

BOARD AGENDA ITEM

July 28, 2020

SUBJECT:

Changes to the following policies, First Reading
Policy DJGA Sales calls and Demonstrations
Policy GBEC Gifts To and Solicitations By Staff
Policy GBGC Professional Personnel Substance Abuse and Employee Assistance
Policy GCD Professional Staff Vacations and Holidays
Policy GDD Support Staff Vacations and Holidays
Policy ILB Test/Assessment Administration and Security
Policy JFABC Admission of Transfer Students
Policy JJE Student Fund-Raising Activities

Changes to the following administrative rules.
Policy GBK-R Staff Concerns/Complaints/Grievances
Policy IHBH-R Charter Schools
Policy JJA-R Student Organization

BACKGROUND INFORMATION:

The titles of personnel within the organizational chart have changed. Updates to polices that specifically referenced “chief officer of administration” have been revised.

ADMINISTRATIVE CONSIDERATION:

School Board polices are to reflect the correct titles of personnel responsible for executing the policies. The following policies have been revised from “chief officer of administration” to the updated title as applicable.

RECOMMENDATION:

Approve the changes to the following policies, First Reading
Policy DJGA Sales calls and Demonstrations
Policy GBEC Gifts To and Solicitations By Staff
Policy GBGC Professional Personnel Substance Abuse and Employee Assistance
Policy GCD Professional Staff Vacations and Holidays
Policy GDD Support Staff Vacations and Holidays
Policy ILB Test/Assessment Administration and Security
Policy JFABC Admission of Transfer Students
Policy JJE Student Fund-Raising Activities

Approve the changes to the following administrative rules.
Policy GBK-R Staff Concerns/Complaints/Grievances
Policy IHBH-R Charter Schools
Policy JJA-R Student Organization

ATTACHMENTS:

Policy DJGA Sales calls and Demonstrations
Policy GBEB Gifts To and Solicitations By Staff
Policy GBGC Professional Personnel Substance Abuse and Employee Assistance
Policy GCD Professional Staff Vacations and Holidays
Policy GDD Support Staff Vacations and Holidays
Policy ILB Test/Assessment Administration and Security
Policy JJE Student Fund-Raising Activities
Policy GBK-R Staff Concerns/Complaints/Grievances
Policy IHBH-R Charter Schools
Policy JFABC Admission of Transfer Students
Policy JJA-R Student Organization

PREPARED BY:

Salvatore Minolfo

SALES CALLS AND DEMONSTRATIONS

Code **DJGA** Issued **08/20**

Purpose: To establish the basic structure for sales calls on district staff.

The board does not permit salesmen to visit in the schools or on work sites without approval of the chief officer of human resources and administration and the building principal.

Permission may be given to sales representatives of educational products to see members of the school staff at times that will not interfere with the educational program.

Representatives seeking to contact individual employees about personal benefits are to do so beyond the employee's scheduled work hours and off the school grounds.

Adopted 6/10/75; Revised 5/24/94, 10/9/01, 11/15/16, 08/11/20

GIFTS TO AND SOLICITATIONS BY STAFF

Code **GBEBC** Issued **08/20**

Purpose: To establish the basic structure regarding solicitation by staff members and the giving of gifts to staff members.

Selling Items for Personal Profit

In the interest of preserving a completely professional relationship between district employees and those whom they serve, it is the policy of the board not to permit school employees to sell on school premises for personal profit products of any kind to students or patrons of the school in which they teach.

Soliciting of Staff

No organization, with the exception of PTA/PTO and school booster organizations, may solicit funds from staff members within the schools, nor may they distribute flyers or other materials related to fund drives through the schools without the approval of the superintendent's cabinet or the chief officer of human resources and administration or the appropriate executive director. Staff members will not be made responsible or assume responsibility for the collection of any money or distribution of any fund drive literature within the schools without such activity having the approval of the superintendent's cabinet or chief officer of human resources and administration or the appropriate executive director. As a matter of policy, the board expects such activity to be kept to a minimum.

Gifts from Staff Members to Staff Members

The board discourages individual employees from giving gifts to staff members who exercise any administrative or supervisory jurisdiction over them, either directly or indirectly, except as acts of generosity in unusual situations or as simple remembrances expressive of affection or gratitude. Generally, the board discourages collection of money for group gifts except in special circumstances such as bereavement, serious illness, or for mementos at retirement.

Gifts to Staff Members

Any good school system expects to employ staff members who are ethical in their relationships with students, parents/legal guardians, other school personnel, and all companies with whom the district does business.

Staff members may accept no personal gifts, bonuses, or gratuities -- consistent with guidelines issued by the State Ethics Commission -- from companies which do business with the district, whether or not companies give such gifts in the hope of increasing the sale of a product or to influence school personnel. Exceptions to this policy are the acceptance of minor items which are generally distributed by the company or organization through their public relations program.

Any gifts received as the result of the district's business, financial, or operational affairs will accrue to the school system as a unit. "Gifts" include the "savings stamps" offered by various companies.

The board discourages the giving of gifts to staff members by students, as well as the exchange of gifts at holiday parties.

Adopted 6/10/75; Revised 2/14/89, 11/27/01, 2/7/12, 1/24/17

Legal references:

S.C. Code, 1976, as amended:

[Section 8-13-100 et seq.](#) - Ethics, government accountability and campaign reform.

[Section 8-15-10 et seq.](#) - Local or local and state officers and employees generally.

[Section 16-17-420](#) - Prohibits activities that disturb school.

PROFESSIONAL PERSONNEL SUBSTANCE ABUSE AND EMPLOYEE ASSISTANCE

Code **GBGC** *Issued* **08/20**

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 ensure 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 program 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.
- 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 human resources and administration or designee 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 chief officer of human resources and administration . Adopted 1/12/88; Revised 11/27/01, 6/13/17, 08/11/20

PROFESSIONAL STAFF VACATIONS AND HOLIDAYS

Code **GCD** Issued **08/20**

Purpose: To establish the basic structure for professional staff vacations and holidays and certain limitations on personal leave.

School-Year Personnel and Year-Round Personnel

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

While school is in session, vacation or personal leave may not be used to extend designated holidays except for exceptional circumstances and only with approval of the principal and the appropriate executive officer (or other appropriate supervisory personnel for staff not located in a school).

Administrators and Year-Round Personnel

Regular full-time administrators employed on a full-year basis (12 months) and year-round instructional personnel will earn vacation days and holidays as follows. Vacation time accrues on a monthly basis.

Vacations

Effective July 1, 2016, all 12-month employees will earn 10 vacation days per year.

An employee beginning work after July 1 will be eligible to earn a prorated share of vacation days for the employee's first year of employment.

Effective July 1, 2016, employees may accrue and carry forward up to 45 vacation days.

Effective July 1, 2016, and in any school year thereafter, any remaining vacation days in excess of 45 will not be paid out or carried over. Grandfathered vacation accruals in excess of 45 days as of June 30, 2016, may be carried forward as described below.

Effective July 1, 2016, upon separation from employment for any reason, including retirement, resignation, or dismissal for cause, 12-month employees may receive pay for their accrued vacation (which does not include vacation days received in the current year), up to 45 days, at the employee's daily pay rate as of the date of separation. Employees will not be paid for days in excess of 45 days of accrued vacation upon separation from employment for any reason, including retirement, resignation, or dismissal for cause except in cases where accrued vacation has been grandfathered as described below.

Grandfathered vacation accruals

Any employee with accrued vacation days in excess of 45 days as of June 30, 2016, will have such leave grandfathered. The employee's vacation leave balance will be capped at that amount if it exceeds 45 days and no further vacation leave may be accrued and carried forward.

Employees will not receive payment for any vacation leave not taken in the year received if it cannot be accrued and carried forward.

If an employee with grandfathered leave uses accrued vacation days that would take his/her vacation leave balance below his/her June 30, 2016, cap, additional vacation days may not be accrued and carried forward to return the balance to the June 30, 2016, cap. Once a grandfathered leave balance drops below 45 days, an employee may continue to accrue and carry forward vacation leave, but only up to a total of 45 days.

Example 1: Employee has balance of 70 vacation days as of June 30, 2016. During the 2016-17 school year, the employee receives 10 vacation days and uses 20 days of vacation leave. As of July 1, 2017, Employee's vacation leave balance is 60 days and may not exceed that total in any later years.

Example 2: Employee has balance of 48 vacation days as of June 30, 2016. During the 2016-17 school year, the employees receives 10 vacation days and uses 15 days of vacation leave. As of July 1, 2017, Employee's vacation leave balance is 43 days. In the following year, Employee can accrue and carry forward 2 additional days, up to a maximum of 45 days.

Holidays

- Martin Luther King Day
- President's Day
- Good Friday (except in years when occurring during spring holidays) spring holidays (five days)
- Memorial Day
- Independence Day (July 4)
- Labor Day
- General Election Day (even-numbered years) (1st Tuesday in November)
- Thanksgiving holidays (4th Thursday in November) and day before and day after Christmas holidays (to coincide with students' winter break)

Administrative personnel and district office level personnel who are 12-month employees will observe the holidays as listed in this policy.

Vacation Leave for Retired Employees Rehired by the District on an At-Will Basis

Retired employees rehired to work with the district on an at-will basis in a position that is eligible for vacation leave will begin their employment with no vacation leave. A retired employee in such a position will earn vacation leave consistent with the leave for the position. However, the retired employee will not accrue and carry any vacation leave beyond a school year.

A retiree may request for advancement of up to five days of vacation leave, not to exceed the maximum number of days allowed for the year. This request must be submitted to and approved by the chief officer of human resources and administration prior to the requested leave.

The School District of Aiken County

Cf. GCC

Adopted 5/13/75; Revised 8/10/76, 2/8/83, 9/9/86, 4/12/88, 7/10/90, 8/13/91, 11/26/91, 9/28/93,
3/28/00, 11/27/01, 5/23/06, 2/27/07, 2/7/12, 9/24/13, 11/24/15, 08/11/20

SUPPORT STAFF VACATIONS AND HOLIDAYS

Code **GDD** Issued **08/20**

Purpose: To establish the basic structure for support staff vacations and holidays and certain limitations on personal leave.

School-Year Personnel and Year-Round Personnel

The school calendar, as adopted by the board, establishes the school recess periods and holidays for support staff members employed on a school-year basis as well as those working year-round. While school is in session, vacation or personal leave may not be used to extend designated holidays except for exceptional circumstances and only with approval of the principal and the appropriate executive officer (or other appropriate supervisory personnel for staff not located in a school).

Year-Round Support Personnel

Regular full-time support personnel employed on a full-year basis (12 months) will earn vacation days and holidays as follows. Vacation time accrues on a monthly basis.

Vacations

Effective July 1, 2016, all 12-month employees will earn 10 vacation days per year.

An employee beginning work after July 1 will be eligible to earn a prorated share of vacation days for the employee's first year of employment.

Effective July 1, 2016, employees may accrue and carry forward up to 45 vacation days.

Effective July 1, 2016, and in any school year thereafter, any remaining vacation days in excess of 45 will not be paid out or carried over. Grandfathered vacation accruals in excess of 45 days as of June 30, 2016, may be carried forward as described below.

Effective July 1, 2016, upon separation from employment for any reason, including retirement, resignation, or dismissal for cause, 12-month employees may receive pay for their accrued vacation (which does not include vacation days received in the current year), up to 45 days, at the employee's daily pay rate as of the date of separation. Employees will not be paid for days in excess of 45 days of accrued vacation upon separation from employment for any reason, including retirement, resignation, or dismissal for cause except in cases where accrued vacation has been grandfathered as described below.

Grandfathered vacation accruals

Any employee with accrued vacation days in excess of 45 days as of June 30, 2016, will have such leave grandfathered. The employee's vacation leave balance will be capped at that amount if it exceeds 45 days and no further vacation leave may be accrued and carried forward. Employees

The School District of Aiken County

will not receive payment for any vacation leave not taken in the year received if it cannot be accrued and carried forward.

If an employee with grandfathered leave uses accrued vacation days that would take his/her vacation leave balance below his/her June 30, 2016, cap, additional vacation days may not be accrued and carried forward to return the balance to the June 30, 2016, cap. Once a grandfathered leave balance drops below 45 days, an employee may continue to accrue and carry forward vacation leave, but only up to a total of 45 days.

Example 1: Employee has balance of 70 vacation days as of June 30, 2016. During the 2016-17 school year, the employee receives 10 vacation days and uses 20 days of vacation leave. As of July 1, 2017, Employee's vacation leave balance is 60 days and may not exceed that total in any later years.

Example 2: Employee has balance of 48 vacation days as of June 30, 2016. During the 2016-17 school year, the employees receives 10 vacation days and uses 15 days of vacation leave. As of July 1, 2017, Employee's vacation leave balance is 43 days. In the following year, Employee can accrue and carry forward 2 additional days, up to a maximum of 45 days.

Holidays

- New Year's Day (January 1)
- Martin Luther King Day
- President's Day
- Good Friday (except in years when occurring during spring holidays) spring holidays (five days)
- Memorial Day
- Independence Day (July 4)
- Labor Day
- General Election Day (even-numbered years) (1st Tuesday in November)
- Thanksgiving holidays (4th Thursday in November) and day before and day after
- Christmas holidays (to coincide with students' winter break)

Personnel who are 12-month employees will observe the holidays as listed in this policy.

Vacation Leave for Retired Employees Rehired by the District on an At-Will Basis

Retired employees rehired to work with the district on an at-will basis in a position that is eligible for vacation leave will begin their employment with no vacation leave. A retired employee in such a position will earn vacation leave consistent with the leave for the position. However, the retired employee will not accrue and carry any vacation leave beyond a school year.

A retiree may request for advancement of up to five days of vacation leave, not to exceed the maximum number of days allowed for the year. This request must be submitted to and approved by the chief officer of human resources and administration prior to the requested leave.

Adopted 5/13/75; Revised 8/10/76, 2/8/83, 9/9/86, 4/12/88, 7/10/90, 8/13/91, 11/26/91, 9/28/93, 11/27/01, 5/23/06, 2/27/07, 2/7/12, 9/24/13, 11/24/15, 08/11/20

TEST/ASSESSMENT ADMINISTRATION AND SECURITY

Code **ILB** Issued **08/20**

Purpose: To establish the basic structure for administering standardized tests.

It is the policy of the Aiken County School District that all mandatory tests administered by or through the State Board of Education to the students of the district will be administered in accordance with state law and regulations. Aiken County Public Schools carefully monitors and adheres to all federal and state testing regulations for both paper-based and computer-based testing (CBT). Violation of any state law or regulation or any of the guidelines herein will subject the individual to liability and may lead to criminal proceedings (resulting in fines and/or imprisonment), termination, suspension, or revocation of administrative and/or teaching credentials.

Individuals will adhere to all procedures specified in all operating manuals governing the mandated testing programs. The use of current tests as instructional tools is specifically prohibited.

Tests administered by this district by or through the State Board of Education will include, but are not limited to, the following:

- Palmetto Assessment of State Standards (SC PASS) in science and social studies SC Ready Assessments in mathematics and English language arts cognitive and census assessments (DRA2, CogAT, etc.) formative assessments (reading inventories, etc.)
- End-of-Course Examination Program (EOCEP) assessments (English/language arts, mathematics, science, and social studies)
- ACT
- WorkKeys

State-owned test materials and district-owned materials which are the same as those utilized in any state-mandated testing program will not be used for census testing in the grades included in the state-mandated program(s) except on testing dates specified by the State Department of Education.

All tests and test materials including observational answer keys, videotapes, and completed observation sheets and examinee answer documents will be kept under lock and key in a central location in the district office. The key will be in the possession of the superintendent or his/her designee. During testing, the test materials issued to schools are to be kept secure at all times.

The school principal and the designated site test coordinator (STC) are responsible for adherence to all test security protocols and monitoring the chain of custody of all testing materials.

No employee of the district will knowingly or willfully do the following:

- Give examinees access to test questions prior to testing.
- Copy, reproduce, or use in any manner inconsistent with test security regulations all or any portion of any secure test booklet.
- Coach examinees during testing or alter or interfere with examinees' responses in any way.
- Make answer keys available to examinees.
- Fail to follow security regulations for distribution and return of secure test materials as directed or fail to account for all secure test materials before, during, and after testing.
- Participate in, direct, aid, counsel, assist in, encourage, or fail to report any of the acts prohibited in this section.

The chief officer of human resources and administration, and chief officer of instruction, and the director of accountability and assessment will be designated as the individuals in the district who will be responsible for procuring commercial tests used in testing programs administered by or through the State Board of Education. The names of the individuals so designated will be provided by the superintendent to the State Department of Education in writing on an annual basis or as often as required by the Department.

Adopted 8/10/76; Revised 5/13/86, 1/8/02, 10/25/16, 08/11/20

Legal references:

S. C. Code, 1976, as amended:

[Section 59-1-445](#) - Violations of mandatory testing security; penalties; investigations.

[Section 59-1-447](#) - Regulations for mandatory test security procedures.

State Board of Education Regulations:

[R43-100](#) - Test security regulations.

STUDENT FUND-RAISING ACTIVITIES

Code **JJE** Issued **08/20**

Purpose: To establish the basic structure for the conduct of student fund-raising activities.

Any fund raising by students or faculty, or any funds requested from students or faculty, must have the approval of the principal and executive director or other designated administrator.

Students in grades kindergarten through grade eight are prohibited from door-to-door fund raising in activities sponsored by the school or by a school-related organization in which students would be selling items or soliciting contributions, pledges or orders.

Each year the district may sponsor picture taking for the students. However, the students and their parents may purchase only those pictures they desire.

No student or organization may sell, distribute, or advertise services, written materials, or items from private sources on school premises or in the school or school district without the permission of the principal of the school involved and the appropriate executive director.

Organizations or students seeking to distribute materials to students unrelated to the individual school or school district must have the permission of the superintendent or the chief officer of operations and student services and/or the appropriate executive director.

Adopted 6/10/75; Revised 7/14/92, 4/23/02, 2/7/12, 4/18/17, 08/11/20

Legal references:

S.C. Code, 1976, as amended:

[Section 16-17-420](#) - Board can regulate any activity that would disturb school.

STAFF CONCERNS/COMPLAINTS/GRIEVANCES

Code **GBK-R** Issued **08/20**

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.

Definitions

Grievance - 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 of Laws, 1976, as amended, [Section 59-25-410](#), et seq.; [Section 59-26-40](#); 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.

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.

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

General Provisions

The School District of Aiken County

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 the 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 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.

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 School District of Aiken County

The immediate supervisor will keep a record of any hearing held and obtain signatures 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 human resources and 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.

Section 504 Complaints

The procedures as herein described are to be used to process employee complaints based on alleged violations of 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 Section 504 coordinator if the complaint involves an alleged violation of Section 504.

The School District of Aiken County

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 Section 504 coordinator, a hearing will be conducted within five working days after the receipt of the request.

The 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 Section 504 coordinator, as appropriate, the grievant may follow the procedures described above for appeal to the supervisor and then to the board.

Title IX Complainants

Please refer to Policy GBAAAA Title IX Sexual Harassment for procedures to process employee complaints based on alleged violations of Title IX.

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 human resources and 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, 6/13/17, 08/11/20

CHARTER SCHOOLS

Code **IHBH-R** Issued **08/20**

Procedures for Applying for a Charter School in Aiken County

A person, group, or organization may apply for a charter school in Aiken County in accordance with the requirements in state law and the following district procedures.

The person, group, or organization will prepare an application containing the following provisions and submit 12 copies of it to the office of the director of administration. (The director of administration, after consultation in an application-review meeting with the district superintendent, the chief officer of human resources and administration, the chief officer of operations and student services, the chief officer of instruction, the chief officer of finance, the appropriate executive director(s), and the board attorney, will prepare a recommendation to be submitted to the superintendent for board approval.)

- mission statement consistent with state and district purposes
- goals, objectives, and student performance standards
- evidence of an adequate number of parents, teachers, students, or combination thereof to form a school
- statement of need for a charter school within an area or the whole district
- description of education program, with student performance standards and curriculum, that meets or exceeds state and district standards
- plan for evaluating student performance with types of assessment, timeline, and procedures for corrective action
- evidence of economical soundness, proposed budget, and annual financial and administrative operations audit
- description of governance and operation, including parental, educator, and community involvement
- explanation of relationship between the school and its employees, including evidence of the terms and conditions of employment
- agreement between the parties regarding respective legal ability and applicable insurance coverage
- plans for student transportation and other general services

No person, group, or organization may submit an application to convert a private school or non-public, home-based educational program into a charter school or create a non-public, home-based educational program.

The local board will receive and review applications using the following process:

- At least 90 days prior to the submission of an application and in no case later than October 31, the applicant must submit a letter of intent to the local board.
- During January, the local board will receive applications from organizations that plan to operate beginning in the fall of the upcoming school year.

The School District of Aiken County

- The local board will immediately request additional information (within 10 days) if it finds that the application is incomplete.
- After giving reasonable public notice, the local board will hold community meetings in the affected areas or the entire district within 30 days upon receiving a complete application to obtain information to assist in its decision to grant a charter school application.
- Within 30 days after the public hearing, the board will rule on the application in a public hearing.

In reviewing the application, the local board will use the following criteria.

- Does the application fully address the contents listed above and those in state law?
- Have the schedule deadlines been met?
- Would establishment or operation of the proposed charter school violate the Charter Schools Act or any federal or state laws concerning civil rights or any court order or threaten the health and safety of students in the school district?

If the local board grants the application, it will report such action to the state board.

A charter applicant or any other person who wishes to appeal the decision of the local board will use the following process.

Appeal process

Within 10 days, provide the state board and the local board with a notice of appeal of the local board's decision.

Appeal of decision to deny

Within 10 days, provide the State Board of Education and the local board with a notice of appeal of the local board's decision.

Within 30 days, the local board will conduct a hearing to review an appeal of a denial.

Within 30 days, if the State Board of Education remands the decision, the local board will reconsider its decision and make a final decision. No further administrative appeal may be made after this decision. However, any final decision of the local board, after a remand from the State Board of Education, may be appealed by any party to the circuit court for the county in which the proposed charter school is or was to have located.

A charter may be approved or renewed for a period not to exceed three school years.

An application for renewal will contain the following.

- report on the progress of the school in achieving the goals, objectives, student performance standards, content standards, and other terms of the initial, approved charter application
- financial statement that discloses the cost of administration, instruction, and other spending categories for the charter school that is understandable to the general public and that will allow comparison of such cost to other schools or other comparable organizations, in a format required by the State Board of Education

The School District of Aiken County

A charter may be revoked or not renewed by the local board if the board determines that the school did any of the following:

- committed a material violation of any of the conditions, standards, or procedures set forth in the charter application
- failed to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application
- failed to meet generally accepted standards of fiscal management
- violated any provision of law from which the charter school was not specifically exempted

A charter may not be renewed upon a determination by the local board that is not in the interest of the students residing within the school district to continue the operation of the charter school.

A decision to revoke or not to renew a charter may be appealed in the manner prescribed in the appeal process above.

The following employees' options will be provided:

- During the first year that a teacher employed by the district is employed by a charter school, such teacher will be considered to be on a one-year leave of absence from the school district. Such leave will commence on the first day of services for the charter school. Upon the request of the teacher, the one-year leave of absence will be renewed for up to four additional one-year periods upon the mutual agreement of the teacher and the school district. At the end of three years, the relationship between the teacher and the school district will be determined by the school district and the district will provide notice to the teacher of the relationship.
- The local board will determine by existing policy the employment status of school district employees employed by the charter school who seek to return to employment with the public schools in the district.

Students enrolled in a charter school will be included in the student enrollment of the district within which the student resides. The following financial guidelines will be followed:

- The district of residence will report to the Department of Education the number of students enrolled in each charter school. As part of the charter school contract, the school and the district will agree on funding and any services to be provided by the district to the school. The funding discussions will begin using 80 percent of the district per student operating revenues as defined in state statutes.
- All services provided by the district including, but not limited to, food services, custodial services, maintenance, curriculum, media services, libraries, and warehousing will be subject to negotiation between the school and the district and paid out of the revenues in the second sentence above.
- In no event will the amount of funding negotiated be less than 80 percent of the district per student operating revenues multiplied by the number of students enrolled in the school.
- Fees collected from students enrolled at a charter school will be retained by such charter schools.
- The proportionate share of state and federal resources generated by students with disabilities or staff serving them will be directed to charter schools enrolling such students. The proportionate share of funds generated under other federal or state categorical aid programs will be directed to charter schools serving students eligible for such aid.

The School District of Aiken County

- The governing body of a charter school is authorized to accept gifts, donations, or grants of any kind made to the charter school and to expend or use said gifts, donations, or grants according to the conditions prescribed by the donor, unless the gifts, donations, or grants are subject to any condition contrary to law or the terms of the contract between the school and the board.

The local board will submit an evaluation report of each charter school to the State Board of Education annually.

Information about charter school development may be obtained from Aiken County Public Schools, office of the director of administration.

Issued 12/10/96; Revised 1/8/02, 2/7/12, 11/15/16, 08/11/20

ADMISSION OF TRANSFER STUDENTS

Code **JFABC** Issued **08/20**

Purpose: To establish the basic structure for admission of transfer students to the district.

Students are assigned to schools according to the location of the residence of their parents/legal guardians, unless specifically authorized to attend a different school. The board has the authority to transfer and assign students within the district. Student transfers will comply with adopted board policy and state laws.

Disciplinary Transfers

The board or its designees may make disciplinary transfers to another school in lieu of suspension or expulsion, but only after a conference or hearing with the parents/legal guardian.

Disciplinary transfers of students may be based on the commission of a crime, gross immorality, gross misbehavior, or persistent disobedience, or for violation of the written rules, policies, or regulations established by the Aiken County Board of Education or the South Carolina State Board of Education.

Intra-District Transfers

Student transfers from one school to another within the school district will be considered if at least one of the following criteria is met:

- Children or wards of persons who are employed by the School District of Aiken County will be permitted to attend school at the facility where the parent/legal guardian works or at the nearest school to the parent's work site on a space available basis. Transportation will be furnished by the parent/legal guardian.
- Students who need special services may be transferred based on the recommendation of the director of special programs. Such recommendation will be based on psychological tests, evaluations by the district testing staff and written justification attached to the transfer request form.
- Medical/psychological problems may be criteria for student transfers provided the request clearly identifies how the school assignment can, or will, have a material effect on the student's medical condition. Such a transfer request must be accompanied by a physician's or appropriate health care professional's statement supporting the transfer request.
- Hardship may be considered as criteria for student transfer. Problems such as those related to parent's work schedule, availability of child care services near another school and transportation difficulties may be considered as hardships.
- Rising seniors are excluded and may remain at their current school with due notification of their intent to the chief officer of administration.

Request for transfers will be submitted by the parent/legal guardian on the appropriate form to the director of administration. The form may be obtained from any school in the district and is

The School District of Aiken County

available on the district website. The director of administration will make decisions regarding transfer requests and, in so doing, will follow the criteria set forth above. Decisions may be appealed within 10 days of notification to the area advisory council of the school being requested for final determination of the issue.

Transportation will be furnished by the parent/legal guardian. After September 1 of each year, a written request can be made to the district transportation manager for health and financial hardship consideration.

Students must transfer from one school to another immediately upon change of the parent/legal guardian's residence unless the parent/legal guardian elects for the student to remain until the end of the current school year in the original school. In such cases, transportation will be furnished by the parent/legal guardian.

Transfers into Schools with Magnet School Designation

If a regular district school is also designated as a magnet school by the district, applications for student attendance from outside its zone will be subject to the following procedures:

- Attendance will be by regular attendance zone with an application process available for those desiring to transfer into the school.
- Parent/Legal guardian applicants must acknowledge that they have familiarized themselves with the school's curriculum requirements and increased parental involvement expectations.
- Up to the point of the school's designated class-level capacities, acceptance of qualified applications will be based upon chronological order of application.
- Priority consideration may be given for an applicant with a sibling already enrolled in the school.
- Thereafter, acceptance of qualified applications for student spaces in excess of available spaces will be based upon chronological date (and time) of application at any time a space becomes open. However, a lottery system may be utilized by the school's administrative staff, with the director of administration's concurrence, if it becomes apparent that it is a more equitable choice.

Application for transfers from a school with magnet designation will be the same as other applicable sections of this policy.

Except as stated above, students will not be allowed to transfer from their designated attendance areas.

Transfers into the District

Students who have been in attendance at a school in another district will be accepted automatically by this district on the following basis:

- Students must be residing with a parent/legal guardian who is a legal resident of this district. The existence of a legal guardianship will be recognized upon the filing of an appropriate order or decree from a court of competent jurisdiction with the appropriate academic officer.
- Students who have been expelled from their previous school district of residence may not

The School District of Aiken County

be admitted to this district's schools immediately upon request. In such cases, the student and his/her parent/guardian must submit an admission request to the Aiken County Board of Education.

- If not residing with parents/legal guardian, the student's admission will be governed by policy JFAB.

Transfers Pending Move of Parents/Legal Guardians

Students may be enrolled for a new school year or upon initial entry during the school year at a school in an attendance zone into which the parent/legal guardian plans to move after the beginning of the school year, or after the date of the initial entry, subject to the following conditions:

- The residence which the parent/legal guardian plans to occupy is under construction, being renovated/repared, or is in the process of being purchased/obtained prior to the first day of attendance at a school in the attendance zone of such residence.
- Notarized verification of the date construction or renovations/repairs began and the date the residence will be ready for fulltime occupancy will be provided by the contractor or builder before the student is allowed to enroll.
- If an existing residence is purchased, or in the process of being obtained, but occupancy cannot be gained prior to the student's first day of school in the new attendance zone, notarized verification of the date of availability for occupancy will be provided by the realtor, or previous owner, prior to such school attendance.

Transfers Out of the District

Requests, not due to residential change, for students to transfer out of the district must be presented in written form with detailed justification to the director of administration, who will submit the request along with appropriate recommendations for approval or denial to the board. If the student is released, the School District of Aiken County will assume no responsibility for tuition to the receiving district.

Transfers due to change of residence of parents/legal guardian, or change of legal guardian, will be granted provided the student has completed all payments due and returned textbooks and library books. No transcripts or records will be furnished to receiving schools until the above requirements are met.

Transfers in Connection with Juvenile Authorities

The administration is authorized to make approvals at its discretion of temporary or permanent intra-district transfers in connection with requests from the department of social services or from juvenile authorities, provided that any intervention by such agency or authority on behalf of a student is appropriately authenticated and documented to the satisfaction of the administration.

Duration of Approved Transfers

Once a transfer has been approved, it may remain in effect through the terminal grade of the school to which the transfer is approved. That is through fifth grade in elementary schools, through eighth grade in middle schools, and through graduation in the high schools. At the end of the terminal grade in elementary school and in middle school, the student will be assigned to the

The School District of Aiken County

school serving the attendance area in which the student resides. Exceptions are temporary assignments of kindergarten classes for housing purposes only.

This policy does not apply to the assignment of preschool disabled children, all special education placements, four-year-old classes, and kindergarten. Area advisory councils and/or the director of administration may make exceptions to student assignment as required to appropriately house students in the facilities available with due notification to the parents/legal guardians of the affected students.

Adopted 9/9/75; Revised 1/10/84, 7/26/88, 7/23/91, 11/24/92, 4/23/02, 2/7/12, 3/10/15, 9/27/16, 08/11/20

Legal references:

S.C. Code, 1976, as amended:

[59-19-90\(9\)](#) - School trustees have power to transfer and assign pupils: (see [59-19-510](#) for right to appeal).

[59-19-510](#) - Right to appeal to county board of education; petition.

[59-63-30](#) - Qualifications for attendance.

[59-63-40](#) - Discrimination on account of race, creed, color or national origin prohibited.

[59-63-210](#) - Grounds for which trustees may expel, suspend or transfer pupils; petition for readmission.

[59-63-250](#) - Transfer of pupils.

[59-63-470](#) - Transfer of pupils when enrollment of such pupils threatens to disturb peace.

[59-63-480](#) - Attendance at schools in adjacent county.

[59-63-490](#) - Transfer to adjoining school district.

[59-63-500](#) - Transfer without consent of school district of residence

[59-63-510](#) - County board of education authorized to order transfer.

[59-63-520](#) - Consent required for transfer.

STUDENT ORGANIZATIONS

Code **JJA-R** Issued **08/22**

Noncurriculum-related clubs and organizations in secondary schools will be of two kinds, those sponsored by the school and those not sponsored by the school.

Clubs and organizations not sponsored by the school will include all clubs and organizations of a religious or political nature. Such clubs and organizations must be student-initiated and voluntary, and will have equal access to meeting space, meeting times, school newspaper listings, bulletin boards, etc., as with all other noncurriculum-related clubs, provided that all announcements and other references to the club or organization carry a disclaimer of school sponsorship. All meetings or activities of such clubs or organizations, held on school property, must be attended by a faculty member as an official representative of the school administration. Such representatives must restrict their involvement, however, to keeping order and may not endorse, promote, or otherwise participate in such clubs, their meetings, or activities.

No faculty member should be compelled to attend such clubs' meetings or activities as an official representative if the content of the speech at the meeting or activity is contrary to the beliefs of the faculty member. On the other hand, nothing in this administrative rule is intended to abridge the First Amendment rights of any employee of the district. Additionally, no nonschool employees may direct, conduct, control, or regularly attend the meetings or activities of such club or organizations.

All noncurriculum-related clubs and organizations are subject to approval by the principal and must comply with guidelines developed by the principal and/or faculty, including the scheduling of meeting places and times. The principal may deny or withdraw approval of any noncurriculum-related club or organization if it is determined, in the principal's judgment, that allowing the club or organization to meet would violate state or federal law, would disrupt the orderly operation of the school or would pose a danger to the health, safety or welfare of students or employees. The principal's decision to deny or withdraw approval may be appealed to the chief officer of operations and student services.

Issued 6/10/75; Revised 9/8/92, 11/24/92, 4/23/02, 4/18/17, 08/11/20
