



SCHOOL BOARD COMBINED WORK SESSION/BUSINESS MEETING

LOC **Comporium Conference Center @ Central Office**

LEADER: Helena Miller

TEAM: Board of Trustees

START: **5:30 p.m.**

SCRIBE: Chris Gammons

DATE: August 10, 2020

FINISH: 8:00 p.m. approximately

| Item | Agenda Topic | Discussion Leader | Time |
|------|---|------------------------|------------|
| | Work Session | | |
| 1 | Call to Order | Chairman Helena Miller | 5 minutes |
| 2 | Recognitions: | Dr. Bill Cook | 20 minutes |
| | *New Administrator Introductions | | |
| | *SC/NSPRA Awards | | |
| 3 | Policy JBAB - Title IX - Students - 1st read | Dr. Luanne Kokolis | 10 minutes |
| 4 | Policy GBAB - Title IX - Staff - 1st read | Dr. Tanya Campbell | 10 minutes |
| 5 | Policy ADD - Face Covering - 1st read | Dr. Keith Wilks | 20 minutes |
| 6 | Administrative Rule JE-R(2) - Student Attendance | Dr. Keith Wilks | 20 minutes |
| 7 | Policy KHB, KHB-R - Revenue Enhancement Contracts - 1st read | Mrs. Terri Smith | 10 minutes |
| 8 | 8% SCAGO General Obligation Debt Issuance | Mrs. Terri Smith | 10 minutes |
| 9 | eLearning Days | Dr. John Jones | 5 minutes |
| 10 | Board of Trustees' Goals for 2020-2021 | Chairman Helena Miller | 20 minutes |
| 11 | Other and Future Business | Chairman Helena Miller | 5 minutes |
| 12 | Adjourn Work Session / Enter Business Meeting | | |
| | Business Meeting | | |
| 1 | Call to Order | Chairman Helena Miller | 1 minute |
| 2 | Policy JBAB - Title IX - Students - 1st read aproval | Dr. Luanne Kokolis | 5 minutes |

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|---|--|--------------------|-----------|
| 3 | Policy GBAB - <i>Title IX - Staff</i> - 1st read approval | Dr. Tanya Campbell | 5 minutes |
| 4 | Policy ADD - <i>Face Covering</i> - 1st read approval | Dr. Keith Wilks | 5 minutes |
| 5 | Executive Session: | | |
| | *Personnel Matter: <i>Hirings</i> | | |
| 6 | Action as Required from Executive Session | | |
| 7 | Adjournment | | |
| | | | |

WORK SESSION

Call to Order

Chairman Miller

Memorandum

TO: Dr. Bill Cook
FROM: Mychal Frost
DATE: August 5, 2020
SUBJECT: Recognitions for August 10th Board Meeting

A. New Administrator Introductions

Tennille Wallace, Executive Director of Technology Services

Tennille Wallace joins Rock Hill Schools as the executive director of technology after serving as the chief technology officer of Eagle County Schools in Eagle, Co. At Eagle County, she worked to align the district's technology priorities and resources to support the overall mission and achieve its purpose. Her career spans 32 years with teaching, administrative and technology positions in Alabama, Colorado, Florida, Indiana, Tennessee and Cairo, Egypt. While principal of Sidener Academy in Indianapolis, Ind., she was instrumental in increasing student proficiency on English language arts, reading and math state assessments to 100%. Her leadership at the school was rewarded with Sidener being named a National Blue Ribbon School in 2014 and a number one state ranking on Indiana state assessments for four consecutive years. Her corporate experience includes stints with Siemens Westinghouse where she was a senior systems analyst and Arthur Anderson where she was a senior financial auditor. Wallace is an education systems improvement science doctoral candidate at Clemson University. She holds her undergraduate degree from the University of Alabama, and she has advanced degrees in accounting from the University of Denver as well as educational leadership from the University of West Florida. Additionally, she has completed District Administration's National Superintendent's Academy, the American Association of School Administrators' Urban Superintendent's Academy at Howard University, and earned a certificate in school management and leadership from the Harvard Graduate School of Education.

Gina B. Jenkins, Director of Human Resources

Gina Jenkins has been named the district's Director of Human Resources. Since 2014, Jenkins has served as the coordinator of educator effectiveness in the Fort Mill School District, a role that allowed her to work closely with teachers and school administrators. In Fort Mill, she created professional development opportunities for use across the district and common assessments for all courses and departments in grades 6-12, led the teacher induction program for middle and high school educators, and supported teacher evaluation and licensure processes. She has also served as an English Language Arts curriculum specialist and middle school English and social studies teacher. Jenkins earned her undergraduate degree from Winthrop University in elementary education. She has advanced degrees from Furman University and Winthrop University. Jenkins is currently completing her education specialist degree in educational systems improvement science at Winthrop University.

Bianca Chivers-White, Principal, Old Pointe Elementary School

Bianca Chivers-White has served as the interim principal at Old Pointe Elementary School since January and has been promoted to principal. From September 2014 to December 2019, she was an assistant principal at Old Pointe. Previously, she taught third grade at Independence Elementary School. Chivers-White earned her undergraduate degree in elementary education from Winthrop University, her master's in divergent learning from Columbia College, and her master's in executive leadership from Gardner-Webb.

University. Additionally, she has completed a gifted and talented education certification program at Converse College.

Dr. Jamie Benfield Ledsinger, Principal, Saluda Trail Middle School

Jamie Benfield Ledsinger, who most recently completed a four-month stint as interim principal at Northside Elementary School of the Arts, has been named principal of Saluda Trail Middle School. Her career spans 18 years, and she has taught high school English and held principalships at three schools in Union County (N.C.) Public Schools and Anson County (N.C.) School District. She holds her undergraduate and master's degree from The University of North Carolina at Charlotte, and she completed her education specialist and doctorate programs at Wingate University. Her areas of study included English and secondary education, school administration and curriculum, and educational leadership.

Derek McQuiston, Elementary Virtual Academy Coordinator

Derek McQuiston, who has spent the past two years as an assistant principal at Oakdale STEAM Elementary School, has been named the district's first-ever elementary virtual academy coordinator. In this new role, McQuiston will oversee and manage the development of the district's all-new elementary virtual academy. Initially being offered as an option this fall for students and families seeking an alternative to in-person instruction amid the COVID-19 pandemic, the Rock Hill Schools Virtual Academy will grow in the coming years under McQuiston's leadership and will complement virtual and blending learning programs already available to middle and high school students in our district. At Oakdale STEAM Elementary, he facilitated all areas of school operations and supervised a staff of more than 60 teachers for the purpose of providing an instructional program that met the needs of all learners in a challenged-based learning environment. Previously, he served as an instructional technology specialist in the district after being the first teacher in the district to design and pilot a one-to-one blended learning program known as The Quest at York Road Elementary in 2011. McQuiston has also taught fourth and fifth grades at India Hook Elementary School. He holds an undergraduate degree in journalism and mass communication and master's in teaching from the University of South Carolina.

Brigette McSheehan, Interim Assistant Principal, Rock Hill High School

Brigette McSheehan will serve as an interim assistant principal at Rock Hill High School. She has been a business education teacher at RHHS since 2012 and has served as the department chair for the past three years. McSheehan earned her undergraduate degree from Western Carolina University in communications and electronic media and her master's in educational leadership from the American College of Education. She earned her teaching certification through North Carolina State University.

Lia McKay, Assistant Principal, Northside Elementary School of the Arts

Lia McKay joins Northside Elementary School of the Arts as an assistant principal after serving as the district's exceptional student education compliance monitor for the past three years. McKay, who is a National Board Certified teacher, also taught special education at Sullivan Middle School for 12 years. She holds master's degrees in public administration and social work from the University of South Carolina, a master's of special education from Grand Canyon University and a master's of educational leadership from Winthrop University.

Swanetta Hall, Assistant Principal, Belleview Elementary School

Swanetta Hall has been named assistant principal at Belleview Elementary School where she has worked the past four years as an academic interventionist teacher. In that role, she collected and analyzed student achievement data to plan and implement strategic early learning lessons in the areas of math and English language arts for students in grades one through five. Hall has also taught at Lesslie Elementary School, Great Falls Elementary School in Chester County, and Ridgeland Elementary School in Jasper County. A trained South Carolina teacher mentor, she was honored as the Jasper County School District Teacher of the Year in 2006. Hall's undergraduate degree in early childhood education is from South Carolina State

University. She also holds master's degrees from Lesley University in curriculum and instruction and from Grand Canyon University in elementary administration.

Sara Sconyers, Assistant Principal, Old Pointe Elementary School

Sara Sconyers has been named assistant principal at Old Pointe Elementary School. Since 2015, she has been an instructional coach in the district at Rawlinson Road Middle School. In the coaching role, Sconyers has focused her work on supporting improved instructional practices in the areas of math, literacy and social studies. Previously, she taught social studies at Rawlinson Road and Westbrook Middle School in Connecticut. Sconyers has two master's degrees from Winthrop University in curriculum and instruction and educational leadership. Her undergraduate degrees in middle level education and history are from Eastern Connecticut State University. She holds additional certifications and specialized training in the areas of gifted and talented instruction, Fountas and Pinnell leveled literacy instruction, as well as serving as a certified South Carolina mentor teacher and evaluator.

B. SC/NSPRA Awards

The South Carolina Chapter of the National School Public Relations Association (SC/NSPRA) has awarded the Rock Hill Schools marketing and communications team a total of 5 awards, including one "Best in Show" award. This marks the second straight year the department has received a "Best in Show" award in the state's annual public relations recognition program. Additionally, Rock Hill High School has received a Reward of Excellence in the branding and image package category. The Rewards for Excellence Program recognizes outstanding communications and public relations efforts by schools, school districts and educational agencies and associations.

District-level winning entries, including award category, are:

- Video Category: Winter Graduation 2019
- Video Category: Farmer's Market Video
- Video Category: Dalton & Linda Floyd College Readiness Video
- Video Category: BMX – DIRT – DESIGN – named "Best in Show"
- Golden Achievement Award (recognizes overall public relations initiative): Superintendent's Listen & Learn Series

Rock Hill High's campus-wide effort to update and enhance the school's identity through a new logo, signage, wall and window graphics, and apparel was one of two school's statewide to be recognized in the branding and image category.

To view the award-winning videos and many others, you are encouraged to visit the district's YouTube and Facebook pages.



Planning Department
Telephone: 981-1045

Memorandum

TO: Dr. Bill Cook
FROM: Dr. Tanya Campbell and Dr. Luanne Kokolis
DATE: July 31, 2020
SUBJECT: Title IX Policy Update and First Read for Approval

New Title IX regulations and policy have been issued by the federal government for public schools across the country. The new policy regulation states that school boards need to approve the draft policy by August 14, 2020.

Our attorney, Kathy Mahoney, has reviewed and updated the attached draft policy for board approval.

A new policy GBAB Staff Title IX policy and new policy JBAB Student Title IX policy need to be before the board for approval in August to be in compliance with federal law.

[DRAFT]

Policy

TITLE IX POLICY

Code JBAB Issued _____

The District, as required by Title IX of the Education amendments of 1972 and its corresponding regulations (“Title IX”), does not discriminate on the basis of sex in its education programs or activities. Title IX prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex even if those acts do not involve conduct of a sexual nature. The District prohibits discrimination and harassment on the basis of sex or gender in all of its programs and activities by its employees, students or third parties.

The District will respond promptly to actual knowledge of sexual harassment in an education program or activity of the District against a person in the United States in a manner that is not deliberately indifferent. The response will treat complainants and respondents equitably.

Any allegations of inappropriate conduct of a sexual nature that fall outside of this policy will be handled consistent with other applicable Board policies, including the Code of Conduct.

DEFINITIONS

Sexual Harassment

34 CFR § 106.30(a)

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district’s education program or activity; or
- “sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8), or “stalking” as defined in 34 USC 12291(a)(30).

(Note: use of email, internet or other technologies may constitute “sexual harassment” on a similar basis to use of in-person, postal mail, handwritten or other communications)

Education program or activity

34 CFR § 106.44(a)

Includes any locations, events or circumstances over which the district exercised substantial control over both the alleged harasser (respondent) and the context in which the harassment occurred.

Consent

An active agreement to participate in sexual contact or penetration. An active agreement is words and/or conduct that communicates a person's willingness to participate in sexual contact or sexual penetration. Consent may not be given in some circumstances based upon incapacitation, force, coercion or age.

Formal complaint

34 CFR § 106.30(a)

A document filed by a complainant or signed by the Title IX coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

The factors that a Title IX coordinator may consider when determining whether to sign a complaint include, but are not limited to:

- Whether there have been other reports of sexual harassment or other relevant misconduct concerning the same Respondent
- Whether or not the incidents occurred while the Respondent was a District student or employee;
- Whether the Respondent threatened further sexual harassment or other misconduct against the Complainant or others;
- Whether the alleged sexual harassment was committed by multiple perpetrators;
- The nature and scope of the alleged sexual harassment including whether the sexual harassment was perpetrated with a weapon;
- The ages and roles of the Complainant and the Respondent;
- Whether the District can pursue the investigation without the participation of the Complainant (e.g., whether there are other available means to obtain relevant evidence of the alleged sexual harassment such as security cameras or physical evidence);
- Whether the report reveals a pattern of perpetration (e.g., perpetration involving illicit use of drugs or alcohol) at a given location or by a particular group.

Complainant

An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

A parent or legal guardian who has the legal authority to act on behalf of his or her child may act

as the complainant and file a complaint on behalf of his or her child. 34 CFR § 106.6(g).

Respondent

An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Days

Any reference to days means a day on which the District is open.

Actual Knowledge

34 CFR § 106.30(a)

Actual knowledge of sexual harassment means notice of sexual harassment or allegations of sexual harassment to the District's Title IX coordinator or ***any*** District employee.

Burden of Proof

The District will use the preponderance of evidence standard to determine responsibility.

Role of Title IX Coordinator

34 CFR § 106.8(a)

The District administration will designate a Title IX coordinator. The Board authorizes the Title IX coordinator to coordinate the District's required efforts under the law.

The Title IX coordinator's name or title, email address, office address and telephone number will be posted on the District's website and will be included in any handbook provided to employees, students and parents or legal guardians.

Notice requirement

34 CFR § 106.8

In addition to providing notice of the Title IX coordinator's name and contact information, the administration will also provide notice of the District's nondiscrimination policy and grievance procedures, including how to file or report sexual harassment and how the District will respond to applicants for admission and employment, students, and parents or legal guardians.

Training

34 CFR § 106.45(b)

The District administration will ensure that Title IX coordinators, investigators, decision makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process, appeals, and informal resolution processes, and how to

serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The decision makers must also receive training on issues of relevance of questions and evidence. The investigators must also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. The administration will make training materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process publicly available on the District's website.

Reporting Allegations

34 CFR § 106.8(a)

Any person may report sex discrimination, including sexual harassment, regardless of whether the person is the alleged victim of the reported conduct, in person, by mail, by telephone, or by email.

The report can be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX coordinator.

Supportive Measures

34 CFR § 106.30(a)

The Title IX Coordinator must promptly contact the complainant (alleged victim) to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Supportive measures are non-disciplinary, non-punitive, individualized services, offered as appropriate, as reasonably available, and without charge to a complainant or a respondent before or after the filing of a formal complaint, or where no formal complaint has been filed. Confidentiality of supportive measures must be maintained to the extent that maintaining confidentiality would not impair the ability of the District to provide the supportive measures. (Examples may include counseling, course modification, scheduling changes, mutual restrictions on contact between the parties, and increased monitoring or supervision).

The Title IX Coordinator's prompt response (to offer supportive measures) is required regardless of whether a formal complaint is filed.

Supportive measures offered should be documented.

Response to a Formal Complaint

34 CFR § 106.45(b)(1)

The District's grievance process will:

- Treat parties equitably.
- Require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence.

- Require that any person designated as a Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal process not have a conflict of interest against complainants or respondents generally or against the particular complainant and respondent. The District will ensure required training is provided to these individuals.
- Include a presumption that the respondent is not responsible for the alleged conduct until a determination has been made at the conclusion of the grievance process.
- Include reasonably prompt time frames for conclusion of the grievance process.
- Describe or list the possible disciplinary outcomes and remedies that may be implemented following a determination of responsibility. **(See Student Code of Conduct JICDA and Staff Code of Conduct GBEB)**
- Include the procedures and permissible reasons for appeal by a respondent or a complainant.
- Describe the range of supportive measures available to complainants and respondents.
- Not require, allow or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

Written Notice

34 CFR § 106.45(b)(2)

Upon receipt of a formal complaint, the District must provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. Written notice must include:

- Notice of grievance process, including any informal resolution process;
- Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be sexual harassment, and the date and location of the alleged conduct, if known) to allow the respondent to prepare a response;
- Statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;
- Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
- Notice of any provision in the code of conduct that prohibits knowingly making false statements or providing false information in the grievance process.

Dismissal of Complaint

34 CFR § 106.45(b)(3)

The District administration will investigate the allegations in a formal complaint.

The complaint ***must*** be dismissed if the allegations:

- would not constitute sexual harassment as defined in § 106.30, even if proved;
- did not occur in the district's education program or activity; or

- did not occur against a person in the United States.

The complaint *may* be dismissed:

- if the complainant notifies the Title IX coordinator in writing at any time that he or she wishes to withdraw the complaint or any allegations in it;
- if the respondent's enrollment or employment ends, or;
- if specific circumstances prevent the District from gathering evidence sufficient to reach a determination.

The District will promptly send written notice of dismissal and reasons for dismissal simultaneously to parties. Such a dismissal does not preclude action under other provisions of the District's code of conduct.

Investigation Process

34 CFR § 106.45(b)(5)

When investigating a complaint, the investigator will:

- Ensure that the burden of proof and of gathering evidence rests on the District rather than the parties, except that certain treatment records cannot be obtained without voluntary, written consent from the party or parent;
- Provide an equal opportunity for the parties to present witnesses and evidence;
- Not restrict either party's ability to discuss the allegations or gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during interviews or other related proceedings, including an advisor who may, but is not required to be, an attorney (the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties);
- Provide to a party who is invited or expected to attend, written notice of the date, time, participants, purpose and location of any investigative interview or other meeting with enough time to allow the party to prepare to participate;
- Provide both parties and advisors, if any, an equal opportunity to review all evidence that is directly related to the allegations in the formal complaint, including evidence on which the District does not intend to rely and any inculpatory or exculpatory evidence from any source; such evidence must be provided prior to the completion of the final investigation and in time to give the parties at least 10 days to prepare a written response, which the investigator must consider prior to completing the investigation report; and
- Prepare a written investigation report that fairly summarizes the relevant evidence and provide the report to the parties and their advisors, if any, at least 10 days before the decision maker makes a determination of responsibility.

Determination of responsibility by decision maker

34 CFR § 106.45(b)(7)

After the investigator has sent the investigative report to the parties, and before a determination has been made regarding responsibility, the decision maker will:

- Provide each party 10 days to respond to the investigative report and the opportunity to submit written, relevant questions that the party wants asked of another party or witness;
- Provide each party with the answers to written questions; and
- Provide for limited follow-up questions from each party.

The decision maker, who cannot be the investigator or the Title IX coordinator, will apply the District's preponderance of the evidence standard and issue a written determination of responsibility that:

- Identifies the allegations that potentially constitute sexual harassment;
- Describes the District's procedural steps taken from the receipt of the complaint through the determination;
- Includes findings of fact supporting the determination;
- Includes conclusions regarding the application of the District's code of conduct to the facts;
- Includes a statement of, and a rationale for, the result as to each allegation, including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the District's education program or activity will be provided to the complainant; and
- Includes procedures and permissible bases for the complainant and respondent to appeal. The written determination must be provided to the parties simultaneously.
- Explains to the other party proposing the questions any decision to exclude a question as not relevant.

Appeals Process

34 CFR § 106.45(b)(8)

Within 10 days of receipt of the determination, either party may appeal a determination of responsibility, or the District's dismissal of a formal complaint or any allegations therein, for the following reasons:

- A procedural irregularity that affected the outcome;
- New evidence that was not reasonably available at the time of determination and could affect the outcome; or
- Conflict of interest on the part of the Title IX coordinator, investigator, or decision maker that affected the outcome.

For all appeals, the District will provide written notice to both parties of the appeal and provide both parties an equal opportunity to submit a written statement in support of, or challenging, the determination. The parties will have five days to provide their written response.

The appeal must result in a written decision that must be provided to both parties simultaneously.

The decision maker for the appeal cannot be the same person as the decision maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX coordinator; cannot have a conflict of interest; and must receive training (outlined in 34 CFR § 106.45(b)(1)(iii))

Informal Resolution

34 CFR § 106.45(b)(9)

The District cannot offer to facilitate an informal resolution process unless a formal complaint of sexual harassment is filed.

At any point during the formal complaint process, the District may offer to facilitate an informal process that does not require a full investigation, provided both parties are given the required notice of rights, and they consent. This process cannot be used in the context of a complaint that an employee harassed a student. Additionally, at any point prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process.

Emergency removal/administrative leave

34 CFR § 106.44

In cases in which an employee is a respondent, the District may place that employee on administrative leave during the pendency of an investigation and grievance process.

In cases in which a student is a respondent, the District may remove, on an emergency basis, the respondent from the District's educational program or activity provided the District: (i) undertakes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and (ii) provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision does not modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Recordkeeping

34 CFR § 106.45(b)(10)

The District will maintain records related to this policy for seven years. Specifically, the District will maintain records pertaining to: (i) each investigation and determination; (ii) any disciplinary sanctions imposed on respondent; (iii) any remedies provided to the complainant; (iv) any appeal and the result thereof; (v) any informal resolution and result; (vi) any materials used to train Title IX coordinators, investigators, decision makers, and any person who facilitates an informal resolution process.

The District shall also create and maintain records related to any action or supportive measures

taken in response to a report or complaint of sexual harassment. The records shall document the basis for the District's conclusion that its response was not deliberately indifferent and document that it has taken measures designed to restore or preserve equal access to the District's educational programs or activities. If no supportive measures are provided, the District shall document why such a response was not clearly unreasonable.

Retaliation

34 CFR § 106.71

Neither the District nor any other person may intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege under Title IX or because the individual made a report, a complaint, testified, assisted, participated in, or refused to participate in any manner in an investigation or proceeding under this policy.

The District shall keep confidential the identity of any individual who made a report or complaint of sexual discrimination or sexual harassment, any complainant, any individual reported as a perpetrator, any respondent and any witness except as permitted under FERPA or as required to carry out the purposes of this policy and its procedures thereunder.

Charging someone with making a materially false statement in bad faith, does not amount to retaliation, provided that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

Timeline for process

The grievance process will be completed within one hundred and twenty (120) days. Temporary delays and/or extensions of the time frames within this Policy may occur for good cause. Written notice will be provided to the parties of the delay and/or extension of the time frames with explanation of the reasons for such action. Examples of good cause for delay/extensions include, but are not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Adopted __/__/20

Legal references:

- A. Federal statutes:
 - 1. Title IX of the Education Amendments of 1972, 20 USC § 1681, *et seq.* - Prohibits discrimination on the basis of sex.
 - 2. 34 CFR Section 106 *et seq.*
 - 3. 42 U.S.C. 2000e – Prohibits discrimination in employment on the basis of race, color, national origin, religion, or sex.
 - 4. Title VII of the Civil Rights Act of 1964, as amended.

[DRAFT]

Policy

TITLE IX POLICY

Code GBAB Issued _____

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- Whether or not the incidents occurred while the Respondent was a District student or employee;
- Whether the Respondent threatened further sexual harassment or other misconduct against the Complainant or others;
- Whether the alleged sexual harassment was committed by multiple perpetrators;
- The nature and scope of the alleged sexual harassment including whether the sexual harassment was perpetrated with a weapon;
- The ages and roles of the Complainant and the Respondent;
- Whether the District can pursue the investigation without the participation of the Complainant (e.g., whether there are other available means to obtain relevant evidence of the alleged sexual harassment such as security cameras or physical evidence);
- Whether the report reveals a pattern of perpetration (e.g., perpetration involving illicit use of drugs or alcohol) at a given location or by a particular group.

Complainant

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as the complainant and file a complaint on behalf of his or her child. 34 CFR § 106.6(g).

Respondent

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Days

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Role of Title IX Coordinator

34 CFR § 106.8(a)

The District administration will designate a Title IX coordinator. The Board authorizes the Title IX coordinator to coordinate the District's required efforts under the law.

The Title IX coordinator's name or title, email address, office address and telephone number will be posted on the District's website and will be included in any handbook provided to employees, students and parents or legal guardians.

Notice requirement

34 CFR § 106.8

In addition to providing notice of the Title IX coordinator's name and contact information, the administration will also provide notice of the District's nondiscrimination policy and grievance procedures, including how to file or report sexual harassment and how the District will respond to applicants for admission and employment, students, and parents or legal guardians.

Training

34 CFR § 106.45(b)

The District administration will ensure that Title IX coordinators, investigators, decision makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process, appeals, and informal resolution processes, and how to

serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The decision makers must also receive training on issues of relevance of questions and evidence. The investigators must also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. The administration will make training materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process publicly available on the District's website.

Reporting Allegations

34 CFR § 106.8(a)

Any person may report sex discrimination, including sexual harassment, regardless of whether the person is the alleged victim of the reported conduct, in person, by mail, by telephone, or by email.

The report can be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX coordinator.

Supportive Measures

34 CFR § 106.30(a)

The Title IX Coordinator must promptly contact the complainant (alleged victim) to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Supportive measures are non-disciplinary, non-punitive, individualized services, offered as appropriate, as reasonably available, and without charge to a complainant or a respondent before or after the filing of a formal complaint, or where no formal complaint has been filed. Confidentiality of supportive measures must be maintained to the extent that maintaining confidentiality would not impair the ability of the District to provide the supportive measures. (Examples may include counseling, course modification, scheduling changes, mutual restrictions on contact between the parties, and increased monitoring or supervision).

The Title IX Coordinator's prompt response (to offer supportive measures) is required regardless of whether a formal complaint is filed.

Supportive measures offered should be documented.

Response to a Formal Complaint

34 CFR § 106.45(b)(1)

The District's grievance process will:

- Treat parties equitably.
- Require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence.

- Require that any person designated as a Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal process not have a conflict of interest against complainants or respondents generally or against the particular complainant and respondent. The District will ensure required training is provided to these individuals.
- Include a presumption that the respondent is not responsible for the alleged conduct until a determination has been made at the conclusion of the grievance process.
- Include reasonably prompt time frames for conclusion of the grievance process.
- Describe or list the possible disciplinary outcomes and remedies that may be implemented following a determination of responsibility. **(See Student Code of Conduct JICDA and Staff Code of Conduct GBEB)**
- Include the procedures and permissible reasons for appeal by a respondent or a complainant.
- Describe the range of supportive measures available to complainants and respondents.
- Not require, allow or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

Written Notice

34 CFR § 106.45(b)(2)

Upon receipt of a formal complaint, the District must provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. Written notice must include:

- Notice of grievance process, including any informal resolution process;
- Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be sexual harassment, and the date and location of the alleged conduct, if known) to allow the respondent to prepare a response;
- Statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;
- Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
- Notice of any provision in the code of conduct that prohibits knowingly making false statements or providing false information in the grievance process.

Dismissal of Complaint

34 CFR § 106.45(b)(3)

The District administration will investigate the allegations in a formal complaint.

The complaint ***must*** be dismissed if the allegations:

- would not constitute sexual harassment as defined in § 106.30, even if proved;
- did not occur in the district's education program or activity; or

- did not occur against a person in the United States.

The complaint *may* be dismissed:

- if the complainant notifies the Title IX coordinator in writing at any time that he or she wishes to withdraw the complaint or any allegations in it;
- if the respondent's enrollment or employment ends, or;
- if specific circumstances prevent the District from gathering evidence sufficient to reach a determination.

The District will promptly send written notice of dismissal and reasons for dismissal simultaneously to parties. Such a dismissal does not preclude action under other provisions of the District's code of conduct.

Investigation Process

34 CFR § 106.45(b)(5)

When investigating a complaint, the investigator will:

- Ensure that the burden of proof and of gathering evidence rests on the District rather than the parties, except that certain treatment records cannot be obtained without voluntary, written consent from the party or parent;
- Provide an equal opportunity for the parties to present witnesses and evidence;
- Not restrict either party's ability to discuss the allegations or gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during interviews or other related proceedings, including an advisor who may, but is not required to be, an attorney (the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties);
- Provide to a party who is invited or expected to attend, written notice of the date, time, participants, purpose and location of any investigative interview or other meeting with enough time to allow the party to prepare to participate;
- Provide both parties and advisors, if any, an equal opportunity to review all evidence that is directly related to the allegations in the formal complaint, including evidence on which the District does not intend to rely and any inculpatory or exculpatory evidence from any source; such evidence must be provided prior to the completion of the final investigation and in time to give the parties at least 10 days to prepare a written response, which the investigator must consider prior to completing the investigation report; and
- Prepare a written investigation report that fairly summarizes the relevant evidence and provide the report to the parties and their advisors, if any, at least 10 days before the decision maker makes a determination of responsibility.

Determination of responsibility by decision maker

34 CFR § 106.45(b)(7)

After the investigator has sent the investigative report to the parties, and before a determination has been made regarding responsibility, the decision maker will:

- Provide each party 10 days to respond to the investigative report and the opportunity to submit written, relevant questions that the party wants asked of another party or witness;
- Provide each party with the answers to written questions; and
- Provide for limited follow-up questions from each party.

The decision maker, who cannot be the investigator or the Title IX coordinator, will apply the District's preponderance of the evidence standard and issue a written determination of responsibility that:

- Identifies the allegations that potentially constitute sexual harassment;
- Describes the District's procedural steps taken from the receipt of the complaint through the determination;
- Includes findings of fact supporting the determination;
- Includes conclusions regarding the application of the District's code of conduct to the facts;
- Includes a statement of, and a rationale for, the result as to each allegation, including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the District's education program or activity will be provided to the complainant; and
- Includes procedures and permissible bases for the complainant and respondent to appeal. The written determination must be provided to the parties simultaneously.
- Explains to the other party proposing the questions any decision to exclude a question as not relevant.

Appeals Process

34 CFR § 106.45(b)(8)

Within 10 days of receipt of the determination, either party may appeal a determination of responsibility, or the District's dismissal of a formal complaint or any allegations therein, for the following reasons:

- A procedural irregularity that affected the outcome;
- New evidence that was not reasonably available at the time of determination and could affect the outcome; or
- Conflict of interest on the part of the Title IX coordinator, investigator, or decision maker that affected the outcome.

For all appeals, the District will provide written notice to both parties of the appeal and provide both parties an equal opportunity to submit a written statement in support of, or challenging, the determination. The parties will have five days to provide their written response.

The appeal must result in a written decision that must be provided to both parties simultaneously.

The decision maker for the appeal cannot be the same person as the decision maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX coordinator; cannot have a conflict of interest; and must receive training (outlined in 34 CFR § 106.45(b)(1)(iii))

Informal Resolution

34 CFR § 106.45(b)(9)

The District cannot offer to facilitate an informal resolution process unless a formal complaint of sexual harassment is filed.

At any point during the formal complaint process, the District may offer to facilitate an informal process that does not require a full investigation, provided both parties are given the required notice of rights, and they consent. This process cannot be used in the context of a complaint that an employee harassed a student. Additionally, at any point prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process.

Emergency removal/administrative leave

34 CFR § 106.44

In cases in which an employee is a respondent, the District may place that employee on administrative leave during the pendency of an investigation and grievance process.

In cases in which a student is a respondent, the District may remove, on an emergency basis, the respondent from the District's educational program or activity provided the District: (i) undertakes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and (ii) provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision does not modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Recordkeeping

34 CFR § 106.45(b)(10)

The District will maintain records related to this policy for seven years. Specifically, the District will maintain records pertaining to: (i) each investigation and determination; (ii) any disciplinary sanctions imposed on respondent; (iii) any remedies provided to the complainant; (iv) any appeal and the result thereof; (v) any informal resolution and result; (vi) any materials used to train Title IX coordinators, investigators, decision makers, and any person who facilitates an informal resolution process.

The District shall also create and maintain records related to any action or supportive measures

taken in response to a report or complaint of sexual harassment. The records shall document the basis for the District's conclusion that its response was not deliberately indifferent and document that it has taken measures designed to restore or preserve equal access to the District's educational programs or activities. If no supportive measures are provided, the District shall document why such a response was not clearly unreasonable.

Retaliation

34 CFR § 106.71

Neither the District nor any other person may intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege under Title IX or because the individual made a report, a complaint, testified, assisted, participated in, or refused to participate in any manner in an investigation or proceeding under this policy.

The District shall keep confidential the identity of any individual who made a report or complaint of sexual discrimination or sexual harassment, any complainant, any individual reported as a perpetrator, any respondent and any witness except as permitted under FERPA or as required to carry out the purposes of this policy and its procedures thereunder.

Charging someone with making a materially false statement in bad faith, does not amount to retaliation, provided that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

Timeline for process

The grievance process will be completed within one hundred and twenty (120) days. Temporary delays and/or extensions of the time frames within this Policy may occur for good cause. Written notice will be provided to the parties of the delay and/or extension of the time frames with explanation of the reasons for such action. Examples of good cause for delay/extensions include, but are not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Adopted __/__/20

Legal references:

- A. Federal statutes:
 - 1. Title IX of the Education Amendments of 1972, 20 USC § 1681, *et seq.* - Prohibits discrimination on the basis of sex.
 - 2. 34 CFR Section 106 *et seq.*
 - 3. 42 U.S.C. 2000e – Prohibits discrimination in employment on the basis of race, color, national origin, religion, or sex.
 - 4. Title VII of the Civil Rights Act of 1964, as amended.

Memo

TO: Dr. Bill Cook, Superintendent

FROM: Dr. V. Keith Wilks, Executive Director of Student Services

Cc: Dr. Luanne Kokolis, Chief of Strategic Planning, Engagement and Program Support

DATE: August 5, 2020

SUBJECT: Policy ADD—Face Covering/Mask and Administrative Rule JE-(R2)—Student Attendance

Attached, please find the model policy ADD—Face Covering as recommended by the South Carolina School Boards Association. This policy is meant to be temporary and based on guidelines referenced in documentation provided by the Center for Disease Control and Prevention (CDC) to address safety in planning to reopen schools and address behaviors that prevent the spread of COVID-19. As well, the *South Carolina Department of Education Face Covering Guidelines for K-12 Public Schools* provides guidance on face covering and mask. In collaboration with Dr. John Jones, Dr. Missy Brakefield, Mrs. Jennifer Morrison, Mrs. Sadie Kirell, and Mrs. Sally Wilson, we are providing a proposed policy composed of some revisions to the model policy to better address the needs of Rock Hill School District. Please find attached policy ADD—Face Covering/Mask as the proposed policy for consideration.

Included with this memo are two articles from the CDC on *Guidance for K-12 School Administrators on the Use of Cloth Face Coverings in Schools* <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/cloth-face-cover.html> and *Considerations for Wearing Masks* <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html>. The *South Carolina Department of Education Face Covering Guidelines for K-12 Public Schools* document is also included as reference material.

Also, please find attached the model for administrative rule JE-R *Student Attendance* as recommended by the South Carolina School Boards Association. This administrative rule is meant to be temporary to provide clarification and explanation for attendance requirements for an onsite, virtual, or hybrid learning environment. In collaboration with Dr. John Jones, Dr. Missy Brakefield, Mrs. Jennifer Morrison, Mrs. Sadie Kirell, and Mrs. Sally Wilson, we are providing a proposed administrative rule composed of some revisions to the model administrative rule to better address the needs of Rock Hill School District. Please find the attached administrative rule JE-(R2) *Student Attendance* as the proposed rule for consideration. As clarification, the current policy JE—*Student Attendance* has an existing administrative rule, so this proposed rule would be a second administrative rule for policy JE.

Also included with this memo is a memorandum from Dr. Sabrina B. Moore, Director, Office of Student Intervention Services at the South Carolina Department of Education (SDE). In this memorandum, the SDE provide guidance for confirming and documenting attendance for an onsite, virtual, or hybrid learning environment.

FACE COVERING/**MASK**

Code **ADD** Issued **Proposed/8-5-20**

To reduce the spread of the pandemic (COVID-19), the Centers for Disease Control (CDC) recommends that a face covering/**mask** be worn in public settings when other social distancing measures are difficult to maintain. The district will consider the circumstances in the community and consult local health officials for the implementation of this policy.

Definitions

A *face covering/**mask*** is a piece of fabric, cloth, or other material that covers the wearer's nose, mouth, and chin simultaneously and is secured to the wearer's face by elastic, ties, or other means. Acceptable face covering/**masks** may be homemade, and they may be reusable or disposable.

~~A *face shield* made of flexible plastic that wraps around the wearer's face and extends below his/her chin may also be used as a face covering.~~

Staff Members

Staff members (~~option: may~~/will) wear a face covering/**mask** while on district property or conducting business on behalf of the district (e.g. driving a bus, conducting a home visit, supervising athletic events, etc.). Staff members include, but are not limited to, salaried and hourly employees, school volunteers, student teachers, and interns. The district (~~option: may~~/will) provide masks to staff members and expects that reusable masks will be washed regularly to ensure maximum protection.

Students

All students (~~option: from Kindergarten~~ **K-4** through 12th grade) (~~option: may~~/will) wear face covering/**masks** while on district property, on district transportation, or attending a school related activity (e.g. athletic events, field trips, etc.). Certain classes or activities may be granted a limited exception to this requirement at the discretion of the superintendent or his/her designee. The district (~~option: may~~/will) provide masks to students **that are not able to provide their own** and expects that reusable masks will be washed regularly to ensure maximum protection.

Exceptions for wearing a face covering/**mask** may include, but are not limited to, the following activities:

- mealtimes
- outdoor recess where students can maintain a physical distance of at least six (6) feet
- administration of medication
- **mask breaks provided only when students are sitting at their desk and socially distance six (6) feet apart in the classroom**
- **Children younger than 2 years old**
- **Anyone who has trouble breathing**
- **Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance**

Visitors

~~Non-essential visitors~~ **Visitors** to district buildings will be limited in accordance with administrative rule KI-R, *Visitors* **and recommendations provided by the South Carolina Department of Health and Environmental Control (DHEC) and the Center for Disease Control**

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(CDC). Visitors include, but are not limited to, parents/legal guardians, contract service providers, and delivery persons. Visitors (~~option: may~~/will) wear a face covering/~~mask~~ while on district property. (~~option: Visitors will be asked to leave district property if they refuse to wear a face covering/mask~~). All efforts will be made to keep necessary visitors to a minimum, including the use of virtual or telephone meetings with families and guests. Parents meeting on-site with school staff must follow social-distancing guidelines and wear masks when appropriate.

Accommodations

Requests for exceptions under this policy for health or developmental conditions or religious exemption will be considered by the superintendent or his/her designee, who may request documentation justifying the exception.

Students (or parents/legal guardians) who request to be exempted from wearing a face covering/~~mask~~ for other than a health or developmental condition or religious exemption ~~will~~ may be offered ~~virtual learning~~ remote learning for the period that face covering/~~masks~~ are required on district property. Students (or parents/legal guardians) must petition the school's principal in writing for this exemption and provide supporting rationale for this request. Requests will be reviewed on a case-by-case basis.

Remote learning is where the student and the educator, or information source, are not physically present in a traditional classroom environment. Information is relayed through technology or other methods. In remote learning, student attendance will be monitored for daily compliance with all State laws and district policies.

Harassment and Bullying

The district will not tolerate harassment of anyone wearing face coverings/~~masks~~ or those with recognized exemptions to the face covering/~~mask~~ requirement and will appropriately discipline students, staff, or visitors who engage in behavior that interferes with any student or staff member's ability to comply with this policy.

Discipline

Failure or refusal to wear a face covering/~~mask~~ by a staff member or student may result in discipline in accordance with district policy and codes of conduct, as applicable.

This policy is intended to be effective until further notice and to align with district policies, including, but not limited to, student and staff dress codes. To the extent this policy does not align, this policy will supersede others in accordance with applicable law and regulations in effect at the time. For clarification on potential conflicts between policies, the interpretation of the superintendent or his/her designee is final.

The board authorizes the superintendent or his/her designee to amend these requirements as necessary to meet health and safety guidelines.

Adopted ^

FACE COVERING

Code **ADD** Issued **MODEL/20**

To reduce the spread of the pandemic (COVID-19), the Centers for Disease Control (CDC) recommends that a face covering be worn in public settings when other social distancing measures are difficult to maintain. The district will consider the circumstances in the community and consult local health officials for the implementation of this policy.

Definitions

A *face covering* is a piece of fabric, cloth, or other material that covers the wearer's nose, mouth, and chin simultaneously and is secured to the wearer's face by elastic, ties, or other means. Acceptable face coverings may be homemade, and they may be reusable or disposable.

A *face shield* made of flexible plastic that wraps around the wearer's face and extends below his/her chin may also be used as a face covering.

Staff Members

Staff members (*option: may/will*) wear a face covering while on district property or conducting business on behalf of the district (e.g. driving a bus, conducting a home visit, supervising athletic events, etc.). Staff members include, but are not limited to, salaried and hourly employees, school volunteers, student teachers, and interns. The district (*option: may/will*) provide masks to staff members and expects that reusable masks will be washed regularly to ensure maximum protection.

Students

All students (*option: from Kindergarten through 12th grade*) (*option: may/will*) wear face coverings while on district property, on district transportation, or attending a school related activity (e.g. athletic events, field trips, etc.). Certain classes or activities may be granted a limited exception to this requirement at the discretion of the superintendent or his/her designee. The district (*option: may/will*) provide masks to students and expects that reusable masks will be washed regularly to ensure maximum protection.

Exceptions for wearing a face covering may include, but are not limited to, the following activities:

- mealtimes
- outdoor recess where students can maintain a physical distance of at least six (6) feet
- administration of medication
- *insert other district specifics here*

Visitors

Non-essential visitors to district buildings will be limited in accordance with administrative rule KI-R, *Visitors*. Visitors include, but are not limited to, parents/legal guardians, contract service providers, and delivery persons. Visitors (*option: may/will*) wear a face covering while on district property. (*option: Visitors will be asked to leave district property if they refuse to wear a face covering*).

PAGE 2 - ADD - FACE COVERING

Accommodations

Requests for exceptions under this policy for health or developmental conditions or religious exemption will be considered by the superintendent or his/her designee, who may request documentation justifying the exception.

Students (or parents/legal guardians) who request to be exempted from wearing a face covering for other than a health or developmental condition or religious exemption will be offered virtual learning for the period that face coverings are required on district property.

Harassment and Bullying

The district will not tolerate harassment of anyone wearing face coverings or those with recognized exemptions to the face covering requirement and will appropriately discipline students, staff, or visitors who engage in behavior that interferes with any student or staff member's ability to comply with this policy.

Discipline

Failure or refusal to wear a face covering by a staff member or student may result in discipline in accordance with district policy and codes of conduct, as applicable.

This policy is intended to be effective until further notice and to align with district policies, including, but not limited to, student and staff dress codes. To the extent this policy does not align, this policy will supersede others in accordance with applicable law and regulations in effect at the time. For clarification on potential conflicts between policies, the interpretation of the superintendent or his/her designee is final.

The board authorizes the superintendent or his/her designee to amend these requirements as necessary to meet health and safety guidelines.

Adopted ^

Guidance for K-12 School Administrators on the Use of Cloth Face Coverings in Schools

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/cloth-face-cover.html>

Updated July 23, 2020

CDC suggests that all school reopening plans address adherence to behaviors that prevent the spread of COVID-19. When used consistently and correctly, important [mitigation strategies](#), cloth face coverings are important to help slow the spread of COVID-19. Other important mitigation strategies include [social distancing](#), [washing hands](#), and [regular cleaning and disinfecting](#) frequently touched surfaces in schools and buses. CDC provides [considerations](#) for wearing cloth face [coverings](#) and recommends that people wear cloth face coverings in public settings and when around people who live outside of their household. The use of cloth face coverings is especially important when [social distancing](#) is difficult to maintain.

Cloth face coverings are recommended as a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the cloth face covering coughs, sneezes, talks, or raises their voice. Cloth face coverings are an example of source control. Several studies¹⁻¹³ have documented asymptomatic and pre-symptomatic SARS-CoV-2 transmission; meaning that people with COVID-19 who never develop symptoms (asymptomatic) and those who are not yet showing symptoms (pre-symptomatic) can still transmit the virus to other people. [Cloth face coverings](#) are meant to protect other people in case the wearer is unknowingly infected. Cloth face coverings are not personal protective equipment, such as surgical masks or respirators.

The use of [cloth face coverings](#) in educational settings may present challenges, particularly for younger students and students with special healthcare or educational needs. This document provides guidance to help school administrators decide how to best implement the wearing of cloth face coverings — in their school settings and facilities, including but not limited to buses and other shared transportation.

Education and promotion of positive and supportive relationships should remain the primary focus of school administrators, teachers, and staff. This guidance provides K-12 school administrators with strategies to encourage students to wear face coverings, consistent with CDC [guidance](#), while maintaining a positive learning environment.

General Considerations

COVID-19 can be spread to others even if you do not feel sick. A [cloth face covering](#) helps prevent a person who is sick from spreading the virus to others. Appropriate and consistent use [of cloth face coverings](#) is most important when students, teachers, and staff are indoors and when social distancing of at least 6 feet is difficult to implement or maintain.

[Cloth face coverings](#) should **not** be placed on:

- Children younger than 2 years old.
- Anyone who has trouble breathing or is unconscious.
- Anyone who is incapacitated or otherwise unable to remove the cloth face covering without assistance.

[Appropriate and consistent use](#) of cloth face coverings may be challenging for some students, teachers, and staff, including:

- Younger students, such as those in early elementary school.
- Students, teachers, and staff with severe asthma or other breathing difficulties.
- Students, teachers, and staff with special educational or healthcare needs, including intellectual and developmental disabilities, mental health conditions, and sensory concerns or tactile sensitivity.

While [cloth face coverings](#) are strongly encouraged to reduce the spread of COVID-19, CDC recognizes there are specific instances when wearing a cloth face covering may not be feasible. In these instances, parents, guardians, caregivers, teachers, and school administrators should consider [adaptations and alternatives](#) whenever possible. They may need to consult with healthcare providers for advice about wearing cloth face coverings.

Consider use of clear face coverings that cover the nose and wrap securely around the face by some teachers and staff. Clear face coverings should be determined not to cause any breathing difficulties or over heating for the wearer. Teachers and staff who may consider using clear face coverings include;

- Those who interact with students or staff who are deaf or hard of hearing, per the [Individuals with Disabilities Education Act](#) [external icon](#)
- Teachers of young students learning to read

- Teachers of students in English as a second language classes
- Teachers of students with disabilities

Clear face coverings are not face shields. CDC does **not** recommend use of face shields for normal everyday activities or as a substitute for cloth face coverings because of a lack of evidence of their effectiveness for source control.

Unintended Consequences

- [Stigma, discrimination](#), or [bullying](#) may arise due to wearing or not wearing a cloth face covering. Schools should have a plan to prevent and address [harmful or inappropriate](#)
- Not all families will agree with school policies about cloth face coverings. Schools should have a plan to address challenges that may arise and refer parents, caregivers, and guardians to [CDC's guidance on cloth face coverings](#).

Practical Recommendations

- Include cloth face coverings on school supply lists and provide cloth face coverings as needed to students, teachers, staff, or visitors who do not have them available.
- Include clear face coverings on school supply lists for teachers and staff who regularly interact with students who are deaf or hard of hearing, students learning to read, students with disabilities, and those who rely on lip reading as a part of learning, such as students who are English Language Learners.
- Ensure that students and staff are aware of the [correct use of cloth face coverings](#), including wearing cloth face coverings over the nose and mouth and securely around the face.
- Ensure that students, teachers and staff are aware that they should [wash](#) or [sanitize their hands \(using a hand sanitizer that contains at least 60% alcohol\)](#) before putting on a cloth face covering.
- Ensure that students, teachers, and staff are aware that they should not touch their cloth face coverings while wearing them and, if they do, they should [wash their hands](#) before and after with soap and water or [sanitize hands \(using a hand sanitizer that contains at least 60% alcohol\)](#).
- Ensure teachers and staff are aware that they should [wash](#) or [sanitize hands \(using a hand sanitizer that contains at least 60% alcohol\)](#) before and after helping a student put on or adjust a cloth face covering.

- Ensure that all students and staff are aware that cloth face coverings should not be worn if they are wet. A wet cloth face covering may make it difficult to breathe.
- Ensure that all students and staff are aware that they should never share or swap cloth face coverings.
- Students' cloth face coverings should be clearly identified with their names or initials, to avoid confusion or swapping. Students' face coverings may also be labeled to indicate top/bottom and front/back.
- Cloth face coverings should be stored in a space designated for each student that is separate from others when not being worn (e.g., in individually labeled containers or bags, personal lockers, or cubbies).
- Cloth face coverings should be [washed](#) after every day of use and/or before being used again, or if visibly soiled.
- Students and schools should consider having additional cloth face coverings available for students, teachers, and staff in case a back-up cloth face covering is needed during the day and to facilitate every day washing of cloth face coverings.

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

CDC [recommends](#) that people, including teachers, staff, and students, wear cloth face coverings in public settings as able when around people who live outside of their household, especially when other [social distancing](#) measures are difficult to maintain.

The following table contains examples of some, **but not all**, situations schools might encounter.

[Cloth face coverings in schools](#)pdf icon

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|---|----------------------------------|--|--|
| Students are seated less than 6 feet apart while riding a bus or carpooling | check solid icon | | <ul style="list-style-type: none"> • Cloth face coverings should always be worn by bus and carpool drivers as able* |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|---|----------------------------------|--|--|
| Students are less than 6 feet apart while entering or exiting school (e.g., carpool drop off/pick up) or while transitioning to/from other activities | check solid icon | | <ul style="list-style-type: none"> Consider having staff monitor students during transitions to encourage correct use and distribute cloth face coverings as needed. Teachers and staff should wash or sanitize hands (using a hand sanitizer that contains at least 60% alcohol) before and after helping a student put on or adjust a cloth face covering. |
| Students are seated <i>at least 6 feet apart</i> in the classroom | | check solid icon | <ul style="list-style-type: none"> Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Students are seated <i>less than 6 feet apart</i> in the classroom, or are engaging in learning stations or circle time that require close contact | check solid icon | | <ul style="list-style-type: none"> Schools may consider keeping students in “cohorts.” Cohorts are groups of students that do not mix with other cohorts/groups of students throughout the school day. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Students are less than 6 feet apart while transitioning between classes or to other activities during the school day | check solid icon | | <ul style="list-style-type: none"> Schools may consider staggering classroom transition times and allow only one-way pathways/hallways. Adaptations and alternatives should be considered whenever possible to increase the feasibility of |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|---|----------------------------------|--|--|
| | | | wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Students are at recess or in physical education class. | | check solid icon | <ul style="list-style-type: none"> • Vigorous exercise in a confined space (e.g., indoors) may contribute to transmission of COVID-19 and should be limited. • Social distancing helps protect students at recess or in physical education class. • Consider conducting activities in an area with greater ventilation or air exchange (e.g., outdoors). • See CDC's guidance on youth sports for more information. • Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Students are in band, choir, or music class. | | check solid icon | <ul style="list-style-type: none"> • When students are not singing or playing an instrument that requires the use of their mouth, they should wear a cloth face covering in music class (unless class is outdoors and distance can be maintained). • Social distancing helps protect students in music class. • While students are singing or playing an instrument, use visual cues to keep them at least 6 feet apart. If it's safe and weather permits, consider moving class outdoors where air circulation is better than indoors |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|--|----------------------------------|--|---|
| | | | and maintain at least 6 feet distance between students. |
| Students are at least 6 feet apart during mealtimes in a common area. | | check solid icon | <ul style="list-style-type: none"> • Cloth face coverings are recommended when transitioning to and from mealtimes if outside of the classroom. • Schools may be able to stagger mealtimes to ensure 6 feet distance between students in a cafeteria or lunchroom. • Schools can serve meals in classrooms if students are able to maintain 6 feet of distance between one another in the classroom. • Consider allowing students to eat meals outside, if weather permits. |
| Students participating in an assembly or event that requires close contact. | check solid icon | | <ul style="list-style-type: none"> • Large assemblies of students should be discontinued, unless necessary. • When necessary, consider having the assemblies outdoors, plan for social distancing, and encourage use of cloth face coverings according to CDC guidance. • Cloth face coverings should be worn by teachers and staff at all times* and are especially important at times when social distancing is difficult to maintain. |
| Student has severe asthma or breathing problems. | | check solid icon | <ul style="list-style-type: none"> • Cloth face coverings should NOT be worn by children under the age of 2 or anyone who has |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|---|----------------------------------|--|---|
| | | | <p>trouble breathing, is unconscious, incapacitated, or otherwise unable to remove the cloth face covering without assistance.</p> <ul style="list-style-type: none"> Administrators and/or teachers should consult with parents, caregivers, or guardians about strategies to protect these students and those around them. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Student is deaf or hard of hearing, or relies on lip reading to communicate. | | check solid icon | <ul style="list-style-type: none"> Clear face coverings may be considered for teachers or staff who interact with students who are deaf and hard of hearing. Face shields are not considered clear face coverings. It is not known if face shields provide any benefit as source control to protect others from the spray of respiratory particles. CDC does not recommend use of face shields for normal everyday activities or as a substitute for cloth face coverings. Some people may choose to use a face shield when sustained close contact with other people is expected. If face shields are used without a mask, they should wrap around the sides of the wearer's face and extend to below the chin. |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|--|----------------------------------|--|--|
| Student has a disability, childhood mental health conditions, sensory concern/tactile sensitivity. | check solid icon | | <ul style="list-style-type: none"> Administrators and/or teachers should consult with parents, caregivers, or guardians about strategies to protect these students and those around them. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Student is receiving one-on-one services or instruction. | check solid icon | | <ul style="list-style-type: none"> Students and service providers should wear a face covering as much as possible during service delivery.* Administrators and/or teachers should consult with parents, caregivers, or guardians about strategies to protect these students and those around them. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. Cloth face coverings should be worn by teachers and staff at all times* and are especially important at times when social distancing is difficult to maintain. Students and service providers may need additional protective equipment depending on the individual characteristics of the student. See CDC's Guidance for Direct Service Providers for additional information. |

* CDC recognizes that wearing cloth face coverings may not be possible in every situation or for some people. In some situations, wearing a cloth face covering may exacerbate a physical or mental health condition, lead to a medical emergency, or introduce significant safety concerns. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading if it is not possible to wear one. [Learn more](#).

Strategies to Support Students' Wearing Cloth Face Coverings in Schools

All Students

- Encourage parents, caregivers, and guardians to practice wearing cloth face coverings with students at home before the first day of school. If parents, caregivers, and guardians model appropriate use of face coverings and help students get used to wearing them, students may be more comfortable using them.
- Introduce students with sensory concerns/tactile sensitivities to face coverings with a variety of materials, prints, and textures, and allow them to choose which face covering is most comfortable.
- Use behavioral techniques such as positive reinforcement to increase the likelihood that students will comply with face covering guidance and other prevention practices.
- Encourage parents, caregivers, and guardians to include students in the selection of their cloth face covering and/or the material that is used to make it. This might increase a child's acceptance of wearing the cloth face covering.
- Display age appropriate posters and materials with visual cues that show the proper way to wear a face covering in classrooms and hallways. Consider incorporating images of popular influencers promoting or modeling use of cloth face coverings.
- Include reminders about face coverings in daily announcements, school newspapers, and other [All communication should be in an appropriate format, literacy level, and language](#). Consider including how to [properly use, take off, and wash cloth face coverings](#) in back-to-school communications educational materials.

Elementary School Settings

- Ensure that teachers and school staff are available to help students put on and adjust face coverings as needed and that teachers and staff [wash](#) or sanitize their hands with [hand sanitizer that includes at least 60%](#) alcohol before and after doing so.

- Play games or engage in other fun activities that teach students how to wear a face covering.
- Consider using some art materials or other creative outlets to help students understand why face coverings help reduce the spread of COVID-19.
- Share social stories about face coverings with students so they know what to expect at school. A social story is similar to a simple picture book that teaches students what to expect in social settings.
- Use behavioral techniques, such as positive reinforcement, to increase the likelihood that students will comply with face covering guidance.

Middle School Settings

- Show [short videos](#) or incorporate short lessons (less than 10 minutes) that teach students how to wear a face covering. Consider including videos with celebrities, musicians, athletes or other influencers popular among this age group.
- Follow videos with verbal instructions that demonstrate the correct ways to wear a face covering.
- Engage the class in discussions about why face coverings help reduce the spread of COVID-19.
- Incorporate a lesson into the science curriculum on how respiratory droplets spread infectious disease.
- Create a school competition for the best health communication strategy to highlight the importance of wearing a cloth face covering to middle school students.

High School Settings

- Show videos or incorporate lessons that teach students how to wear a face covering, including the correct and incorrect ways to wear a face covering. Consider including videos with celebrities, musicians, athletes, or other influencers popular among this age group.
- Ask students to write a short paper on the science behind the use of cloth face coverings as a form of source control.
- Create a school competition for the best health communication strategy to highlight the importance of wearing cloth face coverings to high school students.

Students with Special Healthcare Needs

- Ask parents, caregivers, and guardians to practice wearing face coverings at home before the student returns to school.

- Share social stories about face coverings with students so they know what to expect at school. A social story is similar to a simple picture book that teaches students about what to expect in social settings.
- Introduce students with sensory concerns or tactile sensitivities to face coverings with a variety of materials, prints, and textures, and allow them to choose which face covering is most comfortable.
- Use behavioral techniques such as positive reinforcement to increase the likelihood that students will comply with face covering guidance and other prevention practices.

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Considerations for Wearing Masks

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html>

Help Slow the Spread of COVID-19

Updated July 16, 2020

On This Page

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-
- CDC recommends that people wear masks in public settings and when around people who don't live in your household, especially when other [social distancing](#) measures are difficult to maintain.
 - Masks may help prevent people who have COVID-19 from spreading the virus to others.
 - Masks are most likely to reduce the spread of COVID-19 when they are widely used by people in public settings.
 - Masks should NOT be worn by children under the age of 2 or anyone who has trouble breathing, is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.

Evidence for Effectiveness of Masks



Masks are recommended as a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the mask coughs, sneezes, talks, or raises their voice. This is called source control. This recommendation is based on what we know about the role respiratory droplets play in the spread of the virus that causes COVID-19, paired with [emerging evidence](#) from clinical and laboratory studies that shows masks reduce the spray of droplets when worn over the nose and mouth. COVID-19 spreads mainly among people who are in close contact with one another (within about 6 feet), so the use of masks is particularly important in settings where people are close to each other or where social distancing is difficult to maintain.

Who Should Wear A Mask?

General public

- CDC recommends all people 2 years of age and older wear a mask in public settings and when around people who don't live in your household, especially when other [social distancing](#) measures are difficult to maintain.
- COVID-19 can be spread by people who do not have symptoms and do not know that they are infected. That's why it's important for everyone to wear masks in public settings and practice [social distancing](#) (staying at least 6 feet away from other people).
- While masks are strongly encouraged to reduce the spread of COVID-19, CDC recognizes there are specific instances when wearing a mask may not be feasible. In these instances, [adaptations and alternatives](#) should be considered whenever possible (see below for examples).

People who know or think they might have COVID-19

- [If you are sick](#) with COVID-19 or think you might have COVID-19, do not visit public areas. Stay home except to get medical care. As much as possible stay in a specific room and away from other people and [pets](#) in your home. If you need to be around other people or animals, wear a mask (including in your home).
- The mask helps prevent a person who is sick from spreading the virus to others. It helps keep respiratory droplets contained and from reaching other people.

Caregivers of people with COVID-19

- [Those caring for someone who is sick with COVID-19 at home or in a non-healthcare setting](#) may also wear a mask. However, the protective effects—how well the mask protects healthy people from breathing in the virus—are unknown. To prevent getting sick, caregivers should also continue to practice [everyday preventive actions](#): avoid close contact as much as possible, clean hands often; avoid touching your eyes, nose, and mouth with unwashed hands; and frequently clean and disinfect surfaces.

Who Should Not Wear a Mask

Masks should **not** be worn by:

- Children younger than 2 years old
- Anyone who has trouble breathing
- Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance

Feasibility and Adaptations

CDC recognizes that wearing masks may not be possible in every situation or for some people. In some situations, wearing a mask may exacerbate a physical or mental health condition, lead to a medical emergency, or introduce significant safety concerns. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a mask or to reduce the risk of COVID-19 spreading if it is not possible to wear one.

For example,

- People who are deaf or hard of hearing—or those who care for or interact with a person who is hearing impaired—may be unable to wear masks if they rely on lipreading to communicate. In this situation, consider using a clear mask. If a clear mask isn't available, consider whether you can use written communication, use closed captioning, or decrease background noise to make communication possible while wearing a mask that blocks your lips.
- Some people, such as people with intellectual and developmental disabilities, mental health conditions or other sensory sensitivities, may have challenges wearing a mask. They should consult with their healthcare provider for advice about wearing masks.
- Younger children (e.g., preschool or early elementary aged) may be unable to wear a mask properly, particularly for an extended period of time. Wearing of masks may be prioritized at times when it is difficult to maintain a distance of 6 feet from others (e.g., during carpool drop off or pick up, or when standing in line at school). Ensuring proper mask size and fit and providing children with frequent reminders and education on the importance and proper wear of masks may help address these issues.
- People should not wear masks while engaged in activities that may cause the mask to become wet, like when [swimming at the beach or pool](#). A wet mask may make it difficult to breathe. For activities like swimming, it is particularly important to maintain physical distance from others when in the water.
- People who are engaged in high intensity activities, like running, may not be able to wear a mask if it causes difficulty breathing. If unable to wear a mask, consider conducting the activity in a location with greater ventilation and air exchange (for instance, outdoors versus indoors) and where it is possible to maintain physical distance from others.
- People who work in a setting where masks may increase the risk of [heat-related illness](#) or cause safety concerns due to introduction of a hazard (for instance, straps getting caught in machinery) may consult with an occupational safety and health professional to determine the appropriate mask for their setting. Outdoor workers may prioritize use of masks when in close contact with other people, like during group travel or shift meetings, and remove masks when social distancing is possible. [Find more information here](#) and below.

Masks are a critical preventive measure and are **most** essential in times when social distancing is difficult. If masks cannot be used, make sure to take other measures to reduce the risk of COVID-19 spread, including social distancing, frequent hand washing, and cleaning and disinfecting frequently touched surfaces.

Face Shields

It is not known if face shields provide any benefit as source control to protect others from the spray of respiratory particles. CDC does not recommend use of face shields for normal everyday activities or as a substitute for masks. Some people may choose to use a face shield when sustained close contact with other people is expected. If face shields are used without a mask, they should wrap around the sides of the wearer's face and extend to below the chin. Disposable face shields should only be worn for a single use. Reusable face shields should be cleaned and disinfected after each use. **Plastic face shields for newborns and infants are NOT recommended.**

Surgical Masks

Masks are not surgical masks or respirators. Currently, those are critical supplies that should continue to be reserved for healthcare workers and other medical first responders, as recommended by current CDC guidance. Masks also are not appropriate substitutes for them in workplaces where masks or respirators are recommended or required and available.

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South Carolina Department of Education Face Covering Guidelines for K-12 Public Schools

The CDC suggests that all school reopening plans address adherence to behaviors that prevent the spread of COVID-19. Face coverings are recommended by national and state public health experts as a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the covering coughs, sneezes, talks, or raises their voice. This recommendation is based on what we know about the role respiratory droplets play in the spread of the virus that causes COVID-19, paired with [emerging evidence](#) from clinical and laboratory studies that shows coverings reduce the spray of droplets when worn over the nose and mouth. COVID-19 spreads mainly among people who are in close contact with one another (within about 6 feet), so the use of coverings is particularly important in settings where people are close to each other or where social distancing is difficult to maintain.

To support the national and state efforts to slow the spread of COVID-19 and to best protect the health and safety of South Carolina public school students and staff, the South Carolina Department of Education (SCDE) is requiring face coverings to be worn on school buses and within public school facilities. The below information outlines the specifics of the state's face covering policy.

A *face covering* is a piece of fabric, cloth, or other material that covers the wearer's nose, mouth, and chin simultaneously and is secured to the wearer's face by elastic, ties, or other means. Acceptable face coverings may be homemade, and they may be reusable or disposable.

School Buses

Students and staff who ride the state's pupil transportation system to and from school are required to wear face coverings while boarding, riding, and exiting school buses. Staff members, including bus drivers, are required to wear face coverings while boarding, riding, driving, and exiting school buses. Bus drivers and support staff should ask any student who boards a bus without a covering to put one on and offer them a disposable or cloth face covering provided by the SCDE.

Students who should **NOT** be required to wear face coverings:

- Those younger than two years old;
- Those who have trouble breathing;
- Those unable to remove the covering without assistance; and/or
- Those with special healthcare or educational needs as determined by an Individualized Education Program (IEP), 504 Accommodations Plan, or an individual student healthcare plan, or by a medical doctor

Staff members, including bus drivers, who have trouble breathing and/or those with special healthcare needs as noted by a medical doctor should **NOT** be required to wear face coverings.

School Facilities

Students and staff in South Carolina public schools **must** wear a face covering upon entering a school building, moving through hallways, during carpool/bus drop off or pickup, and when social distancing is not possible or optimal. Student face coverings may be removed upon teacher or administrator direction while in the classroom or during special activities outside the classroom.

Students who should **NOT** be required to wear face coverings:

- Those younger than two years old;
- Those who have trouble breathing;
- Those unable to remove the covering without assistance; and/or
- Those with special healthcare or educational needs as determined by an Individualized Education Program (IEP), 504 Accommodations Plan, or an individual student healthcare plan, or by a medical doctor

Staff members who have trouble breathing and/or those with special healthcare needs as noted by a medical doctor should **NOT** be required to wear face covering.

Additional Considerations

The SCDE recognizes that face coverings may be challenging for some students, teachers, and staff, including:

- Younger students, such as those in early elementary school (Pre-Kindergarten-2)
- Students, teachers, and staff with severe asthma or other breathing difficulties.
- Students, teachers, and staff with special educational or healthcare needs, including intellectual and developmental disabilities, mental health conditions, and sensory concerns or tactile sensitivity.

In these instances, parents, guardians, caregivers, teachers, and school administrators should consider [adaptations and alternatives](#) whenever possible.

Consider use of clear face coverings that cover the nose and wrap securely around the face by some teachers and staff. Clear face coverings should be determined not to cause any breathing difficulties or over heating for the wearer. Teachers and staff who may consider using clear face coverings include:

- Those who interact with students or staff who are deaf or hard of hearing, per the [Individuals with Disabilities Education Act](#)
- Teachers of young students learning to read
- Teachers of English learners
- Teachers of students with disabilities, as applicable

Clear face coverings are not face shields. The CDC does **NOT** recommend use of face shields for normal everyday activities or as a substitute for cloth face coverings because of a lack of evidence of their effectiveness for source control.

STUDENT ATTENDANCE

Code **JE-(R2)** Issued **Proposed 8-5-20**

State law requires all children of compulsory attendance age to regularly attend school. Regular attendance is necessary if students are to make the desired and expected academic progress. Therefore, the board authorizes the administration to implement procedures to ensure student attendance is maintained during the pandemic (COVID-19), ensuring that absences are recorded, and truancy is reported in accordance with policy ~~HH JE~~, *Student Absences and Excuses*.

Onsite Attendance

Attendance is determined by whether a student is physically present in a classroom on school grounds or school property. Staff members will take attendance following the normal procedures set forth in district policy.

Students who are not sick, but who are required to quarantine or self-isolate will be provided the opportunity to participate in ~~virtual instruction~~ **remote learning** utilizing various instructional strategies as determined by the district. While under quarantine or self-isolation, such students will be subject to the attendance procedures as set forth below for students regularly receiving virtual instruction.

Students who are sick due to COVID-19 will be considered lawfully absent, in accordance with policy ~~HH JE~~. If the illness is prolonged, such students will be eligible for medical homebound instruction as set forth in policy IHBF, *Medical Homebound Instruction*. **Teachers shall record attendance on a daily base.**

Remote learning is where the student and the educator, or information source, are not physically present in a traditional classroom environment. Information is relayed through technology or other methods. In remote learning, student attendance will be monitored for daily compliance with all State laws and district policies.

Virtual Attendance

Attendance is determined by whether a student submits work and participates in activities assigned by the teacher. Students who submit work on a timely basis and participate as instructed will be considered present. Students who do not turn in assignments and participate in virtual learning activities as set forth ~~in classroom procedures~~ **by the deadline established by classroom procedures, these students will be counted absent.** Such absences will be processed in accordance with policy ~~HH JE~~. **Teachers shall record attendance on a daily base.**

Students who are sick due to COVID-19 will be considered lawfully absent in accordance with policy ~~HH JE~~. If the illness is prolonged, such students will be eligible for medical homebound instruction as set forth in policy IHBF.

Attendance for a Hybrid Schedule

Students participating in a combination of onsite and virtual instruction will be subject to both attendance procedures set forth above. Onsite attendance will be determined by students' physical presence in the classroom and for virtual attendance, students must adhere to the classroom assignment rules established by each teacher to be considered present. **Teachers shall record attendance on a daily base.**

PAGE 2 - JE-R - STUDENT ATTENDANCE

Truancy

State laws and regulations determining absences and truancy are applicable for both onsite and virtual instruction. Staff members will follow policy ~~HH~~ **JE** regarding continued absences and the following guidelines:

- When excessive absences become a pattern, the principal or his/her designee will oversee the development and implementation of a written intervention plan designed to improve student attendance.
- When truancy continues following implementation of a written intervention plan, students will be referred to the family court and parents/legal guardians to the Department of Social Services to address truancy issues as outlined in administrative rule ~~HH~~ **JE**.

The district will make every effort to ensure that this administrative rule is applied in a fair and consistent manner.

Issued ^

STUDENT ATTENDANCE

Code **JE-R** Issued **MODEL/20**

State law requires all children of compulsory attendance age to regularly attend school. Regular attendance is necessary if students are to make the desired and expected academic progress. Therefore, the board authorizes the administration to implement procedures to ensure student attendance is maintained during the pandemic (COVID-19), ensuring that absences are recorded, and truancy is reported in accordance with policy JH, *Student Absences and Excuses*.

Onsite Attendance

Attendance is determined by whether a student is physically present in a classroom on school grounds or school property. Staff members will take attendance following the normal procedures set forth in district policy.

Students who are not sick, but who are required to quarantine or self-isolate will be provided the opportunity to participate in virtual instruction utilizing various instructional strategies as determined by the district. While under quarantine or self-isolation, such students will be subject to the attendance procedures as set forth below for students regularly receiving virtual instruction.

Students who are sick due to COVID-19 will be considered lawfully absent in accordance with policy JH. If the illness is prolonged, such students will be eligible for medical homebound instruction as set forth in policy IHBF, *Medical Homebound Instruction*.

Virtual Attendance

Attendance is determined by whether a student submits work and participates in activities assigned by the teacher. Students who submit work on a timely basis and participate as instructed will be considered present. Students who do not turn in assignments and participate in virtual learning activities as set forth in classroom procedures will be considered absent. Such absences will be processed in accordance with policy JH.

Students who are sick due to COVID-19 will be considered lawfully absent in accordance with policy JH. If the illness is prolonged, such students will be eligible for medical homebound instruction as set forth in policy IHBF.

Attendance for a Hybrid Schedule

Students participating in a combination of onsite and virtual instruction will be subject to both attendance procedures set forth above. Onsite attendance will be determined by students' physical presence in the classroom and for virtual attendance, students must adhere to the classroom assignment rules established by each teacher to be considered present.

Truancy

State laws and regulations determining absences and truancy are applicable for both onsite and virtual instruction. Staff members will follow policy JH regarding continued absences and the following guidelines:

- When excessive absences become a pattern, the principal or his/her designee will oversee the development and implementation of a written intervention plan designed to improve student attendance.

PAGE 2 - JE-R - STUDENT ATTENDANCE

- When truancy continues following implementation of a written intervention plan, students will be referred to the family court and parents/legal guardians to the Department of Social Services to address truancy issues as outlined in administrative rule JH.

The district will make every effort to ensure that this administrative rule is applied in a fair and consistent manner.

Issued ^



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

MEMORANDUM

TO: District Superintendents
Principals
Instructional Leaders
District Technology Coordinators
Attendance Supervisors

FROM: Sabrina B. Moore, PhD
Director, Office of Student Intervention Services

Dan Ralyea
Director, Office of Research and Data Analysis

DATE: August 4, 2020

RE: Guidance for Confirming and Documenting Attendance

In light of school closures related to COVID-19 and the anticipated reopening of schools for the 2020–21 academic year, the South Carolina Department of Education (SCDE) is issuing the following guidance to assist districts in determining and accounting for the attendance status, whether present or absent, of students.

Recognizing that a variety of flexible scheduling options will exist across districts statewide, this guidance is intended to address onsite attendance and attendance in a virtual environment in schools that are, traditionally, brick and mortar facilities. This guidance is not intended to address attendance in authorized charter schools that are currently operating virtually.

Onsite attendance should be determined by whether or not a student is physically present in a classroom on school grounds or school property. Whether the absence is “excused” or “unexcused” should be established by district procedures and policies and be consistent with state law and regulations. NOTE: Absences associated with COVID-19 should be excused, using the SC-FLU code. To distinguish COVID-19 from the flu, districts must use the following descriptor in the comment field: **COVID-19**.

NOTE: The SCDE recommends that districts make appropriate accommodations for students who may be required to quarantine or self-isolate as a result of COVID-19. Such accommodations may include temporarily moving the student to a distance learning environment, which includes virtual, electronic platforms, or offsite environments (including home) utilizing various instructional strategies.

Virtual attendance refers to the delivery of instructional content that does not occur in a physical classroom on school grounds or school property. This includes instruction provided via an online or electronic platform, as well as instruction provided in a physical offsite location separate from school property. Virtual attendance is determined by whether or not a student submits work or participates in assigned activities in accordance with the classroom teacher's written requirements. Students who submit assignments or participate in assigned learning experiences by the deadline established by the classroom teacher should be considered present. Students who fail to submit assignments or participate in assigned learning experience(s) by the deadline established by the classroom teacher should be considered absent. Again, whether the absence is "excused" or "unexcused" should be established by district procedures and policies and be consistent with state law and regulations. NOTE: Absences associated with COVID-19 should be excused, using the SC-FLU code. To distinguish COVID-19 from the flu, districts must use the following descriptor in the comment field: **COVID-19**.

NOTE: For a hybrid schedule (onsite instructional days combined with virtual instructional days), if assignments are to be completed over a number of scheduled virtual days and students submit the assignments by the deadline established by the classroom teacher, students should be considered present for each of the associated virtual instructional days. To reduce the possibility of students being unaccounted for for an extended period of time, educators must reconcile attendance at least weekly. Procedural guidance and training for confirming and documenting virtual attendance in PowerSchool will be provided by the Office of Research and Data Analysis.

As state law requires all public schools to track attendance (beginning with the first day of school) to monitor membership for funding purposes and to monitor truancy, nothing in this guidance is intended to modify current procedures related to membership, the 10-day drop period, or truancy reporting. Furthermore, districts are reminded to update current attendance policies to include hybrid schedules and virtual attendance and to share updated policies with students and families.

Finally, districts are required to track both student and educator attendance during the LEAP period, using the following templates:

- [Student Attendance Template](#) and
- [Educator Attendance Template](#).

The student spreadsheet should be titled "District_code_Student_Leap_Attendance" and the educator spreadsheet should be titled "District_code_Educator_Leap_Attendance" (Examples

4602_Student_Leap_Attendance and 4602_Educator_Leap_Attendance). The completed spreadsheets must be placed in the ADT in the Technology Coordinators folder.

Both attendance spreadsheets are required to receive full funding and are due within five business days of the last scheduled LEAP day and no later than September 15, 2020.

If you have any questions about the above guidance, please contact Aveene Coleman, acoleman@ed.sc.gov or Sabrina Moore, smoore@ed.sc.gov. If you have any questions about PowerSchool coding, please contact Dan Ralyea, dralyea@ed.sc.gov.

Memo

TO: Dr. Bill Cook
FROM: Terri Smith
DATE: August 5, 2020
SUBJECT: *Revision of KHB, Revenue Enhancement Contracts and KHB-R, Revenue Enhancement Contracts – 1st Read*

A stakeholder team comprised of the following individuals has been developed to review and revise policy KHB, *Revenue Enhancement Contracts* and administrative rule KHB-R, *Revenue Enhancement Contracts*.

Terri Smith, Central Office Finance
LaWana Robinson-Lee, Central Office Procurement Services
Brian Vaughan, Facilities Services
Mychal Frost, Central Office Marketing & Communications
Bobby Barnes, Central Office Finance
Beth Lifsey, Central Office Finance
Dr. Marty Conner, South Pointe High School
Dr. Juan Roldan, Sullivan Middle School
Jacob Moree, Mount Gallant Elementary School
Bill Warren, Rock Hill High School
Mark Yost, Northwestern High School
Gary Black, Food Service
Glenette Neal, Facilities Services
Jeanie Faris, Facilities Services

This policy and rule will be presented at the August 10th board work session for 1st read. A copy of the proposed and current version of the policy and rule are attached. S.C. School Boards Association does not have a model policy or rule for KHB, *Revenue Enhancement Contracts*. Recommendations are shown in red text with deletions noted by strike through of text.

Administration requests approval of the proposed board policy KHB and administrative rule KHB-R for 1st read.

| Policy | Recommendation |
|---|---|
| KHB, <i>Revenue Enhancement Contracts</i> | No model policy available. Recommend changing title to <i>Revenue Enhancement and Advertising Contracts</i> . Recommend adding the following: sponsoring to the advertising definition; include reference to board policy FF, <i>Naming Facilities</i> ; additional information for guidelines; advertising of food and/or beverages; and student marketing survey and protection of student privacy. |
| KHB-R, <i>Revenue Enhancement Contracts</i> | No model administrative rule available. Recommend changing title to <i>Revenue Enhancement and Advertising Contracts</i> . Recommend adding the following: types of revenue enhancement activities; contract(s) to conform to the district's consolidated procurement code; and limit contract period allowable. |

REVENUE ENHANCEMENT **AND ADVERTISING** CONTRACTS

Code **KHB** Issued **12/10** **PROPOSED**

~~Purpose: To establish the basic structure for~~ The Board of Trustees acknowledges the need to **identify** identifying and **pursue** pursuing opportunities to enhance the generation of revenue for Rock Hill School District Three co-curricular and extra-curricular programs. Advertising **and corporate sponsorship** provides a source for corporate and local businesses to promote goodwill, support district programs, and market a product or service.

Advertising and Sponsoring Definition

Advertisements are defined as visual signs and other notices intended to call the attention to products or services that are erected and temporarily affixed to district property. **Advertisements may also be in the form of announcements in printed materials or electronic formats.**

Sponsors are any person or organization that pays for or carries out a project or activity in return for advertising.

Such advertising activities will seek to model and promote positive values for the students of the district, including messages that encourages student's achievement and the establishment of high standards of personal conduct.

Advertising at District Facilities

As required, advertising contracts shall comply with the procurement **thresholds for purchasing process**. In awarding the contracts, the Superintendent or his/her designee shall consider not only the amount of revenue generated by the contract, including sales incentives such as, **but not limited to**, athletic department support and other extra-curricular **or educational** program enhancements; but also student interest and employee, parents, and local community support. Advertisements shall not be permanently affixed to building structures and must meet uniform district standards established by the Superintendent. **Advertisements viewable outdoors must also comply with city or county ordinances.**

Naming of district facilities or special areas within a new or existing facility or campus in which the district would receive revenue shall comply with board policy FF, Naming Facilities, and shall comply with the procurement thresholds for purchasing.

Guidelines

The Superintendent or his/her designee must approve all revenue generating contracts and will retain the authority and right to final approval of any and all agreements established with corporate and local business entities.

Advertisement and promotional material cannot undermine or detract from the district's education mission. Advertisements may be placed in athletic facilities, performing arts facilities, and extracurricular program areas. Placement of advertisements should be limited to areas open to the general public, **such as gymnasiums, cafeterias, on athletic fields, district website, within school-sponsored television and radio broadcasts, or within school/district level publications.** Advertisements may also be placed on the exterior of district-owned vehicles, as allowed by state statute or regulation.

Corporate involvement in the district's affairs must support and enhance the educational goals of the district.

The Superintendent will retain the authority at all times to review and evaluate any material, agreement, program or relationship with a corporate entity to ensure that they are consistent with the district's educational goals.

~~The Superintendent or his/her designee must approve all revenue generating contracts and will retain the authority and right to final approval of any and all agreements established with corporate and local business entities.~~

Advertising of Food and/or Beverages

Any advertising of food and/or beverages must comply with USDA Food and Nutrition Services regulations. Advertising of non-compliant food and/or beverage items are prohibited. Brand name marketing of corporations that only produce and/or sell non-compliant food is prohibited.

Student Marketing Survey and Protection of Student Privacy

Student shall not be required under any circumstances to fill out surveys to provide marketing information about their interests and preferences for particular vendors, businesses, or products. Personal information includes the students' names, addresses, and telephone numbers and may not be released by the district for purpose of advertising brand name product to students. Similarly, participation in any venture that provides a vendor with the information necessary to generate a list is prohibited. The district shall not enter into any contract for electronic media services, where the providers of the services in question will collect personal information from the students.

Adopted 1/22/07, Revised 12/13/10

REVENUE ENHANCEMENT CONTRACTS

Code **KHB** Issued **12/10**

Purpose: To establish the basic structure for identifying and pursuing opportunities to enhance the generation of revenue for Rock Hill School District Three co-curricular and extra-curricular programs. Advertising provides a source for corporate and local businesses to promote goodwill, support district programs, and market a product or service.

Advertising Definition

Advertisements are defined as visual signs and other notices intended to call the attention to products or services that are erected and temporarily affixed to district property.

Sponsors are any person or organization that pays for or carries out a project or activity in return for advertising.

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Corporate involvement in the district's affairs must support and enhance the educational goals of the district.

The Superintendent will retain the authority at all times to review and evaluate any material, agreement, program or relationship with a corporate entity to ensure that they are consistent with the district's educational goals.

The Superintendent or his/her designee must approve all revenue generating contracts and will retain the authority and right to final approval of any and all agreements established with corporate and local business entities.

Adopted 1/22/07, Revised 12/13/10

REVENUE ENHANCEMENT **AND ADVERTISING** CONTRACTS

Code **KHB-R** Issued **01/07** **PROPOSED**

Revenue enhancement activities may include (but are not limited to):

- Fixed signage
- Banners
- District level publications
- Individual school publications
- Television and/or radio broadcasts
- District level projects
- Posting of participating sponsors on district or school webpages
- Marquees- electronic or non-electronic
- Name of Facilities, subject to board policy FF, *Naming Facilities*

Advertising/Promotional material shall not do the following.

- Promote tobacco, firearms or alcohol usage
- Discriminate, demean, harass or ridicule any person or group of persons on the basis of gender, ethnicity and religious affiliation
- Override the school/district identity
- Promote bond or budget issues listed on an election ballot
- Be obscene or pornographic
- Promote any religious or political organization
- Use any district school logo without prior permission
- Interfere with other existing contracts, except as determined to be in the best interest of the schools and the district
- Be libelous
- Promote hostility, disorder or violence
- Harm student welfare
- Promote individual player/student

Promotional material/s is/are defined as pamphlets, flyers, mini-footballs and other items containing descriptions or advertising that is distributed.

All agreements must be in writing. These agreements must identify the parties involved and include a description of any advertising and/or promotional material.

Expenditure of funds

The revenue derived may be used for but not limited to:

- Supplement programs (~~Travel expenses not limited to bus drivers, student athlete meals, gasoline needed for athletic sport competition~~)
- Provide professional development opportunities
- Supplement annual cost of upkeep and/or replacement equipment and programs
- Purchase of awards
- Purchase of additional supplies
- **Signage or plaque to recognize sponsor**

Contract terms:

Contract executed under this policy will conform to standard terms and conditions established by the Superintendent or his/her designee and the Rock Hill School District Consolidated Procurement Code. The cycle for contracts shall run for a minimum of one year and shall not exceed five years without appropriate approval(s).

Adopted 1/22/07

REVENUE ENHANCEMENT CONTRACTS

Code **KHB-R** Issued **01/07**

Advertising/Promotional material shall not do the following.

- Promote tobacco, firearms or alcohol usage
- Discriminate, demean, harass or ridicule any person or group of persons on the basis of gender, ethnicity and religious affiliation
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- Supplement annual cost of upkeep and/or replacement equipment and programs
- Purchase of awards
- Purchase of additional supplies

Contract terms:

Contract executed under this policy will conform to standard terms and conditions established by the Superintendent or his/her designee. The cycle for contracts shall run for a minimum of one year.

Adopted 1/22/07

Memo

TO: Dr. Bill Cook

FROM: Terri Smith

DATE: August 5, 2020

SUBJECT: Bond Resolution – 8% SCAGO General Obligation Debt for FY 2020-2021

Our bond counsel in cooperation with our financial advisor has prepared the attached bond resolution for the Board of Trustees approval at the August 24, 2020 business meeting. A copy of the Debt Service Fund Millage Levy Summary, prepared by Compass Municipal Advisors, is also attached.

This bond resolution is authorizing the issuance and sale of not to exceed \$15,000,000 General Obligation bonds, in one or more series, and will utilize our 8% debt capacity. This bond resolution is for the purpose of providing funds to pay for the acquisition and installation of technology, equipment, capital improvements and upgrades, and the annual 2016 Acquisition, Use and Security Agreement payment. The district has been in conversations with York County regarding the district's debt service millage for tax year 2020. This bond resolution will not require an increase in millage. The district's debt service millage will remain at 52 mills.

The fall SCAGO GO Debt program is scheduled to sell the late August 2020 and close late September 2020.

ROCK HILL SCHOOL DISTRICT NO. 3 OF YORK COUNTY, SOUTH CAROLINA

A RESOLUTION

AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$15,000,000 GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, IN ONE OR MORE YEARS, WITH APPROPRIATE SERIES DESIGNATIONS, INCLUDING A TAX-EXEMPT SERIES AND A TAXABLE SERIES, IF APPROPRIATE, OF ROCK HILL SCHOOL DISTRICT NO. 3 OF YORK COUNTY, SOUTH CAROLINA; AUTHORIZING THE SOUTH CAROLINA ASSOCIATION OF GOVERNMENTAL ORGANIZATIONS TO FACILITATE THE SALE OF THE BONDS UNDER ITS GENERAL OBLIGATION DEBT PROGRAM; PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH THE BONDS MAY BE ISSUED; AUTHORIZING THE SUPERINTENDENT OF THE SCHOOL DISTRICT TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

Adopted: August 24, 2020

BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF ROCK HILL SCHOOL DISTRICT NO. 3 OF YORK COUNTY, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1. Definitions. Unless the context shall clearly indicate some other meaning, the terms defined in this Section shall have, for all purposes of this Resolution, the meanings hereinafter specified, with the definitions equally applicable to both the singular and plural forms and vice versa. The term:

“Acquisition Agreement” shall mean the Acquisition, Use and Security Agreement between the School District and Banc of America Public Capital Corp. dated December 27, 2016.

“Acquisition Payments” shall mean those payments made pursuant to the Acquisition Agreement.

“Board” shall mean the Board of Trustees of Rock Hill School District No. 3 of York County, South Carolina.

“Bond Act” shall mean Title 59, Chapter 71, Article 1 and Section 11-27-50 of the S.C. Code.

“Bondholder” or the term “Holder” or any similar term shall mean the registered owner of the Bond.

“Bonds” shall mean the total aggregate principal amount of general obligation bonds authorized and issued pursuant to this Resolution.

“Books of Registry” shall mean the registration books maintained by the Registrar in accordance with Section 7 hereof.

“District Superintendent” shall mean the Superintendent of the School District.

“IRC” shall mean the Internal Revenue Code of 1986, as amended.

“Paying Agent” shall mean the School District.

“Registrar” shall mean the School District.

“Resolution” shall mean this Resolution.

“SCAGO” shall mean the South Carolina Association of Governmental Organizations.

“SCAGO Certificates” shall mean certificates of participation evidencing undivided proportionate interests in the GO Debt (hereinafter defined) of the participating school districts issued by SCAGO pursuant to the SCAGO Trust Agreement.

“SCAGO Trust Agreement” shall mean the Trust Agreement by and between SCAGO and Wells Fargo Bank, N.A. or such other bank named therein, as trustee, dated as of a date to be determined by the parties thereto pursuant to which the SCAGO Certificates will be issued.

“S.C. Code” shall mean the Code of Laws of South Carolina, 1976, as amended.

“School District” shall mean Rock Hill School District No. 3 of York County, South Carolina.

“School District Representative” shall mean the person or persons at the time designated to act on behalf of the School District in matters relating to the Bonds as evidenced by a written certificate furnished to SCAGO and the trustee thereunder containing the specimen signature of such person or persons and signed on behalf of the School District by the Chair or Vice Chair of the Board or the District Superintendent. Such certificate may designate an alternate or alternates each of whom shall be entitled to perform all duties of the School District Representative.

“State” shall mean the State of South Carolina.

“Taxable Bonds” shall mean that portion of the Bonds authorized and issued hereunder, the interest on which is includable in the gross income of the bondholders thereof for federal income tax purposes pursuant to the provisions of the IRC and the regulations promulgated thereunder in effect on the date of original issuance of the Bonds.

“Tax-Exempt Bonds” shall mean that portion of the Bonds authorized and issued hereunder, the interest on which is not includable in the gross income of the bondholders thereof for federal income tax purposes pursuant to the provisions of the IRC and the regulations promulgated thereunder in effect on the date of original issuance of the Bonds.

SECTION 2. Findings and Determinations. The Board hereby finds and determines:

(a) The School District was created under the provisions of Act No. 354 (1953 Acts), the name designated as “Rock Hill School District No. 3 of York County” pursuant to Act No. 296 (1985 Acts), and the number of trustees and manner of their election set pursuant to Act 470 (2000 Acts). The Board is the governing body of the School District.

(b) Article X, Section 15, of the Constitution of the State of South Carolina, 1895, as amended (the “Constitution”), provides that after November 30, 1982, the governing body of any school district may incur general obligation debt in an amount not exceeding eight percent (8%) of the assessed value of all taxable property of such school district and upon such terms and conditions as the General Assembly may prescribe.

(c) The Bond Act provides that the board of trustees of any school district may issue general obligation bonds of such school district for the purpose of defraying the cost of “capital improvements” (as defined therein) to any amount not exceeding the constitutional debt limitation applicable to such school district. The Bond Act requires that the county board of education wherein the school district is located, if there is such, approve the issuance of such general obligation bonds.

(d) Section 11-27-50(2) of the Bond Act further provides that if an election be prescribed by the provisions of the Bond Act but is not required by the provisions of Article X of the Constitution, then in every such instance, no election need be held and the remaining provisions of the Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions. Section 11-27-90 of the S.C. Code further provides that any school district of the State may issue bonds in fully registered form.

(e) The School District’s Financial Advisor, Compass Municipal Advisors, LLC (“CMA”) has advised the School District that SCAGO has been formed to facilitate one or more pooled borrowing programs including a pooled general obligation debt program (the “SCAGO GO Program”) for school

districts in the State. Each participating school district in the SCAGO GO Program will have its general obligation debt ("GO Debt") sold together with GO Debt issued by the other participating school districts in order to achieve a lower net interest cost and lower issuance costs associated with its GO Debt. Pursuant to the terms of the SCAGO GO Program, SCAGO will cause the execution and delivery of the SCAGO Certificates pursuant to the SCAGO Trust Agreement.

(f) The School District previously has entered into the Acquisition Agreement, the proceeds of which were used to purchase certain equipment listed in Exhibit A to the Acquisition Agreement (the "Equipment"). Pursuant to the Acquisition Agreement, the School District is to make Acquisition Payments in exchange for which the School District will receive unencumbered title to an undivided interest in the Equipment.

(g) The assessed value of all taxable property in the School District, as of June 30, 2019, is \$484,657,205. Eight (8%) percent of such sum is \$38,772,576. The School District has no outstanding general obligation debt subject to the limitation imposed by Article X, Section 15(6) of the Constitution. Thus, the School District may incur \$38,772,576 of general obligation debt within its applicable constitutional debt limitation.

(h) Pursuant to a Resolution adopted by the Board on January 27, 2014, the School District adopted Written Procedures Related to Tax-Exempt Debt.

(i) It is in the best interest of the School District to participate in the SCAGO GO Program and to provide for the issuance and sale of the Bonds of the School District pursuant to the aforesaid provisions of the Constitution and laws of the State in the aggregate principal amount of not exceeding \$15,000,000 for the purposes of providing funds to pay Acquisition Payments, to defray the costs of capital improvements and upgrades as shall be determined by the Board in accordance with the School District's capital financing plan (the "Projects") and to pay costs of issuance of the Bonds.

SECTION 3. Authorization and Details of Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$15,000,000 general obligation bonds of the School District to obtain funds for the purposes mentioned in Section 2(i) above, including any financial and legal fees relating thereto and other incidental costs of issuing the Bonds. The Bonds will be issued in one or more series, in one or more years, each with an appropriate series designation, and, if necessary, one or more of the series of Bonds may be designated as Taxable Bonds.

Each of the Bonds shall be issued as a single fully-registered bond; shall be dated as of the date on which each Bond is delivered to the initial purchaser thereof or such other date as the District Superintendent determines; shall be in denominations equal to the respective par amount of each Bond not exceeding \$15,000,000 in the aggregate; shall bear interest (calculated on the basis of a 360-day year comprising twelve 30-day months) from its respective date payable on the maturity date thereof, at the respective rate as may be determined by the District Superintendent at the time of the sale thereof; and shall mature on the respective date as determined by the District Superintendent.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. The School District shall serve as the Registrar and Paying Agent for the Bonds.

SECTION 4. Redemption Provisions. The Bonds shall not be subject to redemption prior to their respective stated maturities.

SECTION 5. Delegation of Authority. For each series of Bonds, the District Superintendent is hereby authorized and empowered to: (a) determine the par amount of the Bonds; (b) determine the original issue date of the Bonds; (c) determine the respective maturity dates and respective principal amounts maturing on such dates; (d) determine the interest payment date and principal payment date if different from that set forth herein; (e) designate a Paying Agent and Registrar for the Bonds if different from that set forth herein; (f) determine the date and time of sale of the Bonds; (g) receive bids on behalf of the School District and award the sale of the Bonds in accordance with the terms of the Notice of Sale for the Bonds; and (h) execute all other agreements, certificates and documents as may be necessary or required in connection with the issuance of the Bonds.

SECTION 6. Authorization to Sell General Obligation Bonds outside the SCAGO GO Program. The Board hereby delegates to the District Superintendent the authority to cause any series of Bonds authorized herein to be sold and issued outside the SCAGO GO Program. The District Superintendent, upon advice from Bond Counsel, is hereby authorized to approve the forms of such documents as shall be necessary to issue any series of Bonds as a separate stand-alone Bond. The Chair, Vice Chair, District Superintendent or other authorized officials of the School District are hereby authorized to execute and delivery the documents as approved by the District Superintendent.

SECTION 7. Registration, Transfer and Exchange of Bonds. The School District shall cause the Books of Registry to be kept at the offices of the School District, as Registrar, for the registration and transfer of the Bonds. Upon presentation at its office for such purpose, the Registrar shall register or transfer, or cause to be registered or transferred, on such Books of Registry, the Bonds under such reasonable regulations as the Registrar may prescribe.

The Bonds shall be transferable only upon the Books of Registry of the School District, which shall be kept for such purpose at the principal office of the School District, as Registrar, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond or Bonds, the School District, as Registrar, shall issue in the name of the transferee a new fully-registered Bond of the same aggregate principal amount, interest rate and maturity as the surrendered Bond. Any Bond surrendered in exchange for a new registered Bond pursuant to this Section shall be canceled by the Registrar.

The School District, as the Registrar and the Paying Agent, may deem or treat the person in whose name the fully-registered Bonds shall be registered upon the Books of Registry as the absolute owners of such Bonds, whether such Bonds shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bonds and for all other purposes; and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bonds to the extent of the sum or sums so paid, and the School District, as the Registrar and the Paying Agent, shall not be affected by any notice to the contrary. In all cases in which the privilege of transferring the Bonds is exercised, the School District shall execute and the School District, as Registrar shall authenticate and deliver the Bonds in accordance with the provisions of this Resolution. The School District as the Registrar and the Paying Agent shall not be obliged to make any such transfer of the Bond or Bonds during the fifteen (15) days preceding the maturity date on the Bond or Bonds.

SECTION 8. Form of Bonds. The Bonds shall be substantially in the form attached hereto as Exhibit A and incorporated herein by reference, subject to such changes, additions or deletions as may be approved by the District Superintendent.

SECTION 9. Execution and Delivery of the Bonds. The Bonds shall be executed in the name of the School District with the manual or facsimile signature of the Chair or Vice Chair of the Board attested by the manual or facsimile signature of the Secretary of the Board under the seal of the School District which shall be impressed, imprinted or reproduced thereon. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. The Bonds shall bear a certificate of authentication manually executed by the School District, as Registrar, in substantially the form set forth herein.

The School District Representatives are further authorized and directed to deliver the respective Bonds upon the terms and conditions provided herein and under the SCAGO GO Program, to receive or cause to be received the proceeds of the sale of the respective Bonds, to execute and deliver such certificates and other closing documents and take such other action as may be necessary or appropriate in order to effectuate the proper issuance, sale and delivery of the respective Bonds.

Each participating school district in the SCAGO GO Program will be the issuer of its respective GO Debt and undivided proportionate interests therein will be evidenced by the SCAGO Certificates executed and delivered under the SCAGO Trust Agreement. The Board approves and consents to the assignment and pledge of the Bonds under the provisions of the SCAGO Trust Agreement and approves the execution and delivery by the trustee of the SCAGO Certificates upon payment of the purchase price thereof, all as contemplated by the SCAGO GO Program.

SECTION 10. Sale of Bonds; Form of Notice of Sale. The respective Bonds shall be sold at public sale, after advertisement of the sale in a newspaper having general circulation in the State or, as determined by the District Superintendent, upon the advice of CMA, in a financial publication published in the City of New York or, in the discretion of the District Superintendent, in both publications. As authorized by Section 11-27-50(7)(b) of the S.C. Code, the advertisement must appear not less than seven (7) days prior to the date set as a sale date for such sale.

The Notice of Sale shall be in substantially the form set forth as Exhibit B.

SECTION 11. Deposit and Use of Proceeds. (a) Upon the purchase and delivery of the GO Debt, a portion of the proceeds shall be deposited with the Treasurer of York County (the "County Treasurer") in a special fund to the credit of the School District and shall be used to make Acquisition Payments, fund or defray indirectly the costs of capital projects and to pay the costs of issuance of the Bonds. The portion of the proceeds of the Bonds to be applied to costs of issuance may be paid as determined by a School District Representative

(b) Upon the purchase and delivery of the GO Debt, the amount of proceeds not needed for the Acquisition Payments and costs of issuance derived from the sale of the GO Debt shall be deposited with the County Treasurer in a special fund to the credit of the School District and shall be applied solely to the purposes for which the GO Debt has have been issued, including payment of costs of issuance or at the direction of the County Treasurer, the proceeds derived from the sale of the GO Debt, less costs of issuance, shall be deposited into an acquisition fund in the name of the School District to be known as the "Rock Hill School District No. 3 of York County, South Carolina, General Obligation Bond, Series 2020 Acquisition Fund (or such other appropriate designation)" (the "Acquisition Fund"), which shall be established under the SCAGO Trust Agreement. The School District may withdraw amounts from the Acquisition Fund on the date of delivery of the GO Debt and thereafter on any business day. "Business Day" shall mean any day except Saturday, Sunday or a holiday.

(c) The costs of issuance of the Bonds shall, at the direction of the County Treasurer, be deposited in the Costs of Issuance Account of the Expense Fund created pursuant to the SCAGO Trust Agreement or may be paid as determined by a School District Representative. Any remaining proceeds shall be applied for any purposes authorized by the Board.

(d) Disbursements from the Acquisition Fund and the Expense Fund (as defined in the SCAGO Trust Agreement) shall be made upon the written order of a School District Representative or the County Treasurer, as designated on the appropriate form, solely for the purpose for which the GO Debt was issued.

SECTION 12. Security. The full faith, credit and taxing power of the School District are hereby irrevocably pledged for the payment of the principal and interest on the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the Auditor of York County (the "County Auditor") and collected by the County Treasurer in the same manner as county taxes are levied and collected, a tax, without limit, on all taxable property in the School District sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

The County Auditor and County Treasurer shall be notified as to the delivery of and payment for the Bonds and are hereby directed to levy and collect, respectively, a tax, without limit, on all taxable property in the School District sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 13. Sinking Fund; Payment of Bonds. The School District covenants that it will deposit or cause to be deposited into the applicable sinking fund, and the County Treasurer is hereby authorized and directed to deposit or cause to be deposited into such sinking fund payments relating to the Bonds on or before their respective maturity dates. The County Treasurer, on behalf of the School District and at the written direction of a School District Representative, shall transfer or cause to be transferred from time to time any moneys then on deposit in the sinking fund to the trustee under the SCAGO Trust Agreement.

SECTION 14. Federal Tax Covenants. The School District hereby covenants and agrees with the holders of the Tax-Exempt Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Tax-Exempt Bonds to become includable in the gross income of the bondholders thereof for federal income tax purposes pursuant to the provisions of the IRC and the regulations promulgated thereunder in effect on the date of original issuance of the Tax-Exempt Bonds and that no use of the proceeds of the Tax-Exempt Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Tax-Exempt Bonds would have caused the Tax-Exempt Bonds to be "arbitrage bonds" as defined in the IRC and to that end the School District shall:

(a) comply with the applicable provisions of Section 103 and Sections 141 through 150 of the IRC so long as the Tax-Exempt Bonds are outstanding;

(b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the IRC relating to required arbitrage rebates of certain amounts to the United States; and

(c) make such reports of information at the time and places required by the IRC.

SECTION 15. Exemption from State Taxes. Both the principal of and interest on the Bonds shall in accordance with the provisions of Section 12-2-50 of the S.C. Code be exempt from all State,

county, municipal, school district, and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 16. Events of Default. The School District agrees that each of the following events may be considered an “Event of Default” under the SCAGO Trust Agreement:

(a) If default shall be made in the due and punctual payment of principal of or any interest on the Bonds, including failure to make when due a sinking fund payment under Section 13 of this Resolution; or

(b) If the School District shall default in the performance of any covenant, agreement or condition on its part to be performed under the Bonds or this Resolution other than a default in payment, and such default shall continue for a period of 30 days after written notice thereof is received by the School District.

SECTION 17. Remedies. The School District agrees that each of the following may be included as a remedy for an “Event of Default” under the SCAGO Trust Agreement:

(a) In any case of an Event of Default, the trustee under the SCAGO Trust Agreement may take such action or actions for the enforcement of the rights of the owners as due diligence, prudence and care would require and to pursue the same with like diligence, prudence and care, including commencement of an action for mandamus or other appropriate action to require the School District to comply with the terms of this Resolution.

(b) If the School District shall fail or refuse to make any required deposit on the relevant sinking fund payment date in order to make the transfer to its applicable Sinking Fund Account, the trustee under the SCAGO Trust Agreement, shall take such action as is necessary to invoke the provisions of Section 59-71-155 of the S.C. Code regarding transfers from the State general fund to make payments on bonded indebtedness of the State’s school districts; and upon being indemnified against cost and expense, exercise any remedy at law or in equity for the benefit of the owners of the SCAGO Certificates, and shall disburse all funds so collected to the holders of the SCAGO Certificates or assignee of the Bonds.

SECTION 18. SCAGO. The School District hereby authorizes SCAGO to facilitate the sale of the respective Bonds together with other GO Debt issued by other participating school districts in the SCAGO GO Program as determined by SCAGO.

SECTION 19. Acknowledgement of SCAGO Certificates; Registered Owner; Limitation of Liability. The School District, by participating in the SCAGO GO Program, recognizes the rights of the owners of the SCAGO Certificates, acting directly or through the trustee under the SCAGO Trust Agreement, to enforce the obligations and covenants contained in the Bonds and this Resolution; provided that in no event shall the School District be liable for any obligations, covenants or damages except those which arise out of the Bonds authorized by this Resolution, and, in particular, the School District shall not be liable for any obligations, liabilities, acts or omissions of SCAGO or any other participating school district in the SCAGO GO Program.

SECTION 20. Discharge of Resolution. If the School District shall pay or cause to be paid, or there shall otherwise be paid, to the owner or owners of a SCAGO Certificate, the total principal and interest due or to become due thereon through maturity (as determined in accordance with the SCAGO Trust Agreement), in the manner stipulated therein and in this Resolution, then the pledge of the full faith, credit and taxing power of the School District under this Resolution, and all covenants, agreements and

other obligations of the School District hereunder, shall thereupon cease, terminate and become void and be discharged and satisfied with respect to the Bonds for which such payment was made.

SECTION 21. Continuing Disclosure. If applicable, the School District hereby covenants and agrees that it will comply with and carry out all of the provisions of a Continuing Disclosure Certificate. Notwithstanding any other provisions of this Resolution, failure of the School District to comply with a Continuing Disclosure Certificate shall not be considered an event of default, and no liability for damages shall attach therefor. The sole remedy for such failure to comply shall be that any bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the School District to comply with their obligations under this Section.

SECTION 22. Filings with Central Repository. In compliance with Section 11-1-85 of the S.C. Code, the School District covenants that it will file or cause to be filed with a central repository for further availability in the secondary bond market when requested: (a) a copy of the annual audit of the School District within thirty (30) days of the School District's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, relevant information of an event which, in the opinion of the School District, adversely affects more than five percent (5%) of the School District's revenue or its tax base.

SECTION 23. Declaration of Intent to Reimburse Certain Expenditures. This Resolution shall constitute the School District's declaration of official intent pursuant to Regulation §1.150-2 of the IRC to reimburse the School District from a portion of the proceeds of the Tax-Exempt Bonds for expenditures it anticipates incurring (the "Expenditures") with respect to the Projects prior to the issuance of the Bonds. The Expenditures which are reimbursed are limited to Expenditures which are: (1) properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Regulation §1.150-2 of the IRC) under general federal income tax principals; or (2) certain de minimis or preliminary Expenditures satisfying the requirements of Regulation §1.150-2(f) of the IRC. The source of funds for the Expenditures with respect to the Projects will be the School District's reserve funds. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid; or (b) the date such Projects were placed in service, but in no event more than three (3) years after the original Expenditures.

SECTION 24. Authorization. The Chair of the Board, the Vice Chair of the Board, the Secretary of the Board, the District Superintendent and the Chief Finance Officer of the School District, are fully empowered and authorized to take such further action and to execute and deliver such additional documents and certificates as may be necessary to effect the issuance of the Bonds. The Board hereby retains Burr & Forman LLP, as Bond Counsel and Compass Municipal Advisors, LLC, as Financial Advisor with regard to the issuance of the Bonds. The District Superintendent is further authorized to execute such contracts, documents or engagement letters as may be necessary and appropriate to effectuate these engagements.

SECTION 25. Repeal of Conflicting Resolutions. All rules, policies, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed, and this Resolution shall take effect and be in full force from and after its adoption.

[Signature page follows]

Adopted this 24th day of August, 2020.

ROCK HILL SCHOOL DISTRICT NO. 3 OF YORK
COUNTY, SOUTH CAROLINA

Chair, Board of Trustees

(SEAL)

ATTEST:

Secretary, Board of Trustees

EXHIBIT A

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
ROCK HILL SCHOOL DISTRICT NO. 3 OF YORK COUNTY
[TAXABLE] GENERAL OBLIGATION BOND, SERIES _____

No. R-1

| | | | |
|----------------------|----------------------|--------------------------|----------------------------|
| <u>INTEREST RATE</u> | <u>MATURITY DATE</u> | <u>BOND PAYMENT DATE</u> | <u>ORIGINAL ISSUE DATE</u> |
|----------------------|----------------------|--------------------------|----------------------------|

PRINCIPAL AMOUNT:

REGISTERED HOLDER: South Carolina Association of Governmental Organizations

KNOW ALL MEN BY THESE PRESENTS, that the School District identified above (the "School District"), is justly indebted and, for value received, hereby promises to pay to the registered holder named above, or registered assigns, the principal amount shown above on the maturity date shown above and to pay interest on such principal sum from the date hereof at the interest rate per annum shown above until this Bond matures. Interest on this Bond is payable at maturity and shall be payable to the person in whose name this Bond is registered on the registration books of the School District maintained by the registrar, presently the School District (the "Registrar"). The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that principal and interest on this fully registered Bond shall be paid by check, draft or transfer of funds.

The principal and interest on this Bond shall be paid to Wells Fargo Bank, N.A. (the "Trustee") under the Master Trust Indenture Agreement between the South Carolina Association of Governmental Organizations and the Trustee dated May 1, 2017, as amended (the "SCAGO Trust Agreement"), on or before the Bond Payment Date shown above.

This Bond shall not be entitled to any benefit under the resolution of the School District authorizing this Bond (the "Resolution"), nor become valid or obligatory for any purpose, until the Certificate of Authentication hereon shall have been duly executed by the Registrar.

For the payment of the principal and interest on this Bond as they respectively mature and for the creation of such sinking fund as may be necessary therefor the full faith, credit, and taxing power of the School District are hereby irrevocably pledged, and there shall be levied annually by the Auditor of the county in which the School District is located (the "County") and collected by the Treasurer of the County, in the same manner as County taxes are levied and collected, a tax, without limit, on all taxable property in the School District sufficient to pay the principal and interest of this Bond as they respectively mature and to create such sinking fund as may be necessary therefor.

This Bond is issued pursuant to and in accordance with Article X, Section 15 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"); Title 59, Chapter 71, Article 1,

Code of Laws of South Carolina, 1976, as amended; Title 11, Chapter 27, Code of Laws of South Carolina, 1976, as amended; and the Resolution.

This Bond is not subject to redemption prior to maturity.

Except for the initial assignment of this Bond to the Trustee under the SCAGO Trust Agreement, this Bond is transferable, only upon the books of the School District kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully registered Bond of the same aggregate principal amount, interest rate, and maturity shall be issued to the transferee in exchange therefor as provided in the Resolution. The School District, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina (the "State"), this Bond and the interest hereon are exempt from all State, county, municipal, school district and other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the School District does not exceed the applicable limitation of indebtedness under the laws of the State; and, that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the School District sufficient to pay the principal and interest of this Bond as they respectively mature and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, the aforesaid School District has caused this Bond to be signed with the manual/facsimile signature of the Chair of the Board of Trustees of the School District, attested by the manual/facsimile signature of the Secretary of the Board of Trustees of the School District and the seal of the School District impressed, imprinted or reproduced hereon.

ROCK HILL SCHOOL DISTRICT NO. 3 OF YORK
COUNTY, SOUTH CAROLINA

Chair, Board of Trustees

(SEAL)

ATTEST:

Secretary, Board of Trustees

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This Bond is one of the bonds described in the within mentioned Resolution of Rock Hill School District No. 3 of York County, South Carolina.

Rock Hill School District No. 3 of York County,
South Carolina, as Registrar

By: _____
Secretary, Board of Trustees

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common

UNIF GIFT MIN ACT -

TEN NET - as tenants by the
entireties

____ Custodian ____
(Cust) (Minor)
under Uniform Gifts to
Minors Act ____
(state)

JT TEN - as joint tenants with
right of survivorship
and not as tenants in
common

Additional abbreviations may also be used though not in above list.

EXHIBIT B

FORM OF SUMMARY NOTICE OF SALE

NOTICE IS HEREBY GIVEN that each of the following school districts (the "School Districts") shall offer collectively for public sale its general obligation bond (collectively, the "Bonds") in the amounts indicated on _____, _____, 20__.

[PRINCIPAL AMOUNTS AND NAMES OF
PARTICIPATING SCHOOL DISTRICTS]

The Bonds will be collectively sold as the South Carolina Association of Governmental Organizations Certificates of Participation, Series 20__ (Evidencing Undivided Proportionate Interests in General Obligation Debt of Certain South Carolina School Districts) (the "Certificates").

Sale Date: _____, 20__

Sale Time: _____ a.m., South Carolina time

Bonds Dated: _____, 20__

Interest Payment: March ___, 20__

Maturity: March ___, 20__

Redemption provisions: The Certificates and Bonds are not subject to redemption.

Book-Entry-Only: The Certificates will be book-entry-only.

Legal Opinion: Burr & Forman LLP, Columbia, South Carolina

Financial Advisor: Compass Municipal Advisors, LLC, Columbia, South Carolina

Proposals will be received by Compass Municipal Advisors, LLC, on behalf of the South Carolina Association of Governmental Organizations and the School Districts. The Certificates will be issued in book-entry only form in denominations of \$100,000 and integral multiples of \$1,000 in excess of \$100,000. A copy of the Preliminary Offering Circular in deemed final form and the Official Terms and Conditions of Sale are available via the internet at <https://www.compassmuni.com/statements.asp>.

For additional information, please contact the School Districts' Bond Counsel, Francenia B. Heizer, Esquire, Burr & Forman LLP, telephone (803) 799-9800; e-mail: fheizer@burr.com or the School Districts' financial advisor, Brian Nurick, Managing Director, Compass Municipal Advisors, LLC, telephone (859) 368-9619, e-mail: brian.nurick@compassmuni.com.

*Preliminary, subject to change.

York County School District No. 3 (Rock Hill)
Debt Service Fund Millage Levy Summary
(Tax Year 2020)

DRAFT

Estimated Revenues

| | | | |
|---------------------------------------|--------------|-------|-------------------------------|
| * Beginning Balance on June 30, 2020: | | | \$6,607,776.16 |
| ** Value of a Mill: | \$564,220.33 | 52.00 | \$29,339,457.40 |
| Other: | | | <u>\$0.00</u> |
| Total Revenues: | | | <u><u>\$35,947,233.56</u></u> |

Estimated Expenditures

| <u>Due Date</u> | <u>Bond Series</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> | <u>Grand Total</u> |
|---|--------------------|------------------|-----------------|-----------------|-------------------------------|
| 09/01/20 | 2014A REF | | \$156,900.00 | \$156,900.00 | |
| 09/01/20 | 2015A REF | | \$899,275.00 | \$899,275.00 | |
| 09/01/20 | 2016C REF | | \$219,287.50 | \$219,287.50 | |
| 09/01/20 | 2017B | | \$2,229,475.00 | \$2,229,475.00 | \$3,504,937.50 |
| 03/01/21 | 2014A REF | \$1,740,000.00 | \$156,900.00 | \$1,896,900.00 | |
| 03/01/21 | 2015A REF | \$2,775,000.00 | \$899,275.00 | \$3,674,275.00 | |
| 03/01/21 | 2016C REF | \$1,005,000.00 | \$219,287.50 | \$1,224,287.50 | |
| 03/01/21 | 2017B | \$2,880,000.00 | \$2,229,475.00 | \$5,109,475.00 | |
| 03/01/21 | 2020 EST | \$14,722,000.00 | \$220,421.06 | \$14,942,421.06 | \$26,847,358.56 |
| 09/01/21 | 2014A REF | | \$113,400.00 | \$113,400.00 | |
| 09/01/21 | 2015A REF | | \$829,900.00 | \$829,900.00 | |
| 09/01/21 | 2016C REF | | \$194,162.50 | \$194,162.50 | |
| 09/01/21 | 2017B | | \$2,157,475.00 | \$2,157,475.00 | <u>\$3,294,937.50</u> |
| Total Expenditures: | | | | | <u><u>\$33,647,233.56</u></u> |
| Ending Balance on June 30, 2021: | | | | | \$5,594,937.50 |
| Ending Balance on December 31, 2021: | | | | | \$2,300,000.00 |
| Target Ending Balance (6.0% - 8.0% of CY Expenditures): | | | | | <u><u>7.6%</u></u> |

* County estimated beginning balance from July 28, 2020 email.

** York County estimated value of a mill as of July 28, 2020 email; $(\$28,639,457 + \$700,000) / 52.0 = \$564,220$.



One Team ... One Mission ... One Rock Hill

386 E. Black Street T: (803) 981-1000
Rock Hill, SC 29730 F: (803) 981-1094
www.rock-hill.k12.sc.us

Memo

TO: Dr. Bill Cook, Superintendent

FROM: Dr. John Jones, Chief of Academics and Accountability

DATE: August 6, 2020

SUBJECT: Board Presentation: eLearning Update

Please find a presentation attached that will inform the Board of Trustees of our plans for eLearning during 2020-2021. Please let me know if you have any questions.

Thank you.



eLearning Update

**Board of Trustees Meeting
August 10, 2020**

One Team. One Mission. One Rock Hill.



Proviso 1A.83. of the 2019-20 General Appropriation bill, H.4000, as recommended by the Conference Committee on May 20, 2019 and adopted by the House and Senate, **requires the Education Oversight Committee (EOC) to oversee implementation of the second year of a pilot program for alternative methods of instruction for school make-up days.** The eLearning pilot will expand from the original five districts that participated in school year 2018-19 (Anderson 5; Kershaw; Pickens; Spartanburg 1 and Spartanburg 7), which are referred to as Cohort 1, to an additional five to ten districts that will comprise Cohort 2.

Terminology for the purpose of common understanding and discussions:

eLearning – term used in the Education Oversight Committee (EOC) pilot project to study the use of technology on inclement weather days in order to seamlessly continue instruction without making-up the day later in the school year; the reports for both years of the pilot project found key elements existed within the districts which led to the successful implementation

Online, virtual or distance learning – the term refers to exclusive use of technology for the delivery of instruction; trends toward longer periods of time and may include whole courses

Remote learning - means educational or instructional programming that mostly occurs away from the physical school building and is delivered in a student-focused manner that addresses a student's educational needs. This includes both non-technology-based learning (e.g., paper packets, in-person tutoring) and “distance education” as defined in ESEA section 8101(14).

2019 – 2020 Review:

- Rock Hill Schools 1 of 10 districts chosen to participate in a pilot eLearning program
- Mentored by Spartanburg 7 School District
- 3-Step Approach:
 - Internal Messaging
 - Practice and Products
 - Actual Implementation
- Impact of COVID 19
 - April 13th
 - May 22nd



2021-2021

- Approved to participate by SCEO.
- State implementing learning management system and ecosystem support.
- 25 school districts added to state-wide pilot.
- Rock Hill Schools serves as mentor district:



| | |
|--------|-------------|
| Union | York 3 (RH) |
| York 1 | York 3 (RH) |
| York 4 | York 3 (RH) |

2021-2021

- Approved to offer e-Learning days for the 2020-2021 school year.
- State implementing learning management system and ecosystem support.
- 25 school districts added
- Timeline



Leadership Commitment

- Superintendent and Board set expectations; establish plan
- Resources allocated

Effective Ongoing Instruction

- LMS deeply integrated
- Student-centered and used with fidelity

IT Support

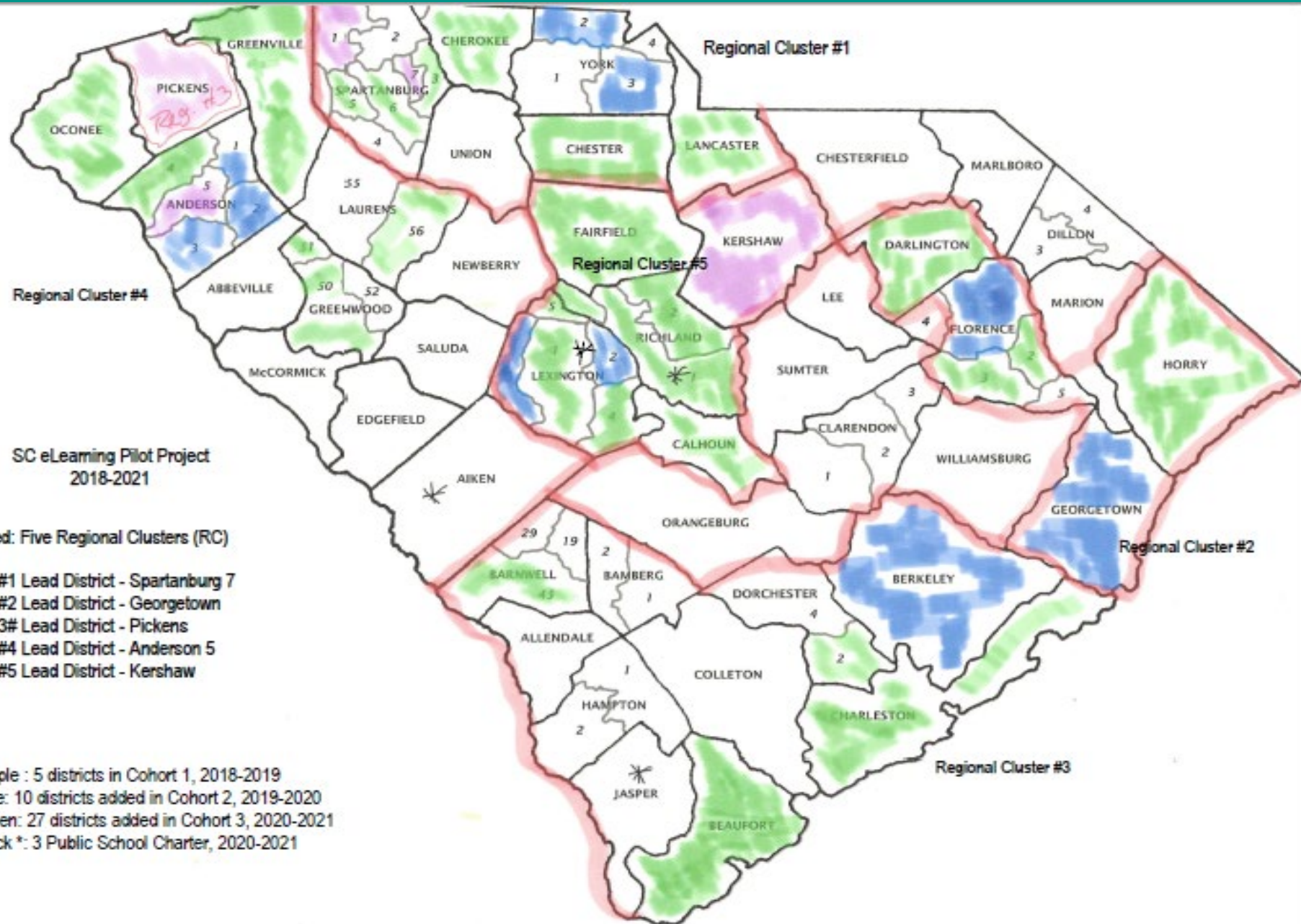
- Efficient and ease of use
- Appropriate devices
- Switches, routers, servers and wireless overlay up-to-date

Effective Ongoing Professional Development

- Use of LMS, Resources and Assessments
- Lesson Planning
- Tiered for multi-level competencies

Continuous Communications

- Teachers and Staff
- Parents
- Community



Proposed Goals of the Board of Trustees of Rock Hill Schools

Goal #1: Providing a safe and secure environment for students, teachers, staff and volunteers is an ongoing concern, and the COVID19 pandemic has brought an entirely new layer of concern. The board will expect Dr. Cook and his staff to develop comprehensive policies and procedures to assure the utmost in safety and security. This goal will include measures and metrics to assure compliance, corrective measures for non-compliance, as well as regular reporting to the board.

Goals #2: Student achievement and successful outcomes for students is our foremost responsibility. This includes every segment of the student population, not just the top academic performers. With or without standardized testing, this is a challenge to measure. The board will expect Dr. Cook to develop reasonable methods and metrics to measure student achievement and the board will expect to see progressing trends.

Goal #3: The rate of teacher turnover has been excessively high for a multitude of reasons. Some of these may be outside the control of Dr. Cook and staff. Creating a highly desirable work culture with high levels of teacher participation and opportunities to have input and be heard is within the control of the district leadership. The board will expect new measures to assure a work culture that emphasizes the high value of teachers, and we want to see a measurable decline in teachers leaving the district due to job dissatisfaction.

Other and Future Business

Chairman Miller

Adjourn Work Session; Enter Business Meeting

Chairman Miller

BUSINESS MEETING

Call to Order

Chairman Miller



Planning Department
Telephone: 981-1045

Memorandum

TO: Dr. Bill Cook
FROM: Dr. Tanya Campbell and Dr. Luanne Kokolis
DATE: July 31, 2020
SUBJECT: Title IX Policy Update and First Read for Approval

New Title IX regulations and policy have been issued by the federal government for public schools across the country. The new policy regulation states that school boards need to approve the draft policy by August 14, 2020.

Our attorney, Kathy Mahoney, has reviewed and updated the attached draft policy for board approval.

A new policy GBAB Staff Title IX policy and new policy JBAB Student Title IX policy need to be before the board for approval in August to be in compliance with federal law.

[DRAFT]

Policy

TITLE IX POLICY

Code JBAB Issued _____

The District, as required by Title IX of the Education amendments of 1972 and its corresponding regulations (“Title IX”), does not discriminate on the basis of sex in its education programs or activities. Title IX prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex even if those acts do not involve conduct of a sexual nature. The District prohibits discrimination and harassment on the basis of sex or gender in all of its programs and activities by its employees, students or third parties.

The District will respond promptly to actual knowledge of sexual harassment in an education program or activity of the District against a person in the United States in a manner that is not deliberately indifferent. The response will treat complainants and respondents equitably.

Any allegations of inappropriate conduct of a sexual nature that fall outside of this policy will be handled consistent with other applicable Board policies, including the Code of Conduct.

DEFINITIONS

Sexual Harassment

34 CFR § 106.30(a)

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district’s education program or activity; or
- “sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8), or “stalking” as defined in 34 USC 12291(a)(30).

(Note: use of email, internet or other technologies may constitute “sexual harassment” on a similar basis to use of in-person, postal mail, handwritten or other communications)

Education program or activity

34 CFR § 106.44(a)

Includes any locations, events or circumstances over which the district exercised substantial control over both the alleged harasser (respondent) and the context in which the harassment occurred.

Consent

An active agreement to participate in sexual contact or penetration. An active agreement is words and/or conduct that communicates a person's willingness to participate in sexual contact or sexual penetration. Consent may not be given in some circumstances based upon incapacitation, force, coercion or age.

Formal complaint

34 CFR § 106.30(a)

A document filed by a complainant or signed by the Title IX coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

The factors that a Title IX coordinator may consider when determining whether to sign a complaint include, but are not limited to:

- Whether there have been other reports of sexual harassment or other relevant misconduct concerning the same Respondent
- Whether or not the incidents occurred while the Respondent was a District student or employee;
- Whether the Respondent threatened further sexual harassment or other misconduct against the Complainant or others;
- Whether the alleged sexual harassment was committed by multiple perpetrators;
- The nature and scope of the alleged sexual harassment including whether the sexual harassment was perpetrated with a weapon;
- The ages and roles of the Complainant and the Respondent;
- Whether the District can pursue the investigation without the participation of the Complainant (e.g., whether there are other available means to obtain relevant evidence of the alleged sexual harassment such as security cameras or physical evidence);
- Whether the report reveals a pattern of perpetration (e.g., perpetration involving illicit use of drugs or alcohol) at a given location or by a particular group.

Complainant

An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

A parent or legal guardian who has the legal authority to act on behalf of his or her child may act

as the complainant and file a complaint on behalf of his or her child. 34 CFR § 106.6(g).

Respondent

An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Days

Any reference to days means a day on which the District is open.

Actual Knowledge

34 CFR § 106.30(a)

Actual knowledge of sexual harassment means notice of sexual harassment or allegations of sexual harassment to the District's Title IX coordinator or ***any*** District employee.

Burden of Proof

The District will use the preponderance of evidence standard to determine responsibility.

Role of Title IX Coordinator

34 CFR § 106.8(a)

The District administration will designate a Title IX coordinator. The Board authorizes the Title IX coordinator to coordinate the District's required efforts under the law.

The Title IX coordinator's name or title, email address, office address and telephone number will be posted on the District's website and will be included in any handbook provided to employees, students and parents or legal guardians.

Notice requirement

34 CFR § 106.8

In addition to providing notice of the Title IX coordinator's name and contact information, the administration will also provide notice of the District's nondiscrimination policy and grievance procedures, including how to file or report sexual harassment and how the District will respond to applicants for admission and employment, students, and parents or legal guardians.

Training

34 CFR § 106.45(b)

The District administration will ensure that Title IX coordinators, investigators, decision makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process, appeals, and informal resolution processes, and how to

serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The decision makers must also receive training on issues of relevance of questions and evidence. The investigators must also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. The administration will make training materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process publicly available on the District's website.

Reporting Allegations

34 CFR § 106.8(a)

Any person may report sex discrimination, including sexual harassment, regardless of whether the person is the alleged victim of the reported conduct, in person, by mail, by telephone, or by email.

The report can be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX coordinator.

Supportive Measures

34 CFR § 106.30(a)

The Title IX Coordinator must promptly contact the complainant (alleged victim) to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Supportive measures are non-disciplinary, non-punitive, individualized services, offered as appropriate, as reasonably available, and without charge to a complainant or a respondent before or after the filing of a formal complaint, or where no formal complaint has been filed. Confidentiality of supportive measures must be maintained to the extent that maintaining confidentiality would not impair the ability of the District to provide the supportive measures. (Examples may include counseling, course modification, scheduling changes, mutual restrictions on contact between the parties, and increased monitoring or supervision).

The Title IX Coordinator's prompt response (to offer supportive measures) is required regardless of whether a formal complaint is filed.

Supportive measures offered should be documented.

Response to a Formal Complaint

34 CFR § 106.45(b)(1)

The District's grievance process will:

- Treat parties equitably.
- Require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence.

- Require that any person designated as a Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal process not have a conflict of interest against complainants or respondents generally or against the particular complainant and respondent. The District will ensure required training is provided to these individuals.
- Include a presumption that the respondent is not responsible for the alleged conduct until a determination has been made at the conclusion of the grievance process.
- Include reasonably prompt time frames for conclusion of the grievance process.
- Describe or list the possible disciplinary outcomes and remedies that may be implemented following a determination of responsibility. **(See Student Code of Conduct JICDA and Staff Code of Conduct GBEB)**
- Include the procedures and permissible reasons for appeal by a respondent or a complainant.
- Describe the range of supportive measures available to complainants and respondents.
- Not require, allow or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

Written Notice

34 CFR § 106.45(b)(2)

Upon receipt of a formal complaint, the District must provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. Written notice must include:

- Notice of grievance process, including any informal resolution process;
- Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be sexual harassment, and the date and location of the alleged conduct, if known) to allow the respondent to prepare a response;
- Statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;
- Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
- Notice of any provision in the code of conduct that prohibits knowingly making false statements or providing false information in the grievance process.

Dismissal of Complaint

34 CFR § 106.45(b)(3)

The District administration will investigate the allegations in a formal complaint.

The complaint ***must*** be dismissed if the allegations:

- would not constitute sexual harassment as defined in § 106.30, even if proved;
- did not occur in the district's education program or activity; or

- did not occur against a person in the United States.

The complaint *may* be dismissed:

- if the complainant notifies the Title IX coordinator in writing at any time that he or she wishes to withdraw the complaint or any allegations in it;
- if the respondent's enrollment or employment ends, or;
- if specific circumstances prevent the District from gathering evidence sufficient to reach a determination.

The District will promptly send written notice of dismissal and reasons for dismissal simultaneously to parties. Such a dismissal does not preclude action under other provisions of the District's code of conduct.

Investigation Process

34 CFR § 106.45(b)(5)

When investigating a complaint, the investigator will:

- Ensure that the burden of proof and of gathering evidence rests on the District rather than the parties, except that certain treatment records cannot be obtained without voluntary, written consent from the party or parent;
- Provide an equal opportunity for the parties to present witnesses and evidence;
- Not restrict either party's ability to discuss the allegations or gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during interviews or other related proceedings, including an advisor who may, but is not required to be, an attorney (the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties);
- Provide to a party who is invited or expected to attend, written notice of the date, time, participants, purpose and location of any investigative interview or other meeting with enough time to allow the party to prepare to participate;
- Provide both parties and advisors, if any, an equal opportunity to review all evidence that is directly related to the allegations in the formal complaint, including evidence on which the District does not intend to rely and any inculpatory or exculpatory evidence from any source; such evidence must be provided prior to the completion of the final investigation and in time to give the parties at least 10 days to prepare a written response, which the investigator must consider prior to completing the investigation report; and
- Prepare a written investigation report that fairly summarizes the relevant evidence and provide the report to the parties and their advisors, if any, at least 10 days before the decision maker makes a determination of responsibility.

Determination of responsibility by decision maker

34 CFR § 106.45(b)(7)

After the investigator has sent the investigative report to the parties, and before a determination has been made regarding responsibility, the decision maker will:

- Provide each party 10 days to respond to the investigative report and the opportunity to submit written, relevant questions that the party wants asked of another party or witness;
- Provide each party with the answers to written questions; and
- Provide for limited follow-up questions from each party.

The decision maker, who cannot be the investigator or the Title IX coordinator, will apply the District's preponderance of the evidence standard and issue a written determination of responsibility that:

- Identifies the allegations that potentially constitute sexual harassment;
- Describes the District's procedural steps taken from the receipt of the complaint through the determination;
- Includes findings of fact supporting the determination;
- Includes conclusions regarding the application of the District's code of conduct to the facts;
- Includes a statement of, and a rationale for, the result as to each allegation, including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the District's education program or activity will be provided to the complainant; and
- Includes procedures and permissible bases for the complainant and respondent to appeal. The written determination must be provided to the parties simultaneously.
- Explains to the other party proposing the questions any decision to exclude a question as not relevant.

Appeals Process

34 CFR § 106.45(b)(8)

Within 10 days of receipt of the determination, either party may appeal a determination of responsibility, or the District's dismissal of a formal complaint or any allegations therein, for the following reasons:

- A procedural irregularity that affected the outcome;
- New evidence that was not reasonably available at the time of determination and could affect the outcome; or
- Conflict of interest on the part of the Title IX coordinator, investigator, or decision maker that affected the outcome.

For all appeals, the District will provide written notice to both parties of the appeal and provide both parties an equal opportunity to submit a written statement in support of, or challenging, the determination. The parties will have five days to provide their written response.

The appeal must result in a written decision that must be provided to both parties simultaneously.

The decision maker for the appeal cannot be the same person as the decision maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX coordinator; cannot have a conflict of interest; and must receive training (outlined in 34 CFR § 106.45(b)(1)(iii))

Informal Resolution

34 CFR § 106.45(b)(9)

The District cannot offer to facilitate an informal resolution process unless a formal complaint of sexual harassment is filed.

At any point during the formal complaint process, the District may offer to facilitate an informal process that does not require a full investigation, provided both parties are given the required notice of rights, and they consent. This process cannot be used in the context of a complaint that an employee harassed a student. Additionally, at any point prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process.

Emergency removal/administrative leave

34 CFR § 106.44

In cases in which an employee is a respondent, the District may place that employee on administrative leave during the pendency of an investigation and grievance process.

In cases in which a student is a respondent, the District may remove, on an emergency basis, the respondent from the District's educational program or activity provided the District: (i) undertakes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and (ii) provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision does not modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Recordkeeping

34 CFR § 106.45(b)(10)

The District will maintain records related to this policy for seven years. Specifically, the District will maintain records pertaining to: (i) each investigation and determination; (ii) any disciplinary sanctions imposed on respondent; (iii) any remedies provided to the complainant; (iv) any appeal and the result thereof; (v) any informal resolution and result; (vi) any materials used to train Title IX coordinators, investigators, decision makers, and any person who facilitates an informal resolution process.

The District shall also create and maintain records related to any action or supportive measures

taken in response to a report or complaint of sexual harassment. The records shall document the basis for the District's conclusion that its response was not deliberately indifferent and document that it has taken measures designed to restore or preserve equal access to the District's educational programs or activities. If no supportive measures are provided, the District shall document why such a response was not clearly unreasonable.

Retaliation

34 CFR § 106.71

Neither the District nor any other person may intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege under Title IX or because the individual made a report, a complaint, testified, assisted, participated in, or refused to participate in any manner in an investigation or proceeding under this policy.

The District shall keep confidential the identity of any individual who made a report or complaint of sexual discrimination or sexual harassment, any complainant, any individual reported as a perpetrator, any respondent and any witness except as permitted under FERPA or as required to carry out the purposes of this policy and its procedures thereunder.

Charging someone with making a materially false statement in bad faith, does not amount to retaliation, provided that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

Timeline for process

The grievance process will be completed within one hundred and twenty (120) days. Temporary delays and/or extensions of the time frames within this Policy may occur for good cause. Written notice will be provided to the parties of the delay and/or extension of the time frames with explanation of the reasons for such action. Examples of good cause for delay/extensions include, but are not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Adopted __/__/20

Legal references:

- A. Federal statutes:
 - 1. Title IX of the Education Amendments of 1972, 20 USC § 1681, *et seq.* - Prohibits discrimination on the basis of sex.
 - 2. 34 CFR Section 106 *et seq.*
 - 3. 42 U.S.C. 2000e – Prohibits discrimination in employment on the basis of race, color, national origin, religion, or sex.
 - 4. Title VII of the Civil Rights Act of 1964, as amended.

[DRAFT]

Policy

TITLE IX POLICY

Code GBAB Issued _____

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The District will respond promptly to actual knowledge of sexual harassment in an education program or activity of the District against a person in the United States in a manner that is not deliberately indifferent. The response will treat complainants and respondents equitably.

Any allegations of inappropriate conduct of a sexual nature that fall outside of this policy will be handled consistent with other applicable Board policies, including the Code of Conduct.

DEFINITIONS

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34 CFR § 106.30(a)

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district’s education program or activity; or
- “sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8), or “stalking” as defined in 34 USC 12291(a)(30).

(Note: use of email, internet or other technologies may constitute “sexual harassment” on a similar basis to use of in-person, postal mail, handwritten or other communications)

Education program or activity

34 CFR § 106.44(a)

Includes any locations, events or circumstances over which the district exercised substantial control over both the alleged harasser (respondent) and the context in which the harassment occurred.

Consent

An active agreement to participate in sexual contact or penetration. An active agreement is words and/or conduct that communicates a person's willingness to participate in sexual contact or sexual penetration. Consent may not be given in some circumstances based upon incapacitation, force, coercion or age.

Formal complaint

34 CFR § 106.30(a)

A document filed by a complainant or signed by the Title IX coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

The factors that a Title IX coordinator may consider when determining whether to sign a complaint include, but are not limited to:

- Whether there have been other reports of sexual harassment or other relevant misconduct concerning the same Respondent
- Whether or not the incidents occurred while the Respondent was a District student or employee;
- Whether the Respondent threatened further sexual harassment or other misconduct against the Complainant or others;
- Whether the alleged sexual harassment was committed by multiple perpetrators;
- The nature and scope of the alleged sexual harassment including whether the sexual harassment was perpetrated with a weapon;
- The ages and roles of the Complainant and the Respondent;
- Whether the District can pursue the investigation without the participation of the Complainant (e.g., whether there are other available means to obtain relevant evidence of the alleged sexual harassment such as security cameras or physical evidence);
- Whether the report reveals a pattern of perpetration (e.g., perpetration involving illicit use of drugs or alcohol) at a given location or by a particular group.

Complainant

An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

A parent or legal guardian who has the legal authority to act on behalf of his or her child may act

as the complainant and file a complaint on behalf of his or her child. 34 CFR § 106.6(g).

Respondent

An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Days

Any reference to days means a day on which the District is open.

Actual Knowledge

34 CFR § 106.30(a)

Actual knowledge of sexual harassment means notice of sexual harassment or allegations of sexual harassment to the District's Title IX coordinator or ***any*** District employee.

Burden of Proof

The District will use the preponderance of evidence standard to determine responsibility.

Role of Title IX Coordinator

34 CFR § 106.8(a)

The District administration will designate a Title IX coordinator. The Board authorizes the Title IX coordinator to coordinate the District's required efforts under the law.

The Title IX coordinator's name or title, email address, office address and telephone number will be posted on the District's website and will be included in any handbook provided to employees, students and parents or legal guardians.

Notice requirement

34 CFR § 106.8

In addition to providing notice of the Title IX coordinator's name and contact information, the administration will also provide notice of the District's nondiscrimination policy and grievance procedures, including how to file or report sexual harassment and how the District will respond to applicants for admission and employment, students, and parents or legal guardians.

Training

34 CFR § 106.45(b)

The District administration will ensure that Title IX coordinators, investigators, decision makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process, appeals, and informal resolution processes, and how to

serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The decision makers must also receive training on issues of relevance of questions and evidence. The investigators must also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. The administration will make training materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process publicly available on the District's website.

Reporting Allegations

34 CFR § 106.8(a)

Any person may report sex discrimination, including sexual harassment, regardless of whether the person is the alleged victim of the reported conduct, in person, by mail, by telephone, or by email.

The report can be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX coordinator.

Supportive Measures

34 CFR § 106.30(a)

The Title IX Coordinator must promptly contact the complainant (alleged victim) to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Supportive measures are non-disciplinary, non-punitive, individualized services, offered as appropriate, as reasonably available, and without charge to a complainant or a respondent before or after the filing of a formal complaint, or where no formal complaint has been filed. Confidentiality of supportive measures must be maintained to the extent that maintaining confidentiality would not impair the ability of the District to provide the supportive measures. (Examples may include counseling, course modification, scheduling changes, mutual restrictions on contact between the parties, and increased monitoring or supervision).

The Title IX Coordinator's prompt response (to offer supportive measures) is required regardless of whether a formal complaint is filed.

Supportive measures offered should be documented.

Response to a Formal Complaint

34 CFR § 106.45(b)(1)

The District's grievance process will:

- Treat parties equitably.
- Require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence.

- Require that any person designated as a Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal process not have a conflict of interest against complainants or respondents generally or against the particular complainant and respondent. The District will ensure required training is provided to these individuals.
- Include a presumption that the respondent is not responsible for the alleged conduct until a determination has been made at the conclusion of the grievance process.
- Include reasonably prompt time frames for conclusion of the grievance process.
- Describe or list the possible disciplinary outcomes and remedies that may be implemented following a determination of responsibility. **(See Student Code of Conduct JICDA and Staff Code of Conduct GBEB)**
- Include the procedures and permissible reasons for appeal by a respondent or a complainant.
- Describe the range of supportive measures available to complainants and respondents.
- Not require, allow or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

Written Notice

34 CFR § 106.45(b)(2)

Upon receipt of a formal complaint, the District must provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. Written notice must include:

- Notice of grievance process, including any informal resolution process;
- Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be sexual harassment, and the date and location of the alleged conduct, if known) to allow the respondent to prepare a response;
- Statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;
- Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
- Notice of any provision in the code of conduct that prohibits knowingly making false statements or providing false information in the grievance process.

Dismissal of Complaint

34 CFR § 106.45(b)(3)

The District administration will investigate the allegations in a formal complaint.

The complaint ***must*** be dismissed if the allegations:

- would not constitute sexual harassment as defined in § 106.30, even if proved;
- did not occur in the district's education program or activity; or

- did not occur against a person in the United States.

The complaint *may* be dismissed:

- if the complainant notifies the Title IX coordinator in writing at any time that he or she wishes to withdraw the complaint or any allegations in it;
- if the respondent's enrollment or employment ends, or;
- if specific circumstances prevent the District from gathering evidence sufficient to reach a determination.

The District will promptly send written notice of dismissal and reasons for dismissal simultaneously to parties. Such a dismissal does not preclude action under other provisions of the District's code of conduct.

Investigation Process

34 CFR § 106.45(b)(5)

When investigating a complaint, the investigator will:

- Ensure that the burden of proof and of gathering evidence rests on the District rather than the parties, except that certain treatment records cannot be obtained without voluntary, written consent from the party or parent;
- Provide an equal opportunity for the parties to present witnesses and evidence;
- Not restrict either party's ability to discuss the allegations or gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during interviews or other related proceedings, including an advisor who may, but is not required to be, an attorney (the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties);
- Provide to a party who is invited or expected to attend, written notice of the date, time, participants, purpose and location of any investigative interview or other meeting with enough time to allow the party to prepare to participate;
- Provide both parties and advisors, if any, an equal opportunity to review all evidence that is directly related to the allegations in the formal complaint, including evidence on which the District does not intend to rely and any inculpatory or exculpatory evidence from any source; such evidence must be provided prior to the completion of the final investigation and in time to give the parties at least 10 days to prepare a written response, which the investigator must consider prior to completing the investigation report; and
- Prepare a written investigation report that fairly summarizes the relevant evidence and provide the report to the parties and their advisors, if any, at least 10 days before the decision maker makes a determination of responsibility.

Determination of responsibility by decision maker

34 CFR § 106.45(b)(7)

After the investigator has sent the investigative report to the parties, and before a determination has been made regarding responsibility, the decision maker will:

- Provide each party 10 days to respond to the investigative report and the opportunity to submit written, relevant questions that the party wants asked of another party or witness;
- Provide each party with the answers to written questions; and
- Provide for limited follow-up questions from each party.

The decision maker, who cannot be the investigator or the Title IX coordinator, will apply the District's preponderance of the evidence standard and issue a written determination of responsibility that:

- Identifies the allegations that potentially constitute sexual harassment;
- Describes the District's procedural steps taken from the receipt of the complaint through the determination;
- Includes findings of fact supporting the determination;
- Includes conclusions regarding the application of the District's code of conduct to the facts;
- Includes a statement of, and a rationale for, the result as to each allegation, including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the District's education program or activity will be provided to the complainant; and
- Includes procedures and permissible bases for the complainant and respondent to appeal. The written determination must be provided to the parties simultaneously.
- Explains to the other party proposing the questions any decision to exclude a question as not relevant.

Appeals Process

34 CFR § 106.45(b)(8)

Within 10 days of receipt of the determination, either party may appeal a determination of responsibility, or the District's dismissal of a formal complaint or any allegations therein, for the following reasons:

- A procedural irregularity that affected the outcome;
- New evidence that was not reasonably available at the time of determination and could affect the outcome; or
- Conflict of interest on the part of the Title IX coordinator, investigator, or decision maker that affected the outcome.

For all appeals, the District will provide written notice to both parties of the appeal and provide both parties an equal opportunity to submit a written statement in support of, or challenging, the determination. The parties will have five days to provide their written response.

The appeal must result in a written decision that must be provided to both parties simultaneously.

The decision maker for the appeal cannot be the same person as the decision maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX coordinator; cannot have a conflict of interest; and must receive training (outlined in 34 CFR § 106.45(b)(1)(iii))

Informal Resolution

34 CFR § 106.45(b)(9)

The District cannot offer to facilitate an informal resolution process unless a formal complaint of sexual harassment is filed.

At any point during the formal complaint process, the District may offer to facilitate an informal process that does not require a full investigation, provided both parties are given the required notice of rights, and they consent. This process cannot be used in the context of a complaint that an employee harassed a student. Additionally, at any point prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process.

Emergency removal/administrative leave

34 CFR § 106.44

In cases in which an employee is a respondent, the District may place that employee on administrative leave during the pendency of an investigation and grievance process.

In cases in which a student is a respondent, the District may remove, on an emergency basis, the respondent from the District's educational program or activity provided the District: (i) undertakes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and (ii) provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision does not modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Recordkeeping

34 CFR § 106.45(b)(10)

The District will maintain records related to this policy for seven years. Specifically, the District will maintain records pertaining to: (i) each investigation and determination; (ii) any disciplinary sanctions imposed on respondent; (iii) any remedies provided to the complainant; (iv) any appeal and the result thereof; (v) any informal resolution and result; (vi) any materials used to train Title IX coordinators, investigators, decision makers, and any person who facilitates an informal resolution process.

The District shall also create and maintain records related to any action or supportive measures

taken in response to a report or complaint of sexual harassment. The records shall document the basis for the District's conclusion that its response was not deliberately indifferent and document that it has taken measures designed to restore or preserve equal access to the District's educational programs or activities. If no supportive measures are provided, the District shall document why such a response was not clearly unreasonable.

Retaliation

34 CFR § 106.71

Neither the District nor any other person may intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege under Title IX or because the individual made a report, a complaint, testified, assisted, participated in, or refused to participate in any manner in an investigation or proceeding under this policy.

The District shall keep confidential the identity of any individual who made a report or complaint of sexual discrimination or sexual harassment, any complainant, any individual reported as a perpetrator, any respondent and any witness except as permitted under FERPA or as required to carry out the purposes of this policy and its procedures thereunder.

Charging someone with making a materially false statement in bad faith, does not amount to retaliation, provided that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

Timeline for process

The grievance process will be completed within one hundred and twenty (120) days. Temporary delays and/or extensions of the time frames within this Policy may occur for good cause. Written notice will be provided to the parties of the delay and/or extension of the time frames with explanation of the reasons for such action. Examples of good cause for delay/extensions include, but are not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Adopted __/__/20

Legal references:

- A. Federal statutes:
 - 1. Title IX of the Education Amendments of 1972, 20 USC § 1681, *et seq.* - Prohibits discrimination on the basis of sex.
 - 2. 34 CFR Section 106 *et seq.*
 - 3. 42 U.S.C. 2000e – Prohibits discrimination in employment on the basis of race, color, national origin, religion, or sex.
 - 4. Title VII of the Civil Rights Act of 1964, as amended.

Memo

TO: Dr. Bill Cook, Superintendent

FROM: Dr. V. Keith Wilks, Executive Director of Student Services

Cc: Dr. Luanne Kokolis, Chief of Strategic Planning, Engagement and Program Support

DATE: August 5, 2020

SUBJECT: Policy ADD—Face Covering

Attached, please find the model policy ADD—Face Covering as recommended by the South Carolina School Boards Association. This policy is meant to be temporary and based on guidelines referenced in documentation provided by the Center for Disease Control and Prevention (CDC) to address safety in planning to reopen schools and address behaviors that prevent the spread of COVID-19. As well, the *South Carolina Department of Education Face Covering Guidelines for K-12 Public Schools* provides guidance on face covering and mask. In collaboration with Dr. John Jones, Dr. Missy Brakefield, Mrs. Jennifer Morrison, Mrs. Sadie Kirell, and Mrs. Sally Wilson, we are providing a proposed policy composed of some revisions to the model policy to better address the needs of Rock Hill School District. Please find attached policy ADD—Face Covering/Mask as the proposed policy for consideration.

Included with this memo are two articles from the CDC on *Guidance for K-12 School Administrators on the Use of Cloth Face Coverings in Schools* <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/cloth-face-cover.html> and *Considerations for Wearing Masks* <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html>. The *South Carolina Department of Education Face Covering Guidelines for K-12 Public Schools* document is also included as reference material.

FACE COVERING/**MASK**

Code **ADD** Issued **Proposed/8-5-20**

To reduce the spread of the pandemic (COVID-19), the Centers for Disease Control (CDC) recommends that a face covering/**mask** be worn in public settings when other social distancing measures are difficult to maintain. The district will consider the circumstances in the community and consult local health officials for the implementation of this policy.

Definitions

A *face covering/**mask*** is a piece of fabric, cloth, or other material that covers the wearer's nose, mouth, and chin simultaneously and is secured to the wearer's face by elastic, ties, or other means. Acceptable face covering/**masks** may be homemade, and they may be reusable or disposable.

~~A *face shield* made of flexible plastic that wraps around the wearer's face and extends below his/her chin may also be used as a face covering.~~

Staff Members

Staff members (~~option: may~~/will) wear a face covering/**mask** while on district property or conducting business on behalf of the district (e.g. driving a bus, conducting a home visit, supervising athletic events, etc.). Staff members include, but are not limited to, salaried and hourly employees, school volunteers, student teachers, and interns. The district (~~option: may~~/will) provide masks to staff members and expects that reusable masks will be washed regularly to ensure maximum protection.

Students

All students (~~option: from Kindergarten~~ **K-4** through 12th grade) (~~option: may~~/will) wear face covering/**masks** while on district property, on district transportation, or attending a school related activity (e.g. athletic events, field trips, etc.). Certain classes or activities may be granted a limited exception to this requirement at the discretion of the superintendent or his/her designee. The district (~~option: may~~/will) provide masks to students **that are not able to provide their own** and expects that reusable masks will be washed regularly to ensure maximum protection.

Exceptions for wearing a face covering/**mask** may include, but are not limited to, the following activities:

- mealtimes
- outdoor recess where students can maintain a physical distance of at least six (6) feet
- administration of medication
- **mask breaks provided only when students are sitting at their desk and socially distance six (6) feet apart in the classroom**
- **Children younger than 2 years old**
- **Anyone who has trouble breathing**
- **Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance**

Visitors

~~Non-essential visitors~~ **Visitors** to district buildings will be limited in accordance with administrative rule KI-R, *Visitors* **and recommendations provided by the South Carolina Department of Health and Environmental Control (DHEC) and the Center for Disease Control**

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(CDC). Visitors include, but are not limited to, parents/legal guardians, contract service providers, and delivery persons. Visitors (~~option: may~~/will) wear a face covering/~~mask~~ while on district property. (~~option: Visitors will be asked to leave district property if they refuse to wear a face covering/mask~~). All efforts will be made to keep necessary visitors to a minimum, including the use of virtual or telephone meetings with families and guests. Parents meeting on-site with school staff must follow social-distancing guidelines and wear masks when appropriate.

Accommodations

Requests for exceptions under this policy for health or developmental conditions or religious exemption will be considered by the superintendent or his/her designee, who may request documentation justifying the exception.

Students (or parents/legal guardians) who request to be exempted from wearing a face covering/~~mask~~ for other than a health or developmental condition or religious exemption ~~will~~ may be offered ~~virtual learning~~ remote learning for the period that face covering/~~masks~~ are required on district property. Students (or parents/legal guardians) must petition the school's principal in writing for this exemption and provide supporting rationale for this request. Requests will be reviewed on a case-by-case basis.

Remote learning is where the student and the educator, or information source, are not physically present in a traditional classroom environment. Information is relayed through technology or other methods. In remote learning, student attendance will be monitored for daily compliance with all State laws and district policies.

Harassment and Bullying

The district will not tolerate harassment of anyone wearing face coverings/~~masks~~ or those with recognized exemptions to the face covering/~~mask~~ requirement and will appropriately discipline students, staff, or visitors who engage in behavior that interferes with any student or staff member's ability to comply with this policy.

Discipline

Failure or refusal to wear a face covering/~~mask~~ by a staff member or student may result in discipline in accordance with district policy and codes of conduct, as applicable.

This policy is intended to be effective until further notice and to align with district policies, including, but not limited to, student and staff dress codes. To the extent this policy does not align, this policy will supersede others in accordance with applicable law and regulations in effect at the time. For clarification on potential conflicts between policies, the interpretation of the superintendent or his/her designee is final.

The board authorizes the superintendent or his/her designee to amend these requirements as necessary to meet health and safety guidelines.

Adopted ^

FACE COVERING

Code **ADD** Issued **MODEL/20**

To reduce the spread of the pandemic (COVID-19), the Centers for Disease Control (CDC) recommends that a face covering be worn in public settings when other social distancing measures are difficult to maintain. The district will consider the circumstances in the community and consult local health officials for the implementation of this policy.

Definitions

A *face covering* is a piece of fabric, cloth, or other material that covers the wearer's nose, mouth, and chin simultaneously and is secured to the wearer's face by elastic, ties, or other means. Acceptable face coverings may be homemade, and they may be reusable or disposable.

A *face shield* made of flexible plastic that wraps around the wearer's face and extends below his/her chin may also be used as a face covering.

Staff Members

Staff members (*option: may/will*) wear a face covering while on district property or conducting business on behalf of the district (e.g. driving a bus, conducting a home visit, supervising athletic events, etc.). Staff members include, but are not limited to, salaried and hourly employees, school volunteers, student teachers, and interns. The district (*option: may/will*) provide masks to staff members and expects that reusable masks will be washed regularly to ensure maximum protection.

Students

All students (*option: from Kindergarten through 12th grade*) (*option: may/will*) wear face coverings while on district property, on district transportation, or attending a school related activity (e.g. athletic events, field trips, etc.). Certain classes or activities may be granted a limited exception to this requirement at the discretion of the superintendent or his/her designee. The district (*option: may/will*) provide masks to students and expects that reusable masks will be washed regularly to ensure maximum protection.

Exceptions for wearing a face covering may include, but are not limited to, the following activities:

- mealtimes
- outdoor recess where students can maintain a physical distance of at least six (6) feet
- administration of medication
- *insert other district specifics here*

Visitors

Non-essential visitors to district buildings will be limited in accordance with administrative rule KI-R, *Visitors*. Visitors include, but are not limited to, parents/legal guardians, contract service providers, and delivery persons. Visitors (*option: may/will*) wear a face covering while on district property. (*option: Visitors will be asked to leave district property if they refuse to wear a face covering*).

PAGE 2 - ADD - FACE COVERING

Accommodations

Requests for exceptions under this policy for health or developmental conditions or religious exemption will be considered by the superintendent or his/her designee, who may request documentation justifying the exception.

Students (or parents/legal guardians) who request to be exempted from wearing a face covering for other than a health or developmental condition or religious exemption will be offered virtual learning for the period that face coverings are required on district property.

Harassment and Bullying

The district will not tolerate harassment of anyone wearing face coverings or those with recognized exemptions to the face covering requirement and will appropriately discipline students, staff, or visitors who engage in behavior that interferes with any student or staff member's ability to comply with this policy.

Discipline

Failure or refusal to wear a face covering by a staff member or student may result in discipline in accordance with district policy and codes of conduct, as applicable.

This policy is intended to be effective until further notice and to align with district policies, including, but not limited to, student and staff dress codes. To the extent this policy does not align, this policy will supersede others in accordance with applicable law and regulations in effect at the time. For clarification on potential conflicts between policies, the interpretation of the superintendent or his/her designee is final.

The board authorizes the superintendent or his/her designee to amend these requirements as necessary to meet health and safety guidelines.

Adopted ^

Guidance for K-12 School Administrators on the Use of Cloth Face Coverings in Schools

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/cloth-face-cover.html>

Updated July 23, 2020

CDC suggests that all school reopening plans address adherence to behaviors that prevent the spread of COVID-19. When used consistently and correctly, important [mitigation strategies](#), cloth face coverings are important to help slow the spread of COVID-19. Other important mitigation strategies include [social distancing](#), [washing hands](#), and [regular cleaning and disinfecting](#) frequently touched surfaces in schools and buses. CDC provides [considerations](#) for wearing cloth face [coverings](#) and recommends that people wear cloth face coverings in public settings and when around people who live outside of their household. The use of cloth face coverings is especially important when [social distancing](#) is difficult to maintain.

Cloth face coverings are recommended as a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the cloth face covering coughs, sneezes, talks, or raises their voice. Cloth face coverings are an example of source control. Several studies¹⁻¹³ have documented asymptomatic and pre-symptomatic SARS-CoV-2 transmission; meaning that people with COVID-19 who never develop symptoms (asymptomatic) and those who are not yet showing symptoms (pre-symptomatic) can still transmit the virus to other people. [Cloth face coverings](#) are meant to protect other people in case the wearer is unknowingly infected. Cloth face coverings are not personal protective equipment, such as surgical masks or respirators.

The use of [cloth face coverings](#) in educational settings may present challenges, particularly for younger students and students with special healthcare or educational needs. This document provides guidance to help school administrators decide how to best implement the wearing of cloth face coverings — in their school settings and facilities, including but not limited to buses and other shared transportation.

Education and promotion of positive and supportive relationships should remain the primary focus of school administrators, teachers, and staff. This guidance provides K-12 school administrators with strategies to encourage students to wear face coverings, consistent with CDC [guidance](#), while maintaining a positive learning environment.

General Considerations

COVID-19 can be spread to others even if you do not feel sick. A [cloth face covering](#) helps prevent a person who is sick from spreading the virus to others. Appropriate and consistent use [of cloth face coverings](#) is most important when students, teachers, and staff are indoors and when social distancing of at least 6 feet is difficult to implement or maintain.

[Cloth face coverings](#) should **not** be placed on:

- Children younger than 2 years old.
- Anyone who has trouble breathing or is unconscious.
- Anyone who is incapacitated or otherwise unable to remove the cloth face covering without assistance.

[Appropriate and consistent use](#) of cloth face coverings may be challenging for some students, teachers, and staff, including:

- Younger students, such as those in early elementary school.
- Students, teachers, and staff with severe asthma or other breathing difficulties.
- Students, teachers, and staff with special educational or healthcare needs, including intellectual and developmental disabilities, mental health conditions, and sensory concerns or tactile sensitivity.

While [cloth face coverings](#) are strongly encouraged to reduce the spread of COVID-19, CDC recognizes there are specific instances when wearing a cloth face covering may not be feasible. In these instances, parents, guardians, caregivers, teachers, and school administrators should consider [adaptations and alternatives](#) whenever possible. They may need to consult with healthcare providers for advice about wearing cloth face coverings.

Consider use of clear face coverings that cover the nose and wrap securely around the face by some teachers and staff. Clear face coverings should be determined not to cause any breathing difficulties or over heating for the wearer. Teachers and staff who may consider using clear face coverings include;

- Those who interact with students or staff who are deaf or hard of hearing, per the [Individuals with Disabilities Education Act](#) [external icon](#)
- Teachers of young students learning to read

- Teachers of students in English as a second language classes
- Teachers of students with disabilities

Clear face coverings are not face shields. CDC does **not** recommend use of face shields for normal everyday activities or as a substitute for cloth face coverings because of a lack of evidence of their effectiveness for source control.

Unintended Consequences

- [Stigma, discrimination](#), or [bullying](#) may arise due to wearing or not wearing a cloth face covering. Schools should have a plan to prevent and address [harmful or inappropriate](#)
- Not all families will agree with school policies about cloth face coverings. Schools should have a plan to address challenges that may arise and refer parents, caregivers, and guardians to [CDC's guidance on cloth face coverings](#).

Practical Recommendations

- Include cloth face coverings on school supply lists and provide cloth face coverings as needed to students, teachers, staff, or visitors who do not have them available.
- Include clear face coverings on school supply lists for teachers and staff who regularly interact with students who are deaf or hard of hearing, students learning to read, students with disabilities, and those who rely on lip reading as a part of learning, such as students who are English Language Learners.
- Ensure that students and staff are aware of the [correct use of cloth face coverings](#), including wearing cloth face coverings over the nose and mouth and securely around the face.
- Ensure that students, teachers and staff are aware that they should [wash](#) or [sanitize their hands \(using a hand sanitizer that contains at least 60% alcohol\)](#) before putting on a cloth face covering.
- Ensure that students, teachers, and staff are aware that they should not touch their cloth face coverings while wearing them and, if they do, they should [wash their hands](#) before and after with soap and water or [sanitize hands \(using a hand sanitizer that contains at least 60% alcohol\)](#).
- Ensure teachers and staff are aware that they should [wash](#) or [sanitize hands \(using a hand sanitizer that contains at least 60% alcohol\)](#) before and after helping a student put on or adjust a cloth face covering.

- Ensure that all students and staff are aware that cloth face coverings should not be worn if they are wet. A wet cloth face covering may make it difficult to breathe.
- Ensure that all students and staff are aware that they should never share or swap cloth face coverings.
- Students' cloth face coverings should be clearly identified with their names or initials, to avoid confusion or swapping. Students' face coverings may also be labeled to indicate top/bottom and front/back.
- Cloth face coverings should be stored in a space designated for each student that is separate from others when not being worn (e.g., in individually labeled containers or bags, personal lockers, or cubbies).
- Cloth face coverings should be [washed](#) after every day of use and/or before being used again, or if visibly soiled.
- Students and schools should consider having additional cloth face coverings available for students, teachers, and staff in case a back-up cloth face covering is needed during the day and to facilitate every day washing of cloth face coverings.

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

CDC [recommends](#) that people, including teachers, staff, and students, wear cloth face coverings in public settings as able when around people who live outside of their household, especially when other [social distancing](#) measures are difficult to maintain.

The following table contains examples of some, **but not all**, situations schools might encounter.

[Cloth face coverings in schools](#)pdf icon

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|---|----------------------------------|--|--|
| Students are seated less than 6 feet apart while riding a bus or carpooling | check solid icon | | <ul style="list-style-type: none"> • Cloth face coverings should always be worn by bus and carpool drivers as able* |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|---|----------------------------------|--|--|
| Students are less than 6 feet apart while entering or exiting school (e.g., carpool drop off/pick up) or while transitioning to/from other activities | check solid icon | | <ul style="list-style-type: none"> Consider having staff monitor students during transitions to encourage correct use and distribute cloth face coverings as needed. Teachers and staff should wash or sanitize hands (using a hand sanitizer that contains at least 60% alcohol) before and after helping a student put on or adjust a cloth face covering. |
| Students are seated <i>at least 6 feet apart</i> in the classroom | | check solid icon | <ul style="list-style-type: none"> Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Students are seated <i>less than 6 feet apart</i> in the classroom, or are engaging in learning stations or circle time that require close contact | check solid icon | | <ul style="list-style-type: none"> Schools may consider keeping students in “cohorts.” Cohorts are groups of students that do not mix with other cohorts/groups of students throughout the school day. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Students are less than 6 feet apart while transitioning between classes or to other activities during the school day | check solid icon | | <ul style="list-style-type: none"> Schools may consider staggering classroom transition times and allow only one-way pathways/hallways. Adaptations and alternatives should be considered whenever possible to increase the feasibility of |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|---|----------------------------------|--|--|
| | | | wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Students are at recess or in physical education class. | | check solid icon | <ul style="list-style-type: none"> • Vigorous exercise in a confined space (e.g., indoors) may contribute to transmission of COVID-19 and should be limited. • Social distancing helps protect students at recess or in physical education class. • Consider conducting activities in an area with greater ventilation or air exchange (e.g., outdoors). • See CDC's guidance on youth sports for more information. • Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Students are in band, choir, or music class. | | check solid icon | <ul style="list-style-type: none"> • When students are not singing or playing an instrument that requires the use of their mouth, they should wear a cloth face covering in music class (unless class is outdoors and distance can be maintained). • Social distancing helps protect students in music class. • While students are singing or playing an instrument, use visual cues to keep them at least 6 feet apart. If it's safe and weather permits, consider moving class outdoors where air circulation is better than indoors |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|--|----------------------------------|--|---|
| | | | and maintain at least 6 feet distance between students. |
| Students are at least 6 feet apart during mealtimes in a common area. | | check solid icon | <ul style="list-style-type: none"> • Cloth face coverings are recommended when transitioning to and from mealtimes if outside of the classroom. • Schools may be able to stagger mealtimes to ensure 6 feet distance between students in a cafeteria or lunchroom. • Schools can serve meals in classrooms if students are able to maintain 6 feet of distance between one another in the classroom. • Consider allowing students to eat meals outside, if weather permits. |
| Students participating in an assembly or event that requires close contact. | check solid icon | | <ul style="list-style-type: none"> • Large assemblies of students should be discontinued, unless necessary. • When necessary, consider having the assemblies outdoors, plan for social distancing, and encourage use of cloth face coverings according to CDC guidance. • Cloth face coverings should be worn by teachers and staff at all times* and are especially important at times when social distancing is difficult to maintain. |
| Student has severe asthma or breathing problems. | | check solid icon | <ul style="list-style-type: none"> • Cloth face coverings should NOT be worn by children under the age of 2 or anyone who has |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|---|----------------------------------|--|---|
| | | | <p>trouble breathing, is unconscious, incapacitated, or otherwise unable to remove the cloth face covering without assistance.</p> <ul style="list-style-type: none"> Administrators and/or teachers should consult with parents, caregivers, or guardians about strategies to protect these students and those around them. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Student is deaf or hard of hearing, or relies on lip reading to communicate. | | check solid icon | <ul style="list-style-type: none"> Clear face coverings may be considered for teachers or staff who interact with students who are deaf and hard of hearing. Face shields are not considered clear face coverings. It is not known if face shields provide any benefit as source control to protect others from the spray of respiratory particles. CDC does not recommend use of face shields for normal everyday activities or as a substitute for cloth face coverings. Some people may choose to use a face shield when sustained close contact with other people is expected. If face shields are used without a mask, they should wrap around the sides of the wearer's face and extend to below the chin. |

Additional Considerations for the Use of Cloth Face Coverings among K-12 Students

| Possible Student Scenario | Cloth face coverings recommended | Cloth face coverings may be considered | Additional considerations |
|--|----------------------------------|--|--|
| Student has a disability, childhood mental health conditions, sensory concern/tactile sensitivity. | check solid icon | | <ul style="list-style-type: none"> Administrators and/or teachers should consult with parents, caregivers, or guardians about strategies to protect these students and those around them. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. |
| Student is receiving one-on-one services or instruction. | check solid icon | | <ul style="list-style-type: none"> Students and service providers should wear a face covering as much as possible during service delivery.* Administrators and/or teachers should consult with parents, caregivers, or guardians about strategies to protect these students and those around them. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading. Cloth face coverings should be worn by teachers and staff at all times* and are especially important at times when social distancing is difficult to maintain. Students and service providers may need additional protective equipment depending on the individual characteristics of the student. See CDC's Guidance for Direct Service Providers for additional information. |

* CDC recognizes that wearing cloth face coverings may not be possible in every situation or for some people. In some situations, wearing a cloth face covering may exacerbate a physical or mental health condition, lead to a medical emergency, or introduce significant safety concerns. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading if it is not possible to wear one. [Learn more](#).

Strategies to Support Students' Wearing Cloth Face Coverings in Schools

All Students

- Encourage parents, caregivers, and guardians to practice wearing cloth face coverings with students at home before the first day of school. If parents, caregivers, and guardians model appropriate use of face coverings and help students get used to wearing them, students may be more comfortable using them.
- Introduce students with sensory concerns/tactile sensitivities to face coverings with a variety of materials, prints, and textures, and allow them to choose which face covering is most comfortable.
- Use behavioral techniques such as positive reinforcement to increase the likelihood that students will comply with face covering guidance and other prevention practices.
- Encourage parents, caregivers, and guardians to include students in the selection of their cloth face covering and/or the material that is used to make it. This might increase a child's acceptance of wearing the cloth face covering.
- Display age appropriate posters and materials with visual cues that show the proper way to wear a face covering in classrooms and hallways. Consider incorporating images of popular influencers promoting or modeling use of cloth face coverings.
- Include reminders about face coverings in daily announcements, school newspapers, and other [All communication should be in an appropriate format, literacy level, and language](#). Consider including how to [properly use, take off, and wash cloth face coverings](#) in back-to-school communications educational materials.

Elementary School Settings

- Ensure that teachers and school staff are available to help students put on and adjust face coverings as needed and that teachers and staff [wash](#) or sanitize their hands with [hand sanitizer that includes at least 60%](#) alcohol before and after doing so.

- Play games or engage in other fun activities that teach students how to wear a face covering.
- Consider using some art materials or other creative outlets to help students understand why face coverings help reduce the spread of COVID-19.
- Share social stories about face coverings with students so they know what to expect at school. A social story is similar to a simple picture book that teaches students what to expect in social settings.
- Use behavioral techniques, such as positive reinforcement, to increase the likelihood that students will comply with face covering guidance.

Middle School Settings

- Show [short videos](#) or incorporate short lessons (less than 10 minutes) that teach students how to wear a face covering. Consider including videos with celebrities, musicians, athletes or other influencers popular among this age group.
- Follow videos with verbal instructions that demonstrate the correct ways to wear a face covering.
- Engage the class in discussions about why face coverings help reduce the spread of COVID-19.
- Incorporate a lesson into the science curriculum on how respiratory droplets spread infectious disease.
- Create a school competition for the best health communication strategy to highlight the importance of wearing a cloth face covering to middle school students.

High School Settings

- Show videos or incorporate lessons that teach students how to wear a face covering, including the correct and incorrect ways to wear a face covering. Consider including videos with celebrities, musicians, athletes, or other influencers popular among this age group.
- Ask students to write a short paper on the science behind the use of cloth face coverings as a form of source control.
- Create a school competition for the best health communication strategy to highlight the importance of wearing cloth face coverings to high school students.

Students with Special Healthcare Needs

- Ask parents, caregivers, and guardians to practice wearing face coverings at home before the student returns to school.

- Share social stories about face coverings with students so they know what to expect at school. A social story is similar to a simple picture book that teaches students about what to expect in social settings.
- Introduce students with sensory concerns or tactile sensitivities to face coverings with a variety of materials, prints, and textures, and allow them to choose which face covering is most comfortable.
- Use behavioral techniques such as positive reinforcement to increase the likelihood that students will comply with face covering guidance and other prevention practices.

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Considerations for Wearing Masks

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html>

Help Slow the Spread of COVID-19

Updated July 16, 2020

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-
- CDC recommends that people wear masks in public settings and when around people who don't live in your household, especially when other [social distancing](#) measures are difficult to maintain.
 - Masks may help prevent people who have COVID-19 from spreading the virus to others.
 - Masks are most likely to reduce the spread of COVID-19 when they are widely used by people in public settings.
 - Masks should NOT be worn by children under the age of 2 or anyone who has trouble breathing, is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.

Evidence for Effectiveness of Masks



Masks are recommended as a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the mask coughs, sneezes, talks, or raises their voice. This is called source control. This recommendation is based on what we know about the role respiratory droplets play in the spread of the virus that causes COVID-19, paired with [emerging evidence](#) from clinical and laboratory studies that shows masks reduce the spray of droplets when worn over the nose and mouth. COVID-19 spreads mainly among people who are in close contact with one another (within about 6 feet), so the use of masks is particularly important in settings where people are close to each other or where social distancing is difficult to maintain.

Who Should Wear A Mask?

General public

- CDC recommends all people 2 years of age and older wear a mask in public settings and when around people who don't live in your household, especially when other [social distancing](#) measures are difficult to maintain.
- COVID-19 can be spread by people who do not have symptoms and do not know that they are infected. That's why it's important for everyone to wear masks in public settings and practice [social distancing](#) (staying at least 6 feet away from other people).
- While masks are strongly encouraged to reduce the spread of COVID-19, CDC recognizes there are specific instances when wearing a mask may not be feasible. In these instances, [adaptations and alternatives](#) should be considered whenever possible (see below for examples).

People who know or think they might have COVID-19

- [If you are sick](#) with COVID-19 or think you might have COVID-19, do not visit public areas. Stay home except to get medical care. As much as possible stay in a specific room and away from other people and [pets](#) in your home. If you need to be around other people or animals, wear a mask (including in your home).
- The mask helps prevent a person who is sick from spreading the virus to others. It helps keep respiratory droplets contained and from reaching other people.

Caregivers of people with COVID-19

- [Those caring for someone who is sick with COVID-19 at home or in a non-healthcare setting](#) may also wear a mask. However, the protective effects—how well the mask protects healthy people from breathing in the virus—are unknown. To prevent getting sick, caregivers should also continue to practice [everyday preventive actions](#): avoid close contact as much as possible, clean hands often; avoid touching your eyes, nose, and mouth with unwashed hands; and frequently clean and disinfect surfaces.

Who Should Not Wear a Mask

Masks should **not** be worn by:

- Children younger than 2 years old
- Anyone who has trouble breathing
- Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance

Feasibility and Adaptations

CDC recognizes that wearing masks may not be possible in every situation or for some people. In some situations, wearing a mask may exacerbate a physical or mental health condition, lead to a medical emergency, or introduce significant safety concerns. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a mask or to reduce the risk of COVID-19 spreading if it is not possible to wear one.

For example,

- People who are deaf or hard of hearing—or those who care for or interact with a person who is hearing impaired—may be unable to wear masks if they rely on lipreading to communicate. In this situation, consider using a clear mask. If a clear mask isn't available, consider whether you can use written communication, use closed captioning, or decrease background noise to make communication possible while wearing a mask that blocks your lips.
- Some people, such as people with intellectual and developmental disabilities, mental health conditions or other sensory sensitivities, may have challenges wearing a mask. They should consult with their healthcare provider for advice about wearing masks.
- Younger children (e.g., preschool or early elementary aged) may be unable to wear a mask properly, particularly for an extended period of time. Wearing of masks may be prioritized at times when it is difficult to maintain a distance of 6 feet from others (e.g., during carpool drop off or pick up, or when standing in line at school). Ensuring proper mask size and fit and providing children with frequent reminders and education on the importance and proper wear of masks may help address these issues.
- People should not wear masks while engaged in activities that may cause the mask to become wet, like when [swimming at the beach or pool](#). A wet mask may make it difficult to breathe. For activities like swimming, it is particularly important to maintain physical distance from others when in the water.
- People who are engaged in high intensity activities, like running, may not be able to wear a mask if it causes difficulty breathing. If unable to wear a mask, consider conducting the activity in a location with greater ventilation and air exchange (for instance, outdoors versus indoors) and where it is possible to maintain physical distance from others.
- People who work in a setting where masks may increase the risk of [heat-related illness](#) or cause safety concerns due to introduction of a hazard (for instance, straps getting caught in machinery) may consult with an occupational safety and health professional to determine the appropriate mask for their setting. Outdoor workers may prioritize use of masks when in close contact with other people, like during group travel or shift meetings, and remove masks when social distancing is possible. [Find more information here](#) and below.

Masks are a critical preventive measure and are **most** essential in times when social distancing is difficult. If masks cannot be used, make sure to take other measures to reduce the risk of COVID-19 spread, including social distancing, frequent hand washing, and cleaning and disinfecting frequently touched surfaces.

Face Shields

It is not known if face shields provide any benefit as source control to protect others from the spray of respiratory particles. CDC does not recommend use of face shields for normal everyday activities or as a substitute for masks. Some people may choose to use a face shield when sustained close contact with other people is expected. If face shields are used without a mask, they should wrap around the sides of the wearer's face and extend to below the chin. Disposable face shields should only be worn for a single use. Reusable face shields should be cleaned and disinfected after each use. **Plastic face shields for newborns and infants are NOT recommended.**

Surgical Masks

Masks are not surgical masks or respirators. Currently, those are critical supplies that should continue to be reserved for healthcare workers and other medical first responders, as recommended by current CDC guidance. Masks also are not appropriate substitutes for them in workplaces where masks or respirators are recommended or required and available.

Recent Studies:

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South Carolina Department of Education Face Covering Guidelines for K-12 Public Schools

The CDC suggests that all school reopening plans address adherence to behaviors that prevent the spread of COVID-19. Face coverings are recommended by national and state public health experts as a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the covering coughs, sneezes, talks, or raises their voice. This recommendation is based on what we know about the role respiratory droplets play in the spread of the virus that causes COVID-19, paired with [emerging evidence](#) from clinical and laboratory studies that shows coverings reduce the spray of droplets when worn over the nose and mouth. COVID-19 spreads mainly among people who are in close contact with one another (within about 6 feet), so the use of coverings is particularly important in settings where people are close to each other or where social distancing is difficult to maintain.

To support the national and state efforts to slow the spread of COVID-19 and to best protect the health and safety of South Carolina public school students and staff, the South Carolina Department of Education (SCDE) is requiring face coverings to be worn on school buses and within public school facilities. The below information outlines the specifics of the state's face covering policy.

A *face covering* is a piece of fabric, cloth, or other material that covers the wearer's nose, mouth, and chin simultaneously and is secured to the wearer's face by elastic, ties, or other means. Acceptable face coverings may be homemade, and they may be reusable or disposable.

School Buses

Students and staff who ride the state's pupil transportation system to and from school are required to wear face coverings while boarding, riding, and exiting school buses. Staff members, including bus drivers, are required to wear face coverings while boarding, riding, driving, and exiting school buses. Bus drivers and support staff should ask any student who boards a bus without a covering to put one on and offer them a disposable or cloth face covering provided by the SCDE.

Students who should **NOT** be required to wear face coverings:

- Those younger than two years old;
- Those who have trouble breathing;
- Those unable to remove the covering without assistance; and/or
- Those with special healthcare or educational needs as determined by an Individualized Education Program (IEP), 504 Accommodations Plan, or an individual student healthcare plan, or by a medical doctor

Staff members, including bus drivers, who have trouble breathing and/or those with special healthcare needs as noted by a medical doctor should **NOT** be required to wear face coverings.

School Facilities

Students and staff in South Carolina public schools **must** wear a face covering upon entering a school building, moving through hallways, during carpool/bus drop off or pickup, and when social distancing is not possible or optimal. Student face coverings may be removed upon teacher or administrator direction while in the classroom or during special activities outside the classroom.

Students who should **NOT** be required to wear face coverings:

- Those younger than two years old;
- Those who have trouble breathing;
- Those unable to remove the covering without assistance; and/or
- Those with special healthcare or educational needs as determined by an Individualized Education Program (IEP), 504 Accommodations Plan, or an individual student healthcare plan, or by a medical doctor

Staff members who have trouble breathing and/or those with special healthcare needs as noted by a medical doctor should **NOT** be required to wear face covering.

Additional Considerations

The SCDE recognizes that face coverings may be challenging for some students, teachers, and staff, including:

- Younger students, such as those in early elementary school (Pre-Kindergarten-2)
- Students, teachers, and staff with severe asthma or other breathing difficulties.
- Students, teachers, and staff with special educational or healthcare needs, including intellectual and developmental disabilities, mental health conditions, and sensory concerns or tactile sensitivity.

In these instances, parents, guardians, caregivers, teachers, and school administrators should consider [adaptations and alternatives](#) whenever possible.

Consider use of clear face coverings that cover the nose and wrap securely around the face by some teachers and staff. Clear face coverings should be determined not to cause any breathing difficulties or over heating for the wearer. Teachers and staff who may consider using clear face coverings include:

- Those who interact with students or staff who are deaf or hard of hearing, per the [Individuals with Disabilities Education Act](#)
- Teachers of young students learning to read
- Teachers of English learners
- Teachers of students with disabilities, as applicable

Clear face coverings are not face shields. The CDC does **NOT** recommend use of face shields for normal everyday activities or as a substitute for cloth face coverings because of a lack of evidence of their effectiveness for source control.

Executive Session

Personnel Matter

>Hiring

Action as Required from Executive Session

Adjournment