

**BOARD AGENDA ITEM**  
**June 13, 2017**

**SUBJECT:**

Policy Changes Related to Reorganization

**BACKGROUND:**

Beginning in fall 2015 the district has undergone a realignment of its organizational structure. Many current policies refer to positions and titles that no longer exist.

**ADMINISTRATIVE CONSIDERATION:**

Due to the district's administrative reorganization, numerous policies have been identified that need to have references to academic officers, director of administrative services, associate superintendents, comptroller, and deputy superintendent stricken and to have inserted the appropriate position or title.

**RECOMMENDATION:**

Adopt the proposed policy on final reading

**ATTACHMENT:**

Policy GBGC Professional Personnel Substance Abuse and Employee Assistance  
Administrative Rule GBK-R Staff Concerns/Complaints/Grievances  
Administrative Rule GCF-R Professional Staff Hiring  
Policy IJ Instructional Resources and Materials (Including Library Materials)  
Policy JH Student Absences and Excuses  
Policy GCCAAA Voluntary Sick Leave Bank for Catastrophic Illness or Accident

**PREPARED BY:**

King Laurence

# PROFESSIONAL PERSONNEL SUBSTANCE ABUSE AND EMPLOYEE ASSISTANCE

Code **GBGC** Issued **6/17**

Purpose: To establish the basic structure for an employee assistance program for substance abuse.

## **Employee assistance program**

A wide range of problems that are not directly associated with an employee's job function may affect an employee's job performance. The problems may involve physical, mental or emotional illness, alcohol abuse or alcoholism, drug abuse or dependency, or personal problems such as those of a marital, family or financial nature. The board recognizes alcohol and drug abuse or addiction as a treatable illness. Any district employee having any of these illnesses or problems related to these illnesses will be encouraged to seek professional assistance and will be authorized the use of accumulated sick leave for treatment.

The purpose of the employee assistance program is to assist employees whose work performance or behavior is being adversely affected by physical illness, mental or emotional illness, alcohol abuse or alcoholism, drug abuse or dependency, or personal problems such as those of a marital, family or financial nature.

The purposes of this policy are as follows.

- to establish and maintain a healthy working and learning environment in our schools
- to insure the reputation of the district in the community
- to improve attendance, performance and relations among employees and students
- to provide assistance in locating rehabilitation services to any employee who desires such help

When an employee's effectiveness and dependability are impaired, the situation becomes a legitimate concern to the district and requires corrective measures. Examples of impaired effectiveness and dependability include increased absenteeism, lowered production quality and/or quantity, unreasonable periods of time away from work area, increased irritability, interpersonal friction with co-workers, deteriorating changes in personal appearance, or increased withdrawal and involvement with law enforcement authorities.

The overall objective of this problem is to retain valued employees who develop problems that affect job performance.

The following rules apply to the district employee assistance program.

- The decision to obtain help and accept counseling is the responsibility of the employee. No employee's employment will be jeopardized by the decision to seek assistance as long as satisfactory progress is demonstrated in eliminating the job-related problem.
- Any employee who seeks assistance through the employee assistance program will have the same job security or promotional opportunities available to any other employee who does not request assistance. An employee's continued deteriorating performance in his/her current position could jeopardize his/her promotional opportunities.
- The confidential nature of medical records of an employee with an emotional, mental, alcohol or drug problem will be preserved in the same manner as other medical records.

**C-2 Attachment**

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- An employee may use accrued sick leave for the purpose of participating in professional public and private treatment and rehabilitation programs. When an employee exhausts all of his/her accrued sick leave, the employee may use accrued annual leave or request leave without pay.
- An employee may voluntarily seek counseling and information on a confidential basis by contacting agencies designated to provide such services.

### **Substance abuse**

The following rules represent the district's policy concerning substance abuse.

- Any employee who appears to be under the influence of alcohol or illegal drugs at school or school-related activities will be immediately suspended with pay, pending investigation.
- The use, possession or sale of alcohol or illegal drugs at school or school-related activities is grounds for immediate suspension.
- The use of alcohol or illegal drugs by employees at any time in such a way that would adversely affect the performance of their duties at school or the image of the district as their employer is grounds for immediate suspension.
- The superintendent may revoke a suspension for substance abuse if the employee submits proof that he/she has arranged to receive professional help for his/her problem by starting a rehabilitation program. The chief officer of administration will assist employees in locating such assistance. The district will, at the discretion of the superintendent, allow employees to use sick leave or other available leave during the time they are absent for treatment. Any failure to follow through with treatment or any repeat occurrence of substance abuse will result in immediate discharge.
- Any employee who has not been disciplined for substance abuse but who believes that he/she may benefit from treatment may receive district assistance in locating such treatment. The district will, at the discretion of the superintendent, allow employees to use sick leave during the time they are absent for treatment.

Any questions regarding this policy may be directed to the assistant superintendent for administration.

Adopted 1/12/88; Revised 11/27/01

## STAFF CONCERNS/COMPLAINTS/GRIEVANCES

Code **GBK-R** Issued **6/17**

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The board encourages employees to discuss their concerns or complaints informally with their supervisors. Often, the cause of a problem or concern is merely a misunderstanding among the individuals involved. If, at any time, an employee believes that a formal mechanism for raising his/her concern or problem is needed, the employee should follow the procedure in this administrative rule.

### **Purpose**

The purpose of this procedure is to provide a prompt and effective means of settling, at the lowest possible administrative level, differences that may arise among employees or between employees and their supervisors. The district will keep these proceedings as informal and confidential as may be appropriate at all levels of procedure.

### **Definition**

A grievance is a claim by an employee of a violation, misinterpretation or misapplication of a provision of board policies and administrative procedures or rules and regulations as they affect the employment or work activity of such employee.

The board does not consider actions which are subject to the Teachers Employment and Dismissal Act, S.C. Code 1976, as amended, Section 59-25-410, et seq; Section 59-26-40 (Rev. 1998); and employment decisions implemented under the district's reduction in force policy to be grievances under this procedure. Additionally, matters related to the evaluation of employees, the evaluation model utilized (where a choice exists) and the assignment of improvement plans (whether a component of an evaluation model or independent of an evaluation) are not subject to the provisions of this grievance policy.

### **Joint grievances**

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

### **Definition of supervisor**

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

### **Definition of day**

Unless otherwise indicated, a "day" is defined as a working day for the supervisor with whom the complaint is filed.

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### **General provisions**

An employee who wishes to file a grievance must submit a written statement to his/her direct supervisor within 30 calendar days following either the event giving rise to the grievance or the time when the employee reasonably should have gained knowledge of its occurrence.

Employees activating or participating in these procedures will not be the object of reprisal, sanction or penalty of any kind.

The first supervisor or administrator receiving a written notice of a grievance will provide the person filing the same with a copy of this policy and obtain acknowledgment of receipt of such copy. The acknowledgement will include a statement recognizing the necessity for confidentiality in personnel matters.

The written statement of the grievance will include, but not be limited to, the specific nature of the grievance; the date, time and place of the event or condition that caused the grievance; the name of the person against whom the grievance is being filed; the action requested to resolve the grievance; the name and title of any third party representative, if requested; and the signature of the grievant.

Should the employee believe that resolution of the grievance requires a decision beyond the supervisor's level or area of authority, the employee will so state such belief upon submitting the written statement. If the supervisor is in agreement concerning authority to resolve the grievance, he/she will immediately pass the grievance on to the appropriate supervisor, who will handle the matter as a first level grievance. The direct supervisor may, however, determine that resolution of the grievance is not outside his/her authority and hear the grievance.

Employees may present a joint grievance where each grievant alleges the same facts or circumstances and requests the same relief. Joint grievances must bear the signature of each grievant. The school district also reserves the right to consolidate individual grievances.

Records at all levels will be made available to all parties at the next level. Copies of the decision at each level will be sent to the grievant and immediate supervisor.

### **Specific resolution provisions**

#### *Level one*

Any employee having a complaint that may lead to a formal grievance will first discuss such complaint informally with the immediate supervisor.

If discussion at the above step does not resolve the matter to the satisfaction of the employee, such employee will present a written statement of the grievance to the immediate supervisor within 10 working days of the discussion. The written grievance will consist of a concise statement of the facts upon which the grievance is based.

The immediate supervisor will arrange a meeting on the grievance within 10 working days after receipt thereof. The decision made and the reasons for the decision will be communicated in writing to the grievant within 10 working days following the date of the hearing.

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If no decision is made at level one within 10 working days, the complaint will be submitted automatically to the next level within 10 working days unless an extension is agreed to by both parties.

The immediate supervisor will keep a record of any hearing held and obtain the signature from all participants that a hearing was held.

### *Level two*

If the decision of the immediate supervisor does not resolve the grievance, the grievant may appeal to the next level of supervision within 10 working days. The grievant will follow the procedures outlined in level one and present the appeal to the area or division supervisor.

### *Level three*

The chief officer of administration will follow the procedures outlined at level one except that if a satisfactory resolution of the grievance is not achieved, the grievant may appeal to the district superintendent.

### *Level four*

The district superintendent will follow the procedures outlined at level one except that if a satisfactory resolution is not achieved, the grievant may request a hearing before the board within 10 working days of the district superintendent's response. Such request will be made in writing to the chairman of the board.

### *Level five*

The board will consider the grievance at its next regularly scheduled meeting. The grievance will normally be considered based upon the written appeal and the record of proceedings from the earlier levels involved in the procedure. Upon request of any party to the proceeding, and at its option, the board may schedule further proceedings for the purpose of questioning participants or witnesses in the grievance proceeding and for gathering such additional information as it deems necessary. The board in receiving such further information will provide a fair and reasonable opportunity for participants to be heard but will, in its discretion, make such limitations on the time for presentation, format for information received, and questions to be considered, as it deems necessary and appropriate to make an informed disposition of the appeal.

The board will render a decision within 10 working days (after considering an appeal on written submission, or after hearing additional information), and that decision will be considered as final.

Any grievance that is not advanced to the next level of authority within 10 working days following the administration's response will be deemed abandoned.

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## **Title IX complaints and Section 504 complaints**

The procedures as herein described are to be used to process employee complaints based on alleged violations of Title IX of the Education Amendments of 1972 (sex discrimination) and Section 504 of the Rehabilitation Act of 1973 (discrimination against the disabled).

After level one, however, if the decision of the immediate supervisor does not resolve the grievance to the satisfaction of the employee, or if no decision is made within the designated time, the grievant may appeal in writing to the chief officer of administration if the complaint involves an alleged Title IX violation or to the Section 504 coordinator if the complaint involves an alleged violation of Section 504.

The grievant must file the appeal within five working days from the grievant's receipt of the immediate supervisor's decision. If, in that appeal, the grievant requests to be heard by the chief officer of administration or Section 504 coordinator, a hearing will be conducted within five working days after the receipt of the request.

The chief officer of administration or Section 504 coordinator, as appropriate, will render a decision on the matter within five working days after receipt of the appeal, or, if a hearing is requested, within five working days after the conclusion of the hearing. The decision and the reasons therefor will be reduced to writing and copies sent to the grievant and the immediate supervisor.

After appeal to the chief officer of administration or Section 504 coordinator, as appropriate, the grievant may follow the procedures described above for appeal to the supervisor and then to the board.

## **Complaints alleging other types of discrimination**

The procedures as herein described are to be used to process employee complaints based on any other alleged discriminatory practice, act or omission.

After level two, however, if the decision of the next level supervisor does not resolve the grievance to the satisfaction of the employee, or if no decision is made within the designated time, the grievant may appeal in writing to the chief officer of administration (serving as the district's civil rights coordinator).

The grievant must file the appeal within five working days from the grievant's receipt of the next level supervisor's decision. If, in that appeal, the grievant requests to be heard by the district's civil rights coordinator, a conference will be conducted within five working days after the receipt of the request.

The district's civil rights coordinator will render a decision on the matter within five working days after receipt of the appeal or, if a conference is requested, within five working days after the conclusion of the conference. The decision and the reasons therefor will be reduced to writing and copies sent to the grievant and the supervisor from whom the appeal was taken.

After appeal to the district civil rights coordinator, the grievant may follow the procedures described above for appeal to the superintendent and to the board.

Issued 9/9/75; Revised 2/25/86, 11/1/88, 5/9/89, 8/17/93, 3/9/99, 11/27/01, 9/27/11

## **PROFESSIONAL STAFF HIRING**

Code **GCF-R** Issued **6/17**

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The superintendent or his/her designee, in consultation with the principal/director of the school involved, will review all employment applications and will identify and interview those persons selected for further consideration.

### **The application process**

Each individual seeking employment in the district must apply in writing. The district will require each individual making application to submit the following documents to the district personnel office as part of the application process.

- application form
- South Carolina teaching credential
- college transcripts (undergraduate and graduate, if applicable)
- three professional references

The district does not consider the individual's application file complete until the district personnel office has received these documents.

In addition, the district requires that the employee submit, at the time of employment, all required personal information, data and documentation to the school district office.

### **Selection of professional personnel**

The superintendent and/or his/her designee will receive all applications for professional job vacancies and will perform the initial screening.

The superintendent has the authority to decide when and/or how structured interview techniques may be used, who will conduct the interview, and who may assist/participate in the interview process. In making the decision, the superintendent may consider such factors as the level and/or impact of the position, areas of responsibility, and the relationship of the position to other positions on the organizational chart. The principal/director of the school involved should be part of this process.

The general procedures and requirements for recruiting and selecting individuals for district-level and school-level positions will be similar.

If so directed by the superintendent, the principal/director will continue the screening process. The steps will include verification and evaluation of references and credentials. (The applicant's "credentials" are defined as college or university transcripts, teaching credentials, professional experience, health certificates, or professional examination scores and the like.)

The principal/director is responsible for studying the references and credentials of the applicant, as well as other application data. Utilizing the information gained during this phase of the selection process, he/she will make a determination as to who will be invited to participate in the interview process. The principal/director will schedule and conduct the interview.

Following the completion of the above, the principal/director will confer with the executive director or other designated administrator and/or the superintendent to discuss, receive and evaluate application materials from the chosen applicant; the entire recruitment and selection



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process; and the application files for all persons who were given consideration. This phase of the selection process serves as a check system to ensure that the person selected is, in fact, the most qualified.

Upon the completion of this phase and the identification of the most qualified person for the position, the principal/director will submit a final recommendation to the superintendent. The superintendent may accept or reject the principal's/director's recommendation. The superintendent will recommend the applicant for employment to the board.

The superintendent will present such recommendations to the board at the regular monthly meeting.

The final decision regarding employment in the school district will be made by the board.

The superintendent or his/her designee will notify the remaining applicants that the position has been filled. The superintendent will take this step only after the candidate has accepted the offer of employment and the district has received the criminal record history.

### **Complaint procedure**

Any applicant who feels that he/she has not received fair and equal treatment in regard to employment decisions may file a written complaint with the district civil rights coordinator within 30 days of the position being filled or within 10 days of receiving notification that the position has been filled, whichever occurs sooner.

The written complaint will specify the position for which the employee applied and how the employee was treated unequally. The person filing such complaint will then be notified by the civil rights coordinator of the procedures to be followed.

Issued 7/23/85; Revised 9/8/87, 10/27/87, 6/25/91, 2/11/92, 3/24/92, 11/27/01, 2/7/12

## **INSTRUCTIONAL RESOURCES AND MATERIALS (INCLUDING LIBRARY MATERIALS)**

Code **IJ** Issued **6/17**

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**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 executive director. 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.

## **PAGE 2 - IJ - INSTRUCTIONAL RESOURCES AND MATERIALS (INCLUDING LIBRARY MATERIALS)**

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 appropriate executive director 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 appropriate executive director
- 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."*

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

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### 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.

## STUDENT ABSENCES AND EXCUSES

Code **JH** Issued **6/17**

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Purpose: To establish the basic structure for allowing and excusing student absences.

The board believes that attendance is a key factor in student achievement. Any absence from school represents an educational loss to the student. However, the board recognizes that some absences are unavoidable.

In order to receive credit for a high school course, a student must attend at least 85 days (for a 90-day semester course) or 170 days (for a 180-day year course). The board may grant approval of excessive absences in accordance with board policy.

Any student who misses school must present a written excuse, signed by his/her parent/legal guardian or an excuse written by a medical provider. The excuse will contain such other information as directed by the administration. Student excuses are considered to be a part of student records and such excuses will be processed by those school-based employees designated to administer attendance regulations and will be provided to other staff who have a need to know.

If a student fails to bring a valid excuse to school within five days, he/she will automatically receive an unexcused or unlawful absence. If a student brings a false (or forged) excuse, the school official receiving that note must refer the student to the school administration for appropriate action. If a student accumulates absences in excess of 10, a medical note may be required in order to assist the principal in making decisions regarding lawful absences and denial of credit.

### A. Lawful and unlawful absences

1. The district will consider a student **lawfully** absent under the following circumstances.

The student is ill and attendance at school would endanger the student's health or the health of others.

There is a death in the student's immediate family. Absences of this nature should not exceed three per occurrence. Excessive absences as a result of death may be deemed unlawful.

There is a serious illness in the student's immediate family. A statement from a physician or healthcare provider may be required. Absences of this nature should not exceed three per year.

There is a recognized religious holiday of the student's faith.

The student is traveling or attending events that the principal approved in advance as an educational experience.

Emergencies and/or extreme hardships at the discretion of the principal.

Other lawful absences are explained in administrative rule JH-R.

Chronic or extended illness requires a certification of the illness from the physician or other healthcare provider. Parents/Legal guardians who anticipate a student's absence of more than

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five consecutive days due to an extended health problem should apply immediately for homebound instruction by calling the school guidance office. A child is not counted as absent if the homebound is approved and the student receives instruction for each day approved.

2. The district will consider a student **unlawfully** absent under the following circumstances.

The student is willfully absent from school without the knowledge of his/her parents/legal guardians.

The student is absent without acceptable cause with the knowledge of his/her parent/legal guardian.

The student is absent and fails to turn in an acceptable note within five days of the student's return from an illness.

The student is absent after the parent/legal guardian has received notice that a medical note is required but the medical note is not presented.

### B. Truancy

1. Truant

A child from age five until age 17 years meets the definition of a truant when the child has three consecutive unlawful absences or a total of five unlawful absences.

2. Habitual truant

A "habitual" truant is a child, ages 12 to 17 years, who fails to comply with the intervention plan developed by the school, the child, and the parent(s)/legal guardian(s) and who accumulates two or more additional unlawful absences. This child may need court intervention and an initial truancy petition may be filed. The written intervention plan and documentation of non-compliance must be attached to the truancy petition asking for court intervention.

3. Chronic truant

A "chronic" truant is a child, ages 12 to 17 years, who has been through the school intervention process, has reached the level of habitual truant, has been referred to family court and placed on an order to attend school and continues to accumulate unlawful absences. Should other community alternatives and referrals fail to remedy the attendance problem, the "chronic" truant may be referred to the family court for violation of a previous court order. All school intervention plans existing to this point for this child and family must accompany the contempt of court petition as well as a written recommendation from the school and/or attendance supervisor to the court on action the court should take.

### C. Intervention plans

1. Once a child is determined to be truant as defined in Section B (1) school officials must make every reasonable effort to meet with the parent(s)/legal guardian(s) to identify the reasons for the student's unlawful absences. These efforts should include telephone calls and home visits as well as written messages. The principal or his/her designee and the attendance clerk will coordinate communication between the parent/legal guardian,

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child, community resources and school personnel in an effort to develop a written intervention plan to address the student's unlawful absences. The attendance supervisor will meet monthly with those designated school personnel to review the attendance intervention plans of those students who have been identified as truant, habitually truant and chronically truant.

2. The intervention plan must include the following.
  - a. Reasons for the unlawful absences.
  - b. Actions to be taken by the parent/legal guardian and student to resolve the cause of the unlawful absences.
  - c. Documentation of referrals to appropriate service providers and, if available, alternative school and community-based programs.
  - d. Action to be taken by school personnel.
  - e. Actions to be taken in the event unlawful absences continue.
  - f. Signature of the parent/legal guardian or evidence that attempts were made to involve the parent/legal guardian.
  - g. Results of actions taken by all the parties.
  - h. Revisions to plans as needed.

### **D. Referral to the attendance supervisor**

1. Once school officials have completed an intervention plan with the parent/legal guardian (and the student if he/she is 12 years of age or older) and the student accumulates one additional unlawful absence, a referral must be made to the district attendance supervisor. Documentation of continued efforts by the school and/or attendance supervisor must be documented on the intervention plan form.
2. In addition, if attempts to involve the parents/legal guardians have been unsuccessful and the student has been identified as truant, a referral must be made to the district attendance office. Documentation of all attempts to involve the parent/legal guardian must be included in the referral packet.

### **E. Referrals and judicial intervention**

At no time should a child or parent/legal guardian be referred to family court to be placed under an order to attend school prior to the written intervention planning being completed with the parent/legal guardian. Should the parent/legal guardian refuse to cooperate with the intervention planning to remedy the attendance problem, the school district has the authority to refer the student to family court in accordance with S.C. Code Ann. 59-65-50. In addition, schools must exhaust all reasonable alternatives to court action if a child or parent/legal guardian has already been placed on a school attendance order before a referral is made to family court for violation of that order.

### **F. Transfer of plans**

If a student transfers to another public school in South Carolina, intervention plans will be forwarded to the receiving school. School officials will contact the parent/legal guardian to review the plan and revise as appropriate.

### **G. Approval of absences in excess of 10 days and approval of credit**

1. Approval or disapproval of absences

The principal will approve or disapprove any student's absence in excess of 10 days for the purpose of awarding credit and to determine if these absences are lawful or unlawful.

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A medical note or other documentation will be required after a student accumulates 10 absences in order to assist the principal in making that decision. A principal may decide not to include those absences that are medically excused as part of the 10 total absences provided the number of medical notes is not deemed excessive.

### **2. High school credit**

In order to receive one Carnegie unit of credit, a student must be in attendance at least 120 hours, per unit, regardless of the number of days missed. Students whose absences are approved for the purpose of awarding credit should be allowed to make up any work missed in order to satisfy the 120-hour requirement. Principals should consider student absences giving appropriate consideration to unique situations that may arise within their districts when students do not meet the minimum attendance requirements. Therefore, principals should allow students whose excessive absences are approved, regardless of whether these absences are lawful, unlawful or a combination thereof, to make up work missed to satisfy the 120-hour requirement.

### **Appeals procedures for denial of promotion/credit**

Appeals of the principal's decision will be processed through the district's administrative functions (executive director, district superintendent, respectively) with the board of education being the final appeal step.

Adopted 9/9/75; Revised 8/29/79, 2/28/84, 11/13/90, 6/25/91, 4/23/02, 9/28/04, 2/7/12

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#### **Legal references:**

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

1. Section 59-65-90 - State Board to establish rules and regulations defining lawful and unlawful absences.

##### **B. State Board of Education Regulations:**

1. R-43-274-Student attendance.



## **VOLUNTARY SICK LEAVE BANK FOR CATASTROPHIC ILLNESS OR ACCIDENT**

Code **GCCAAA\*** Issued **6/17**

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**Purpose:** To establish the basic structure for a sick leave bank for active, full time district employees.

A sick leave bank for catastrophic illness or accident will be established for the school district. The purpose of the sick leave bank is to provide leave for employees who experience catastrophic illnesses or accidents that require absences which exceed their accrued leave but do not activate long-term disability insurance provisions. The sick leave bank will be established by the voluntary donation of one day of current sick leave to the bank by district employees, thereby establishing their eligibility to participate in the bank. Leave days which have been contributed may not be reclaimed by the donor.

To be eligible to request leave from the sick leave bank, an employee must meet the following criteria.

- Be a contributing member of the bank and an employee of the district for six consecutive months.
- Suffer from a catastrophic illness or accident, or find it necessary to be absent from work due to the catastrophic illness of a member of the immediate family (child or spouse).
- Submit a completed application in a timely manner. Incomplete applications will not be considered.
- Be absent from official duties for at least 20 and for no more than 90 consecutive workdays and have exhausted all available leave (vacation, personal and sick leave).
- Present a statement from a medical doctor that the employee was disabled and could not fulfill obligations and duties. If the committee requests a second opinion, the cost will be incurred by the employee.
- Have demonstrated reasonable, wise and judicious use of sick leave.

For the purpose of this policy, catastrophic illnesses or accidents will generally include illnesses or accidents which require absences of at least 20 but less than 90 consecutive days and will exclude elective surgery and normal pregnancy and delivery. For the purposes of this policy, the sick leave bank committee will determine whether the illness or accident is catastrophic based on the information presented, the extent of impairment to an employee's ability to function and the employee's particular circumstances.

During the operation of the sick leave bank, sick leave for catastrophic illness or accident is available to a member for a maximum of 90 days consisting of the employee's accrued leave and sick leave bank credits. Withdrawals approved by the committee may not exceed 30 days for any one request. However, members may apply for additional withdrawals of up to 30 days per request with a maximum of 90.

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The following guidelines are in force; however, exceptions may be made by the committee based on extenuating circumstances.

- Repeated requests for days from the sick leave bank by the same individual are discouraged.
- Ordinarily only one award per illness or injury will be made.
- Absences due to conditions or illnesses existing prior to joining the sick leave bank are not eligible for consideration under this policy.
- In ordinary circumstances an employee may not receive more days from the sick leave bank than they would have been eligible to earn during their employment with Aiken County Schools.
- Rehired retirees are not eligible for participation.
- Request cannot be made prior to being out of leave and cannot be made prior to being out of work for 20 consecutive days.

The administration of the bank will be under the direction of a committee including certified and support employees appointed by the superintendent. The committee will include an executive director, a principal, a teacher, a support employee and a representative of the human resources department. The committee is authorized to grant leaves up to the amount credited to the sick leave bank and to act only in accordance with statutes and board policies.

When most days in the sick leave bank have been expended, the committee may call for an additional contribution of one day's leave by employees. Failure to contribute within the specified time would automatically disqualify an employee from eligibility to participate in the sick leave bank even if an earlier contribution had been made.

An annual update of the status of the sick leave bank will be presented to the board of education.

If eligible to participate, the employee may make application on an approved form to the district committee. The decision of the committee will be final.

*Note: This policy applies to all eligible employees, certified and support.*

Adopted 6/21/88; Revised 8/15/89, 12/12/89, 9/11/90, 1/10/95, 11/27/01, 5/28/02, 1/8/08