



# WHAT'S NEW AND WHAT'S NEXT

UPDATING POLICIES AND PROCEDURES IN COMPLIANCE WITH STATUTORY AND REGULATORY MANDATES

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SOUTH CAROLINA SCHOOL BOARDS ASSOCIATION  
**2020 ANNUAL CONVENTION**

LEADING WITH A CLEAR  
**VISION**



# NEW AND NEXT

Homeschooled  
Students and ROTC



NEW AND NEXT

# **National Defense Authorization Act For Fiscal Year 2020**

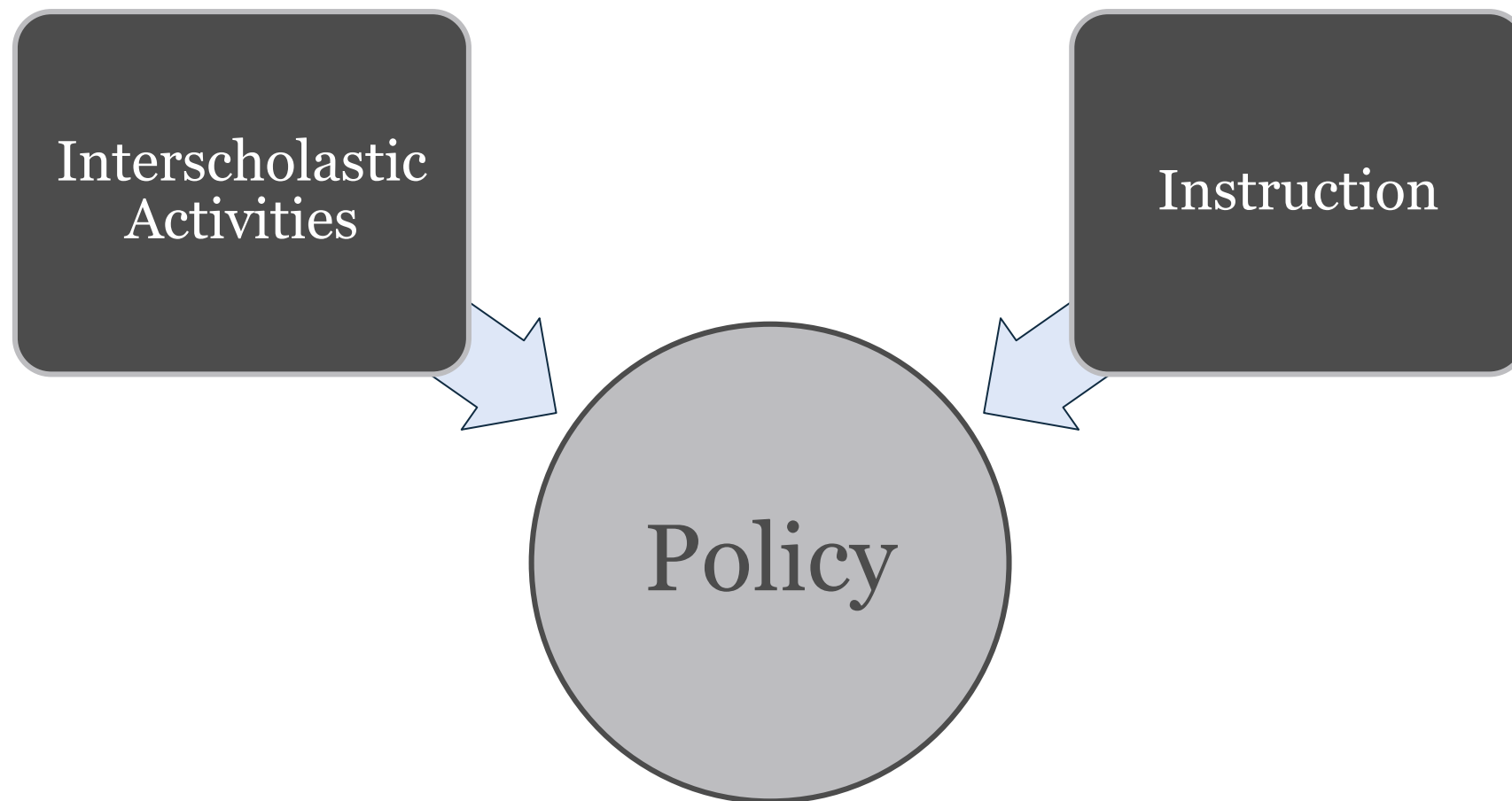
**Signed December 20, 2019**

## 10 U.S.C.A. § 2031, Section 513

- Each public secondary educational institution that maintains a unit under this section shall permit membership in the unit to homeschooled students residing in the area served by the institution who are qualified for membership in the unit (but for lack of enrollment in the institution).



## Policy Concerns...





20/20

# NEW AND NEXT

## Overtime Rules



20/20  
**NEW AND NEXT**

## Fair Labor Standards Act (FLSA) Overtime Rules

Standard Salary Level

\$455/week  
(\$23,660/year)

to

\$684/week  
(\$35,568/year)

\$100,000/year

to

\$107,432/year

Highly Compensated



# FLSA Duties Test

## Executive

- customarily and regularly direct the work of at least two or more other full-time employees or their equivalent
- managing a customarily recognized department or subdivision of the enterprise
- employee's suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change of status of other employees must be given particular weight

## Administrative

- performance of office or non-manual work directly related to the management or general business operations
- primary duty includes the exercise of discretion and independent judgment with respect to matters of significance

## Professional

- performance of work requiring advanced knowledge
- advanced knowledge must be in a field of science or learning or work requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor
- must be customarily acquired by a prolonged course of specialized intellectual instruction

## Computer

- employed as a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field



20/20

# NEW AND NEXT

Student Threats





## SC Code of Laws, Section 16-17-425

(A) It is unlawful for a student of a school or college in this State to make threats to take the life of or to inflict bodily harm upon another by using any form of communication whatsoever.

(B) Nothing contained in this section may be construed to repeal, replace, or preclude application of any other criminal statute.



# NEW AND NEXT

FERPA



## FERPA and Law Enforcement

FERPA protects education records not law enforcement records

### Education records

- are directly related to a student and
- maintained by the district

### Law enforcement records

- are created by a law enforcement unit
- created for a law enforcement purpose
- maintained by the law enforcement unit

District can disclose education records without prior written parental consent:

Under a “health or safety emergency”

To “school officials” with a “legitimate education interest” in the education records

To comply with a lawfully issued subpoena or judicial order

- must typically make reasonable effort to notify parent before disclosure

**MODEL NOTIFICATION RIGHTS FOR ELEMENTARY AND  
SECONDARY SCHOOLS**

The Family Educational Rights and Privacy Act (FERPA) affords parents/legal guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- 1. The right to inspect and review the student's education records within 45 days of the day the school receives a request for access.**

Parents/Legal guardians or eligible students should submit to the school principal, or appropriate school official, a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent/legal guardian or eligible student of the time and place where the records may be inspected.

- 2. The right to request the amendment of the student's education records that the parent/legal guardian or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.**

Parents/Legal guardians or eligible students who wish to ask the school to amend a record should write the school principal, or appropriate school official, clearly identify the part of the record they want changed and specify why it should be changed. If the school decides not to amend the record as requested by the parent/legal guardian or eligible student, the school will notify the parent/legal guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/legal guardian or eligible student when notified of the right to a hearing.

- 3. The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent.**

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent/legal guardian or student serving on an official committee, such as a disciplinary or grievance committee; or a parent/legal guardian, student, or other volunteer assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

*Optional: Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled, if the disclosure is for purposes of the student's enrollment or transfer. NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent/legal guardian or student of the records request unless it states in its annual notification that it intends to forward records on request.*

- 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA are as follows.**

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-8520



# Health and Safety Emergencies

- Disclosure is necessary to protect the health or safety of the student or other individuals
- Limited to the period of the emergency

Does not allow for a blanket release of PII from a student's education records

Disclosures must be related to a significant and articulable and actual, impending, or imminent emergency

- Impending natural disaster
- Terrorist attack
- Campus threat
- Outbreak of an epidemic disease

Disclosure should only be made to a party whose knowledge of such information is necessary to protect the health or safety of the student or other persons

- Law enforcement officials
- Public health officials
- Trained medical personnel



## Designation as a School Official

Law enforcement official can, in limited circumstances, be designated a school official

- Employee of a school or district
- Off-duty officers and SROs
  - Perform an institutional service or function for which the school or district would otherwise use employees (e.g. to ensure school safety)
  - Are under the “direct control” of the school or district with respect to the use and maintenance of the education records (e.g. through a memorandum of understanding (MOU) that establishes data use restrictions and data protection requirements)
  - Are subject to FERPA’s use and re-disclosure requirements, which provide that the PII from education records may be used only for the purposes for which the disclosure was made (e.g. to promote school safety and the physical security of students), and which limits the re-disclosure of PII from education records
  - Meet the criteria specified in the school or district’s annual notification of FERPA rights for being school officials with legitimate educational interests in the education records

Threat assessment team members may be designated as school officials

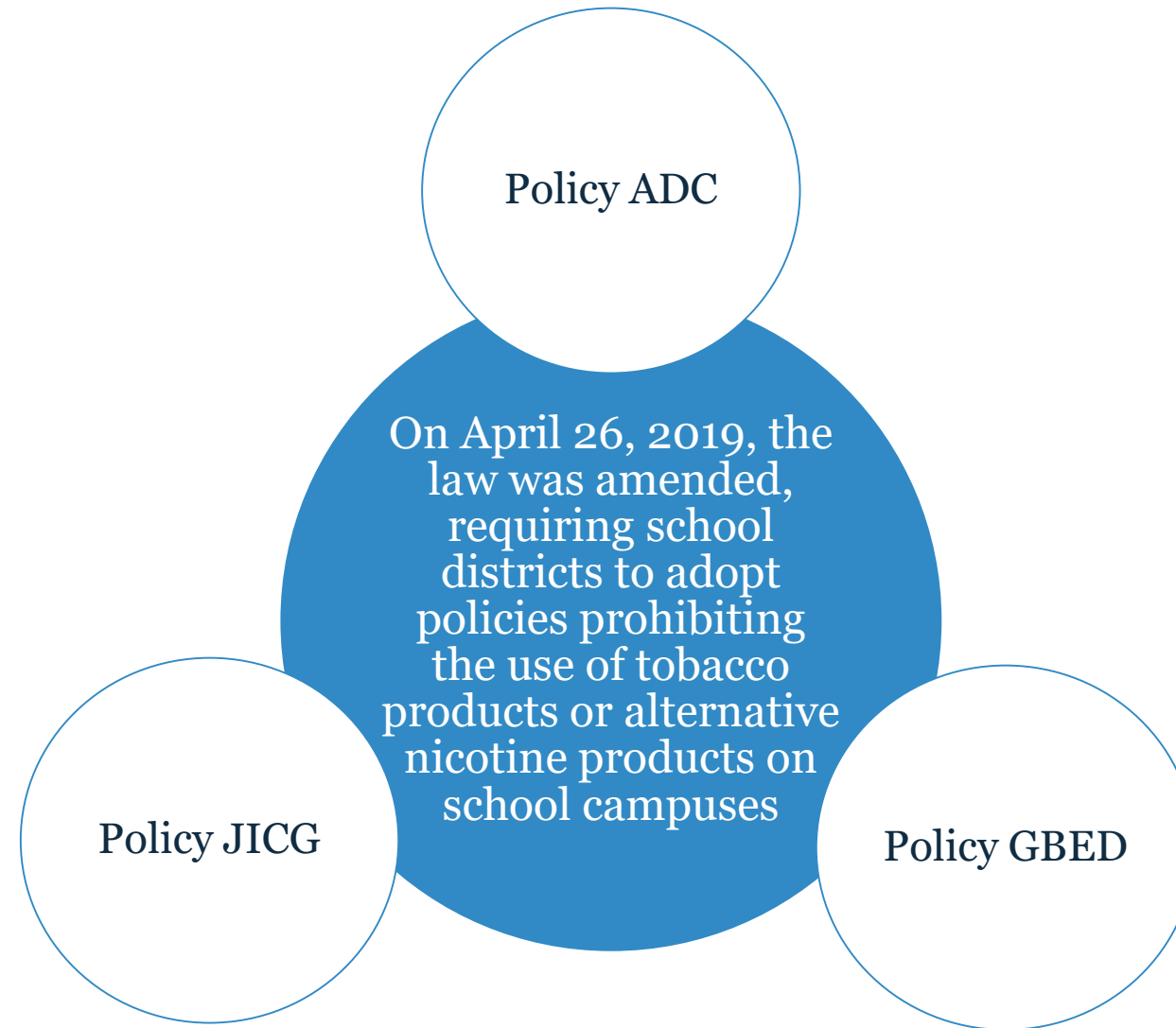


# NEW AND NEXT

Tobacco-Free  
School Districts



# Youth Access to Tobacco Prevention Act of 2006





## TOBACCO-FREE SCHOOL DISTRICT

Code **ADC** Issued **MODEL**

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

For purposes of this policy:

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

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

The board commits to the following:

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

### Notice

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

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

### Enforcement

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

**SCSBA**

(see next page)



## PAGE 2 - ADC - TOBACCO-FREE SCHOOL DISTRICT

### *Students*

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

### *Staff*

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

### *Contract or other workers*

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

### *Visitors, volunteers, or members of the public*

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

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

### **Education and Assistance**

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

### **Tobacco Industry Marketing or Sponsorship**

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

Cf. GBED, JICG

Adopted ^

## PAGE 3 - ADC - TOBACCO-FREE SCHOOL DISTRICT

### Legal References:

#### A. United States Code of Laws, as amended:

1. Pro-Children Act of 2001, 20 U.S.C.A. Section 7972, *et seq.*

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

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



20/20

# NEW AND NEXT

Board Prayer



NEW AND NEXT

# *Lund v. Rowan County*

863 F.3d 268 (4th Cir.)

Board members offered prayer, on a rotating basis, at the beginning of the meeting



Court held that commissioner-led prayer at meetings is unconstitutional

risked sending a message of exclusion to minority faiths as it elevated one religion above all others

no method to diversify prayer content; that the prayers were “persistently and relentlessly” linked only to evangelical Christianity

members sought public involvement in the prayer practice by asking them to stand or bow their heads



Closed-prayer identified and aligned the government with Christianity to the exclusion of other faiths



Intimate setting of a Board meeting and the Board’s dual role of handling both legislative and adjudicative business increased the likelihood that members of the public would feel pressure to participate in the prayer to avoid community and/or Board disapproval



# NEW AND NEXT

## *Lund County (4<sup>th</sup> Cir.)*

Board prayer by board members only

Coercion of audience to participate (i.e. “Please bow your head.”)

## **South Carolina Public Prayer and Invocation Act**

## *Town of Greece (SCOTUS)*

Willing “board chaplains” who had accepted invitations and agreed to return in the future

No exclusion of a would-be prayer giver, including laypersons and atheists

Audience invited to participate (i.e. “You are welcome to join me in prayer”)

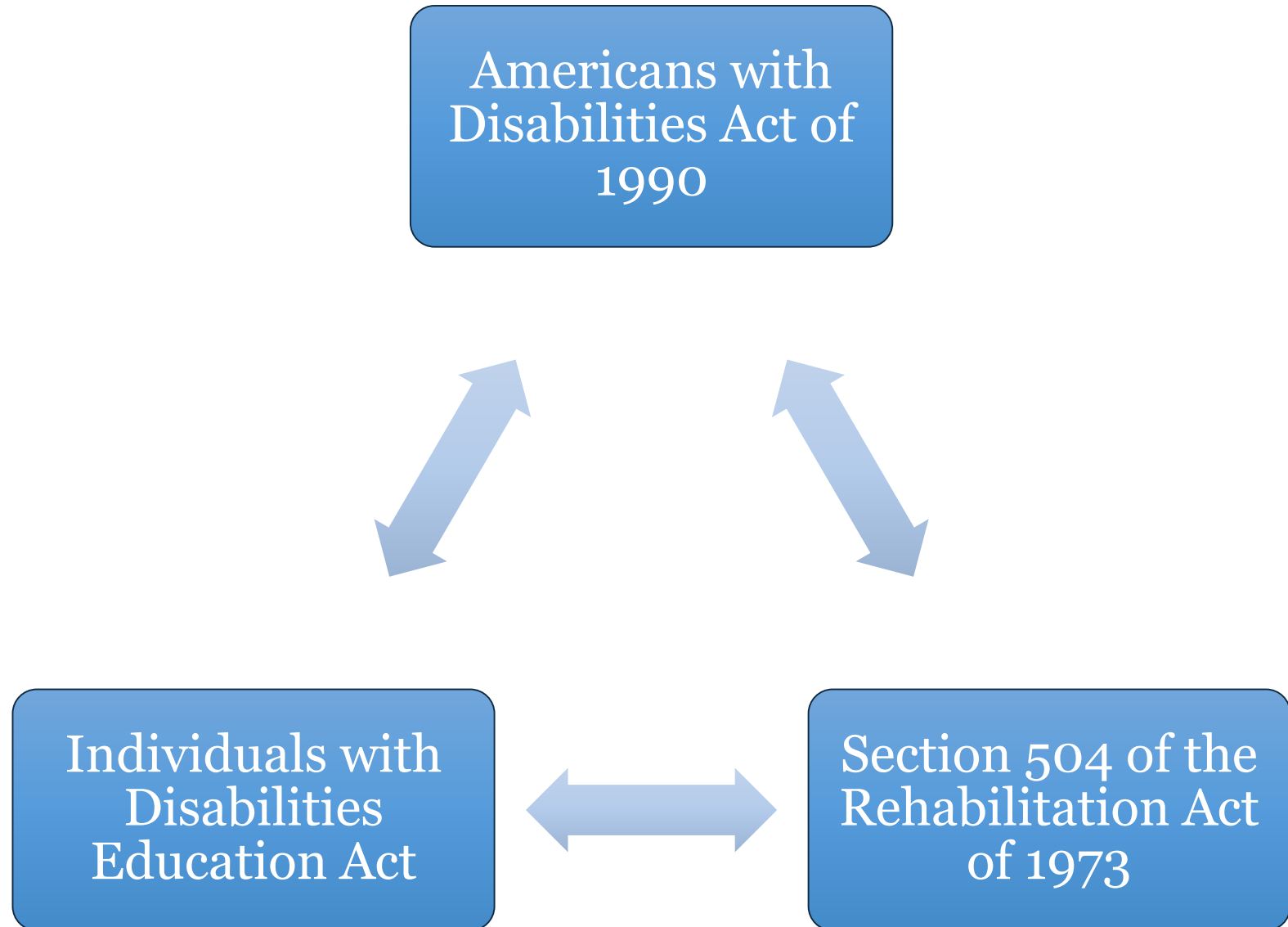


# NEW AND NEXT

Service Animals



## *Governing Authorities*

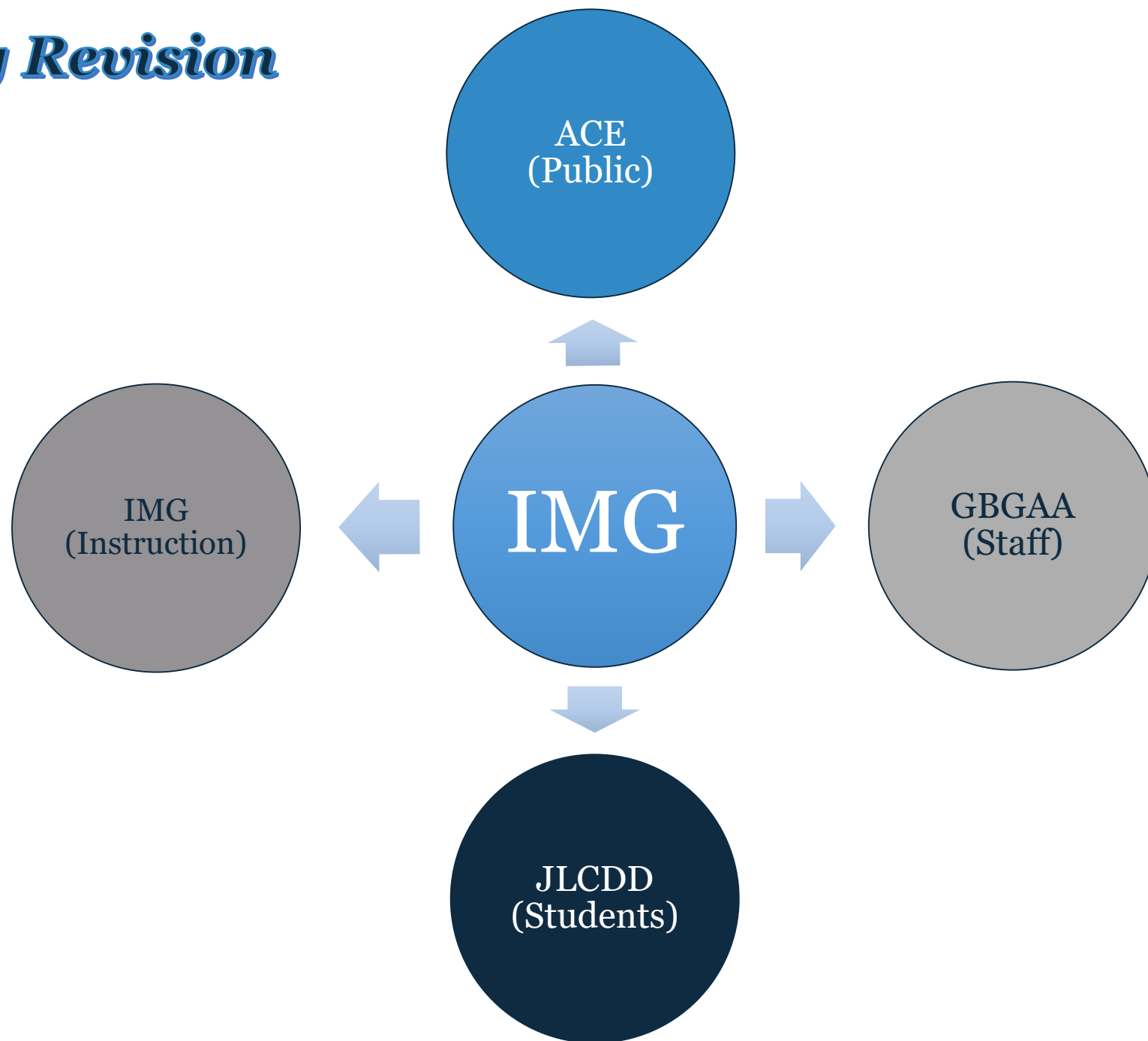






NEW AND NEXT

## ***Policy Revision***



## SERVICE ANIMALS (PUBLIC)

Code **ACE** Issued **MODEL**

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

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

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

### Definitions

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

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

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

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

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

## **PAGE 2 - ACE - SERVICE ANIMALS (PUBLIC)**

### **Admission of a Service Animal**

Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public. The district will not require a handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.

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

#### *Appropriate inquiries*

In general, the district will not ask about the nature or extent of a person's disability but may make two (2) inquiries to determine whether an animal qualifies as a service animal. Administrators of the district or their designees may ask:

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

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

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

### **Responsibilities of the Handler**

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

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

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

### **Exclusion of a Service Animal**

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

## PAGE 3 - ACE - SERVICE ANIMALS (PUBLIC)

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

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

### Complaint Process

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

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

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

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

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

Adopted ^

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### Legal References:

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



## SERVICE ANIMALS (STAFF)

Code **GBGAA\*** Issued **MODEL**

It is the desire of the board to ensure that individuals with disabilities can participate in and benefit from all district services, programs, and activities and to ensure that the district does not discriminate against individuals on the basis of disability. Staff members with disabilities will be permitted to utilize service animals in district buildings, on district property, and in vehicles that are owned, leased, or controlled by the district in accordance with this policy and applicable laws and regulations.

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

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

### Definitions

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

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

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

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

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

## **PAGE 2 - GBGAA\* - SERVICE ANIMALS (STAFF)**

### **Request for Use of a Service Animal**

The Americans with Disabilities Act (ADA) does not give staff members a right to bring service animals to work on district property. Rather, a staff member's request for use of a service animal will be considered on a case-by-case basis, pursuant to the legal standard applicable to reasonable accommodations for a staff member who is a qualified individual with a disability, in order for the staff member to perform the essential functions of his/her position, or to enjoy the benefits of employment in a manner comparable to similarly situated, non-disabled staff members. The determination as to whether a request constitutes a reasonable accommodation will include a determination as to whether use of the service animal would pose an undue hardship on the district.

Requests from district staff to utilize a service animal must be submitted to the director of human resources. The request will be handled in the same manner as any other request for accommodation under the ADA and supporting medical documentation may be required.

No staff member may bring a service animal onto district property without the prior written approval of the appropriate administrators.

Documentation from a licensed veterinarian that the service animal is currently in good health, free from parasites, and has received all recommended vaccinations to ensure that the service animal does not pose a health or safety threat to any student, staff member, or the public will be required prior to the service animal being admitted onto district property.

Requests for use of a service animal must be renewed at the beginning of each school year.

### **Responsibilities of the Handler**

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

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

### **Exclusion of a Service Animal**

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

### **Emotional Support Animals**

The use of an emotional support animal, sometimes referred to as a comfort animal, may be considered a request for a reasonable accommodation under the ADA. A request for the use of an emotional support animal must be supported by recent, reliable, objective, medical documentation. Only domesticated animals will be considered as an emotional support animal. Documentation regarding an emotional support animal may be required to address legitimate safety requirements necessary for the safe operation of district services, programs, or activities. All guidelines and procedures found in board policy that apply to service animals will also apply to emotional support animals.

**SCSBA**

(see next page)

## PAGE 3 - GBGAA\* - SERVICE ANIMALS (STAFF)

### Complaint Process

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

*[Job Title Only]*

*Address:*

*Telephone:*

*Email:*

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

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

*[Job Title Only]*

*Address:*

*Telephone:*

*Email:*

Adopted ^

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### Legal References:

#### A. United States Code of Laws, as amended:

1. American with Disabilities Act, 42 U.S.C.A. Section 12101, *et seq.*
2. Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1400, *et seq.*
3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq.*



## SERVICE ANIMALS (STUDENTS)

Code **JLCDD\*** Issued **MODEL**

It is the desire of the board to ensure that individuals with disabilities can participate in and benefit from all district services, programs, and activities and to ensure that the district does not discriminate against individuals on the basis of disability. Students with disabilities will be permitted to utilize service animals in district buildings, on district property, and in vehicles that are owned, leased, or controlled by the district in accordance with this policy and administrative rule and applicable laws and regulations.

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

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

### Definitions

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

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

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

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

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

### Request for Use of a Service Animal

**SCSBA**

(see next page)



## PAGE 2 - JLCDD\* - SERVICE ANIMALS (STUDENTS)

A student with a disability, or a parent/legal guardian on behalf of the student, may request to bring a service animal to school for educational purposes as outlined in the administrative rule accompanying this policy.

### Responsibilities of the Handler

Students with disabilities will be permitted to be accompanied by their service animal in all areas of the district facilities necessary for participation in services, programs, or activities. However, the district may impose legitimate safety requirements as necessary for the safe operation of its services, programs, or activities. Such requirements will be based upon actual risks, not on mere speculation, stereotypes, or generalizations about students with disabilities and/or service animals.

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

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

### Exclusion of a Service Animal

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

### Complaint Process

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

*[Job Title Only]*

*Address:*

*Telephone:*

*Email:*

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

*[DRAFTER'S NOTE: This individual should be the same staff member designated to handle disability discrimination, harassment, and retaliation complaints listed in policy AC, Nondiscrimination/Equal Opportunity.]*

*[Job Title Only]*

*Address:*

*Telephone:*

*Email:*

Adopted ^  
**SCSBA**

(see next page)

## PAGE 3 - JLCDD\* - SERVICE ANIMALS (STUDENTS)

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### Legal References:

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

## SERVICE ANIMALS (STUDENTS)

Code **JLCDD-R\*** Issued **MODEL**

The following procedures have been established for requesting student use of a service animal on district property and for evaluating such requests on a case-by-case basis.

### Requests for Use of a Service Animal

Absent exceptional circumstances, the parent/legal guardian of a student with disabilities must submit a written request for use of a service animal as outlined below before a service animal will be allowed in a district building, on district property, or in district vehicles. Requests should be made at least *(option: ten (10) business days, etc.)* prior to bringing the service animal to school or a school function.

Documentation from a licensed veterinarian that the service animal is currently in good health, free from parasites, and has received all recommended vaccinations to ensure that the service animal does not pose a health or safety threat to any student, staff member, or the public must be submitted with the request.

School administrators may inquire whether the animal is required because of a disability and the specific tasks that the animal has been trained to perform but will not ask for a special ID card or training documentation for the animal or ask that the animal demonstrate its ability to perform the work or task.

Requests for use of a service animal must be renewed at the beginning of each school year.

### *Students currently served by a Section 504 Plan or an individualized education program (IEP)*

A student with a disability, or a parent/legal guardian on behalf of the student, who believes use of a service animal in the school environment is necessary to receive a free and appropriate public education will notify the building principal or the Section 504 or IEP team.

The appropriate team will then evaluate the request to use the service animal in school, gather necessary information, and determine whether the student requires the service animal during the school day or at school activities. This may include a request for parental permission to formally assess the student's education-based needs that might include alternative methods of accommodation. Any service animal accompanying a student with a disability to school or school activities will be handled and cared for in a manner detailed in the student's IEP or Section 504 plan.

A service animal will not be denied access solely because the accommodation is not included in the student's IEP or Section 504 plan.

### *Students not currently served by a Section 504 Plan or an IEP*

A student with a disability, or a parent/legal guardian on behalf of the student, who is not currently served by a Section 504 Plan or IEP may request to bring a service animal to school.

The building principal will, in consultation with other school staff, as appropriate, determine whether the animal meets the criteria for a service animal. As appropriate, the student will be assessed for eligibility for special education and/or related services.

## **PAGE 2 - JLCDD-R\* - SERVICE ANIMALS (STUDENTS)**

### **Implementation Plan**

As part of the implementation plan for service animals, the district will collaborate with the student and parent/legal guardian to:

- Familiarize the service animal and/or handler with the campus prior to the actual start date.
- Orient the service animal to school faculty and students, mainly those in the student's classroom.
- Establish a school wide educational program to instruct others on how to behave correctly around a service animal.
- Establish water or feeding breaks for the service animal.
- Create a place for the service animal to urinate/defecate and a location for the handler to correctly dispose of the service animal's waste.
- Establish a rest place for the service animal when not working (e.g. gym, lunch, and recess).
- Ensure that the handler and service animal actively participate in emergency drills and evacuations.

### **Transportation**

If a student with an approved service animal uses district transportation services, the following considerations will also be made.

#### *Prior to the first transport of the student and the service animal*

The driver and any bus attendant will be introduced to the service animal's handler or owner and his/her parent/legal guardian where appropriate. The handler or owner is responsible for providing information to the driver and any bus attendant regarding critical commands needed for daily communication and emergency/evacuation. The service animal's owner or handler and his/her parent/legal guardian, where appropriate, will support the district's transportation department staff in informing other students riding the bus with the service animal about the animal's functions and how students should interact with the service animal. The service animal's owner will ensure the service animal practices the bus evacuation drills with the student.

On the bus, the handler will ensure that the service animal is positioned on the floor, at the student's feet. The animal must be secured by a harness, leash, or other tether, unless such harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or task; in such a case, the service animal must otherwise be under the handler's control.

#### *Cessation of transportation*

Situations that would cause a cessation of transportation of the service animal include, but are not limited to, the following:

- The service animal's behavior poses a threat to the health or safety of others as determined by the district.
- The service animal urinates or defecates on the bus.
- The service animal does not remain in the designated area.



## ANIMALS IN SCHOOLS

Code **IMG** Issued **MODEL**

With the exception of service animals, animals are not allowed on district property, in school facilities, at sporting events, or on playing fields during school hours unless specifically approved by the principal. For purposes of this policy, *school hours* include classroom periods, the period of time before and after school when students are entering and exiting the school, and during after-school activities when students are present.

Animals remaining in vehicles while the owner is visiting the campus are not restricted except that owners should keep windows and other openings restricted to prevent students from reaching into the vehicle.

If a stray or wild animal appears on school grounds, students will not be allowed in the area until the animal has left the premises or is removed by the local animal control officer, game warden, or other appropriate official.

### Classroom Pets

Allowing any animal into the school building or on the school grounds is at the principal's discretion. Before a classroom "adopts" a pet, the teacher will evaluate the appropriateness of the animal of interest and the long-term utility of the educational objective for having the animal in the classroom. The teacher will ensure the presence of the animal directly supports the learning objectives of the district's educational program. The teacher will then submit a written request to the principal detailing:

- the instructional purpose of the animal
- the type of animal
- the length of time the animal is expected to be present
- a plan for the care of the animal (including, but not limited to, a plan of daily care for the animal, including weekends, holiday breaks, and end of the school year; a plan for access to and paying the cost of veterinary care; and an exit plan for the animal if it has to be removed from the school)
- proof of the animal's good health, including proof of rabies and other vaccinations, if applicable for the species

Principal approval is required on an annual basis and may be revoked by the principal or a district-level administrator at any time.

It is not appropriate to request students or their families to assume any responsibility for a classroom pet.

Under no circumstance will the district be responsible to pay for the veterinary care of any classroom pet.

### Parent/Legal guardian notification

After receiving administrative approval of a classroom pet, but prior to obtaining the pet and/or bringing it to school, a written notice will be sent to each student's parent/legal guardian. If the school is notified of a student health or safety need, that need will take priority over the classroom pet. Parent/Legal guardian consent is required before a student will be allowed to help care for a classroom pet.

## PAGE 2 - IMG - ANIMALS IN SCHOOLS

This notification process will be repeated, at a minimum, annually for year long classes or per semester with each new group of students. Permission must also be obtained for new students enrolling mid-year.

### *Animals appropriate for the classroom*

Fish and small mammals (e.g. guinea pigs, rabbits, hamsters, gerbils, mice, and rats) may be appropriate classroom animals. Snakes, other reptiles, amphibians, insects, and spiders may also be appropriate, but only when the animal was bred in captivity, is not venomous or toxin-producing, and does not otherwise pose a health or safety risk.

Birds and ferrets may not be kept as classroom pets. Other animals, not strictly prohibited, may be considered for a classroom pet on a case-by-case basis.

### *Care and handling of classroom pets*

Teachers approved to adopt classroom pets will be familiar with the appropriate care, feeding, and handling of that animal and of any potential dangers caused by that animal to ensure student and staff safety and proper treatment of the animal.

Animal enclosures must be sturdy, locked if possible, and appropriate for the specific species. Animal enclosures must be properly cleaned on a regular basis. Students will not assist with cleaning the animal's enclosure or disposing of animal waste. Fish tank water should not be disposed of, and animal enclosures should not be cleaned, in a sink or fountain that is also used for drinking water or food preparation.

If it is appropriate for the animal to be handled, students will be instructed on the correct way to handle the animal and supervised to minimize the potential of the animal or the student getting harmed. The district strongly encourages gloves to be worn when handling animals. Students will not be allowed to touch animals with their faces, hold animals close to their faces, nor hold animals too tightly. Hands should be washed immediately after handling an animal. Feeding should be done by an adult or under close supervision if done by a student.

### *Injuries and animal escapes*

The nurse, principal, and an injured student's parent/legal guardian will be notified immediately of all animal bites, scratches, or other injuries. The appropriate public health and/or animal control officials will also be notified, as appropriate.

If an animal escapes, all building staff will be notified to take extra precautions until the animal is retrieved. Students will not be involved in the recapturing of an escaped animal. The appropriate animal control officials will be contacted, as appropriate.

### *Transportation of animals*

Animals will not be transported on school buses or vehicles.

### **Prohibited Practices**

No live animal will be used as part of a scientific experiment or for any other purpose in which the normal health of the animal is interfered with or where pain or distress is caused. No person will practice vivisection or exhibit a vivisected animal in the schools. Dissection of deceased animals will be confined to the classroom and to the presence of students engaged in the study of dissection and will not be for the purpose of exhibition.

Adopted ^  
**SCSBA**



20/20

# NEW AND NEXT

Board Use of  
Social Media



# ***Davison v. Randall***

912 F.3d 666 (4th Cir.)

First Amendment case arising when board member blocked negative comments by member of the public on her board chair Facebook page

Important distinction exists between a social media account a board member maintains in a personal capacity and a social media platform on which the board member acts “under color of state law”

Can it be easily inferred that account is maintained in capacity as board member?

Factors court considered:

- Public or private?
- Used as a tool of governance?
- Communicate with constituents?
- Use of public resources to support or maintain?
- Content of page, title, “About” section, pictures, etc.?



## DISTRICT-SPONSORED INFORMATION MEDIA

Code **KDC** Issued **MODEL/19**

*[DRAFTER'S NOTE: Due to the sensitive nature of the rights implicated by this policy, please consult legal counsel prior to adoption so that the district may properly assess its litigation risk. It is recommended that all district staff who will be implementing this policy be provided training by district legal counsel on the First Amendment and the nature of a limited public forum.]*

The district website is intended to provide a means of sharing information with stakeholders and the public about the district's educational program and district-sponsored activities.

Official district websites and social media accounts include only those created by the superintendent or his/her designee; those hosted and maintained on the district's computer networks with the full knowledge and approval of the superintendent or his/her designee; and those designated as official websites and social media accounts by the superintendent or his/her designee. Any websites or social media accounts that otherwise contain references to the district or its operations or educational program are not considered official, and the district will not be responsible for their content.

Building-level principals are responsible for content and maintenance of individual school websites and social media accounts. All information published on these websites and social media accounts must be approved by these individuals or their designees. The superintendent acts as the final authority when issues arise concerning these platforms and their content.

### Social Media Comments Policy

The district's official social media platforms are one way the district elects to provide information to parents/legal guardians and other members of the public. Such platforms are administered by staff designated by the superintendent. The district reserves the right to remove comments that contain:

- conduct or encouragement of illegal activity
- content that violates federal or state law
- content that promotes, fosters, or perpetuates discrimination against protected classes
- content that violates legal ownership interest of any other party, such as copyright or trademark infringement
- information that may tend to compromise the safety or security of the district or its technology systems
- profane language or content
- promotions of particular for-profit services, products, or political candidates or organizations
- sexual harassment content
- solicitations of commerce or advertisements, including promotion or endorsement
- spam or comments that include links to external online sites

Violators of this policy may have their comments removed. Continued or egregious violations of this policy may prompt the district to further restrict an individual's commenting on official social media platforms.

## PAGE 2 - KDC - DISTRICT-SPONSORED INFORMATION MEDIA

### *Comment review process*

When a comment that is regarded as violating the social media comments policy is reported, the superintendent or his/her designee will review the comment and authorize removal, as appropriate. If possible and appropriate, the commenter will be contacted regarding a violation of this policy and to request voluntary removal of the comment. Appeals regarding the district's decision to remove a comment may be submitted by contacting (*option: insert email or phone number*). Such appeals will be addressed within three (3) business days. The superintendent's determination as to violations of the social media comments policy, and removal of comments, are final.

Adopted ^

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### Legal References:

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 30-4-10, *et seq.* - South Carolina Freedom of Information Act.
- B. Federal Cases:
  - 1. *Davison v. Randall*, 912 F. 3d 666 (4th Cir. 2019).



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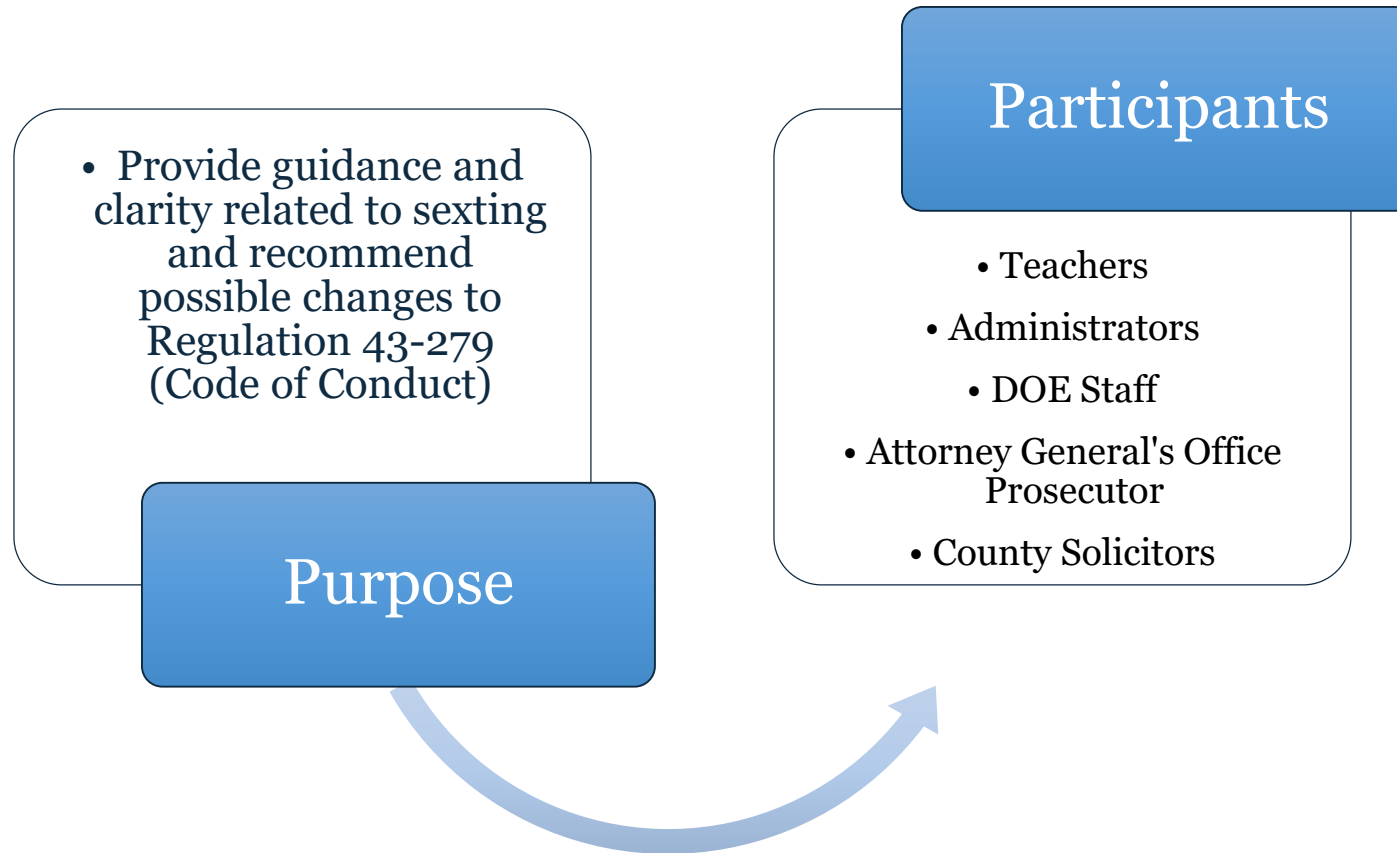
# NEW AND NEXT

Sexting



20/20  
NEW AND NEXT

# *SC Department of Education Sexting Study Group*



## CODE OF CONDUCT

Code **JICDA-R** Issued **MODEL**

### Level I - Behavioral Misconduct

Behavioral misconduct includes any activity in which a student engages that tends to impede orderly classroom procedures or instructional activities, orderly operation of the school, or the frequency or seriousness of which disturb the classroom or school.

Acts of behavioral misconduct may include, but are not limited to, the following:

- classroom tardiness
- cheating on examinations or classroom assignments
- lying
- abusive language between or among students
- failure to comply with directives from school/district staff or agents (to include volunteer aides or chaperones)
- use of forged notes or excuses
- cutting class
- school tardiness
- truancy (three (3) consecutive unlawful absences from school or a total of five (5) unlawful absences)
- possession of an electronic communications device as defined by and in conflict with district policy
- other acts of behavioral misconduct as determined and communicated by the administration

Staff will follow these basic enforcement procedures in instances of behavioral misconduct and will maintain a complete record of the procedures.

When a staff member observes, or is notified of and has verified, acts of behavioral misconduct the staff member will take immediate action to rectify the misconduct. Verification is defined as self admittance by the student, witnessed involvement of the student by staff, parental admission of student involvement, or evidence obtained through an investigation. The staff member will impose an appropriate consequence and maintain a record of the misconduct and the consequence.

If, either in the opinion of the staff member or in accordance with policy, a certain misconduct is not immediately rectifiable, the staff member will refer the problem to the appropriate administrator for action specified by policy.

The administrator will meet with the reporting staff member, and, if necessary, the student and the parent/legal guardian, and impose the appropriate consequence and/or establish an intervention plan and/or behavioral contract.

Consequences that may be applied in cases of behavioral misconduct may include, but are not limited to, the following:

- verbal reprimand
- withdrawal of privileges
- demerits
- detention (silent lunch, after school, weekends, or another time that does not interfere with the instructional day)
- other consequences as approved and communicated by the administration

**SCSBA**

(see next page)



## **PAGE 2 - JICDA-R - CODE OF CONDUCT**

### **Level II - Disruptive Conduct**

Disruptive conduct includes those activities in which students engage that are directed against persons or property and the consequences of which tend to endanger the health or safety of themselves or others in the school. This includes actions taken off school property if the conduct causes a substantial disruption to the educational environment. Some instances of disruptive conduct may overlap certain criminal offenses, justifying both administrative consequences and court proceedings.

The administration may reclassify behavioral misconduct (Level I) as disruptive conduct (Level II) if the student engages in the activity three (3) or more times.

Acts of disruptive conduct may include, but are not limited to, the following:

- violation of a Level I intervention plan and/or behavioral contract
- use of an intoxicant
- fighting
- harassment, intimidation, or bullying
- vandalism (minor)
- stealing
- threats against others
- trespassing
- abusive language to staff
- repeated refusal to comply with directives from school personnel or agents (such as volunteer aides or chaperones)
- possession or use of unauthorized substances, as defined by law and/or local school board policy
- illegally occupying or blocking school property in any way with the intent to deprive others of its use
- unlawful assembly
- disrupting lawful assembly
- hazing
- inappropriate use of technology (e.g. bullying, harassing, or intimidating other students or district employees; plagiarizing copyrighted materials; or accessing inappropriate websites)
- other acts as determined and communicated by the administration

Staff will follow these basic enforcement procedures in instances of disruptive conduct and will maintain a complete record of the procedures.

When an administrator observes, or is notified of and has verified, an offense the administrator will investigate the circumstances of the misconduct and confer with staff on the extent of the consequences.

The administrator will notify the parent/legal guardian of the student's misconduct and related proceedings. The administrator will meet with the student and, if necessary, the parent/legal guardian, confer with them about the student's misconduct, and impose the appropriate disciplinary action.

The administrator may refer the student to the appropriate intervention team to establish behavioral management strategies (e.g. restorative justice, counseling, service learning projects) and propose the appropriate disciplinary action.

The administrator or school official may refer Level II misconduct to the school resource officer or other law enforcement authorities only when the conduct rises to the level of criminality and the conduct presents an immediate safety risk to one or more people or it is the third or subsequent act which rises to the level of criminality during the school year.

**SCSBA**

(see next page)

## PAGE 3 - JICDA-R - CODE OF CONDUCT

The administration may apply consequences in cases of disruptive conduct which may include, but are not limited to, the following:

- temporary removal from class
- alternative education program
- in-school suspension
- out-of-school suspension
- transfer
- referral to outside agency
- expulsion
- restitution of property and damages, where appropriate
- other consequences as approved and communicated by the administration

### Level III - Criminal Conduct

Criminal conduct includes those activities in which students engage that result in violence to themselves or to another's person or property or which pose a direct and serious threat to the safety of the students themselves or others in the school. These activities usually require administrative actions which result in the immediate removal of the student from the school, the intervention of the school resource officer or other law enforcement authorities, and/or action by the board.

Acts of criminal conduct may include, but are not limited to, the following:

- assault and battery
- extortion
- threat of the use of a destructive device (bomb, grenade, pipe bomb, or similar device)
- possession, use, or transfer of dangerous weapons
- sexual offenses
- vandalism (major)
- theft, possession, or sale of stolen property
- arson
- furnishing or selling unauthorized substances, as defined by law and/or board policy
- furnishing, selling, or possession of controlled substances (drugs, narcotics, or poisons)
- illegal use of technology (e.g. communicating a threat of a destructive device, weapon, or event with the intent of intimidating, threatening, or interfering with school activities; ~~maliciously transmitting sexual images of minors, other than images of the student or images transmitted with the uncoerced consent of the individual in the images~~)
- *knowingly distributing, possessing, exchanging, creating, soliciting, or exhibiting images, videos, or visual representations of sexually explicit nudity or sexual activity using non-digital means (e.g. printed photographs or magazines) or via electronic communication, including but not limited to texting, emailing, or posting on social media platforms*
- threatening to take the life of or inflict bodily harm upon a teacher, principal, staff member, or members of their immediate family

Staff members will follow these basic enforcement procedures in instances of criminal conduct and will maintain a complete record of the procedures.

When an administrator observes, or is notified of and has verified, a criminal offense the administrator must contact the school resource officer or local law enforcement authorities immediately.

An administrator will notify the student's parent/legal guardian as soon as possible.

An administrator will impose the appropriate disciplinary action. If warranted, the administrator will immediately remove the student from the school environment.

## PAGE 4 - JICDA-R - CODE OF CONDUCT

The administration may apply consequences in cases of criminal conduct which may include, but are not limited to, the following:

- out-of-school suspension
- assignment to alternative schools
- expulsion
- restitution of property and damages, where appropriate (should be sought by school authorities)
- other consequences as approved and communicated by the administration

### **Mitigating or Aggravating Circumstances**

The board may confer upon the appropriate administrator the authority to consider mitigating or aggravating circumstances which may exist in a particular case of misconduct, excluding criminal conduct. The administrator should consider such circumstances in determining the most appropriate consequence.

### **Discipline of Students with Disabilities**

#### *Disciplinary process*

Students with disabilities are not exempt from school disciplinary processes, nor are they entitled to remain in a particular educational program when their conduct substantially impairs the education of other students in the program. However, federal and state laws and regulations require schools to meet the individual educational needs of such students to the extent possible.

The process of disciplining a student who receives special education services involves both administrative authorities who are responsible for discipline and the special education department, including teachers and administrators who have been assigned specific responsibilities in the implementation of the student's individualized education program (IEP).

#### *Program prescriptions*

An IEP team may prescribe or prohibit specified disciplinary measures for an individual student by including appropriate provisions in the student's IEP. The committee must take into consideration the student's disabling condition when deciding whether or not staff may use a particular form of discipline. Administrative authorities will observe any such provisions contained in a student's IEP.

#### *Suspensions*

The administration may suspend a student with a disability unless a suspension is prohibited by the student's IEP. At the end of the suspension, the school will return the student to the same educational placement, if appropriate.

The school may suspend a student for not more than ten (10) consecutive school days, and for additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change in placement under the law).

However, students who bring weapons to school or a school function, knowingly possess or use illegal drugs or solicit the sale of controlled substances, or inflict serious bodily injury upon another person while at school or a school function may be removed for up to forty-five (45) days at a time. If school officials believe that a student with a disability is substantially likely to

**SCSBA**

(see next page)



## PAGE 5 - JICDA-R - CODE OF CONDUCT

injure him/herself or others in the student's regular placement, they may ask an impartial hearing officer to order that the student be removed to an interim alternative educational setting for a period up to forty-five (45) days.

### *Expulsions*

Expulsion of a student with a disability is equivalent to a change in educational placement and, therefore, requires special procedures. Before such a student may be expelled, a multi-disciplinary team must determine whether or not there is a connection or causal relationship between the disabling condition and the misconduct. If so, then expulsion resulting in cessation of educational services for the student is not the appropriate discipline.

The district will continue to provide a free and appropriate education as set forth in a student's IEP to expelled students with disabilities.

### *Immediate removal*

Nothing contained in this administrative rule will be construed as limiting an administrator's ability to remove a student with a disability from school immediately under emergency conditions.

Issued ^



# NEW AND NEXT

Suicide Prevention



NEW AND NEXT

## *Department of Mental Health*

Partnership with the SC Youth Suicide Prevention Initiative  
(SCYSPI)

SCYSPI is a federally funded program under the Department of Mental Health tasked with reducing the instances of suicide among youth and young adults.

Currently called the Office of Suicide Prevention

Director, Jennifer  
Butler

803-896-4740

[www.scyspi.org](http://www.scyspi.org)

## **SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION**

Code **JLDBB** Issued **MODEL**

The board recognizes the serious problem of youth suicide and acknowledges that youth suicide is a complex issue which cannot be addressed by the district and schools alone. However, the district staff, students, and parents/legal guardians can all contribute significantly towards the prevention of adolescent suicide. Therefore, the board directs the superintendent to consider each of these segments of the school community when developing appropriate awareness and prevention programs in the district.

Local mental health agencies and training guidelines from the South Carolina Department of Education are resources that can provide the necessary assistance that will help the district staff, parents/legal guardians, and students to do the following:

- Understand the developmental stages of adolescence
- Understand how feelings of depression and despair can lead to suicide
- Recognize the early warning signs of suicide
- Learn how to help in a suicidal crisis
- Identify community resources where students can obtain help
- Address the impact of such a tragedy

The superintendent will establish procedures outlining suicide warning signs, risk and protective factors, and risk management strategies.

The superintendent will ensure implementation of the required training in this area for the renewal of credentials for individuals employed in a middle or high school.

Adopted ^

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### **Legal References:**

- A. S.C. Code of Laws, 1976, as amended:
  - 1. Section 59-26-110 - Youth suicide prevention teacher training.

## SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION

Code **JLDBB-R** Issued **MODEL**

The board believes it is important to protect the health and well-being of all students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.

### Definitions

*Suicide death* a death caused by self-directed injurious behavior with an intent to die as a result of the behavior

*Suicide attempt* a non-fatal, self-directed, potentially injurious behavior with an intent to die as a result of the behavior; might not result in injury

*Suicidal ideation* thinking about, considering, or planning suicide

*Suicide postvention* a crisis intervention strategy designed to reduce the risk of suicide and suicide contagion, provide the support needed to help survivors cope with a suicide death, address the social stigma associated with suicide, and disseminate factual information after the suicide death of a member of the school community

### Suicide Warning Signs

The following signs of a suicide risk in a student may be observed by, and should be immediately reported to the (*option: school administrator, guidance counselor, teacher, etc.*) by, any member of the school community including, but not limited to, a school administrator, teacher or other staff member, volunteer, parent/legal guardian, coach, athletic trainer, school/team physician, school nurse, or another student:

- talking about wanting to die or to kill oneself
- looking for a way to kill oneself
- talking about feeling hopeless or having no purpose
- talking about feeling trapped or being in unbearable pain
- talking about being a burden to others
- starting and/or increasing the use of alcohol or drugs
- acting anxious, agitated, or reckless
- sleeping too little or too much
- withdrawing or feeling isolated
- showing rage or talking about seeking revenge
- displaying extreme mood swings
- exhibiting anger or hostility that seems out of character or out of context
- displaying increased agitation or irritability

### Suicide Risk Factors

The following risk factors do not cause or predict a suicide; they are merely characteristics that make it more likely an individual will consider, attempt, or die by suicide:

- school crisis
- mental disorders, particularly mood disorders, schizophrenia, anxiety disorders, and certain personality disorders
- alcohol and other substance use disorders

**SCSBA**

(see next page)

## **PAGE 2 - JLDDBB-R - SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION**

- hopelessness
- impulsive and/or aggressive tendencies
- history of trauma or abuse
- major physical or chronic illnesses
- previous suicide attempt
- family history of suicide
- recent job or financial loss
- recent loss of relationship
- easy access to lethal means
- local clusters of suicide
- lack of social support and sense of isolation
- stigma associated with asking for help
- lack of health care, especially mental health and substance abuse treatment
- cultural and religious beliefs, such as the belief that suicide is a noble resolution of a personal dilemma
- exposure to others who have died by suicide (in real life or via the media and Internet)

### **Suicide Protective Factors**

Protective factors are positive conditions or personal and social characteristics that promote resiliency and reduce the likelihood that individuals will consider, attempt, or die by suicide. Such factors may include, but are not limited to, the following conditions and characteristics:

- school connectedness
- family and community connections/support
- clinical care (availability and accessibility)
- resilience
- coping/life skills (social/emotional learning)
- frustration tolerance and emotion regulation (mindfulness and interpersonal/relational skills)
- cultural and religious beliefs; spirituality

### **Student Suicide Risk Management**

#### *Evaluation/Suicide assessment*

A suicide assessment is used to aid in the development of treatment plans and track the progress of individuals who are receiving mental health treatment. In the academic setting, risk assessments inform re-entry procedures as well as the schools' role in follow-up care for at-risk students. Moreover, an assessment informs schools' monitor/safety plans and assists with the implementation of collaborative safety planning for at-risk youth.

As appropriate, suicide screening and/or assessment will be used in one of the following ways:

- to assess whole student body in a screening program (best practice prevention effort)
- to inform incident-specific protocol response
- to identify the level of risk
- to support a plan of action for someone who is at risk and to inform postvention strategies

As appropriate, implementation of suicide screening and/or assessment will include:

- selection of a screening tool at the school-level that works best for each distinct student population
- identification and training of staff for the administration/provision of the screening tool
- use of the screening tool to support implementation of suicide prevention programming



## **PAGE 3 - JLDDBB-R - SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION**

A healthcare and/or mental health provider will be involved in any screening or assessment process and will utilize a standardized suicide assessment instrument, such as the Columbia-Suicide Severity Rating Scale (C-SSRS).

### *Return to school after an attempt or suicide crisis*

Depending upon the level of risk and severity of the suicidal behavior, the likelihood that a student may spend a duration of time absent from school during and immediately following a crisis is relatively high. Some students may need to receive inpatient or intensive outpatient services. The process for re-integration of students who have had some time away from school due to a moderate or acute suicidal crisis is more dynamic than for those categorized as low risk.

Prior to the re-entry day:

- A reintegration meeting will be scheduled to include the student's parent/legal guardian, school and/or district-level administrators, the Crisis Response Team Leader (CRTL), and the school counselor.
- A full mental health assessment of the student will be obtained, to include detailed information on testing administered, evaluation of tests and interviews, results/findings, interventions, and recommendations.
- A Suicide Care Plan (if not already in place) should be presented along with additional support services/accommodations as appropriate.

### Re-entry meeting

The re-entry meeting will occur on the first day the student returns to school or to class. The meeting will be held between the student's parent/legal guardian, the student, the student's school counselor, and district staff or mental health professionals, as appropriate. The meeting will serve to review and update the student re-entry plan for the school environment as well as to identify any additional adults on campus that the student may wish to add as an additional protective factor. During this meeting, the participants will discuss potential triggers (e.g. anniversaries of losses/previous attempts), as well as strategies to reach out for assistance if suicidal thoughts become invasive or distracting during school hours.

Issued ^



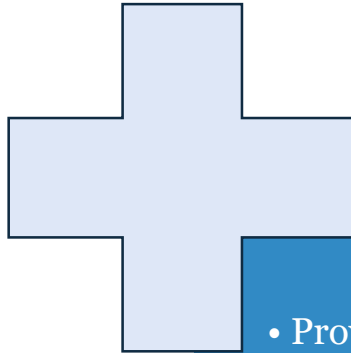
# NEW AND NEXT

Campaign Reminders





# Employee Campaign Reminders



## ***Dos***

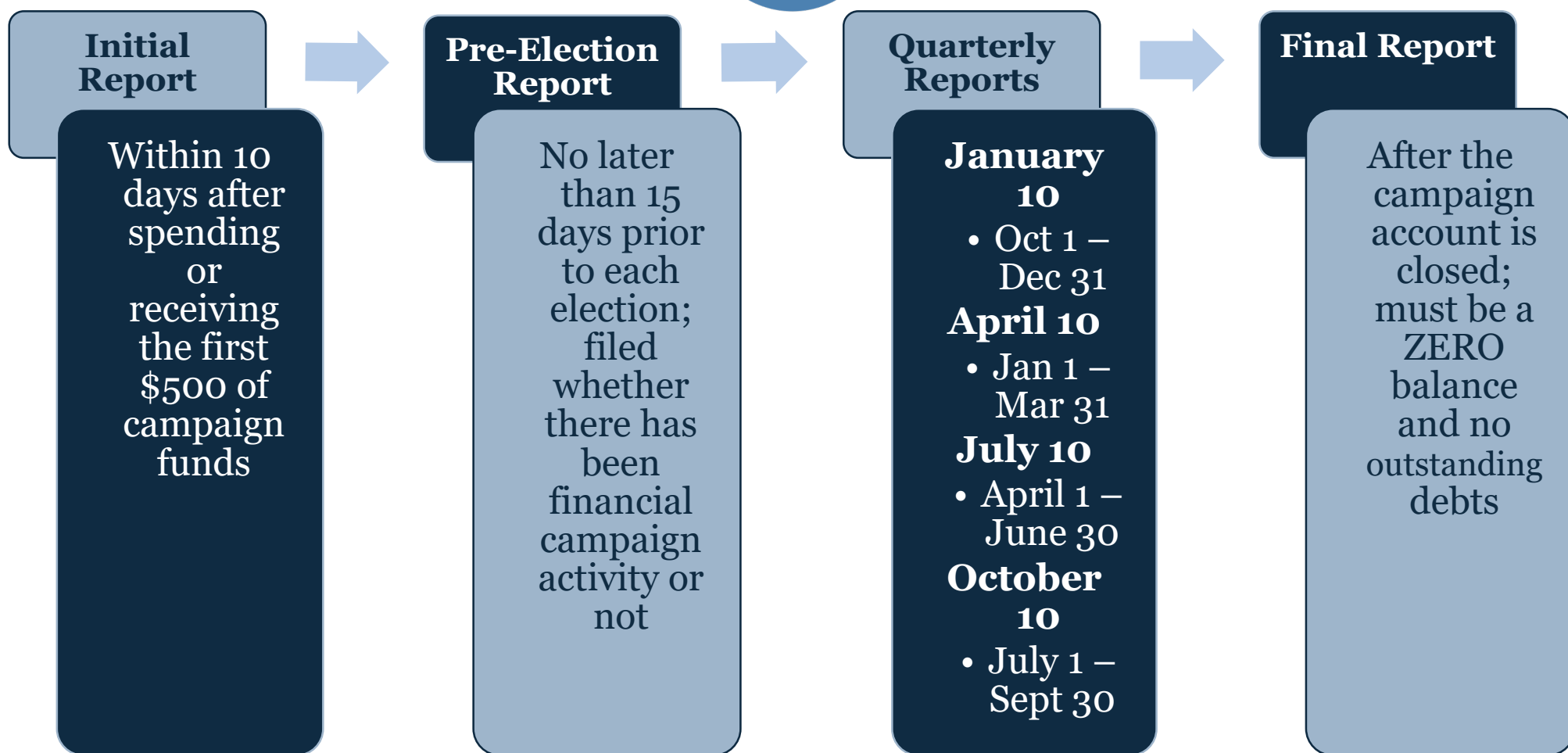
- Provide voter registration support and information
- Provide polling place information and remind citizens to vote in all elections
- Provide citizens with accurate descriptions of **all** the candidates or of a ballot measure, including the question, cost, tax impact, and scope of the proposal(s)
- Explain the district's planning and rationale for a school-related ballot measure
- Develop, print, and distribute neutral fact sheets

## ***Do Not***

- Promote or oppose candidates or ballot measures
- Collect funds to support a campaign
- Print, copy, mail, or otherwise distribute any materials advocating a particular vote
- Develop, reproduce, or distribute materials advocating a particular vote
- Send emails or make phone calls which support or oppose a candidate or ballot measure on district time or while using district computers/phones
- Use students to advocate a particular vote



# *Filing Campaign Disclosures*

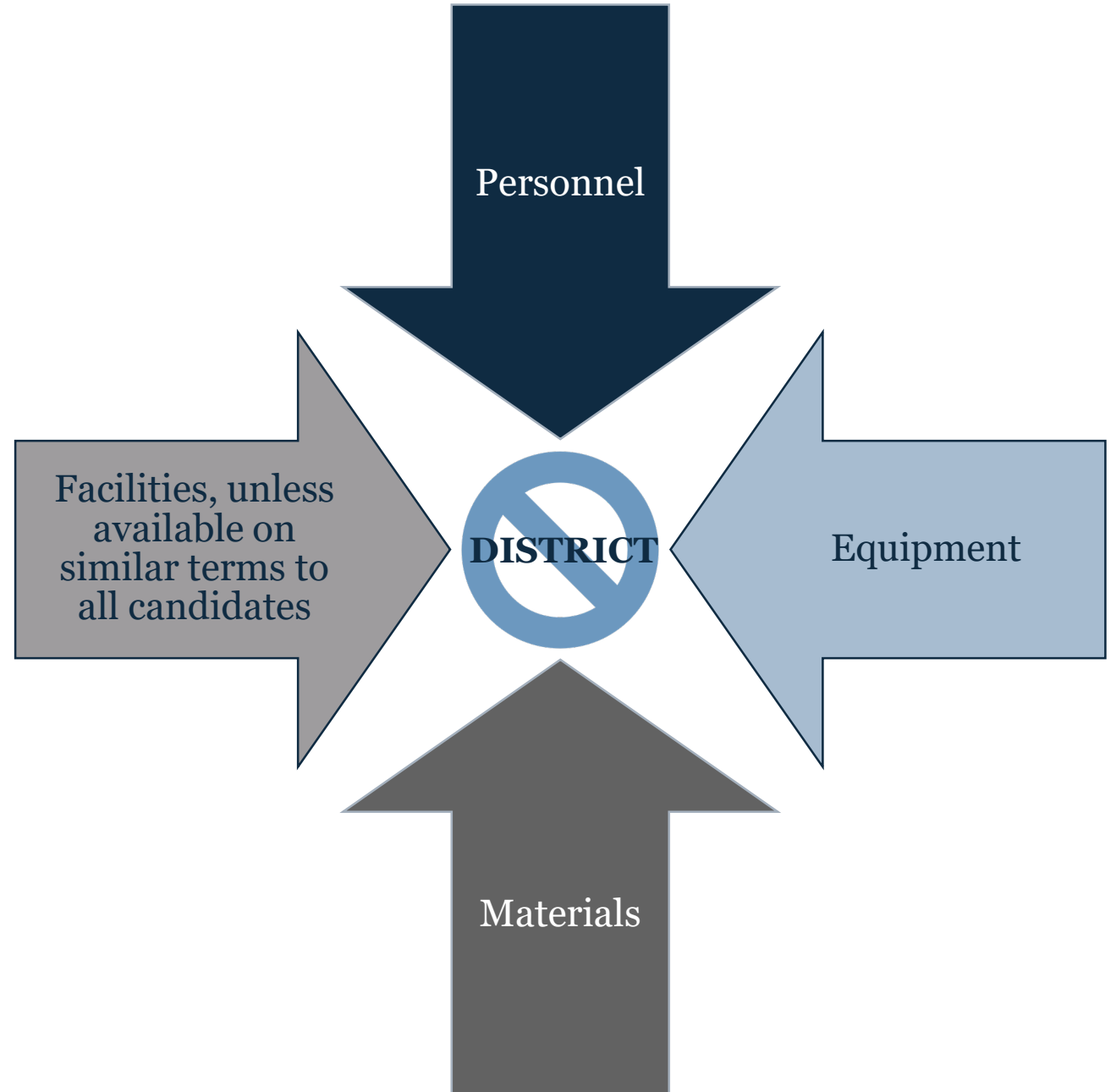




# NEW AND NEXT

In an  
election  
campaign,  
board  
members  
may not use:

SC Code of  
Laws  
Section  
8-13-765

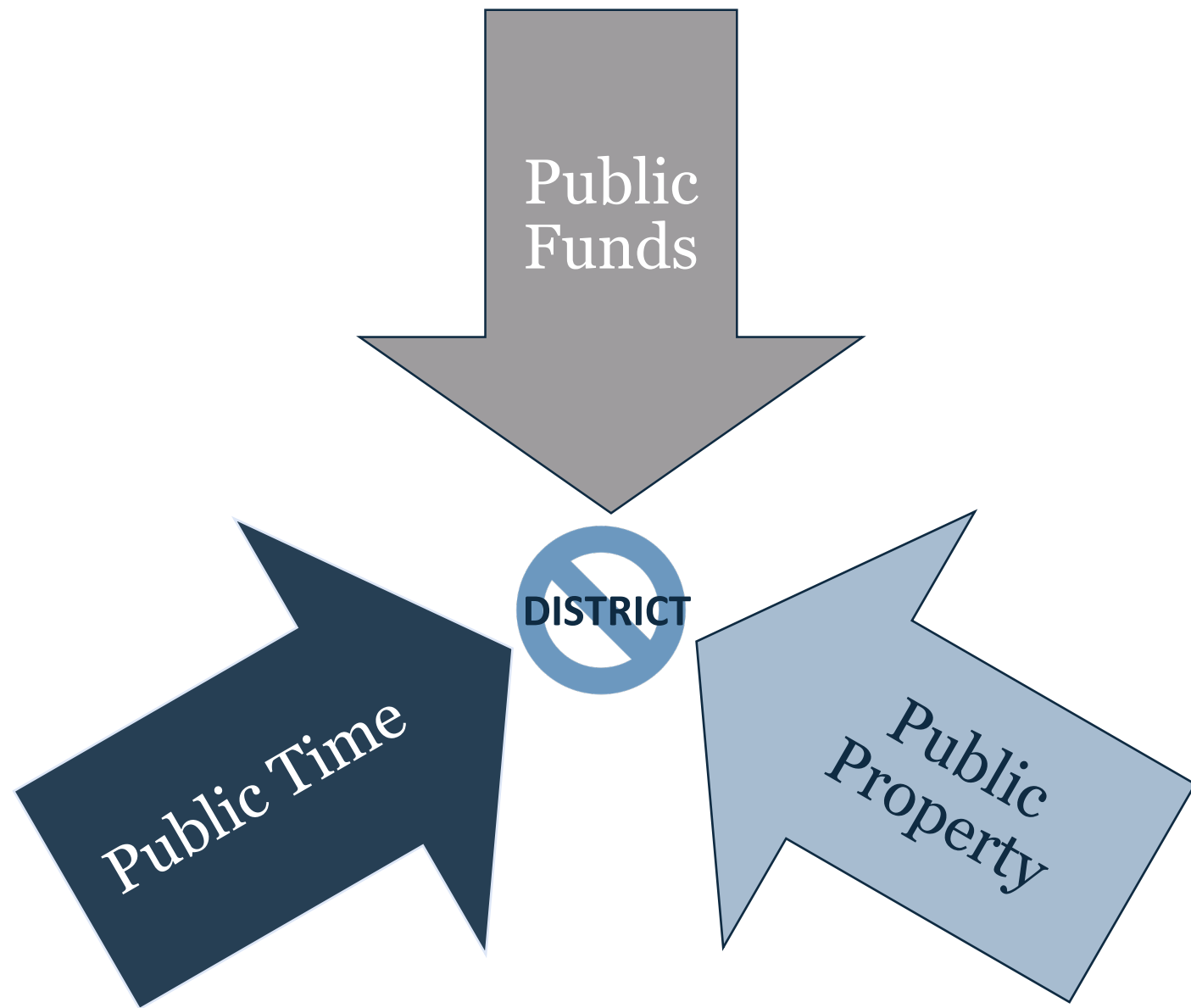




# NEW AND NEXT

For purposes of influencing the outcome of an election, no person may use or authorize the use of:

SC Code of  
Laws  
Section  
8-13-1346





# NEW AND NEXT

## Predominant Purpose Test

Educational  
(i.e. school day)

Predominant purpose of public school property during the school day is public education of children

Entertainment  
(i.e. football game)

General public is invited and predominant purpose is to provide entertainment

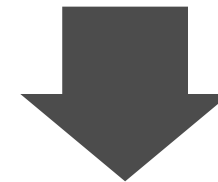


20/20

# NEW AND NEXT

## Statements of Economic Interest

*Due* at noon on March 30



Newly elected → *Due* when entering  
official responsibilities





# NEW AND NEXT

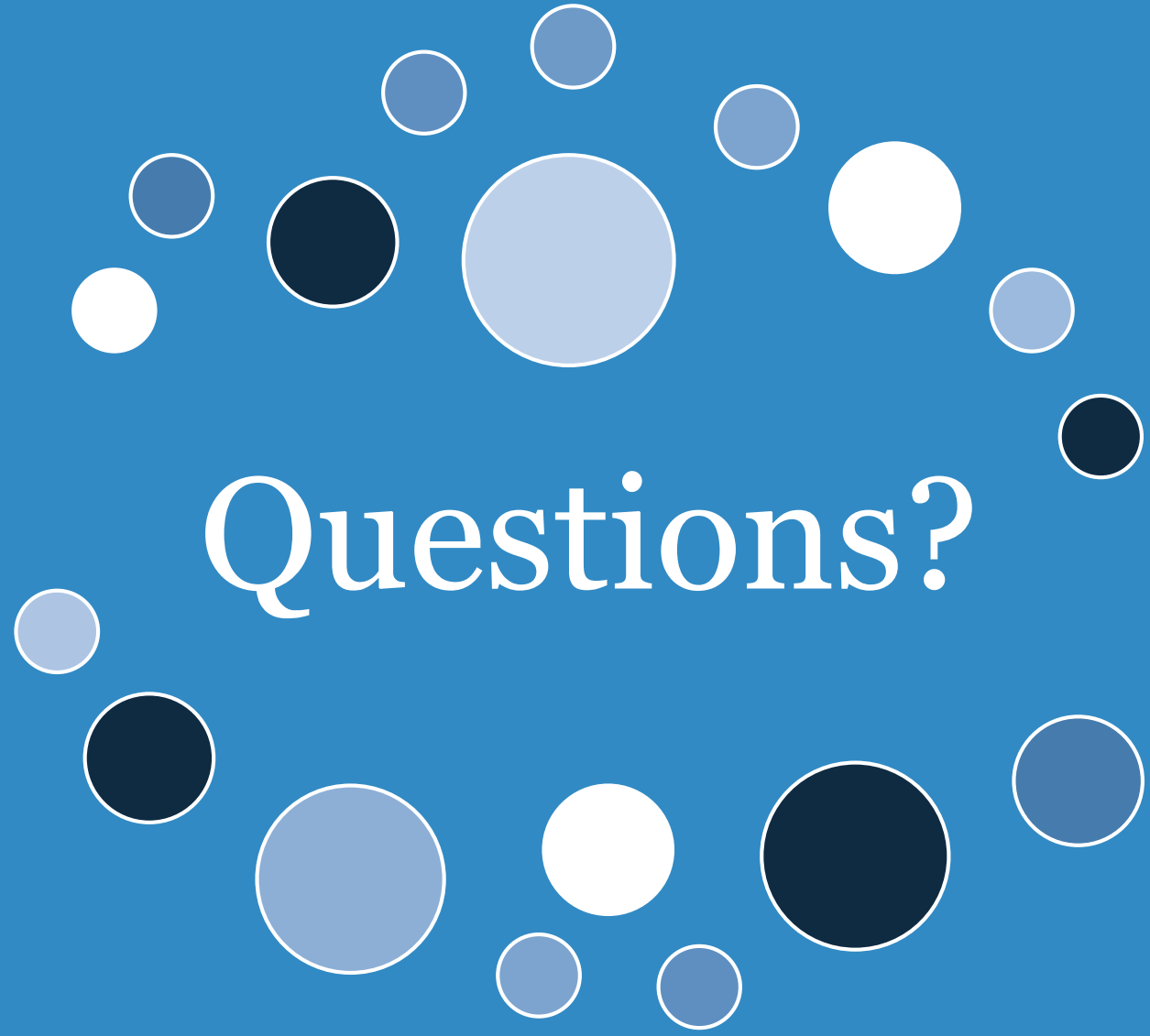
SC Ethics  
Advisory  
Opinion  
2002-003

Disclose *any* gift received  
as a result of public office—  
without reference to a dollar  
value—on the Statement of  
Economic Interest



20/20

NEW AND NEXT



Questions?