parents/legal guardians, teachers, and staff members should be aware that the district may take disciplinary actions for conduct initiated and/or created off-campus involving the inappropriate use of the internet or web-based resources if such conduct poses a threat or substantially interferes with or disrupts the work and discipline of the schools, including discipline for student harassment and bullying.

Warranties/Indemnification

The district makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the internet provided under this policy. The district is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the internet. The district will not be responsible for any unauthorized charges or fees resulting from access to the internet, and any user is fully responsible to the district and will indemnify and hold the district, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or, if the user is a minor, the user's parent(s)/legal guardian(s) agrees to cooperate with the district in the event the school initiates an investigation of a user's use of his or her access to its computer network and the internet.

Adopted 11/12/96; Revised 1/8/02, 5/22/12, 8/25/15, 4/19/22

Legal references:

A. Federal Law:

1. Children's Internet Protection Act of 2000, 47 U.S.C.A. Section 254(h).
2. The Digital Millennium Copyright Act of 1998, 17 U.S.C.A. Section 512 - Limitations on liability relating to material online.

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

1. Section 10-1-205 - Computers in public libraries; regulation of Internet access.
2. Section 16-3-850 - Encountering child pornography while processing film or working on a computer.

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- ~~3. Section 16-15-305 - Disseminating, procuring or promoting obscenity unlawful; definitions; penalties; obscene material designated contraband.~~
- ~~4. Section 59-19-90 - General powers and duties of school trustees.~~

~~C. Federal Cases:~~

- ~~1. *Purdham v. Fairfax Co. Sch. Bd.*, 637 F.3d 421, 427 (4th Cir. 2011).~~

A. United States Code of Laws, as amended:

1. Children's Internet Protection Act of 2000, 47 U.S.C.A. Section 254(h).
2. The Digital Millennium Copyright Act of 1998, 17 U.S.C.A. Section 512 - Limitations on liability relating to material online.

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