

UNENCUMBERED TIME

Code **GCLE** Issued **04/23**

In accordance with state law, the district will require the principal of each elementary school to provide at least 30 minutes of unencumbered time to all full-time instructional staff teaching in grades K-5, and to instructional staff of any elementary, middle, or high school responsible for teaching a special education class for more than 20 percent of the school day with students who are removed from the general education setting.

The following definition will apply to unencumbered time:

Unencumbered time is defined as 30 minutes during the regular workday where teachers are provided time that is self directed and free from assigned duties or responsibilities, including direct instruction or supervision of students.

The unencumbered 30 minutes of time must not include:

- Parent/Teacher conferences
- Bus duty
- IEP and 504 meetings
- Team meetings
- Professional development activities that are not self-directed
- Managing or supervising the transition of students to and from activities, classes, lunch, recess, or any other activities

Implementation

The superintendent will provide guidance to principals to help ensure that they establish procedures and a schedule for unencumbered time. The superintendent is also responsible for maintaining administrative procedures that will facilitate this policy.

The placement of unencumbered time within the instructional day may vary as determined by the principal based on the staffing and scheduling needs of each school and need not be uniform among schools in the district. However, providing unencumbered time will not be achieved by expanding the expected work hours for instructional staff before or after the school day.

A principal will not reduce or withhold an eligible teacher's unencumbered time on a regular basis. Unencumbered time may only be reduced or withheld when it is reasonable and necessary due to extreme and unavoidable circumstances to ensure the safety and welfare of students and staff. Such circumstances could include, but are not limited to, emergency drills, an insufficient number of staff and substitute teachers to maintain instruction in the school, or off-campus school activities such as field trips. If there are persistent, unavoidable circumstances preventing a teacher from taking their unencumbered time, administration should notify the superintendent.

If an eligible staff member's unencumbered time is reduced, withheld, or voluntarily relinquished, additional compensation may not be offered in place of unencumbered time except as provided by state law.

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The principal is responsible for coordinating a plan for the supervision of students by staff not eligible for unencumbered time.

Discipline

The intentional failure of the school's principal to provide eligible teachers with 30 minutes of unencumbered time may result in disciplinary action pursuant to the district's established disciplinary policy. This may also be sufficient cause for suspension or revocation of a school principal's educator certificate pursuant to applicable state law.

The intentional failure of the board to provide eligible teachers with the required 30 minutes of unencumbered time may subject the board to any penalties prescribed by law.

Cf. GCQF

Adopted 04/24/23

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 59-5-63 - Unencumbered time requirement; policies; school district adoptions.
 - 2. Section 59-25-160 - Revocation or suspension of certificate; "just cause" defined.

UNENCUMBERED TIME

Code **GCLE-R** Issued **04/23**

Procedures for Unencumbered Time

The principal of each school will establish an unencumbered time schedule that will provide at least 30 minutes of duty-free time each regular school day for all qualified teachers.

The principal will review the schedule as needed to ensure compliance with the guidelines and to maintain equity and fairness.

The principal will also establish provisions for the safety and supervision of students by staff who are not entitled to unencumbered time.

Eligibility

A full-time teacher teaching kindergarten through fifth grade and working a minimum of 30 hours per week is eligible for 30 minutes of unencumbered time per school day.

A teacher responsible for instructing a special education class for more than 20 percent of the school day with students who are removed from the general education setting is eligible to receive 30 minutes of unencumbered time per regular school day.

This provision is not limited to elementary special education teachers and extends to special education teachers who meet these criteria in grades K through 12.

Reduction or Withholding of Time

The board prohibits improper reduction or withholding of a qualified teacher's unencumbered time. A qualified teacher's unencumbered time may only be withheld or reduced when it is reasonable and necessary due to extreme and unavoidable circumstances to ensure the safety and welfare of students and staff.

In determining whether an extreme and unavoidable circumstance exists, the principal will use the following guidelines:

- A staff shortage exists when, despite reasonable efforts, the principal is unable to find a sufficient number of staff members and substitute teachers to maintain instruction or to supervise students during unencumbered time periods, and no other staff members are available.
- An extreme or unavoidable circumstance exists when because of an emergency drill, illness, epidemic, natural or man-made disaster, the principal cannot acquire staff to supervise students.

A teacher who believes their unencumbered time has been intentionally and improperly reduced or withheld by their principal should follow the district's established grievance procedure. Violations may result in appropriate action under the district's disciplinary policy and may be sufficient cause for suspension or revocation of the principal's educator certificate.

Issued 04/24/23

LIBRARY/MEDIA CENTER MATERIALS SELECTION AND ADOPTION

Code **IJL** Issued **04/23**

Purpose: To establish the board's vision and the basic structure for the selection and adoption of library/media center materials.

The function of the school library/media center is to support and enrich the instructional program of the school. The library/media center must provide a broad range of materials with a diversity of viewpoints, abilities and interests.

The board has the legal responsibility for the purchase of all instructional materials. The selection and ordering of library books, audiovisuals and other materials for the library/media centers are the responsibility of the school library/media specialists in accordance with this adopted policy. Library/Media Specialists are directed to collaborate with Library/Media Specialists at their grade levels within the district when approving materials.

Library/Media specialists will identify, order and organize materials that will implement, enrich and support the educational program of the school district. Principals, teachers, supervisors and other school personnel will give suggestions, recommendations and other assistance.

The library/media specialist will evaluate the existing collection and consult reputable, unbiased professionally prepared selection aides such as the following School Library Journal, The Horn Book, or the Bulletin of the Center for Children's Books.

- ~~Children's Catalog~~
- ~~List of Sources of Selection: Library Materials for South Carolina Elementary and Secondary Media Centers~~
- ~~Elementary Library Collection~~
- ~~Good Books for Children~~
- ~~List of Books - S.C. Elementary Libraries~~
- ~~School Library Journal~~
- ~~The Horn Book~~
- ~~Bulletin of the Center for Children's Books~~

Materials selection criteria

The basic selection criterion is the appropriateness of the materials for use at the grade levels served. In addition, the library/media specialist will judge the materials using the following criteria.

- ~~needs of the school and value to the collection~~
- ~~validity, accuracy, objectivity, currency and appropriateness of text~~
- ~~organization and presentation of contents~~
- ~~clarity, adequacy and scope of text~~

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- ~~representative of many viewpoints~~
- ~~high artistic quality and/or literary style~~
- ~~high degree of readability and/or comprehensibility~~
- ~~reputation and significance of author and producer~~
- ~~value commensurate with cost~~

- appropriate for recommended levels
- accurate in terms of content
- reflective of the pluralistic nature of society
- representative of differing viewpoints
- appropriate format for the subject matter
- recent copyright date as appropriate to the subject
- acceptable literary style and technical quality
- cost effective in terms of use
- pertinent to the curriculum and the objectives of the instructional program

Book Fairs should be coordinated with the library/media specialist and approved by the principal. All vendors are required to submit titles no fewer than two weeks before the beginning of book fairs. Library/media specialists should collaborate with other library/media specialists within the district to pre-approve titles submitted by vendors.

The principal is responsible for the approval of all materials provided within schools.

Adopted 2/25/13; Revised 04/24/23

POSSESSION/USE OF ELECTRONIC COMMUNICATION DEVICES IN SCHOOL

Code **JICJ** Issued **4/23**

Purpose: To establish the basic structure for student possession/use of electronic communication devices in the schools of the district.

For purposes of this policy, electronic communication devices are defined as any telecommunications device (including cellular telephones, pagers, etc.) that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor or someone else.

A student may possess an electronic communication device in school under the following circumstances.

- Possession of an electronic communication device by a student is considered to be a privilege, which may be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in the misuse of the device so as to violate school rules, board policy, or the law.
- Students may possess/use electronic devices during non-instructional time, or under the direct supervision of a staff member. Should the device cause any disruption to the instructional process or educational setting, the behavior will be addressed through the school discipline code.
- The district/school is not responsible for devices that are lost, stolen or broken while being used on school premises.
- All students must comply with the district/school Acceptable Use Policy regarding the use of electronic/digital devices.
- The creation of videos/pictures is not allowed without prior approval from an administrator.
- The device may not be used in any area where personal privacy of others must be respected, i.e., restrooms, dressing rooms, etc.
- Phones (to include earbuds, headphones, and other cell phone accessories) may not be visible during instructional time unless part of a lesson as designed by the teacher.

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Adopted 5/20/13; Revised 04/24/23

Legal references:

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

1. Section 59-63-280 - Possession of paging devices by public school students; mobile telephones included; adoption of policies.

Public Concerns and Complaints About Instructional Resources

Code **KEC** Issued **4/23**

Purpose: To establish the basic structure for receiving and handling public concerns and complaints about instructional resources.

The board of trustees recognizes its responsibility in the matter of selection and provision of instructional materials. Any parent/legal guardian or citizen may lodge a complaint against any books or instructional materials being used in the school system.

Upon receipt of the letter from the school principal KEC-E(1), the complainant must submit criticism of books or other instructional materials in writing to the superintendent using the Citizens Request Form for Reconsideration of Instructional Materials Used in Spartanburg Five Schools KEC-E(2). District personnel will review all complaints in accordance with approved administrative rule KEC-R.

~~The board directs that any challenged materials remain in the school pending final action upon the complaint. However, the school may observe the request of a parent/legal guardian that his/her own child not be assigned a specific book.~~

Pending review by the committee, the challenged book(s) or materials shall be withdrawn for use throughout the district.

The superintendent will inform the board of all complaints about instructional materials.

Adopted 10/5/87; Revised 4/25/94, 2/7/02, 5/20/13; 4/24/23

Legal references:

S.C. Code, 1976, as amended:

Section 59-19-90(7) - The board of trustees shall control the educational interests of the district.

Case Law:

Board of Education v. Pico, 457 U.S. 853 (1982).

PUBLIC CONCERNS AND COMPLAINTS ABOUT INSTRUCTIONAL RESOURCES

Code **KEC-R** Issued **4/23**

Selection of materials

See policies IJJ and IJK.

The responsibility for the selection of all instructional materials is delegated to professionally trained personnel. Materials will be procured according to guidelines established by professional organizations such as ALA (American Library Association), NCTE (National Council for Teaching of English), NSTA (National Science Teachers Association) and NCSS (National Council of Social Studies).

Procedures for handling complaints concerning instructional materials

Complaints about any instructional materials will be reconciled by the classroom teacher, media specialist or other professional personnel at the school level when possible. If the complaint is not reconciled, the complainant may file a formal challenge.

Formal challenges

- The complainant must contact the principal of the school involved. The principal should make no statement of fact, commitment or promises concerning the challenged materials.
- The principal will send a letter [see KEC-E(1)] to the complainant immediately upon receipt of the complaint. The following will be enclosed with the letter.
 - a copy of the district materials selection policy statements (policies IJJ and IJK)
 - a request form for reconsideration of the challenged material by the complainant [see KEC-E(2)]
 - a copy of policy KEC
- The principal will inform the complainant that a written complaint must be filed which will include the completed Request for Reconsideration Form KEC-E(2). The written complaint must be received by the principal within two weeks after receipt of the letter by the complainant or no further action will be taken by the school.
- The principal will immediately notify the teacher, media specialist or other professional staff member involved that a formal complaint has been made.
- Upon receipt of a written complaint from the complainant, the principal will send a copy of the complaint to the superintendent and the professional staff member directly involved.

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- The principal will appoint, within one week following receipt of the written complaint, a committee to review the complaint. The committee will be composed of the following individuals.
 - the professional staff member directly involved
 - the assistant superintendent in charge of instruction
 - the supervisor in charge of instructional material

 - another teacher in the school
 - a lay member of the school improvement council or a parent other than the complainant selected by the school improvement council
 - in grades K through eight, one additional lay person who serves in a position of leadership in the community to be appointed by the principal
 - a student (if grade level is nine or above)

- The school review committee will do the following.
 - Notify appropriate district administrator of challenged materials.
 - Read and examine challenged materials before studying the written complaint.
 - Check general acceptance of the materials by reading professional reviews.
 - Form opinions based on the material as a whole and not on passages or components pulled out of context.
 - Consider the complaint in relation to the challenged materials.
 - Vote to make a recommendation. The vote must be made by the full committee and carried by a simple majority.
 - Complete a report within 20 school days after the receipt of the written complaint. A written copy of this report will be sent to the complainant, the superintendent and the professional staff member involved.

Appeal procedures

The decision of the review committee may be appealed to the superintendent by the complainant if he/she is not satisfied with the review committee's recommendations.

- The appeal must be submitted in writing within 30 days of notification of the school review committee's recommendation.

- The superintendent will appoint a district review committee composed of the following individuals.
 - superintendent as chairperson
 - two professional staff members other than those previously involved
 - a principal from a school other than the school involved
 - a parent in the district, other than the complainant

- The superintendent will preside over the district review committee. The committee will examine the findings of the school level committee and within 20 school days will issue a decision. This decision will be final unless the complainant wishes to appeal to the board of trustees.
- The complainant and the chairman of the school review committee will be notified within one week of the decision of the district review committee.
- If there is further challenge, the superintendent will present the findings of the school level and district review committees to the board at its next regularly scheduled meeting.
- Pending review by the committee, the challenged book(s) or materials shall be withdrawn for use throughout the district.
- If the materials are deemed to be inappropriate, the district must ensure no other copies exist in circulation within the district for the school level(s) in which it is found to be inappropriate.

~~The decision should affect only the school whose material is challenged.~~

~~The challenged item is not removed from circulation until final decision is made except as needed by evaluating committees.~~

Adopted 10/5/87; Revised 4/25/94, 2/7/02, 5/20/13, 4/24/23