

# STAFF RIGHTS AND RESPONSIBILITIES

Code **GBE** Issued **3/05**

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Purpose: To establish the board's vision for the rights and responsibilities of district staff.

Staff members will be accorded all rights, including due process of law, as guaranteed by state and federal law and constitutions.

All district employees have a responsibility to make themselves familiar with, and abide by, federal and state laws, as well as regulations designed to implement these laws, as these affect their work. The same requirements apply to the policies of the board and related administrative rules and procedures.

The board expects all staff members to carry out their assigned responsibilities in a professional manner. Essential to the success of school operations and the instructional program are the following specific responsibilities which the board requires of all personnel.

- faithfulness and promptness in attendance at work
- support and enforcement of the board policies, administrative rules and district procedures
- diligence in submitting required reports promptly at the times specified
- care and protection of school and district property
- attendance at school functions in accordance with the expectations of the district
- concern and attention toward their own and the board's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times

With regard to their association with students, all employees should exhibit an appropriate and professional demeanor through their manner, dress, courteousness, industry and attitude in order to establish themselves as role models for young people. The board expects the staff to be exemplary models, as well as to provide exemplary instruction.

Adopted 8/13/91; Revised 4/4/95, 9/10/96, 11/12/96, 10/14/97, 11/13/01, 3/8/05

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Legal references:

A. Federal statutes:

1. Title IX of the Education Amendments of 1972, 200 USC 1681, et seq. - Prohibits discrimination on the basis of sex.
2. Drug-Free Workplace Act, 102 Stat. 4305-4308.
3. Controlled Substances Act (21 U.S.C. 812) - Schedules I through V of section 202.
4. Pro-Children Act of 1994 - (20 U.S.C. 608).

B. Federal regulations:

1. 54 F.R. 4946 (1/31/89) - Relating to the Drug-Free Workplace Act.
2. 21 CFR 1300.11 through 1300.15 - Defining controlled substances.

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

1. Section 44-95-10 et seq. - Clean Indoor Air Act of 1990 and penalties for violations.

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2. Section 16-17-490 - Contributing to the delinquency of a minor (school board rules and regulations may be exempt under certain circumstances).
3. Section 16-17-500 - Supplying minors with tobacco or cigarettes.
4. Section 59-67-150 - Qualifications of bus driver; drinking or smoking on bus.

### **(Alcohol)**

1. S.C. Constitution Article XVII, Section 14 - Must be over 21 to possess distilled liquors.
2. Section 16-17-530 - Students who come to school in an intoxicated condition or conduct themselves in a disorderly or boisterous manner could be arrested for a misdemeanor.
3. Section 59-67-150 - Drinking alcoholic liquors on a school bus is prohibited.
4. Section 20-7-370 - Must be 21 to possess fermented liquors.

### **(Drugs)**

1. Section 44-53-110, et seq. - Lists of illicit drugs.
2. Section 44-53-140 - Student addicted or dependent upon a drug may seek counseling concerning treatment or therapy from a guidance counselor or teacher without fear of legal action.
3. Section 44-53-370 - Unlawful for any person to possess scheduled drug unless obtained by valid prescription.
4. Section 44-53-440 - Person over 18 who distributes a controlled substance to person under 18 shall be guilty of felony and sentenced to no more than 20 years with no suspension or probation.