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THE STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

The Honorable Carolyn C Matthews, Administrative Law Judge

Case No 2009-ALJ-30-0103-AP

RECEIVED

MAY 03 2011

SC Court of Appeals

James "Cal" Bell, Othella Bernard, Katherina Bowyer, Linda M W Bratton,
Ann T Bridges, Rance C Cobb, Jeannie B Croxton, Bernetha L Culbreath,
William K Dreyer, Jacqueline D Farr, Ruth Fritts, Nancy Glenn, Etta Jane
Jones, Geneva M Martin, Mary H McCabe, Beverly McClanahan, Max D
Randolph, Carolyn McIver Smith, Maggie G Williams and Paula Woodlief,

Appellants,

vs

South Carolina Department of Corrections and Palmetto Unified School
District No 1,

Respondents

RECORD ON APPEAL

Volume 7 of 8

W Allen Nickles, III
Attorney at Law
Post Office Box 1866
Columbia, South Carolina 29202-1866

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Columbia, South Carolina 29201

THE STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW COURT

The Honorable Carolyn C Matthews, Administrative Law Judge

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VOLUME 7 OF 7**

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PERU320D SOUTH CAROLINA DEPARTMENT OF CORRECTIONS 12/01/08
PERSONNEL MANAGEMENT SYSTEM UPDATE ON 04/12/08
REVIEW INFORMATION BY BEGINPAY

SSN > 251-82-5953 > GLENN, NANCY B > CERTIFIED TEACHER

REVIEW TYPE > 01 MERIT JCLS/BAND/LEVEL> UB02 00
REVIEW DATE > 12/02/04
RATING > MR MEETS REQUIREMENTS
WEIGHTED AVERAGE > 0 50 RECEIVED DATE > 00/00/00
EFFECTIVE DATE > 12/02/04
SUPERVISOR >

FULLTIME/PARTTIME> F FULL-TIME AGENCY > N04
ANNUAL SALARY >

INCREASE AMOUNT >

STATUS INDICATOR > A ACTIVE TERMINATION REASON >

MAIL DATE > 08/20/04 DUE DATE > 11/02/04
LATE NOTICE DATE > 00/00/00 DC NOTICE DATE > 00/00/00

MAKE MODIFICATIONS AND PRESS ENTER TO STORE

4-^o 1 Sess-1 167 7 50 33 SCDC1319 7/20

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name Nancy B. Glenn Position/Classification/Title Certified Teacher
Organizational Unit Education Location Trenton/32222
Date Assigned to Current Position _____ State Employment Date _____
Performance Period
From September 17, 2005 To March 31, 2006

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager, utilizing suggestions from the supervisor or non-supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty.

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration. All management and supervisory employees are required to be reviewed on promoting equal opportunity.

Objectives The objectives section allows for managers to document special projects/programs or career development requested by the employee. **Objectives may be identified for management, supervisory and non-supervisory employees.** However, it is suggested all management and supervisory employees have at least one objective.

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period. After this discussion, the supervisor shall complete the planning stage document. Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature. The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the entire period. Job duties, performance characteristics, and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage.

Once the manager has completed the evaluation document, it will be presented to the reviewing official and concurring official, if applicable, for signature. The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments.

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period. Success Criteria must be developed for each objective. The objectives section should not have a total weight value to exceed 25%.

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective. Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined.

Performance Characteristics shall be given a rating of acceptable/unacceptable

- Acceptable - Meets Requirements
- Unacceptable - Fails To Meet Requirements

Performance Level Criteria

Substantially Exceeds Performance Requirements (3): Work that is characterized by exemplary accomplishments throughout the rating period, performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2): Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements (1): Work that meets the success criteria of the job

Below Performance Requirements (0): Work that fails to meet the success criteria of the job

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties), as outlined in the employee's job description. If the job description is incorrect, it should be updated at the time the planning stage is completed

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section. The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors.

Example of Appraisal Completion

Job Duties	Example Weight Factor	x	Example Perform Level	=	Weighted Average
1	20%		3		60
2	15%		2		30
3	20%		1		20
4	10%		1		10
5	5%		3		15
6	5%		2		10
Total	75%				145
Performance Characteristics					
1			A		
2			A		
3			U		
Total					
Objectives					
1	10%		2		20
2	10%		1		10
3	5%		1		05
Total	25%				35
Average Weighted Review Total	100%				1.80

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level 0-1-2-3	Weighted Average
1	Job Duty <u>Interviews incoming students to establish learning report.</u> Success Criteria <u>Interviews all students assigned to class and develops and individual education plan(IEP) with the students based on diagnostic profile of test scores, needs and interests.</u> Actual Performance: <u>Interviews incoming students</u>	5%	2	.1
2	Job Duty <u>Maintains records of student attendance and progress and provides informational reports as required.</u> Success Criteria <u>Individual folders will be set up on each student. Ensures that attendance records and reports are accurate. Maintains Title I records through assessments to show student gains</u> Actual Performance: <u>Maintains accurate records</u>	10%	2	.2
3	Job Duty <u>Maintains computers and software in order that curriculum is available to students working in lab</u> Success Criteria <u>Reviews and selects instructional materials that are relevant. Ensures that computers are functional and in working order</u> Actual Performance: <u>Works w/ Mr. [unclear] to ensure students are on proper instructional level</u>	15%	2	.3
4	Job Duty <u>Provides appropriate instruction to students according to their needs, abilities and interests to ensure student progress</u> Success Criteria <u>Ensures that an individualized plan of assessing student needs, identifying deficiencies, prescribing instructional activities & evaluation progress are used for each student. Provides special assistance to students who need it. Records</u> Actual Performance <u>student activities daily</u> <u>Provides appropriate instruction</u>	55%	2	1.1

Section I
JOB DUTIES
(From Position Description)

Weight Factor %	Perform x Level 0-1 2-3	Weighted Average

5. Job Duty: Maintains a positive learning environment within the classroom

Success Criteria: Uses consistent rules & demonstrated firmness in student discipline & order
Maintains reasonable control over disruptive behavior
Neatness and cleanliness of classroom is present.

Actual Performance: _____ 5% 2 .1

6. Job Duty: Provides supervision that safeguards students and aids security

Success Criteria: Follows institutional security regulations consistently in regard to students, materials, and equipment.

Actual Performance _____ 5% 2 .1

7 Job Duty: Provides other educational and related duties as required.

Success Criteria: _____

Actual Performance. _____ 5% 2 .1

8. Job Duty: _____

Success Criteria: _____

Actual Performance: _____

Total Section I Summary Rating:

100% 2.0

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

- 1 Characteristic Promoting Equal Opportunity
Definition. Meets agency affirmative action goals in such areas as hiring, promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees Only)
- 2 Characteristic Self Management
Definition. Works with minimal supervision. Manages own time effectively, maintains control on all current projects/responsibilities and ensures follow-up
- 3 Characteristic Leadership
Definition Employee can be relied upon to guide others to the accomplishment of objectives/responsibilities and outcomes, develop teamwork, and resolve conflict.
- 4 Characteristic Technical Competence
Definition. Possesses necessary knowledge to effectively perform job and able to apply what he/she has learned about his/her job
- 5 Characteristic Adaptability
Definition Employee can adapt to job or organizational changes
- 6 Characteristic Job Knowledge
Definition. Knows the details of the job and follows all job procedures accurately
- 7 Characteristic Internal Relations
Definition. Degree to which one works effectively and cooperatively with others and other departments in achieving organizational goals. Degree of responsiveness to organizational needs.
- 8 Characteristic Safety
Definition Follow established safety practices and corrects unsafe work practices on the job, capable of creating a positive and disciplined environment.
- 9 Characteristic Reliability
Definition. Consistent delivery of what is required when it is required. Meets deadlines and follows instructions
- 10 Characteristic Quality of Work
Definition. Neatly, thoroughly, and accurately completes job assignments according to established standards of quality

NAAAAAAAAAA

Section III
OBJECTIVES SECTION

	Weight Factor %	Perform x Level 0-1-2-3	Weighted Average
1. Objective _____ _____ Success Criteria. _____ _____ Actual Performance: _____ _____			
2. Objective _____ _____ Success Criteria. _____ _____ Actual Performance: _____ _____			
3. Objective _____ _____ Success Criteria. _____ _____ Actual Performance. _____ _____			
4. Objective _____ _____ Success Criteria _____ _____ Actual Performance: _____ _____			
Total Section III Summary Rating:			

Section IV
SUMMARY AND IMPROVEMENT PLAN

- 1 Identify employee's performance strengths

Punctual
Accurate class rolls

- 2 Identify employee's areas in need of improvement.

Classroom management

- 3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance.

Continue training

V Summary rating for each section.

	Weighted Average
Job Duties Section I	<u>2.0</u>
Objectives Section III	<u>2.0</u>
Appraisal Overall Weighted Average Total	<u>2.0</u>
(2.5 3.0 = Substantially Exceeds Performance Requirements)	
(1.5 - 2.49 = Exceeds Performance Requirements)	
(0.5 - 1.49 = Meets Performance Requirements)	
(0.0 - 0.49 = Below Performance Requirements)	

VI Justification For Below or Substantially Exceeds Rating:

VII. Employee Comment.

VIII. Planning /stage:

Rating Supervisor [Signature] Date 4-5-05
 Reviewing Official [Signature] Date 4-5-05
 Concurring Official _____ Date _____
 Employee [Signature] Date 4-5-05

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

IX. Evaluation Stage:

Rating Supervisor [Signature] Date 7-29-05
 Reviewing Official [Signature] Date 7-29-05
 Concurring Official _____ Date _____
 Employee [Signature] Date 7-29-05

(My signature indicates that I have discussed the planning stage and position description with my supervisor - not that I necessarily agree.)

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E
8/19/06

Name Nancy B Glenn Position/Classification/Title Certified Teacher
Organizational Unit Education Location Trenton/32222
Date Assigned to Current Position 9/17/05 State Employment Date 8/10/92
Performance Period From September 17, 2005 To 9/17/06
March 31, 2006

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager, utilizing suggestions from the supervisor or non supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty

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Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period. Success Criteria must be developed for each objective. The objectives section should not have a total weight value to exceed 25%

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective. Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined.

Performance Characteristics shall be given a rating of acceptable/unacceptable

- **Acceptable - Meets Requirements**
- **Unacceptable - Fails To Meet Requirements**

Performance Level Criteria

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Meets Performance Requirements (1): Work that meets the success criteria of the job

Below Performance Requirements (0): Work that fails to meet the success criteria of the job

Weight Factor

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Example of Approval Completion

<u>Job Duties</u>	<u>Example Weight Factor</u>	<u>x</u>	<u>Example Perform Level</u>	<u>=</u>	<u>Weighted Average</u>
1	20%		3		60
2	15%		2		30
3	20%		1		20
4	10%		1		10
5	5%		3		15
6	5%		2		10
<u>Total</u>	<u>75%</u>				<u>145</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Objectives					
1	10%		2		20
2	10%		1		10
3	5%		1		05
<u>Total</u>	<u>25%</u>				<u>35</u>
Average Weighted Review Total	100%				180

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level 0-129	Weighted Average
1	Job Duty: <u>Demonstrate effective classroom Management.</u>			
	Success Criteria: <u>See evaluation summary sheets 1 and 2 (attached)</u>			
	Actual Performance: <u>Needs to be firmer w/ Students</u>	<u>25%</u>	<u>1</u>	<u>.25</u>
2	Job Duty: <u>Maintains an effective instructional program.</u>			
	Success Criteria: <u>See evaluation summary sheets 1 and 2 (attached)</u>			
	Actual Performance: <u>Demonstrates an effective instructional program</u>	<u>25%</u>	<u>2</u>	<u>.50</u>
3	Job Duty: <u>Interviews all students assigned to class and develops an individual education plan with them based on diagnostic profile of test scores, needs and interests</u>			
	Success Criteria: <u>See evaluation summary sheets 1 and 2 (attached)</u>			
	Actual Performance: <u>Develops IEP's</u>	<u>10%</u>	<u>2</u>	<u>.20</u>
4	Job Duty: <u>Development of use of assessments</u>			
	Success Criteria: <u>See evaluation summary sheets 1 and 2 (attached)</u>			
	Actual Performance: <u>Demonstrates some use of assessments</u>	<u>15%</u>	<u>2</u>	<u>.30</u>

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	Perform Level 0-123	Weighted Average
5 Job Duty: <u>Professionalism</u>			
Success Criteria: <u>See evaluation sheets 1 and 2 (attached)</u>			
Actual Performance: <u>Very professional</u>	<u>10%</u>	<u>2</u>	<u>20</u>
6 Job Duty: <u>Follows established school, agency, state, and federal policy and procedures.</u>			
Success Criteria: <u>See evaluation sheets 1 and 2 (attached)</u>			
Actual Performance: <u>Follows policies</u>	<u>10%</u>	<u>2</u>	<u>.20</u>
7 Job Duty: _____			
Success Criteria: _____			
Actual Performance: _____			
8 Job Duty: _____			
Success Criteria: _____			
Actual Performance: _____			
Total Section I Summary Rating:	<u>95%</u>		<u>1.65</u>

Section II PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

- 1 Characteristic: Promoting Equal Opportunity
Definition: Meets agency affirmative action goals in such areas as hiring, promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees Only)
- 2 Characteristic: Self Management
Definition: Works with minimal supervision. Manages own time effectively, maintains control on all current projects/responsibilities and ensures follow-up
- 3 Characteristic: Leadership
Definition: Employee can be relied upon to guide others to the accomplishment of objectives/responsibilities and outcomes, develop teamwork, and resolve conflict.
- 4 Characteristic: Technical Competence
Definition: Possesses necessary knowledge to effectively perform job and able to apply what he/she has learned about his/her job
- 5 Characteristic: Adaptability
Definition: Employee can adapt to job or organizational changes.
- 6 Characteristic: Job Knowledge
Definition: Knows the details of the job and follows all job procedures accurately
- 7 Characteristic: Internal Relations
Definition: Degree to which one works effectively and cooperatively with others and other departments in achieving organizational goals Degree of responsiveness to organizational needs.
- 8 Characteristic: Safety
Definition: Follow established safety practices and corrects unsafe work practices on the job, capable of creating a positive and disciplined environment.
- 9 Characteristic: Reliability
Definition: Consistent delivery of what is required when it is required. Meets deadlines and follows instructions.
- 10 Characteristic: Quality of Work
Definition: Neatly, thoroughly, and accurately completes job assignments according to established standards of quality

NAAAAAAAAAA

Section III
OBJECTIVES SECTION

Weight Factor %	Perform x Level =	Weighted Average
	0-1-2-3	

1 Objective: Develop in writing a goal in the areas of content, instructional methods
or assessment, or professional growth and development.

Success Criteria: An annual goal must be developed by October 15 of each school
year. Documented attainment of the goal must be submitted to the immediate
supervisor by May 15 of the same school year.

Actual Performance: _____

5%	<u>3</u>	<u>.15</u>

2 Objective: _____

Success Criteria: _____

Actual Performance: _____

_____	_____	_____

3 Objective: _____

Success Criteria: _____

Actual Performance: _____

_____	_____	_____

4 Objective: _____

Success Criteria: _____

Actual Performance: _____

_____	_____	_____

Total Section III Summary Rating:

5%	<u>.15</u>

Section IV
SUMMARY AND IMPROVEMENT PLAN

- 1 Identify employee's performance strengths

Very punctual
Does anything extra that is asked of her
Good team member

- 2 Identify employee's areas in need of improvement

Classroom firmness

- 3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance.

Continue training

V Summary rating for each section.

Job Duties Section I
 Objectives Section III
Appraisal Overall Weighted Average Total
 (2.5 30 = Substantially Exceeds Performance Requirements)
 (1.5 2.49 = Exceeds Performance Requirements)
 (0.5 1.49 = Meets Performance Requirements)
 (0.0 0.49 = Below Performance Requirements)

Weighted
 Average
1.65
.15
1.80

VI. Justification For Below or Substantially Exceeds Rating:

VII. Employee Comment.

VIII Planning /stage:

Rating Supervisor [Signature] Date 12-12-05
 Reviewing Official [Signature] Date 12-12-05
 Concurring Official _____ Date _____
 Employee [Signature] Date 12-12-05

(My signature indicates that I have discussed the planning stage and position description with my supervisor - not that I necessarily agree.)

IX. Evaluation Stage:

Rating Supervisor [Signature] Date 3-29-06
 Reviewing Official [Signature] Date 3/29/06
 Concurring Official _____ Date _____
 Employee [Signature] Date 2-29-06

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name Nancy B Glenn Position/Classification/Title Certified Teacher
Organizational Unit Education Location Trenton/32222
Date Assigned to Current Position _____ State Employment Date _____
Performance Period
From April 1, 2006 To March 31 2007

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager utilizing suggestions from the supervisor or non supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration All management and supervisory employees are required to be reviewed on promoting equal opportunity

Objectives The objectives section allows for managers to document special projects/programs or career development requested by the employee **Objectives may be identified for management, supervisory and non-supervisory employees** However it is suggested all management and supervisory employees have at **least one objective**

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period After this discussion, the supervisor shall complete the planning stage document Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the **entire** period Job duties performance characteristics and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage

Once the manager has completed the evaluation document it will be presented to the reviewing official and concurring official if applicable, for signature The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period Success Criteria must be developed for each objective The objectives section should not have a total weight value to exceed 25%

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a 'meets performance requirements' rating The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective Success criteria are not required for performance characteristics However each performance characteristic shall be defined

Performance Characteristics shall be given a rating of acceptable/unacceptable

- **Acceptable - Meets Requirements**
- **Unacceptable - Fails To Meet Requirements**

Performance Level Criteria

Substantially Exceeds Performance Requirements (3) Work that is characterized by exemplary accomplishments throughout the rating period, performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period

Meets Performance Requirements (1) Work that meets the success criteria of the job

Below Performance Requirements (0) Work that fails to meet the success criteria of the job

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties), as outlined in the employee's job description. If the job description is incorrect it should be updated at the time the planning stage is completed.

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section. The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors.

Example of Appraisal Completion

<u>Job Duties</u>	<u>Example Weight Factor</u>	x	<u>Example Perform Level</u>	=	<u>Weighted Average</u>
1	20%		3		60
2	15%		2		30
3	20%		1		20
4	10%		1		10
5	5%		3		15
6	5%		2		10
<u>Total</u>	<u>75%</u>				<u>145</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Objectives					
1	10%		2		.20
2	10%		1		10
3	5%		1		05
<u>Total</u>	<u>25%</u>				<u>35</u>
<u>Average Weighted Review Total</u>					<u>180</u>
	<u>100%</u>				

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level = 0-1 2-3	Weighted Average	
1	Job Duty learning	Provides an effective instructional program using strategies that promote student			
	Success Criteria	Clearly displays or communicates daily instructional objectives Monitors learning and development by reviewing students' classwork			
	Actual Performance	Regularly checks for student understanding of instructional objectives	20%	2	0.40
2	Job Duty	Demonstrates effective classroom management			
	Success Criteria	Uses effective techniques when dealing with behavioral problems in the classroom Displays and utilizes consistent classroom rules			
	Actual Performance	Area(s) needing improvement (1) Enforcing class rules (2) Dealing with the behavior problems of students	20%	1	0.20
3	Job Duty achievement	Uses a variety of appropriate assessments to monitor students' progress and			
	Success Criteria	Develops and implements an assessment process to evaluate students progress and achievement Maintains accurate records of students' progress and achievement			
	Actual Performance	Maintains records of students progress	15%	2	0.30
4	Job Duty ability levels and needs	Provides for student individualization based upon test scores classroom assessments			
	Success Criteria	Develops an individualized plan for each student to assess needs, identify deficiencies, prescribe instructional activities and monitor progress			
	Actual Performance	Provides evidence that each student s IEP is planned and monitored	15%	2	0.30

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level 0-1 2 3	Weighted Average
5	Job Duty: <u>Maintains accurate records of students attendance and progress</u>			
	Success Criteria: <u>Ensures attendance records and reports are accurate and completed on-time</u> <u>Maintains individual folders on each student with an individualized education plan, assessments</u> <u>and progress reports</u>			
	Actual Performance: <u>Maintains accurate class rolls</u> <u>Develops individualized education plans for students</u> <u>Maintains accurate grade book</u>	<u>10%</u>	<u>2</u>	<u>0 20</u>
6	Job Duty: <u>Maintains a safe learning environment</u>			
	Success Criteria: <u>Follows security regulations regarding students, equipment, and personal</u> <u>items</u>			
	Actual Performance: <u>Area needing improvement</u> <u>Providing supervision to aid in the security of students and staff</u>	<u>5%</u>	<u>1</u>	<u>0 05</u>
7	Job Duty: <u>Demonstrates professionalism toward students, peers, and supervisors</u>			
	Success Criteria: <u>Maintains composure during difficult situations</u> <u>Uses chain of command in</u> <u>handling requests, complaints, and routine matters</u> <u>Maintains a professional relationship with</u> <u>students</u> <u>Displays a positive attitude toward job assigned duties</u>			
	Actual Performance: <u>Maintains composure</u> <u>uses chain of command</u> <u>maintains a professional</u> <u>relationship with students</u>	<u>5%</u>	<u>1</u>	<u>0 05</u>
8	Job Duty: <u>Follows established school, agency, state, and federal policies and procedures</u>			
	Success Criteria: <u>Utilizes established discipline and referral procedures</u> <u>Abides by state,</u> <u>agency, and school policies and procedures concerning attendance and punctuality</u>			
	Actual Performance: <u>Follows established policies and procedures</u>	<u>5%</u>	<u>2</u>	<u>0 10</u>
Total Section I Summary Rating		<u>95%</u>		<u>1 60</u>

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

	Performance Level Acceptable/Unacceptable
1 Characteristic <u>Promoting Equal Opportunity</u> Definition <u>Meets agency affirmative action goals in such areas as hiring, promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees Only)</u>	_____
2 Characteristic <u>Self Management</u> Definition <u>Works with minimal supervision Manages own time effectively maintains control on all current projects/responsibilities and ensures follow up</u>	_____
3 Characteristic <u>Leadership</u> Definition <u>Employee can be relied upon to guide others to the accomplishment of objectives/responsibilities and outcomes develop teamwork, and resolve conflict</u>	_____
4 Characteristic <u>Technical Competence</u> Definition <u>Possesses necessary knowledge to effectively perform job and able to apply what he/she has learned about his/her job</u>	_____
5 Characteristic <u>Adaptability</u> Definition <u>Employee can adapt to job or organizational changes</u>	_____
6 Characteristic <u>Job Knowledge</u> Definition <u>Knows the details of the job and follows all job procedures accurately</u>	_____
7 Characteristic <u>Internal Relations</u> Definition <u>Degree to which one works effectively and cooperatively with others and other departments in achieving organizational goals Degree of responsiveness to organizational needs</u>	_____
8 Characteristic <u>Safety</u> Definition <u>Follow established safety practices and corrects unsafe work practices on the job capable of creating a positive and disciplined environment.</u>	_____
9 Characteristic <u>Reliability</u> Definition <u>Consistent delivery of what is required when it is required Meets deadlines and follows instructions</u>	_____
10 Characteristic <u>Quality of Work</u> Definition <u>Neatly thoroughly and accurately completes job assignments according to established standards of quality</u>	_____

Section III
OBJECTIVES SECTION

	Weight Factor %	Perform x Level 0-1 2 3	Weighted Average
1 Objective <u>The teacher will demonstrate an effective instructional program as measured by his/her students mean increase on the TABE Total Battery scores from pretest to posttest</u>			
Success Criteria <u>The teacher will show a minimum gain by his/her students of 10 on the TABE Total Battery scores from the pretest to posttest</u>			
Actual Performance <u>Ms. Glenn's students posted a 1.3 mean increase on the TABE Total Battery scores from the pretest to posttest</u>	<u>5%</u>	<u>3</u>	<u>0.15</u>
2 Objective _____			
Success Criteria _____			
Actual Performance _____	_____	_____	_____
3 Objective _____			
Success Criteria _____			
Actual Performance _____	_____	_____	_____
4 Objective _____			
Success Criteria _____			
Actual Performance _____	_____	_____	_____
Total Section III Summary Rating	<u>5%</u>		<u>0.15</u>

Section IV
SUMMARY AND IMPROVEMENT PLAN

1 Identify employee's performance strengths

Very neat classroom environment

2 Identify employee's areas in need of improvement

Classroom management

3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance

Continue Professional Development training

Glenn

V Summary rating for each section

Job Duties Section I
Objectives Section III
Appraisal Overall Weighted Average Total
(2 5 3 0 = Substantially Exceeds Performance Requirements)
(1 5 2 4 9 = Exceeds Performance Requirements)
(0 5 1 4 9 = Meets Performance Requirements)
(0 0 0 4 9 = Below Performance Requirements)

Weighted
Average
1.60
.15
1.75

VI Justification For Below or Substantially Exceeds Rating

VII Employee Comment

VIII Planning /stage

Rating Supervisor [Signature] Date 3-23-06
-Reviewing Official [Signature] Date 3-23-06
Concurring Official _____ Date _____
*Employee [Signature] Date 3-23-06

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

IX Evaluation Stage

Rating Supervisor [Signature] Date 4-10-07
-Reviewing Official [Signature] Date 4/17/07
Concurring Official _____ Date _____
*Employee [Signature] Date 4-11-07

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

)
**STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE**

**Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)**

**SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008**

**DOCUMENTS REGARDING
NANCY B. GLENN**

**UNABLE TO LOCATE
EPMS COVERING
4/1/2007 – 3/31/2008**

)

STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE

Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)

SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008

DOCUMENTS REGARDING
NANCY B. GLENN

UNABLE TO GENERATE
JOB POSTING FOR POSITION
INTO WHICH MS. GLENN WAS
PROMOTED ON 3/17/2005
(UB02-0075)

7/17/06

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
RECRUITING AND EMPLOYMENT SERVICES BRANCH
4502 BROAD RIVER ROAD
COLUMBIA, SOUTH CAROLINA 29210
JOB VACANCY NOTICE

*THE LANGUAGE USED IN THIS ANNOUNCEMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT *
*BETWEEN THE EMPLOYEE AND THE AGENCY THIS ANNOUNCEMENT DOES NOT CREATE ANY *
*CONTRACTUAL RIGHTS OR ENTITLEMENTS THE AGENCY RESERVES THE RIGHT TO REVISE *
*THE CONTENTS OF THIS ANNOUNCEMENT, IN WHOLE OR IN PART NO PROMISES OR *
*ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT *
*WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT *

OPENING DATE 08/03/06

CLOSING DATE 08/14/06 (4 30 PM)

SCDC INTERNAL TITLE CLASSROOM TEACHER SCDC POSITION # 011462
HOURS/WEEKLY 037 50 SHIFT SCHEDULE 02 WORK TIME 0730 AM - 0330 PM
LOCATION TRENTON CORRECTIONAL INSTITUTION, TRENTON (EDGEFIELD) LEVEL 2

STATE JOB TITLE CERTIFIED TEACHER
SALARY BASED ON CERTIFICATION

STATE JOB CLASS UB02

ADDITIONAL SCDC REQUIREMENTS
MUST POSSESS VALID SOUTH CAROLINA TEACHER'S CERTIFICATE

DESCRIPTION OF DUTIES

UNDER GENERAL SUPERVISION COORDINATES AND TEACHES IMPACT OF CRIME
PROGRAM AT TRENTON CORRECTIONAL INSTITUTION PROVIDES SUPERVISION
AND TECHNICAL ASSISTANCE TO THE AGENCY LIBRARY PROGRAM PERFORMS
OTHER EDUCATIONAL AND RELATED DUTIES AS REQUIRED

COMMENTS

MUST SATISFACTORILY COMPLETE SCDC BASIC TRAINING

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
RECRUITING AND EMPLOYMENT SERVICES BRANCH
4502 BROAD RIVER ROAD
COLUMBIA, SOUTH CAROLINA 29210
JOB VACANCY NOTICE

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*WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT *

OPENING DATE 11/07/06 CLOSING DATE 11/17/06 (4 30 PM)

SCDC INTERNAL TITLE CLASSROOM TEACHER SCDC POSITION # 011328
HOURS/WEEKLY 037 50 SHIFT SCHEDULE 02 WORK TIME 0800 AM - 0400 PM
LOCATION CAMILLE GRAHAM CORRECTIONAL INST , COLUMBIA (RICHLAND) LEVEL 2

STATE JOB TITLE CERTIFIED TEACHER STATE JOB CLASS UB02
SALARY BASED ON CERTIFICATION SPECIAL INCENTIVE NO

ADDITIONAL SCDC REQUIREMENTS
MUST POSSESS A VALID SOUTH CAROLINA TEACHER'S CERTIFICATE

DESCRIPTION OF DUTIES

UNDER GENERAL SUPERVISION DIRECTS ALL PHASES OF LIBRARY SERVICES
INCLUDING PROGRAM DEVELOPMENT, STUDENT ASSISTANCE, READER ASSISTANCE,
LIBRARY INSTRUCTION, AND INMATE SUPERVISION

COMMENTS

MUST SATISFACTORILY COMPLETE SCDC BASIC TRAINING

ARS3000J
POSITION 011328 UB02 00 CERTIFIED TEACHER
LOCATION CAMILLE GRAHAM CORRECTIONAL INSTAPPLICANTS REFERRED ON 11/22/06
VACANT POS DATE 11/07/06 *** CANCELTION DATE *** 03/02/07
CLOSING DATE 11/17/06

SSN	NAME	SCDC BAND	SCDC LYL	ACTION CODE	REASON(S)
025-46-4934	COLE KATHLEEN A		*	I	Selected *
251-82-5953	GLENH NANCY B	00		S	24
249-98-2947	HOLLADAY BILLY E	00		I	15
247-06-8442	MCMICHAEL ALLYSON S			I	15

P-CR-017 EL W-1-1-1

Cancel
Dennouner

REPORT NO 01

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

11/22/08 PAGE

2

ARS3000J
 POSITION 011328
 SLOT 0080
 CLASS UB02 CERTIFIED TEACHER
 BUDGET UNIT 32331 CAMILLE GRAHAM CORRECTIONAL INST

APPLICANT REFERRAL REPORT

DATE OPENED 11/07/08
 DATE CLOSED 11/17/08

NAME NANCY B GLENN
 ADDRESS 617 RIVERWALK WAY
 CITY IRMO
 HOME 803-749-9124
 STATE SC ZIP 29083
 OFFICE 803-898-3048
 AVAILABLE SHIFT REQ 100%
 SCDC BAND/LEVEL A
 LICENSE STATE/NUM/CLASS 00
 SECURITY SERVICE DATE SC 0003155242 D
 EMERGENCY RESPONSE TEAM 08/10/92
 N

524

EDUCATIONAL HISTORY

INSTITUTION	TYPE	DATE DEGREE OBTAINED	MAJOR	DEGREE TYPE
EAST CAROLINA CLEMSON LAURENS	UNIVERSITY UNIVERSITY HS	08/77 12/72	LIBRARY SCIENCE SECONDARY EDUC/SOCIO	MASTER OF SCIENCE BACHLOR OF ARTS DIPLOMA

EMPLOYMENT HISTORY

EMPLOYER	POSITION	START DATE	END DATE	WKLY HRS	TERMINATION REASON
SCDC-TRENTON CORRECTIONAL INST	CERTIFIED TEACHER	09/17/08	PRESENT	37 5	
SCDC-TRENTON CORRECTIONAL INST	CERTIFIED TEACHER	03/17/05	08/17/08	37 5	
SCDC-STEVENSON CORRECTIONAL IN	OFFICER I	08/02/03	03/17/05	40 0	
SCDC-STEVENSON CORRECTIONAL IN	CERTIFIED TEACHER	05/23/02	08/01/03	0 0	
SCDC-STEVENSON CORRECTIONAL IN	CLASSROOM TEACHER	11/02/98	05/22/02	0 0	
SCDC-STEVENSON CORRECTIONAL IN	CLASSROOM TEACHER	05/17/97	11/01/99	0 0	
SCDC-BROAD RIVER CORRECTIONAL	CLASSROOM TEACHER	08/10/92	05/18/97	40 0	
SCDC-KIRKLAND CORRECTIONAL INS	SUB TEACHER	08/01/91	08/01/92	40 0	ACCEPT PERMANENT FULL-TIME JOB
RICH/LEX SCH DIST	TEACHER'S AIDE	08/01/89	08/01/91	18 0	TO ACCEPT OTHER EMPLOYMENT/NON-STATE JOB
PRESBYTERIAN CHURCH	LIBRARY ASSISTANT	01/01/88	08/01/89	0 0	TO ACCEPT OTHER EMPLOYMENT/NON-STATE JOB
LEX CO PUB LIBRARY	ADULT SVCS LIBRARIAN	10/01/77	04/01/79	40 0	PREGNANCY
KINSTON LENOIR LIBR	LIBRARY ASSISTANT	08/01/75	10/01/77	0 0	PROMOTION

SKILLS INVENTORY

SCORE YEARS	SKILL / TEST	TEST DATE	SCORE YEARS	SKILL / TEST	TEST DATE
12 04	CATALOGING-LIBRARY		17 08	BOOK MENDING	
12 04	REFERENCE		12 04	INTERLIBRARY LOAN	
	S C CERTIFIED TEACHER	12/01/72		PROFESSIONAL LIBRARIAN CERT	
17 06	PROGRAM ADMINISTRATION		17 08	CIRCULATION	
17 06	SEARCHING/BIBLIOGRAPHICS		12 04	ACQUISITIONS	
10 00	KEYPUNCH/DATA ENTRY/CRT		10 00	CORRESPONDENCE-TYPING	

SCDC TRAINING(MDP LEADERSHIP NCIC CDL T4T ONLY)
 CLASS DATE CLASS DATE

3028

REPORT NO 01

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

11/22/05 PAGE

3

ARS3000J
VALUING DIVERSITY (MDP)

08/24/04 |

APPLICANT REFERRAL REPORT

3029

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
RECRUITING AND EMPLOYMENT SERVICES BRANCH
4502 BROAD RIVER ROAD
COLUMBIA, SOUTH CAROLINA 29210
JOB VACANCY NOTICE

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*WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT *

OPENING DATE 12/21/06

CLOSING DATE 01/05/07 (4 30 PM)

SCDC INTERNAL TITLE CLASSROOM TEACHER SCDC POSITION # 011328
HOURS/WEEKLY 037 50 SHIFT SCHEDULE 02 WORK TIME 0800 AM - 0400 PM
LOCATION CAMILLE GRAHAM CORRECTIONAL INST , COLUMBIA (RICHLAND) LEVEL 2

STATE JOB TITLE CERTIFIED TEACHER
SALARY BASED ON CERTIFICATION

STATE JOB CLASS UB02
SPECIAL INCENTIVE NO

ADDITIONAL SCDC REQUIREMENTS
MUST POSSESS A VALID SOUTH CAROLINA TEACHER'S CERTIFICATE

DESCRIPTION OF DUTIES

PER GENERAL SUPERVISION DIRECTS ALL PHASES OF LIBRARY SERVICES
INCLUDING PROGRAM DEVELOPMENT, STUDENT ASSISTANCE, READER ASSISTANCE,
LIBRARY INSTRUCTION, AND INMATE SUPERVISION

COMMENTS

MUST SATISFACTORILY COMPLETE SCDC BASIC TRAINING
REANNOUNCEMENT

011328122106
 ACTION CODE >
 DATE 12/01/08

REFERRALS FOR VACANT POSITION
 DC172008 *** UNACCEPTABLE RESPONSE PLEASE
 REFERRALS FOR VACANT POSITION ARSF210M
 ARSF060D

BUDGET UNIT > 32331 POSITION > 011328 OPEN DATE > 12/21/06
 JOB CLASS > UB02 CERTIFIED TEACHER CLOSE DATE> 01/05/07
 BAND/LEVEL > 00 STATUS > 1 FILLED

NUMBER OF REFERRALS LISTED > 10

SOCIAL SECURITY	NAME		HOME PHONE	ACTION CODE	DATE	REASON
000-00-0000	BARDIN	ANGELA	D 803-781-3138	I	01/22/07	16
000-00-0000	BROWN	GWYNEEDA	803-749-9065	H	02/07/07	
000-00-0000	BYERS	SANDRA	803-699-7573	S	01/22/07	15
000-00-0000	FORT	JOHN	W 803-736-7673	I	01/22/07	15
000-00-0000	GLENN	NANCY	B 803-749-9124	S	01/22/07	01
000-00-0000	GREEN	ALFRED	L 803-781-2037	I	01/22/07	15
000-00-0000	HELMS	JOY	G 864-222-1243	S	01/22/07	15
000-00-0000	HOLLADAY	BILLY	E 803-791-1530	I	01/22/07	15
000-00-0000	KARR	ARNOLD	E 803-256-7108	I	01/22/07	15

PAGE 0001

PF3-PRIOR MENU PF4-MAIN MENU PF7-PAGE BACK PF8-PAGE FORWARD PF11-SIGNOFF
 4-© 1 Sess-1 167 7 50 33 SCDC1319 1/2

)

South Carolina Department of Corrections
Education Division

Memorandum

To Connie Riley
From Weyland Burns
Re Request
Date 1/10/07

I am requesting approval to waive the automatic screen out of an employee candidate who is in a trial period status due to a lateral position movement Mrs Nancy Glenn is currently considered to be in "trial status" until March 16,2007, However, she has NOT actually been able to make a physical move to the new position due to staffing issues and the needs of the institution/division Mrs Glenn has applied for the librarian position at Camille Graham and I would like to provide her with the opportunity to be considered as a candidate for the librarian's job for these reasons

- The librarian's position is a difficult job to fill I would like to have as large an applicant pool as possible
- Mrs Glenn has the qualifications needed for the job
- Mrs Glenn has experience in working with inmates
- Technically, she has not yet been promoted to the librarian position she was hired for at Trenton as mentioned above

ARS3000J

POSITION 011328 UB02 00 CERTIFIED TEACHER
LOCATION CAMILLE GRAHAM CORRECTIONAL INSTAPPLICANTS REFERRED ON 01/10/07
VACANT POS DATE 12/21/06
CLOSING DATE 01/05/07

*** CANCELLATION DATE *** 04/20/07

SSN	NAME	SCDC BAND	SCDC LVL	ACTION CODE	REASON(S)
249-94-4954	BARDIN --- ANGELA --- D ---			I	16
✓ 437-68-9474	BROWN 900 GHYNEEDA 900*			I	Selected
149-44-1886	BYERS --- SANDRA ---			S	15
✓ 251-96-5635	FORT 930 JOHN H			I	15
✓ 251-82-5953	GLENN 1100 NANCY B	00		I	15
263-58-3432	GREEN --- ALFRED L			S	01
251-74-3775	HELMS --- JOY --- G			S	15
249-98-2947	HOLLADAY 130 BILLY E	00		I	15
✓ 251-98-9304	KARR 1030 ARNOLD E	00		I	15
✓ 249-51-2336	WHITE 10 WILLIE C			I	15

The 534
was whited
out
Nancy Glenn

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Division of Human Resources
Recruiting and Employment Services Branch

APPLICANT SCREENING/INTERVIEWING

In the space provided by each name on the attached printout indicate the Action Code (S = Screened Out or I = Interviewed) and Reason (using code numbers 02-23) the applicant was not recommended for further consideration. Up to four (4) codes may be used for each applicant.

01	Minimum Qualification (Recruiting and Employment only)	13	Presentation in Interview
02	SCDC Additional Requirements	14	Security Related Skills
03	Supervisory Experience	15	Another Applicant Determined to be more Qualified
04	Preferred Education Type	16	Applicant Withdraw
05	Preferred Education Level	17	No Longer Interested
06	Special Training	18	Unable to Contact
07	Correctional Work Experience	19	No Show
08	Enough Work Experience	20	Inconsistent Work History
09	Other Job Related Reasons	21	Communication Skills
10	Planning Skills	22	Type of Work Experience
11	Organizing Skills	23	Work Experience Dealing with Inmates
12	Written Exercise	24	Probationary/Trial Status (Recruiting and Employment only)
		25	Disapproved for Rehire (Recruiting and Employment only)

EXAMPLE	<u>NAME</u>	<u>ACTION CODE</u>	<u>REASON</u>
	Doe John	S	02

I certify that the applicants were considered without regard to race color sex religion age national origin or disability.

(Please Print)

SCREENING OFFICIAL(S) _____

Date _____

SS# _____

Independent Observer _____

*****SCREENING/SELECTION PANEL MEMBERS MUST BE CLASSIFIED AT A PAY BAND AND LEVEL EQUAL TO OR HIGHER THAN THE POSITION BEING FILLED**

(Please Print)

SELECTION OFFICIAL(S) _____

Date 1-18-01

SS# 249-17-1407

Geraldine Abraham
Kathy R. Small
Jacqueline L. Vennig

250-35-0634
250 84 3391

Independent Observer _____

PERI270D
PERI270M

EMPLOYEE INQUIRY

12/01/08

SSN > 251-82-5953
NAME > GLENN NANCY B
STREET > 617 RIVERWALK WAY
CITY > IRMO
CONTACT PHONE > 803-749-9124
WORK PHONE > 803-896-3046
EDUCATION LEVEL > 18
HIRE DATE > 08/10/92
STATE HIRE DATE > 08/10/92
REVIEW DATE > 09/17/09
PROB END DATE >
CONT SERV DATE > 08/10/92
SEC SERV DATE > 08/10/92
BIRTH DATE > 03/03/51
RETIRE SYSTEM > POLICE
RETIRE IND > N
FUND > 96500 > 0 1000
> 96600 > 0 5000
> 91000 > 0 4000
PF4=FETCH EMPLOYEE
> EMPLOYEE INFORMATION DISPLAYED

SC 29063-0000
COUNTY > 40
BASE PAY >
LONGEVITY >
ADD BEN >
EMER RES TEAM >
SPECIAL PAY >
TOTAL ANNUAL >
SEMI-MONTHLY >
HOURLY RATE >
A/L PAY > Y
BUDGET > 32222
BCLASS > 016000
PGM > 820

EMPL # > 015688 STATUS > A
SCDC # > 011462 OHR # > P2 000038927
JCLS/BAND/LEVEL > UB02
SLOT > 0004 JOB COUNTY > 19
SECURITY IND > N FLSA > 1
II TRENTON CORRECTIONAL INSTITUTIO
TITLE > CERTIFIED TEACHER
60,664 WORK HOURS > 37 50
RACE > WHITE
SEX > FEMALE
EMER TEAM >
CITIZEN > YES
MARITAL > SINGLE
SEC STEP > 02 06/02/03
FED CAT > 02
CERTIFIED > N 09/08/03
FILING STATUS > MARRIED
FED EXEMPT > 01
STATE EXEMPT > 01
PF5=DEDUCTIONS
PF6=ONE-TIME PAY
PF7=EARNINGS
PF8=UPDATE

4-6

1 Sess-1 167 7 50 33

SCDC1319

3/10

STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE

Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)

SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008

DOCUMENTS REGARDING
GENEVA M. MARTIN

PERI310D
PERI310M
PERTRANA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
HUMAN RESOURCES MANAGEMENT SYSTEM
SALARY HISTORY

12/01/08

SSN > 425-88-0743 > MARTIN, GENEVA M

> CORRECTIONAL OFFICER I

	EFF	REASON	SEC		CLASS			FLSA	BASE	ADDL	ANNUAL	
	DATE	CODE	STEP	LOC	CODE	BND	LVL	SLOT	CDE	SALARY	BENEFITS	SALARY
-	06/02/03	45	02	32211	JD30	03	E	1834	2	26909	0 00	26909
-	06/02/02	33		32211	UB02	00		0082	1	58289	0 00	58289
-	05/23/02	25		32211	UB02	00		0082	1	58186	0 00	58186
-	06/02/01	03		32211	UB13	00		0082	1	58186	0 00	58186
-	01/02/01	17		32211	UB13	00		0082	1	55855	0 00	55855
-	06/02/00	03		32211	UB13	00		0050	1	55855	0 00	55855
-	06/02/99	03		32211	UB13	00		0050	1	49954	0 00	49954
-	06/02/98	03		32211	UB13	00		0050	1	47722	0 00	47722
-	11/03/97	06		32211	UB13	00		0050	1	45638	0 00	45638

PF4=FETCH EMPLOYEE PF2=MODIFY/DELETE PF1=ADD PF3=CHANGE CODE PAGE (0001)
SALARY HISTORY LISTED

4-6 1 Sess-1 167 7 50 33 SCDC1319 5/7

(Front)

STATE OF SOUTH CAROLINA
POSITION DESCRIPTION

SCDC USE ONLY

SC DEPT OF CORRECTIONS

AGENCY NAME

Geneva M. Martin

INCUMBENT'S NAME

Classroom Tch'r / UB13/82

CURRENT CLASS / CLASS CODE / SLOT

132777

POSITION NUMBER

SOURCE OF FUNDING

<u>10000</u>		
STATE	FEDERAL	OTHER

Education / Broad River / 32811

DIVISION / SECTION / UNIT

Columbia / Richland 4.0

CITY / COUNTY

CODE

UB16/0013

SUPERVISOR CLASS / CLASS CODE / SLOT

POSITION STATUS ☒ F MERIT SYSTEM STATUS ☒ N

TEMPORARY POSITION ☐ L

F 40000 2080

P/P

HOURS / WEEK

BASE / HOURS

AGENCY
FIELDS

850

CITY / COUNTY

32211

CITY / COUNTY

STATE PERSONNEL USE

GENEVA M MARTIN

000132777

OLD: N04-UB13-0082

NEW N04-UB02-0082

Classroom TEACHER

APPROVED CLASS TITLE

E

FLSA

DA

APPROVAL

1-30-01

DATE

Update

REQUESTED ACTION (RECLASS UPDATE BU HRS OR PROGRAM CHANGE)

Classroom TEACHER

REQUESTED CLASSIFICATION

THE FOLLOWING SECTION OF THE POSITION DESCRIPTION IS TO BE COMPLETED BY THE SUPERVISOR

- What knowledge, skills and abilities are needed by an employee upon entry to this job? Where / how would an individual normally acquire these knowledge, skills and abilities?
STATE MINIMUM REQUIREMENTS
Minimum training and experience requirements for educational positions are determined by the Division of Educational Services in conjunction with the Education Reform Act and the South Carolina Department of Education, to include current South Carolina Teacher's Certification
SC DE REQUIREMENTS
Baccalaureate Degree Valid SC Teacher's Certificate

- Describe the guidelines and supervision an employee receives in order to do this job, including the employee's independence and discretion

- Daily on-site supervision by school principal through verbal and written communications
- Annual merit review

- Supervisor's comments

4

Bobby L. Kene

SUPERVISOR'S SIGNATURE

1-26-2001

(Back)

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

THIS SECTION OF THE DESCRIPTION IS TO BE COMPLETED BY THE INCUMBENT

1 JOB PURPOSE

Under limited supervision teaches a group of students either of elementary or secondary level in assignments requiring demonstrated practical experience. Plans and conducts classes based on grade level and/or ability of students.

2 ESSENTIAL AND MARGINAL FUNCTIONS

		Percentage of Time
1	Interview incoming students to establish learning rapport. (Essential)	5%
2	Maintains records of student attendance and progress and provides informational reports as required. (Essential)	10%
3	Plans and prepares student learning activities including developing curriculum based on student needs, abilities and interest to be utilized in the learning process. (Essential)	10%
4	Provide appropriate instruction to students according to their needs, abilities and interests to ensure student progress. (Essential)	55%
5	Maintains a learning environment within the classroom. (Essential)	5%
6	Provides supervision that safeguards students and aids security. (Essential)	5%
7	Maintains teacher competency in the area of assignment. (Essential)	5%
8	Performs other educational and related duties as required.	5%

3 SUPERVISORY RESPONSIBILITIES

CLASSIFICATION TITLES OF THREE HIGHEST LEVEL SUBORDINATES

NUMBER

- (1) _____
- (2) _____
- (3) _____

TOTAL NUMBER OF EMPLOYEES SUPERVISED _____

4 COMMENTS

5 THIS SECTION OF THE DESCRIPTION WAS COMPLETED BY

Division of Educational Services

(PLEASE PRINT)

6 THE ABOVE DESCRIPTION IS AN ACCURATE AND COMPLETE DESCRIPTION OF MY JOB

Geneva Master
(INCUMBENT'S SIGNATURE)

1/29/01
DATE

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

116174 014640 JD30 1422

7301 2104

BRAD RIVER CORRECTIONAL INSTITUTION

BRAD RIVER Correctional Inst.
DIVISION / SECTION / UNITColumbia/Richland
CITY / COUNTYCort. Off. Asst. Supv
SUPERVISOR CLASS / CLASS CODE / SUPVPOSITION STATUS ☒ V MERIT SYSTEM STATUS ☒ N

STATE PERSONNEL USE

CLASS CODE 17131011

CLASS CODE 1074281

Correctional Officer II

Pat. Boynton

July, 1987

SOURCE OF FUNDING									
STATE	1	0	0	0	0	0	0	0	0
FEDERAL									
OTHER									

() RECLASS () UPDATE (X) NEW POSITION

AGENCY FIELDS

Correctional Officer II

THE FOLLOWING SECTION OF THE POSITION DESCRIPTION IS TO BE COMPLETED BY THE SUPERVISOR

1 What knowledge, skills and abilities are needed by an employee upon entry to this job? Where / how would an individual normally acquire these knowledge, skills and abilities?

High School graduate or State High School Equivalency Certificate.

Satisfactory completion of academic and on-the-job training in the SCDC as required for certification as a Correctional Officer

One year work experience in correctional security or police work

2 Describe the guidelines and supervision an employee receives in order to do this job, including the employee's independence and discretion. Incumbent is supervised by direct observation and unannounced inspections by his immediate supervisor and by review and reports by the facility head and other management officials.

3 Supervisor's comments An ability to supervise, direct and control the activities of persons in subordinate positions and to influence inmates to adhere to desired behavior standards is desirable.

SUPERVISOR'S SIGNATURE

DATE

OTHER REQUIRED SIGNATURE

DATE

STATE OF SOUTH CAROLINA

POSITION DESCRIPTION

THIS SECTION OF THE DESCRIPTION IS TO BE COMPLETED BY THE INCUMBENT

1 JOB PURPOSE

The incumbent is responsible for maintaining proper security and safety standards for all inmates and public property under his control. He must make security checks and inspections of the entire working environment and correct or report to proper authority all shortcomings and deficiencies. The incumbent must prepare written reports of daily activities, and written reports of disciplinary infractions, accidents and incidents. He must develop and maintain a professional rapport with all inmates under his control and maintain a cooperative relationship with his coworkers and other employees in the working environment.

2 JOB TASKS

Percentage
of Time

- 1 Supervises inmates in their living quarters, cafeteria, work area, recreation area and outside their assigned facility, e.g. in transit, on sick call, in court, etc.
- 2 Makes prescribed security inspections and searches of specified buildings, building contents, grounds, vehicles, people (inmates visitors & employees) and take appropriate corrective action.
- 3 Makes prescribed periodic counts of inmates and submits required reports to specified authorities.
- 4 Maintains and operates security devices such as gates and doors (manual and electric), "dead lock," weapons (lethal & non-lethal), and mechanical restraining devices.
- 5 Makes sanitation and safety inspections of buildings and building contents, grounds, and vehicles and corrects or reports shortcomings and deficiencies.
- 6 Prepares and submits written reports on daily activities, disciplinary infractions, accidents and incidents.
- 7 Develops and maintains a professional rapport with all inmates under his control to include compassionate and active response to their problems and complaints, refers them to appropriate persons for assistance assists them in adjusting to new jobs and the environment, and resolves verbal and physical disputes among inmates.
- 8 Performs other related duties when directed.

SUPERVISORY RESPONSIBILITIES

CLASSIFICATION TITLES OF THREE HIGHEST LEVEL SUBORDINATES

NUMBER

- (1) _____
- (2) _____
- (3) _____

TOTAL NUMBER OF EMPLOYEES SUPERVISED _____

COMMENTS

THIS SECTION OF THE DESCRIPTION WAS COMPLETED BY _____

6. THE ABOVE DESCRIPTION IS AN ACCURATE AND COMPLETE DESCRIPTION OF MY JOB.

(PLEASE PRINT)

(INCUMBENT'S SIGNATURE)

DATE

FD-204 (Rev. 7-78)

AGENCY COPY

PERI320D
PERI320M
PERTRANA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
PERSONNEL MANAGEMENT SYSTEM
REVIEW INFORMATION

11/25/08
C000175

SSN/EMPL#> 024457

> MARTIN, GENEVA M

> CORRECTIONAL OFFICER I

	DATE	EFFECTIVE	REASON	JCLS/BAND/LEVEL	BASE SALARY	PERF	F/P	A/I
-	12/02/04	12/02/04	01	JD30 03 E			F	A
-	12/02/03	12/02/03	01	JD30 03 E		MR	F	A
-	06/02/02✓	06/02/02	01	UB02 00		ER	F	A
-	06/02/01	06/02/01	01	UB13 00		ER	F	A
-	06/02/00	06/02/00	01	UB13 00		ER	F	A
-	06/02/99	06/02/99	01	UB13 00		ER	F	A
-	11/03/98	11/17/98	01	UB13 00		MR	F	A
-	06/02/98	06/02/98	01	UB13 00		ER	F	A

LONGEVITY
HISTORY

EFFECTIVE AGENCY CLASS/LEVEL BAND INCREASE F/P A/I

ENTER=INQ PF1=ADD PF2=MODIFY PF4=FETCH PF5=CALC NEW DATE PAGE (0001)
8 REVIEW HISTORIES LISTED

4- 1 Sess-1 167 7 50 33 SCDC1174 5/12

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name _____ MARTIN GENEVA M
CLASSROOM TEACHER
Organizational L BROAD RIVER CORRECTIONAL INSTITUTION _____
Position/Title 9007/Classroom Teacher
Date Assigned to _____
Performance Period
From April 1, 2001 To March 31, 2002

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager, utilizing suggestions from the supervisor or non supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration. All management and supervisory employees are required to be reviewed on promoting equal opportunity

Objectives. The objectives section allows for managers to document special projects/programs or career development requested by the employee **Objectives may be identified for management, supervisory and non-supervisory employees** However, it is suggested all management and supervisory employees have at **least one objective.**

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period After this discussion, the supervisor shall complete the planning stage document. Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature. The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the **entire period** Job duties, performance characteristics, and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage

Once the manager has completed the evaluation document, it will be presented to the reviewing official and concurring official, if applicable, for signature. The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period. Success Criteria must be developed for each objective The objectives section should not have a total weight value to exceed 25%

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective. Success criteria are not required for performance characteristics However, each performance characteristic shall be defined.

Performance Characteristics shall be given a rating of acceptable/unacceptable

- **Acceptable - Meets Requirements**
- **Unacceptable - Fails To Meet Requirements**

Performance Level Criteria

Substantially Exceeds Performance Requirements (3). Work that is characterized by exemplary accomplishments throughout the rating period, performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements (1) Work that meets the success criteria of the job

Below Performance Requirements (0) Work that fails to meet the success criteria of the job

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties), as outlined in the employee's job description. If the job description is incorrect, it should be updated at the time the planning stage is completed

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section, The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors.

Example of Appraisal Completion

<u>Job Duties</u>	<u>Example Weight Factor</u>	x	<u>Example Perform Level</u>	=	<u>Weighted Average</u>
1	20%		3		60
2	15%		2		30
3	20%		1		20
4	10%		1		10
5	5%		3		15
6	5%		2		10
<u>Total</u>	<u>75%</u>				<u>145</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Objectives					
1	10%		2		20
2	10%		1		10
3	5%		1		05
<u>Total</u>	<u>25%</u>				<u>35</u>
Average Weighted Review Total	100%				1.80

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level = 0-123	Weighted Average
1	<u>Job Duty</u> <u>Interviews incoming students to establish learning rapport.</u> <u>Success Criteria</u> <u>Interviews all students assigned to class and develops an individual education plan (IEP) with the students based on diagnostic profile of test scores, needs and interests.</u> <u>Actual Performance</u> _____	<u>5</u>	<u>2</u>	<u>10</u>
2	<u>Job Duty</u> <u>Maintains records of student attendance and progress and provides informational reports as required.</u> <u>Success Criteria</u> <u>Individual folders will be set up on each student with the IEP, student test data and on-going student progress documentation. Ensures that attendance records and reports are accurate. Student progress documentation shall reflect level, type and date of instruction, including student feed back through teacher assessment. Maintains EIA remedial basic skill sheets on EPA students where applicable. Maintains Chapter I records where applicable.</u> <u>Actual Performance</u> _____	<u>10</u>	<u>2</u>	<u>20</u>
3	<u>Job Duty</u> <u>Plans and prepares student learning activities, including developing curriculum based on students needs, abilities and interests to be utilized in the learning process.</u> <u>Success Criteria</u> <u>Reviews and selects instructional materials that are relevant. Selects audio-visual media, including the use of computer assisted instruction. Ensures that sufficient instructional materials are available. Ensures that A/V equipment are functional.</u> <u>Actual Performance</u> _____	<u>10</u>	<u>2</u>	<u>20</u>
4	<u>Job Duty</u> <u>Provides appropriate instruction to students according to their needs, abilities and interests to ensure student progress.</u> <u>Success Criteria</u> <u>Ensures that an individualized plan of assessing student needs, identifying deficiencies, prescribing instructional activities and evaluating progress are used for each student. Uses a variety of teaching techniques and strategies. Uses a variety of appropriate instructional materials and equipment which support teaching activities. Provides special assistance to students who need it. Maintains a minimum loss of instructional time. Records student activities daily.</u> <u>Actual Performance</u> _____	<u>5</u>	<u>2</u>	<u>10</u>

Section I
JOB DUTIES
(From Position Description)

Weight Perform Weighted
Factor x Level = Average
% 0-123

5 Job Duty Maintains a learning environment within the classroom.

Success Criteria Uses consistent rules and demonstrates firmness in student discipline and order. Maintains reasonable control over disruptive behavior. Uses stimulating techniques to motivate students
Neatness and cleanliness of classroom is evident.
Actual Performance _____

5 2 .10

6 Job Duty Provides supervision that safeguards students and aids in security.

Success Criteria Follows institutional security regulations consistently in regard to students, materials and equipment.

Actual Performance _____

5 2 .10

7 Job Duty Maintains Teacher competency in the area of assignment.

Success Criteria Attends all mandatory inservice training sessions. Participates in special training sessions in area of assignment. Demonstrates reasonable success in student progress. Keeps certificates updated.
Actual Performance _____

5 1 .05

8 Job Duty Performs other educational and related duties as requires

Success Criteria The extent to which additional assignments are completed.

Actual Performance _____

5 2 .10

Total Section I Summary Rating:

100% 1.95

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

1 Characteristic Promoting Equal Opportunity

Definition Meets agency affirmative action goals in such areas as hiring, promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees Only)

2 Characteristic Leadership

Definition Employee can be relied upon to guide others to the accomplishment of objectives/responsibilities and outcomes, develop teamwork, and resolve conflict.

3 Characteristic Problem Analysis

Definition Able to identify problems and relevant issues and breaks problems into components; sees relationships and alternative solutions and arrives at sound conclusions through logical process, able to evaluate services rendered.

4 Characteristic Judgement

Definition Able to reason, compare, understand, and think rationally on the job, makes quality work-related decisions based on sound conclusions and separates facts from opinions, able to assess the achievement of others and translate into a corrective action plan.

5 Characteristic Job Knowledge

Definition Knows the details of the job and follows all job procedures accurately

6 Characteristic Technical Competence

Definition Possesses necessary knowledge to effectively perform job and able to apply what he/she has learned about his/her job.

7 Characteristic Internal Relations

Definition Degree to which one works effectively and cooperatively with others and other departments in achieving organizational goals and expected outcomes. Degree of responsiveness to organizational changes.

8 Characteristic Communication Ability

Definition Ability of the employee to present accurate information to other employees, peers, and superiors and to enhance the flow of information to inform management.

9 Characteristic Quality of Work

Definition Neatly, thoroughly, and accurately completes job assignments according to established standards of quality.

10 Characteristic Safety

Definition Follows established safety practices and corrects unsafe work practices on the job, capable of creating a positive and disciplined environment.

A

A

A

A

A

A

A

A

A

A

Section III
OBJECTIVES SECTION

	Weight Factor %	Perform x Level = 0-1 2-3	Weighted Average
1 Objective: _____ _____ Success Criteria. _____ _____ _____ Actual Performance. _____ _____ _____	_____	_____	_____
2 Objective _____ _____ Success Criteria. _____ _____ _____ Actual Performance. _____ _____ _____	_____	_____	_____
3 Objective _____ _____ Success Criteria _____ _____ _____ Actual Performance. _____ _____ _____	_____	_____	_____
4 Objective _____ _____ Success Criteria. _____ _____ _____ Actual Performance _____ _____ _____	_____	_____	_____
Total Section III Summary Rating:		_____	_____

Section IV
SUMMARY AND IMPROVEMENT PLAN

1. Identify employee's performance strengths

WORK effectively with all academic levels

2. Identify employee's areas in need of improvement.

Continue to work on plan to stay in classroom as much as possible!

3. Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance

Agency needs to provide meaningful Training and stay abreast with Training Requirements

V Summary rating for each section.

Job Duties Section I

Objectives - Section III

Appraisal Overall Weighted Average Total

(2.5 3.0 = Substantially Exceeds Performance Requirements)

(1.5 2.49 = Exceeds Performance Requirements)

(0.5 1.49 = Meets Performance Requirements)

(0.0 0.49 = Below Performance Requirements)

Weighted
Average

1.95

1.95

VI. Justification For Below or Substantially Exceeds Rating:

VII Employee Comment

VIII Planning /stage

Rating Supervisor

Billy L. Hendon

Date 5-3-2001

Reviewing Official

Ray E. R. R.

Date 5-3-01

Concurring Official

Date _____

Employee

Geneva Martin

Date 5-4-01

(My signature indicates that I have discussed the planning stage and position description with my supervisor - not that I necessarily agree.)

IX. Evaluation Stage

Rating Supervisor

Genevina Thomas

Date 4-24-02

Reviewing Official

Ray E. R. R.

Date 4/24/02

Concurring Official

Date _____

Employee

Geneva Martin

Date 4-29-02

(My signature indicates that I have discussed the planning stage and position description with my supervisor - not that I necessarily agree.)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
MERIT/JOB PERFORMANCE NOTIFICATION

JOB CLASS JD30 SLOT 1834
TITLE CORRECTIONAL OFFICER I
OHR POS # P1 000038444 SCDC POS # 011024
GRADE 03 FUND SOURCE 41000

ADDRESSEE WHITE, WILLIAM M
BUDGET UNIT. 32211 BROAD RIVER CORRECTIONAL INSTITUTION

RUN DATE 08/21/03

EMPLOYEE NAME MARTIN, GENEVA M SOC SEC # 425-88-0743
BUDGET UNIT 32211 BROAD RIVER CORRECTIONAL INSTITUTION PROGRAM. 211

TYPE REVIEW EFFECTIVE DATE PAYROLL DATE
(X) MERIT REVIEW 12/02/03 12/02/03 01/01/04

I OVERALL RATING AND SALARY INFORMATION
WEIGHTED RATING
AVERAGE

() BELOW
1.45 (X) MEETS
() EXCEEDS
() SUBSTANTIALLY
EXCEEDS

RECEIVED

OCT 08 2003

BRCI PERSONNEL

COMMENTS

THE EVALUATION, POSITION DESCRIPTION AND NEW PLANNING STAGE HAVE BEEN
REVIEWED WITH THE ABOVE EMPLOYEE

M. L. King
RATING OFFICIAL

10-07-2003
DATE

W. J. W. Nutt
REVIEWING OFFICIAL

10-7-03
DATE

CONCURRING OFFICIAL

DATE

MY EVALUATION, POSITION DESCRIPTION AND NEW PLANNING STAGE HAVE BEEN REVIEWED
WITH ME MY SIGNATURE ACKNOWLEDGES THAT MY SUPERVISOR HAS REVIEWED WITH ME
THE FOLLOWING AGENCY POLICIES EMPLOYEE INMATE RELATIONS(ADM 11 34), EMPLOYEE
CONDUCT(ADM 11 17) AND STAFF SEXUAL MISCONDUCT WITH AN INMATE(ADM 11 39)

x Geneva Martin
EMPLOYEE

10-7-03
DATE

DISTRIBUTION - ORIGINAL - PAYROLL SECTION
COPY - PERSONNEL FILE

EDIT BY

RETURN ONLY THE ORIGINAL OF THIS COMPLETED FORM TO PAYROLL, BENEFITS AND
ATTENDANCE RECORDS BRANCH BY 10/31/03

Return to BRCI Personnel 10/9/03

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
NON-MANAGEMENT FORM

Name Geneva M Martin Position/Classification/Title Correctional Officer I & II
Organizational Unit 3221 Location BCT
Date Assigned to Current Position _____ State Employment Date _____
Performance Period
From _____ To _____

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The supervisor shall select job duties from the employee's most recent position description and develop success criteria for each job duty.

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the supervisor and employee from a list developed by the Division of Personnel Administration.

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties for the upcoming period. After this discussion, the supervisor shall complete the planning stage document. Prior to discussing the completed planning stage with the employee, the supervisor will present the final document to the reviewing and concurring official if applicable for signature. The supervisor will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

Evaluation Stage

The supervisor will complete the evaluation document based on the employee's performance for the **entire** period. Job duties and performance characteristics shall be rated on how well the employee has met the success criteria as outlined in the planning stage.

Once the supervisor has completed the evaluation document, it will be presented to the reviewing official and concurring official if applicable for signature. The supervisor will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments.

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty. Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined.

Performance Level Criteria

Substantially Exceeds Performance Requirements (3) Work that is characterized by exemplary accomplishments throughout the rating period, performance that is considerably and consistently above the success criteria of the job.

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements (1) Work that meets the success criteria of the job.

Below Performance Requirements (0) Work that fails to meet the success criteria of the job.

* **Performance Characteristics** shall be given a rating of acceptable/unacceptable

- **Acceptable - Meets Requirements**
- **Unacceptable - Fails To Meet Requirements**

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties) as outlined in the employee's job description. If the job description is incorrect, it should be updated at the time the planning stage is completed.

The Job Duties section accounts for all of the employee's workload and should carry a total weight factor of 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section. The Objectives section is not required to be completed for Non Managerial employees.

Example of Appraisal Completion

	Example Weight Factor	x	Example Perform Level	=	Weighted Average
Job Duties					
1	25%		3		75
2	20%		2		40
3	15%		1		15
4	15%		1		15
5	10%		3		30
6	15%		2		30
<u>Total</u>	<u>100%</u>				<u>205</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Average Weighted Review Total	100%				205

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	x	Perform Level 0 1 2 3	Weighted = Average
1	Job Duty <u>Supervises inmates (Living quarters, work areas, in transit, etc)</u>				
	Success Criteria <u>Ensures inmate assignments are carried out, monitors all inmate activity ensuring order and control</u>				
	Actual Performance _____	50%			
2	Job Duty <u>Conducts security checks (Inspections, searches)</u>				
	Success Criteria <u>Ensures security & compliance with post description as defined by the institution</u>				
	Actual Performance _____	10%			
3	Job Duty <u>Prepares and submits written reports as necessary</u>				
	Success Criteria <u>Prepares and submits required institutional reports without error in accordance with institutional guidelines and time frames</u>				
	Actual Performance _____	10%			
4	Job Duty <u>Safely operates and maintains security devices (Gates, weapons, restraints, etc)</u>				
	Success Criteria <u>Ensures proper operation and use of security devices in accordance with institutional training guidelines and policies</u>				
	Actual Performance _____	5%			

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	x	Perform Level 0 1 2 3	Weighted = Average
5	Job Duty <u>Maintains safety and sanitation standards</u>				
	Success Criteria <u>Monitors and observes safety and sanitation standards and reports all violations</u>				
	Actual Performance _____	5%			
6	Job Duty <u>Responds to inmate problems, complaints and needs</u>				
	Success Criteria <u>Handles problems and/or incidents involving inmates in a professional manner and refers to appropriate personnel within institutional time frames</u>				
	Actual Performance _____	15%			
7	Job Duty <u>Conducts formal and informal counts of inmates and reports to appropriate personnel any discrepancies</u>				
	Success Criteria <u>In compliance with institutional policies and procedures, conducts and ensures accuracy of inmate head count</u>				
	Actual Performance _____	5%			
8	Job Duty _____				
	Success Criteria _____				
	Actual Performance _____				
Section I Summary Rating		100%			

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

1	Characteristic	<u>Self Management</u>	_____
	Definition	<u>Works with minimal supervision, manages own time effectively, maintains control on all current projects/responsibilities and ensures follow up</u>	
2	Characteristic	<u>Job Knowledge</u>	_____
	Definition	<u>Knows the details of the job and follows all job procedures accurately</u>	
3	Characteristic	<u>Quality of Work</u>	_____
	Definition	<u>Neatly, thoroughly, and accurately completes job assignments according to established standards of quality</u>	
4	Characteristic	<u>Judgement</u>	_____
	Definition	<u>Able to reason, compare, understand, and think rationally on the job Makes quality work related decisions based on sound conclusions and separates facts from opinions</u>	
5	Characteristic	<u>Initiative</u>	_____
	Definition	<u>Starts assignments without prompting and independently contributes ideas and projects Sees and acts upon new opportunities Thinks and acts independently and promptly undertakes problems</u>	
6	Characteristic	<u>Dependability</u>	_____
	Definition	<u>Employee can be relied upon to meet work schedules and fulfill job responsibilities and commitments</u>	
7	Characteristic	<u>Adaptability</u>	_____
	Definition	<u>Employee can adapt to job or organizational changes</u>	
8	Characteristic	<u>Communication Ability</u>	_____
	Definition	<u>Ability of the employee to present accurate information to other employees, peers, and superiors</u>	
9	Characteristic	_____	_____
	Definition	_____	
10	Characteristic	_____	_____
	Definition	_____	



Section III
SUMMARY AND IMPROVEMENT PLAN

1 Identify employee's performance strengths

2 Identify employee's areas in need of improvement

3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance

IV Summary rating for each section

Job Duties Section I

Appraisal Overall Weighted Average Total

(2 5 3 0 = Substantially Exceeds Performance Requirements)

(1 5 2 49 = Exceeds Performance Requirements)

(0 5 1 49 = Meets Performance Requirements)

(0 0 0 49 = Below Performance Requirements)

Weighted
Average

V Justification For Below or Substantially Exceeds Rating

VI Employee Comment

VII Planning Stage

Rating Supervisor M. O. DESHAY
Reviewing Official M. O. DESHAY
Concurring Official _____
Employee x Geneva Martin

Date 10-07-03
Date 10-7-03
Date _____
Date 10-7-03

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

VIII Evaluation Stage

Rating Supervisor _____ Date _____
Reviewing Official _____ Date _____
Concurring Official _____ Date _____
Employee _____ Date _____

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
NON-MANAGEMENT FORM

Name G E N E V A M M A R T I N Position/Classification/Title Correctional Officer I & II
Organizational Unit 32211 Location B R C I
Date Assigned to Current Position _____ State Employment Date _____
Performance Period
From _____ To _____

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The supervisor shall select job duties from the employee's most recent position description and develop success criteria for each job duty

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the supervisor and employee from a list developed by the Division of Personnel Administration

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties for the upcoming period. After this discussion, the supervisor shall complete the planning stage document. Prior to discussing the completed planning stage with the employee, the supervisor will present the final document to the reviewing and concurring official if applicable for signature. The supervisor will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

Evaluation Stage

The supervisor will complete the evaluation document based on the employee's performance for the **entire** period. Job duties and performance characteristics shall be rated on how well the employee has met the success criteria as outlined in the planning stage.

Once the supervisor has completed the evaluation document, it will be presented to the reviewing official and concurring official if applicable for signature. The supervisor will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments.

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty. Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined.

Performance Level Criteria

Substantially Exceeds Performance Requirements (3) Work that is characterized by exemplary accomplishments throughout the rating period; performance that is considerably and consistently above the success criteria of the job.

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements (1) Work that meets the success criteria of the job.

Below Performance Requirements (0) Work that fails to meet the success criteria of the job.

* **Performance Characteristics** shall be given a rating of acceptable/unacceptable

- **Acceptable - Meets Requirements**
- **Unacceptable - Fails To Meet Requirements**

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties) as outlined in the employee's job description. If the job description is incorrect, it should be updated at the time the planning stage is completed.

The Job Duties section accounts for all of the employee's workload and should carry a total weight factor of 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section. The Objectives section is not required to be completed for Non Managerial employees.

Example of Appraisal Completion

	Example Weight Factor	x	Example Perform Level	=	Weighted Average
Job Duties					
1	25%		3		75
2	20%		2		40
3	15%		1		15
4	15%		1		15
5	10%		3		30
6	15%		2		30
<u>Total</u>	<u>100%</u>				<u>205</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Average Weighted Review Total	100%				205

Section I
JOB DUTIES
(From Position Description)

Weight Factor %	x	Perform Level 0 1 2 3	Weighted = Average

1 Job Duty Supervises inmates (Living quarters, work areas, in transit, etc)

Success Criteria Ensures inmate assignments are carried out, monitors all inmate activity ensuring order and control

Actual Performance <u>Mrs Martin does a satisfactory job in supervising inmates in the work area, as they move on compound and cafeteria.</u>	50%	<u>1</u>	<u>50</u>

2 Job Duty Conducts security checks (Inspections, searches)

Success Criteria Ensures security & compliance with post description as defined by the institution

Actual Performance <u>She make through inspections of inmates work area and cafeteria</u>	10%	<u>2</u>	<u>20</u>

3 Job Duty Prepares and submits written reports as necessary

Success Criteria Prepares and submits required institutional reports without error in accordance with institutional guidelines and time frames

Actual Performance <u>She is very good in submitting written reports</u>	10%	<u>2</u>	<u>20</u>

4 Job Duty Safely operates and maintains security devices (Gates, weapons, restraints, etc)

Success Criteria Ensures proper operation and use of security devices in accordance with institutional training guidelines and policies

Actual Performance <u>she constantly pats down inmates. She is trained with weapons, restraints and operating the gates</u>	5%	<u>2</u>	<u>10</u>

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	x	Perform Level 0 1 2 3	Weighted = Average
5 Job Duty <u>Maintains safety and sanitation standards</u>				
Success Criteria <u>Monitors and observes safety and sanitation standards and reports all violations</u>				
Actual Performance <u>Trained in observing and maintaining high sanitation standards</u>	5%		<u>2</u>	<u>10</u>
6 Job Duty <u>Responds to inmate problems, complaints and needs</u>				
Success Criteria <u>Handles problems and/or incidents involving inmates in a professional manner and refers to appropriate personnel within institutional time frames</u>				
Actual Performance <u>She is very experience in ensuring inmates perform and act in a professional manner</u>	15%		<u>2</u>	<u>30</u>
7 Job Duty <u>Conducts formal and informal counts of inmates and reports to appropriate personnel any discrepancies</u>				
Success Criteria <u>In compliance with institutional policies and procedures, conducts and ensures accuracy of inmate head count</u>				
Actual Performance <u>Mrs Martin is very capable and efficient in performing counts</u>	5%		<u>1</u>	<u>5</u>
8 Job Duty <u>Mrs Martin is presently performing duties in education and area as assigned</u>				
Success Criteria <u>Her experience as a teacher in education has given her a broad range of experience in corrections</u>				
Actual Performance <u>Her past experience in education is enhancing her abilities to be a good performer in corrections</u>				
Section I Summary Rating	100%			<u>145</u>

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

1	Characteristic	Self Management	<u>A</u>
	Definition	Works with minimal supervision, manages own time effectively, maintains control on all current projects/responsibilities and ensures follow up	
2	Characteristic	Job Knowledge	<u>A</u>
	Definition	Knows the details of the job and follows all job procedures accurately	
3	Characteristic	Quality of Work	<u>A</u>
	Definition	Neatly, thoroughly, and accurately completes job assignments according to established standards of quality	
4	Characteristic	Judgement	<u>A</u>
	Definition	Able to reason, compare, understand, and think rationally on the job Makes quality work related decisions based on sound conclusions and separates facts from opinions	
5	Characteristic	Initiative	<u>A</u>
	Definition	Starts assignments without prompting and independently contributes ideas and projects Sees and acts upon new opportunities Thinks and acts independently and promptly undertakes problems	
6	Characteristic	Dependability	<u>A</u>
	Definition	Employee can be relied upon to meet work schedules and fulfill job responsibilities and commitments	
7	Characteristic	Adaptability	<u>A</u>
	Definition	Employee can adapt to job or organizational changes	
8	Characteristic	Communication Ability	<u>A</u>
	Definition	Ability of the employee to present accurate information to other employees, peers, and superiors	
9	Characteristic		<u> </u>
	Definition		
10	Characteristic		<u> </u>
	Definition		

Section III
SUMMARY AND IMPROVEMENT PLAN

1 Identify employee's performance strengths

CREDENTIALS AND SERVICE ARE EVIDENCE!

2 Identify employee's areas in need of improvement

CONTINUE TO WORK DIFFERENCE POST TO BROADEN HORIZON

3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance

CONTINUE HIGH STANDARD WITH BEING FAIR BUT FIRM

IV Summary rating for each section

Job Duties Section I

Appraisal Overall Weighted Average Total

(2 5 3 0 = Substantially Exceeds Performance Requirements)

(1 5 2 49 = Exceeds Performance Requirements)

(0 5 1 49 = Meets Performance Requirements)

(0 0 0 49 = Below Performance Requirements)

Weighted
Average

1.45

V Justification For Below or Substantially Exceeds Rating

VI Employee Comment

VII Planning Stage

Rating Supervisor _____ Date _____
Reviewing Official _____ Date _____
Concurring Official _____ Date _____
Employee _____ Date _____

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

VIII Evaluation Stage

Rating Supervisor [Signature] Date 10-07-03
Reviewing Official [Signature] Date 10-7-03
Concurring Official _____ Date _____
Employee Geneva Martin Date 10-7-03

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

PERI270D EMPLOYEE INQUIRY 12/01/08
 PERI270M 01/09/2004

SSN > 425-88-0743 EMPL # > 024457 STATUS> T 710
 NAME > MARTIN GENEVA M SCDC # > 011024 OHR #> P1 000038444
 STREET > 2218 GADSDEN STREET JCLS/BAND/LEVEL > JD30 03 E
 CITY > COLUMBIA SC 29201-0000 SLOTT > 1834 JOB COUNTY > 40
 CONTACT PHONE > 803-238-4554 COUNTY > 40 SECURITY IND> 2 FLSA > 2
 WORK PHONE > 803-896-2234 III BROAD RIVER CORRECTIONAL INSTI
 EDUCATION LEVEL > 18 BASE PAY > 26 909 WORK HOURS > 40 00
 HIRE DATE > 11/03/97 SPEC INCEN > RACE > WHITE
 STATE HIRE DATE> 11/03/97 ADD BEN > SEX > FEMALE
 REVIEW DATE > 12/02/04 EMER RES TEAM> EMER TEAM >
 PROB END DATE > SPECIAL PAY > CITIZEN > YES
 CONT SERV DATE > 11/03/97 TOTAL ANNUAL > 26 909 MARITAL > MARRIED
 SEC SERV DATE > 11/03/97 SEC STEP > 02 06/02/03
 BIRTH DATE > 03/06/44 SEMI-MONTHLY > 1,121 20 FED CAT > 04
 RETIRE SYSTEM > POLICE HOURLY RATE > 12 93 CERTIFIED > N 08/21/03
 RETIRE IND > N A/L PAY > Y FILING STATUS> MARRIED
 FUND > 41000 > 1 0000 BUDGET > 32211 FED EXEMPT > 04
 > > BCLASS > 015800 STATE EXEMPT > 04
 > > PGM > 211

PF4=FETCH EMPLOYEE PF5=DEDUCTIONS PF6=ONE-TIME PAY PF7=EARNINGS PF8=UPDATE
 > EMPLOYEE INFORMATION DISPLAYED

4-6 1 Sess-1 167 7 50 33 SCDC1319 3/10

)

STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE

Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)

SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008

DOCUMENTS REGARDING
MARY H. McCABE

PERI310D
PERI310M
PERTRANA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
HUMAN RESOURCES MANAGEMENT SYSTEM
SALARY HISTORY

12/01/08

SSN > 250-82-6872 > MCCABE MARY H

> CERTIFIED TEACHER

	EFF DATE	REASON CODE	SEC STEP	LOC	CLASS CODE	BND	LVL	SLOT	FLSA CDE	BASE SALARY	ADDL BENEFITS	ANNUAL SALARY
-	06/02/08	03		31161	UB02	00		0035	1	69511	0 00	69511
-	06/02/07	03		31161	UB02	00		0035	1	66389	0 00	66389
-	06/02/06	03		31161	UB02	00		0035	1	63325	0 00	63325
-	06/02/05	03		31161	UB02	00		0035	1	60360	0 00	60360
-	06/02/04	33		31161	UB02	00		0035	1	58056	0 00	58056
-	06/02/04	03		31161	UB02	00		0035	1	57488	0 00	57488
-	07/02/03	46		31161	UB02	00		0035	1	55814	0 00	55814
-	06/02/03	45	02	31191	JD30	03	E	0188	2	26909	3229 00	30138
-	06/02/02	03		31191	UB02	00		0088	1	54449	0 00	54449
-	05/23/02	25		31191	UB02	00		0088	1	53365	0 00	53365
-	06/02/01	03		31191	UB13	00		0088	1	53365	0 00	53365
-	06/02/00	03		31191	UB13	00		0088	1	47092	0 00	47092
-	06/02/99	03		31191	UB13	00		0088	1	42333	0 00	42333
-	06/02/98	03		31191	UB13	00		0088	1	39601	0 00	39601

PF4=FETCH EMPLOYEE PF2=MODIFY/DELETE PF1=ADD PF3=CHANGE CODE PAGE (0001)

4-0

1 Sess-1

167 7 50 33

SCDC1319

5/7

STATE OF SOUTH CAROLINA POSITION DESCRIPTION		STATE PERSONNEL USE															
SCDC USE ONLY <u>SC DEPT OF CORRECTIONS</u> AGENCY NAME <u>Mary McCabe</u> INCUMBENT'S NAME <u>Librarian UB13 D088</u> <u>Classroom Teacher</u> CURRENT CLASS / CLASS CODE / SLOT <u>038282</u> ~~010871~~ POSITION NUMBER <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <th colspan="3" style="font-size: small; text-align: left;">SOURCE OF FUNDING</th> </tr> <tr> <td style="width: 33%; height: 40px; vertical-align: bottom;"><u>010101B</u></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> <tr> <td style="font-size: x-small; text-align: center;">STATE</td> <td style="font-size: x-small; text-align: center;">FEDERAL</td> <td style="font-size: x-small; text-align: center;">OTHER</td> </tr> </table>	SOURCE OF FUNDING			<u>010101B</u>			STATE	FEDERAL	OTHER	<u>Educational Perry 131191</u> DIVISION / SECTION / UNIT <u>Greenville/Greenville 13</u> CITY / COUNTY CODE <u>UB16</u> SUPERVISOR CLASS / CLASS CODE / SLOT POSITION STATUS ☐ MERIT SYSTEM STATUS ☒ (1 & 1-1) OR VACANT TEMPORARY POSITION ☐ <table style="width: 100%;"> <tr> <td style="width: 33%;">☐</td> <td style="width: 33%;">☐</td> <td style="width: 33%;">☐</td> </tr> <tr> <td style="font-size: x-small; text-align: center;">1 YR</td> <td style="font-size: x-small; text-align: center;">MONTHS / WEEK</td> <td style="font-size: x-small; text-align: center;">DAYS / MONTH</td> </tr> </table>	☐	☐	☐	1 YR	MONTHS / WEEK	DAYS / MONTH	MARY H MCCABE 000038282 OLD: N04-UB13-0088 NEW N04-UB02-0088 <u>Classroom Teacher</u> <u>45</u> APPROVED CLASS TITLE FLOA <u>BAM</u> <u>2300</u> APPROVAL DATE <u>Update</u> IN CLERICAL, RECLASS, CREDIT, EMP THIS ONE MUST HAVE CHANGED
SOURCE OF FUNDING																	
<u>010101B</u>																	
STATE	FEDERAL	OTHER															
☐	☐	☐															
1 YR	MONTHS / WEEK	DAYS / MONTH															
AGENCY FIELDS <u>8210</u> CITY DISTRICT	<u>131191</u> OFFICE SYMBOL	DEPARTMENT CLASSIFICATION															

THE FOLLOWING SECTION OF THE POSITION DESCRIPTION IS TO BE COMPLETED BY THE SUPERVISOR

- 1 What knowledge, skills and abilities are needed by an employee upon entry to this job? Where/how would an individual normally acquire these knowledge, skills and abilities?
STATE MINIMUM REQUIREMENTS
Baccalaureate Degree Valid SC Teacher's Certificate and 24 hours of accredited library science courses
Two years teaching experience and/or library work
SCDC REQUIREMENTS
Minimum training and experience requirements for educational positions are determined by the Division of Educational Services in conjunction with the Education Reform Act and the South Carolina Department of Education to include current South Carolina Teacher's Certification.
- 2 Describe the guidelines and supervision an employee receives in order to do this job, including the employee's independence and discretion
 - 1 Daily on-site supervision by school principal through verbal and written communications
 - 2 Annual merit review

3 Supervisor's comments

4

3093

(Back)

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

THIS SECTION OF THE DESCRIPTION IS TO BE COMPLETED BY THE INCUMBENT

1 JOB PURPOSE

Under general supervision directs all phases of library services including program development, student assistance, reader assistance, library instruction, and inmate supervision

2 ESSENTIAL AND MARGINAL FUNCTIONS

	Percentage of Time
1 Provides reader assistance and service to all interested inmates, including the general population and satellite services (Essential)	25%
2 Creates, promotes, and implements library programs for readers and non-readers (Essential)	10%
3 Provides basic library skills instruction to all interested inmates (Essential)	15%
4 Provides supervision of library inmate workers (Essential)	15%
5 Provides input for materials selection (Essential)	10%
6 Provides for effective use of materials (Essential)	15%
7 Provides statistics and reports as required (Essential)	10%

3 SUPERVISORY RESPONSIBILITIES

CLASSIFICATION TITLES OF THREE HIGHEST LEVEL SUBORDINATES

NUMBER

(1) _____	_____
(2) _____	_____
(3) _____	_____

TOTAL NUMBER OF EMPLOYEES SUPERVISED _____

4 COMMENTS

THIS SECTION OF THE DESCRIPTION WAS COMPLETED BY

6 THE ABOVE DESCRIPTION IS AN ACCURATE AND COMPLETE DESCRIPTION OF MY JOB

(PLEASE PRINT)

Maryah McCate
(INCUMBENT'S SIGNATURE)

1/28/00
DATE

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

1 Job Purpose

Under general supervision, maintains proper security, discipline and safety for all inmates and property under his/her control, assists in counseling inmates regarding work habits and personal matters, develops and maintains a professional rapport with all inmates under his/her supervision and a cooperative relationship with co-workers and others in the working environment. Provides informal orientation/guidance as necessary. Documents and prepares written reports on situations both routine and unusual which occur at the facility. Positions assigned to this class would be found in a medium/maximum security correctional facility.

2 Job Functions

- 1 Supervises inmates in their living quarters, cafeteria, work area, recreation area and outside their assigned facility, e.g., in transit, on sick call, in court worksite, etc.
- 2 Makes regular security inspections and searches of facility, equipment, vehicles, people (inmates, visitors and employees), and grounds and takes appropriate corrective action.
- 3 Prepares and submits written reports on daily activities, disciplinary infractions, accidents and incidents.
- 4 Advises and counsels inmates, as necessary, concerning work habits and personal matters.
- 5 As necessary, may operate security devices such as gates and doors (manual and electric), "dead lock," weapons (lethal and non-lethal) and mechanical restraining devices.
- 6 Supervises inmates and assists in the maintenance of safety and sanitation standards of the facility.
- 7 Develops and maintains a professional rapport with all inmates under his/her control, may resolve verbal and physical disputes among inmates to include use of force when appropriate.
- 8 Investigates matters as assigned/delegated by higher authority.

Essential/ Marginal (E or M)	Percentage of Time
E	50
E	10
E	10
E	05
E	05
E	15
E	04
E	01

3 Position's Supervisory Responsibilities

If this position includes supervisory responsibilities, please indicate the state title and number of positions of the three highest subordinates.

STATE TITLE	NUMBER	Number of employees directly supervised
(1) _____	_____	_____
(2) _____	_____	_____
(3) _____	_____	Total number supervised _____

4 Comments

Actual duties within these parameters may vary in each facility. Post Orders for all positions are posted in all facilities and assigned to each post for which the incumbent must be thoroughly knowledgeable. Position requires incumbent to be weapons certifiable.

5. The above description is an accurate and complete description of this job.

Employee's Signature _____

Date _____

171

3072

Mary McCabe

Reduction in Force-Recall Statement

By signature shown below, I accept/decline the position offered to me by Recruiting and Employment Services for purposes of recall as defined by SCDC Policy ADM 11 05, Reduction in Force.

The position being offered is in my competitive area, has the same job class and band as previously held, is at the same or lower level as previously held, and is functionally similar to the position previously held

I understand that if I decline the position being offered or if I do not accept within two (2) working days of the offer, I waive any future recall rights

Date. 6/20/03

Mary McCabe
Accept/Decline (please circle)

Witness Annita Lane

Position Title Classroom Teacher

Job Class UB 02

Band/Level. N1A

Location Tyler River

#54, 449

Re-call back to full
Status

STATE OF SOUTH CAROLINA
POSITION DESCRIPTION

SCDC USE ONLY

SC DEPT OF CORRECTIONS

AGENCY NAME

Diane N. Austin

INCUMBENT'S NAME

Librarian / U813/0035

CURRENT CLASS / CLASS CODE / SLOT

1105866

POSITION NUMBER

SOURCE OF FUNDING		
<u>07500</u>		<u>02500</u>
STATE	FEDERAL	OTHER

Upper Yard
Educ / Tyger River / 31161

DIVISION / SECTION / UNIT

Enoree / Spartanburg 4.2

CITY / COUNTY

CODE

U816 / 0012

SUPERVISOR CLASS / CLASS CODE / SLOT

POSITION STATUS
(F) (V) (O) (VACANT)

F

MERIT SYSTEM STATUS

N

TEMPORARY POSITION

N

F 3750

STEP

100 2 100 3

ANNUAL

AGENCY
FIELDS

820

31161

CLASS / SECTION / UNIT

CLASS / SECTION / UNIT

STATE PERSONNEL USE

DIANE N AUSTIN

000105866

OLD: N04-U813-0035

NEW: N04-U802-0035

Classroom Tchr

APPROVED CLASS TITLE

5

PLSA

Bmm

APPROVAL

7600

DATE

update

Classroom Teacher

THE FOLLOWING SECTION OF THE POSITION DESCRIPTION IS TO BE COMPLETED BY THE SUPERVISOR

- What knowledge, skills and abilities are needed by an employee upon entry to this job? Where / how would an individual normally acquire these knowledge, skills and abilities?
STATE MINIMUM REQUIREMENTS
Baccalaureate Degree Valid SC Teacher's Certificate and 24 hours of accredited library science courses
Two years teaching experience and/or library work
SCDC REQUIREMENTS:
Minimum training and experience requirements for educational positions are determined by the Division of Educational Services in conjunction with the Education Reform Act and the South Carolina Department of Education to include current South Carolina Teacher's Certification
- Describe the guidelines and supervision an employee receives in order to do this job including the employee's independence and discretion

- Daily on-site supervision by school principal through verbal and written communications
- Annual merit review

3 Supervisor's comments

Randy Travis

4

SUPERVISOR'S SIGNATURE

6-200

DATE

OTHER REQUIRED SIGNATURE

DATE

-3074

(Back)

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

THIS SECTION OF THE DESCRIPTION IS TO BE COMPLETED BY THE INCUMBENT

1 JOB PURPOSE

Under general supervision directs all phases of library services including program development, student assistance, reader assistance, library instruction, and inmate supervision

2 ESSENTIAL AND MARGINAL FUNCTIONS

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2 Creates, promotes, and implements library programs for readers and non-readers (Essential)	10%
3 Provides basic library skills instruction to all interested inmates (Essential)	15%
4 Provides supervision of library inmate workers (Essential)	15%
5 Provides input for materials selection (Essential)	10%
6 Provides for effective use of materials (Essential)	15%
7 Provides statistics and reports as required (Essential)	10%
8 Performs other educational and related duties as required	5%

3 SUPERVISORY RESPONSIBILITIES

CLASSIFICATION TITLES OF THREE HIGHEST LEVEL SUBORDINATES

NUMBER

- (1) _____
- (2) _____
- (3) _____

TOTAL NUMBER OF EMPLOYEES SUPERVISED _____

4 COMMENTS

5 THIS SECTION OF THE DESCRIPTION WAS COMPLETED BY

Dv ut Education
(PLEASE PRINT)

6 THE ABOVE DESCRIPTION IS AN ACCURATE AND COMPLETE DESCRIPTION OF MY JOB


(INCUMBENT'S SIGNATURE) DATE 6-2-00

PERI320D
PERI320M
PERTRANA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
PERSONNEL MANAGEMENT SYSTEM
REVIEW INFORMATION

11/25/08
C000175

SSN/EMPL#> 019007

> MCCABE MARY H

> CERTIFIED TEACHER

	DATE	EFFECTIVE	REASON	JCLS/BAND/LEVEL	BASE SALARY	PERF	F/P	A/I
-	01/02/09	01/02/09	01	UB02 00				A
-	01/02/08	01/02/08	01	UB02 00		ER		A
-	01/02/07	01/02/07	01	UB02 00		MR		A
-	01/02/06	01/02/06	01	UB02 00		ER	F	A
-	01/02/05	01/02/05	01	UB02 00		ER	F	A
-	01/02/04	01/02/04	01	UB02 00		MR	F	A
-	06/02/02	06/02/02	01	UB02 00		ER	F	A
-	06/02/01	06/02/01	01	UB13 00		ER	F	A
-	06/02/00	06/02/00	01	UB13 00		SE	F	A
-	06/02/99	06/02/99	01	UB13 00		ER	F	A

LONGEVITY
HISTORY

EFFECTIVE

AGENCY CLASS/LEVEL BAND

INCREASE

F/P A/I

ENTER=INQ PF1=ADD PF2=MODIFY PF4=FETCH PF5=CALC NEW DATE PAGE (0001)

4-°

1 Sess-1

167 7 50 33

SCDC1174

5/12

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

N. MCCABE MARY H
CLASSROOM TEACHER
O PERRY CORRECTIONAL INSTITUTION
Position/Classification/Title UB13 Librarian
Location _____
Date Assigned to Current Position _____ State Employment Date _____
Performance Period From 4-02-02 To 3-31-03

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager, utilizing suggestions from the supervisor or non supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration. All management and supervisory employees are required to be reviewed on promoting equal opportunity

Objectives The objectives section allows for managers to document special projects/programs or career development requested by the employee. **Objectives may be identified for management, supervisory and non-supervisory employees.** However, it is suggested all management and supervisory employees have at **least one objective**

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period. After this discussion, the supervisor shall complete the planning stage document. Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature. The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the **entire** period. Job duties, performance characteristics, and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage.

Once the manager has completed the evaluation document, it will be presented to the reviewing official and concurring official, if applicable, for signature. The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments.

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period. Success Criteria must be developed for each objective. The objectives section should not have a total weight value to exceed 25%.

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective. Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined

Performance Characteristics shall be given a rating of acceptable/unacceptable.

- **Acceptable - Meets Requirements**

- **Unacceptable - Fails To Meet Requirements**

Performance Level Criteria

Substantially Exceeds Performance Requirements (3) Work that is characterized by exemplary accomplishments throughout the rating period, performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements (1) Work that meets the success criteria of the job

Below Performance Requirements (0) Work that fails to meet the success criteria of the job

Weight Factor

Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties), as outlined in the employee's job description. If the job description is incorrect, it should be updated at the time the planning stage is completed.

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor would be assigned to this section, The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors

Example of Appraisal Completion

<u>Job Duties</u>	<u>Example Weight Factor</u>	x	<u>Example Perform Level</u>	=	<u>Weighted Average</u>
1	20%		3		60
2	15%		2		30
3	20%		1		20
4	10%		1		10
5	5%		3		15
6	5%		2		10
<u>Total</u>	<u>75%</u>				<u>145</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Objectives					
1	10%		2		20
2	10%		1		10
3	5%		1		05
<u>Total</u>	<u>25%</u>				<u>35</u>
Average Weighted Review Total	<u>100%</u>				<u>180</u>

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	Perform x Level = 0-12-3	Weighted Average
1 Job Duty <u>Provides reader assistance and service to all interested inmates, including the general population and satellite services.</u>			
Success Criteria <u>Librarian develops book talks, reading program, bibliographies, book requests, reference assistance, reader recommendations</u>			
Actual Performance _____	<u>20</u>	<u>2.0</u>	<u>.40</u>
2 Job Duty <u>Creates, promotes, and implements library programs for readers and non-readers</u>			
Success Criteria <u>Librarian develops programs, (e.g. literacy, NIF, etc.) which stimulate inmate involvement, increase self-esteem, and foster creativity.</u>			
Actual Performance _____	<u>10</u>	<u>2.5</u>	<u>.25</u>
3 Job Duty <u>Provides basic library skills instruction to all interested inmates</u>			
Success Criteria <u>Librarian conducts instruction in catalog use, reference skills, etc as needed to groups, individuals, and education classes</u>			
Actual Performance: _____	<u>15</u>	<u>2.5</u>	<u>.25</u>
4 Job Duty <u>Provides supervision of library inmate workers.</u>			
Success Criteria <u>Librarian hires, trains, supervises all inmate workers assigned to the library Training is provided on an on-going basis as needed</u>			
Actual Performance _____	<u>15</u>	<u>2.5</u>	<u>.375</u>

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	Perform x Level = 0-123	Weighted Average
5 Job Duty <u>Provides input for materials selection</u>			
Success Criteria <u>Librarian uses available selection aids, patron's requests, curriculum needs, and popular interests to develop a selection list for all forms and levels of material.</u>			
Actual Performance _____	<u>.5</u>	<u>2.0</u>	<u>10</u>
Job Duty <u>Provides for effective use of materials</u>			
Success Criteria <u>Librarian organizes materials, including the card catalog, for effective use The collection is evaluated on a periodic basis</u>			
Actual Performance _____	<u>.10</u>	<u>2.5</u>	<u>.25</u>
Job Duty <u>Provides statistics and reports as required</u>			
Success Criteria <u>Librarian collects statistics, writes reports, and turns them in as required in a timely manner</u>			
Actual Performance _____	<u>10</u>	<u>2.5</u>	<u>25</u>
Job Duty <u>Performs other educational and related duties as required.</u>			
Success Criteria _____			
Actual Performance _____	<u>.05</u>	<u>2.5</u>	<u>.125</u>
Total Section I Summary Rating	<u>85</u>		<u>20</u>

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

	Performance Level Acceptable/Unacceptable
1 Characteristic <u>Promoting Equal Opportunity</u> Definition <u>Meets agency affirmative action goals in such areas as hiring, promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees Only)</u>	—
2 Characteristic <u>Dependability</u> Definition <u>Employee can be relied upon to meet work schedules and fulfill job responsibilities and commitments</u>	<u>A+</u>
3 Characteristic <u>Reliability</u> Definition <u>Employee gives consistent delivery of what is required when it is required.</u>	<u>A</u>
4 Characteristic <u>Initiative</u> Definition <u>Employee starts assignments without prompting and independently contributes ideas and projects. Thinks and acts independently and promptly undertakes to solve problems.</u>	<u>A</u>
5 Characteristic <u>Punctuality</u> Definition <u>Employee is prompt in reporting for work and effectively and efficiently uses his time to accomplish his job task</u>	<u>A+</u>
6 Characteristic <u>Internal Relations</u> Definition <u>Employee works effectively and cooperatively with other employees in achieving organizational goals. The employee is responsive to organizational needs</u>	<u>A</u>
7 Characteristic <u>Judgement</u> Definition <u>The employee is able to reason, compare, understand, and think rationally on the job. He makes quality work related decisions based on sound conclusions and separates facts from opinions.</u>	<u>A</u>
8 Characteristic <u>Technical Competence</u> Definition <u>The employee possesses the necessary knowledge to perform his job effectively. He is able to apply what he has learned about his job</u>	<u>A+</u>
9 Characteristic <u>Professional/Personal Growth</u> Definition <u>The employee is willing to participate in seminars, classes, workshops, conferences, and training in order to update his skills.</u>	<u>A</u>
10 Characteristic <u>Professional Attitude</u> Definition <u>The employee exhibits concern for the inmates' library needs.</u>	<u>A+</u>

Section III
OBJECTIVES SECTION

	Weight Factor %	Perform x Level 0-123	Weighted Average
1 Objective <u>Provide administrative and educational assistance when requested.</u> Success Criteria <u>Seeks advice from ed. coordinator w/ problems, concerns, etc.; teaches academic classes & other educational duties such as grad accreditation when asked</u> Actual Performance _____	.15	25	.375
2 Objective _____ Success Criteria _____ Actual Performance _____			
3 Objective _____ Success Criteria _____ Actual Performance _____			
4 Objective _____ Success Criteria _____ Actual Performance _____			
Total Section III Summary Rating	.15		.375

Section IV
SUMMARY AND IMPROVEMENT PLAN

1 Identify employee's performance strengths.

Ms McCabe's dedication to the improvement of the library is commended. She is a hard worker and continues to strive for the best.

2 Identify employee's areas in need of improvement.

Continue to avoid confrontation with aggressive inmates.
Continue to use firmness in library's operation.

3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance.

Continue necessary training and keep certification current.

) / Summary rating for each section

	Weighted Average
Job Duties Section I	<u>2.0</u>
Objectives Section III	<u>3.75</u>
Appraisal Overall Weighted Average Total	<u>2.375</u>

(2.5 - 3.0 = Substantially Exceeds Performance Requirements)
(1.5 - 2.49 = Exceeds Performance Requirements)
(0.5 - 1.49 = Meets Performance Requirements)
(0.0 - 0.49 = Below Performance Requirements)

VI Justification For Below or Substantially Exceeds Rating

VII Employee Comment. I feel that this evaluation is extremely low because I am
1) the only SCDC librarian who performs notary public duties on the yard,
2) the only staff member at PCI willing to chair the United Way 2002 campaign, which was the highest amount ever raised at PCI,
3) the only education staff member to solely complete 13 accreditation files, 4) one of the educ staff to act as a C/O in our building,
5) the staff who supplied floral arrangements / bows for wardens area
Why are AS and ATs not awarded with substantial ratings?

VIII. Planning / stage

Rating Supervisor	<u>Linda H. Bratton</u>	Date	<u>4-15-02</u>
Reviewing Official	<u>[Signature]</u>	Date	<u>4-18-02</u>
Concurring Official		Date	
Employee	<u>Mary H. McCabe</u>	Date	<u>4/23/02</u>

My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

X Evaluation Stage:

Rating Supervisor	<u>Linda H. Bratton</u>	Date	<u>5-6-02</u>
Reviewing Official	<u>[Signature]</u>	Date	<u>5-6-03</u>
Concurring Official		Date	
Employee	<u>M. H. McCabe</u>	Date	<u>5/10/03</u>

My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

PERU320D SOUTH CAROLINA DEPARTMENT OF CORRECTIONS 12/01/08
 PERSONNEL MANAGEMENT SYSTEM UPDATE ON 04/01/09
 REVIEW INFORMATION BY BEGINPAY

SSN > 250-82-6872 > MCCABE MARY H > CERTIFIED TEACHER

REVIEW TYPE > 01 MERIT JCLS/BAND/LEVEL> UB02 00
 REVIEW DATE > 01/02/04
 RATING > MR MEETS REQUIREMENTS
 WEIGHTED AVERAGE > 0 50 RECEIVED DATE > 00/00/00
 EFFECTIVE DATE > 01/02/04
 SUPERVISOR >

FULLTIME/PARTTIME> F FULL-TIME AGENCY > N04
 ANNUAL SALARY >

INCREASE AMOUNT >

STATUS INDICATOR > A ACTIVE TERMINATION REASON >

MAIL DATE > 09/25/03 DUE DATE > 12/02/03
 LATE NOTICE DATE > 00/00/00 DC NOTICE DATE > 00/00/00

MAKE MODIFICATIONS AND PRESS ENTER TO STORE

4-0 1 Sess-1 167 7 50 33 SCDC1319 7/20

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name Mary McCabe Position/Classification/Title UB02 Librarian
Organizational Unit Education Location 31161/Tyger River
Date Assigned to Current Position _____ State Employment Date Jan 30 1995
Performance Period
From March 31, 2004 To April 1 2005

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager utilizing suggestions from the supervisor or non supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration. All management and supervisory employees are required to be reviewed on promoting equal opportunity

Objectives The objectives section allows for managers to document special projects/programs or career development requested by the employee. **Objectives may be identified for management, supervisory and non-supervisory employees.** However, it is suggested all management and supervisory employees have at **least one objective**

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period. After this discussion, the supervisor shall complete the planning stage document. Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature. The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the **entire** period. Job duties, performance characteristics and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage.

Once the manager has completed the evaluation document, it will be presented to the reviewing official and concurring official, if applicable, for signature. The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments.

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period. Success Criteria must be developed for each objective. The objectives section should not have a total weight value to exceed 25%.

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective. Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined

Performance Characteristics shall be given a rating of acceptable/unacceptable

- Acceptable - Meets Requirements**
- Unacceptable - Fails To Meet Requirements**

Performance Level Criteria

Substantially Exceeds Performance Requirements (3). Work that is characterized by exemplary accomplishments throughout the rating period, performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period

Meets Performance Requirements (1) Work that meets the success criteria of the job

Below Performance Requirements (0) Work that fails to meet the success criteria of the job

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties), as outlined in the employee's job description. If the job description is incorrect, it should be updated at the time the planning stage is completed

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section. The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors

Example of Appraisal Completion

<u>Job Duties</u>	<u>Example Weight Factor</u>	<u>x</u>	<u>Example Perform Level</u>	<u>=</u>	<u>Weighted Average</u>
1	20%		3		60
2	15%		2		30
3	20%		1		20
4	10%		1		10
5	5%		3		15
6	5%		2		10
<u>Total</u>	<u>75%</u>				<u>145</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Objectives					
1	10%		2		20
2	10%		1		10
3	5%		1		05
<u>Total</u>	<u>25%</u>				<u>35</u>
Average Weighted Review Total					
	<u>100%</u>				<u>180</u>

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level 0-1 2-3	Weighted Average
1	Job Duty <u>Provides reader assistance and service to all interested inmates, including the general population and satellite services</u> Success Criteria <u>Librarian develops book talks reading program, bibliographies book requests reference assistance, reader recommendations</u> Actual Performance _____	20%	2	.40
2	Job Duty <u>Creates, promotes, and implements library programs for readers and non readers</u> Success Criteria <u>Librarian develops programs (e.g. literacy NIF etc) which stimulates inmate involvement, increases self-esteem, and fosters creativity</u> Actual Performance _____	10%	2	.20
3	Job Duty <u>Provides basic library skills instruction to all interested inmates</u> Success Criteria <u>Librarian conducts instruction in catalog use, reference skills, etc as needed to groups, individuals and education classes</u> Actual Performance _____	15%	2	.30
4	Job Duty <u>Provides supervision of library inmates workers</u> Success Criteria <u>Librarian hires, trains supervises all inmate workers assigned to the library Training is provided on an on going basis as needed</u> Actual Performance _____	15%	3	.45

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level 0 1 2 3	Weighted Average
5	Job Duty <u>Provides input for materials selection</u>			
	Success Criteria <u>Librarian uses available selection aids, patron s requests curriculum needs, and popular interests to develop a selection list for all forms and levels of material</u>			
	Actual Performance _____	<u>10%</u>	<u>3</u>	<u>.30</u>
6	Job Duty <u>Provides for effective use of materials</u>			
	Success Criteria <u>Librarian organizes materials including the card catalog for effective use The collection is evaluated on a periodic basis</u>			
	Actual Performance _____	<u>15%</u>	<u>3</u>	<u>.45</u>
7	Job Duty <u>Provides statistics and reports as required</u>			
	Success Criteria <u>Librarian collects statistics writes reports and turns them in as required in a timely manner</u>			
	Actual Performance _____	<u>10%</u>	<u>2</u>	<u>.20</u>
8	Job Duty <u>Performs other educational and related duties as required</u>			
	Success Criteria _____			
	Actual Performance _____	<u>5%</u>	<u>2</u>	<u>.10</u>
Total Section I Summary Rating		<u>100%</u>		<u>2.4</u>

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

1 Characteristic Promoting Equal Opportunity

Definition Meets agency affirmative action goals in such areas as hiring, promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees **Only**)

A

2 Characteristic Dependability

Definition Employee can be relied upon to meet work schedules and fulfill job responsibilities and commitments

A

3 Characteristic Reliability

Definition Employee gives consistent delivery of what is required when it is required

A

4 Characteristic Initiative

Definition Employee starts assignments without prompting and independently contributes ideas and projects Sees & acts upon new opportunities Thinks & acts independently and promptly undertakes actions to solve problems

A

5 Characteristic Punctuality

Definition Employee is prompt in reporting for work and effectively and efficiently uses his time to accomplish his job task

A

6 Characteristic Internal Relations

Definition Employee works effectively and cooperatively with other employees in achieving organizational goals The employee is responsive to organizational needs

A

7 Characteristic Judgement

Definition The employee is able to reason compare understand, and think rationally on the job He makes quality work related decisions based on sound conclusions and separates facts from opinions

A

8 Characteristic Technical Competence

Definition The employee possesses the necessary knowledge to perform his job effectively He is able to apply what he has learned about his job

A

9 Characteristic Professional/Personal Growth

Definition The employee is willing to participate in seminars classes, workshops conferences and training in order to update his skills

A

10 Characteristic Professional Attitude

Definition The employee exhibits concern for the inmates' library needs

A

Section III
OBJECTIVES SECTION

)

	Weight Factor %	Perform x Level 0 1 2 3	Weighted Average
1 Objective _____ _____ Success Criteria _____ _____ Actual Performance _____	_____	_____	_____
2 Objective _____ _____ Success Criteria _____ _____ Actual Performance _____	_____	_____	_____
3 Objective _____ _____ Success Criteria _____ _____ Actual Performance _____	_____	_____	_____
4 Objective _____ _____ Success Criteria _____ _____ Actual Performance _____	_____	_____	_____
Total Section III Summary Rating		_____	_____

)

Section IV
SUMMARY AND IMPROVEMENT PLAN

1 Identify employee's performance strengths

Ms. McCabe is very cooperative and conscientious about her job. She is punctual & dependable and gets along well with staff and inmates.

2 Identify employee's areas in need of improvement

None worthy of note.

3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance

Continue all training to enhance professional growth & development.

V Summary rating for each section

Job Duties Section I

Objectives Section III

Weighted
Average

Appraisal Overall Weighted Average Total

(2.5 3.0 = Substantially Exceeds Performance Requirements)

(1.5 2.49 = Exceeds Performance Requirements)

(0.5 1.49 = Meets Performance Requirements)

(0.0 0.49 = Below Performance Requirements)

2.4

VI Justification For Below or Substantially Exceeds Rating

VII Employee Comment

VIII Planning /stage

Rating Supervisor

K. Jackson / Pamela Burt

Date

6/02/05

Reviewing Official

J. C. Counts

Date

6-3-05

Concurring Official

M. H. McCabe

Date

6-16-05

Employee

Date

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

IX Evaluation Stage

Rating Supervisor

Pamela Burt

Date

6-16-05

Reviewing Official

Date

Concurring Official

Date

Employee

M. H. McCabe

Date

6-16-05

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name Mary H. McCabe Position/Classification/Title UB02 Librarian
Organizational Unit Education Location Tyger River Correctional Institution
Date Assigned to Current Position _____ State Employment Date _____
Performance Period
From March 31 2005 To April 1 2006

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager utilizing suggestions from the supervisor or non supervising professional employee shall select job duties from the employee's most recent position description and develop success criteria for each job duty

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The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period. After this discussion, the supervisor shall complete the planning stage document. Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature. The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

Evaluation Stage

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Once the manager has completed the evaluation document, it will be presented to the reviewing official and concurring official, if applicable, for signature. The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments.

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period. Success Criteria must be developed for each objective. The objectives section should not have a total weight value to exceed 25%.

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a 'meets performance requirements' rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective. Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined

Performance Characteristics shall be given a rating of acceptable/unacceptable

- **Acceptable - Meets Requirements**

- **Unacceptable - Fails To Meet Requirements**

Performance Level Criteria

Substantially Exceeds Performance Requirements (3) Work that is characterized by exemplary accomplishments throughout the rating period performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period

Meets Performance Requirements (1) Work that meets the success criteria of the job

Below Performance Requirements (0) Work that fails to meet the success criteria of the job

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties), as outlined in the employee's job description. If the job description is incorrect it should be updated at the time the planning stage is completed.

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section. The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors.

Example of Appraisal Completion

<u>Job Duties</u>	<u>Example Weight Factor</u>	x	<u>Example Perform Level</u>	=	<u>Weighted Average</u>
1	20%		3		60
2	15%		2		30
3	20%		1		20
4	10%		1		10
5	5%		3		15
6	5%		2		10
<u>Total</u>	<u>75%</u>				<u>145</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Objectives					
1	10%		2		20
2	10%		1		10
3	5%		1		05
<u>Total</u>	<u>25%</u>				<u>35</u>
<u>Average Weighted Review Total</u>	<u>100%</u>				<u>180</u>

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level 0 1 2 3	Weighted Average
1	Job Duty <u>Provides reader assistance and service to all interested inmates, including the general population and satellite services</u> Success Criteria <u>Librarian develops book talks, reading program bibliographies, book requests reference assistance reader recommendations</u> Actual Performance _____	20%	2	.40
2	Job Duty <u>Creates, promotes, and implements library programs for readers and non readers</u> Success Criteria <u>Librarian develops programs (e g literacy NIF etc) which stimulates inmate involvement increases self esteem and fosters creativity</u> Actual Performance _____	10%	3	.30
3	Job Duty <u>Provides basic library skills instruction to all interested inmates</u> Success Criteria <u>Librarian conducts instruction in catalog use reference skills etc as needed to groups individuals and education classes</u> Actual Performance _____	15%	2	.30
4	Job Duty <u>Provides supervision of library inmates workers</u> Success Criteria <u>Librarian hires trains supervises all inmate workers assigned to the library Training is provided on an on-going basis as needed</u> Actual Performance _____	15%	2	.30

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level 0-1 2 3	Weighted Average
5	Job Duty <u>Provides input for materials selection</u>			
	Success Criteria <u>Librarian uses available selection aids patron's requests</u> <u>curriculum needs and popular interests to develop a selection list for all forms and</u> <u>levels of material</u>			
	Actual Performance _____	<u>10%</u>	<u>3</u>	<u>30</u>
6	Job Duty <u>Provides for effective use of materials</u>			
	Success Criteria <u>Librarian organizes materials including the card catalog for</u> <u>effective use The collection is evaluated on a periodic basis</u>			
	Actual Performance _____	<u>15%</u>	<u>3</u>	<u>45</u>
7	Job Duty <u>Provides statistics and reports as required</u>			
	Success Criteria <u>Librarian collects statistics writes reports and turns them in as</u> <u>required in a timely manner</u>			
	Actual Performance _____	<u>10%</u>	<u>2</u>	<u>20</u>
8	Job Duty <u>Performs other educational and related duties as required</u>			
	Success Criteria _____			
	Actual Performance _____	<u>5%</u>	<u>2</u>	<u>10</u>
Total Section I Summary Rating		<u>100%</u>		<u>235</u>

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

1 Characteristic Promoting Equal Opportunity

Definition Meets agency affirmative action goals in such areas as hiring promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees **Only**)

A

2 Characteristic Dependability

Definition Employee can be relied upon to meet work schedules and fulfill job responsibilities and commitments

A

3 Characteristic Reliability

Definition Employee gives consistent delivery of what is required when it is required

A

4 Characteristic Initiative

Definition Employee starts assignments without prompting and independently contributes ideas and projects Sees & acts upon new opportunities Thinks & acts independently and promptly undertakes actions to solve problems

A

5 Characteristic Punctuality

Definition Employee is prompt in reporting for work and effectively and efficiently uses his time to accomplish his job task

A

6 Characteristic Internal Relations

Definition Employee works effectively and cooperatively with other employees in achieving organizational goals The employee is responsive to organizational needs

A

7 Characteristic Judgement

Definition The employee is able to reason compare understand and think rationally on the job He makes quality work related decisions based on sound conclusions and separates facts from opinions

A

8 Characteristic Technical Competence

Definition The employee possesses the necessary knowledge to perform his job effectively He is able to apply what he has learned about his job

A

9 Characteristic Professional/Personal Growth

Definition The employee is willing to participate in seminars classes, workshops conferences and training in order to update his skills

A

10 Characteristic Professional Attitude

Definition The employee exhibits concern for the inmates library needs

A

Section III
OBJECTIVES SECTION

)

	Weight Factor %	Perform x Level 0 1 2 3	Weighted = Average
1 Objective _____ _____ Success Criteria _____ _____ Actual Performance _____ _____	_____	_____	_____
2 Objective _____ _____ Success Criteria _____ _____ Actual Performance _____ _____	_____	_____	_____
3 Objective _____ _____ Success Criteria _____ _____ Actual Performance _____ _____	_____	_____	_____
4 Objective _____ _____ Success Criteria _____ _____ Actual Performance _____ _____	_____	_____	_____
Total Section III Summary Rating	_____		_____

Section IV
SUMMARY AND IMPROVEMENT PLAN

1 Identify employee's performance strengths

Ms. McCabe is very cooperative and dependable. She is conscientious about her job and the animals who work for her.

2 Identify employee's areas in need of improvement

Increase supervision of Deer Library on upper yard as needed.

3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance

Continue SACS training and professional development activities to enhance the library.

V Summary rating for each section

Weighted
Average

2.35

Job Duties Section I

Objectives Section III

2.35

Appraisal Overall Weighted Average Total

(2.5 3.0 = Substantially Exceeds Performance Requirements)

(1.5 2.49 = Exceeds Performance Requirements)

(0.5 1.49 = Meets Performance Requirements)

(0.0 0.49 = Below Performance Requirements)

VI Justification For Below or Substantially Exceeds Rating

VII Employee Comment

VIII Planning /stage

Rating Supervisor

Pamela Burnett

Date

4-19-05

Reviewing Official

Date

Concurring Official

Date

Employee

M. H. McCabe

Date

4-19-05

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

IX Evaluation Stage

Rating Supervisor

Pamela Burnett

Date

4-13-06

Reviewing Official

B. J. Howard

Date

4-14-06

Concurring Official

Date

Employee

M. H. McCabe

Date

4-19-06

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree)

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name Mary H McCabe Position/Classification/Title UB02 Librarian
Organizational Unit Education Location Tyger/31161
Date Assigned to Current Position _____ State Employment Date _____
Performance Period From April 1, 2006 To March 31, 2007

GENERAL INSTRUCTIONS

Planning Stage

Job Duties. The manager, utilizing suggestions from the supervisor or non-supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty.

Performance Characteristics. Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration. All management and supervisory employees are required to be reviewed on promoting equal opportunity.

Objectives. The objectives section allows for managers to document special projects/programs or career development requested by the employee. Objectives may be identified for management, supervisory and non-supervisory employees. However, it is suggested all management and supervisory employees have at least one objective.

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period. After this discussion, the supervisor shall complete the planning stage document. Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature. The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the entire period. Job duties, performance characteristics, and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage.

Once the manager has completed the evaluation document, it will be presented to the reviewing official and concurring official, if applicable, for signature. The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments.

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period. Success Criteria must be developed for each objective. The objectives section should not have a total weight value to exceed 25%.

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective. Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined.

V Summary rating for each section.

Job Duties - Section I
Objectives - Section III
Appraised Overall Weighted Average Total
(2.5 - 3.0 = Substantially Exceeds Performance Requirements)
(1.5 - 2.49 = Exceeds Performance Requirements)
(0.5 - 1.49 = Meets Performance Requirements)
(0.0 - 0.49 = Below Performance Requirements)

Weighted
Average
1.90
.05
1.95

VI. Justification For Below or Substantially Exceeds Rating:

VII. Employee Comment.

VIII. Planning /stage:

Rating Supervisor

Reviewing Official

Concurring Official

Employee

Date

Date

Date

Date

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

IX. Evaluation Stage:

Rating Supervisor

Reviewing Official

Concurring Official

Employee

Date

Date

Date

Date

(My signature indicates that I have discussed the planning stage and position description with my supervisor - not that I necessarily agree.)

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name Marv H McCabe Position/Classification/Title UB02 Librarian
 Location Tyger River
 Organizational Unit Education State Employment Date _____
 Date Assigned to Current Position _____
 Performance Period April 1 2007 To March 31 2008
 From _____

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager utilizing suggestions from the supervisor or non supervising professional employee shall select job duties from the employee's most recent position description and develop success criteria for each job duty

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration All management and supervisory employees are required to be reviewed on promoting equal opportunity

Objectives The objectives section allows for managers to document special projects/programs or career development requested by the employee **Objectives may be identified for management, supervisory and non-supervisory employees** However it is suggested all management and supervisory employees have at **least one objective**

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period After this discussion, the supervisor shall complete the planning stage document Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the **entire** period Job duties performance characteristics and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage

Once the manager has completed the evaluation document it will be presented to the reviewing official and concurring official, if applicable, for signature The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period Success Criteria must be developed for each objective The objectives section should not have a total weight value to exceed 25%

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a 'meets performance requirements' rating The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective Success criteria are not required for performance characteristics However, each performance characteristic shall be defined

Performance Characteristics shall be given a rating of acceptable/unacceptable

Acceptable - Meets Requirements
Unacceptable - Fails To Meet Requirements

Performance Level Criteria

Substantially Exceeds Performance Requirements (3) Work that is characterized by exemplary accomplishments throughout the rating period performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period

Meets Performance Requirements (1) Work that meets the success criteria of the job

Below Performance Requirements (0) Work that fails to meet the success criteria of the job

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties) as outlined in the employee's job description. If the job description is incorrect it should be updated at the time the planning stage is completed.

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section. The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors.

Example of Appraisal Completion

Job Duties	Example Weight Factor	x	Example Perform Level	=	Weighted Average
1	20%		3		60
2	15%		2		30
3	20%		1		20
4	10%		1		10
5	5%		3		15
6	5%		2		10
Total	75%				145
Performance Characteristics					
1			A		
2			A		
3			U		
Total					
Objectives					
1	10%		2		20
2	10%		1		10
3	5%		1		05
Total	25%				35
Average Weighted Review Total	100%				180

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	Perform x Level 0-1 2 3	Weighted Average
1 Job Duty <u>Provides reader assistance and service to all interested inmates, including the general population and satellite services</u>			
Success Criteria <u>Librarian develops book talks reading programs bibliographies book request reference assistance reader recommendations</u>			
Actual Performance _____	<u>20%</u>	<u>2</u>	<u>0.40</u>
2 Job Duty <u>Creates promotes and implements library programs for readers and non readers</u>			
Success Criteria <u>Librarian develops programs (e.g. literacy NIF etc) which stimulates inmate involvement increases self esteem and fosters creativity</u>			
Actual Performance _____	<u>10%</u>	<u>2</u>	<u>0.20</u>
3 Job Duty <u>Provides basic library skills instruction to all interested inmates</u>			
Success Criteria <u>Librarian conducts instruction in catalog use reference skills etc as needed to groups individuals and education classes</u>			
Actual Performance _____	<u>10%</u>	<u>1</u>	<u>0.10</u>
4 Job Duty <u>Provides supervision of library workers</u>			
Success Criteria <u>Librarian hires trains supervised all inmate workers assigned to the library Training is provided on an on going basis as needed</u>			
Actual Performance _____	<u>15%</u>	<u>1</u>	<u>0.15</u>

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level 0 1 2 3	Weighted Average
5	Job Duty <u>Provides input for materials selection</u>			
	Success Criteria <u>Librarian uses available selection aids patron's request curriculum needs and popular interests to develop a selection list for all forms and levels of materials</u>			
	Actual Performance _____	<u>10%</u>	<u>2</u>	<u>0.20</u>
6	Job Duty <u>Provides for effective use of materials</u>			
	Success Criteria <u>Librarian organizes materials including the card catalog for effective use The collection is evaluated on a periodic basis</u>			
	Actual Performance _____	<u>15%</u>	<u>2</u>	<u>0.30</u>
7	Job Duty <u>Provides statistics and reports as required</u>			
	Success Criteria <u>Librarian collects statistics writes reports and turns them in as required in a timely manner</u>			
	Actual Performance _____	<u>10%</u>	<u>3</u>	<u>0.30</u>
8	Job Duty <u>Performs other educational and related duties as required</u>			
	Success Criteria _____			
	Actual Performance _____	<u>5%</u>	<u>2</u>	<u>0.10</u>
Total Section I Summary Rating		<u>95%</u>		<u>1.75</u>

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

1 Characteristic <u>Promoting Equal Opportunity</u> Definition <u>Meets agency affirmative action goals in such areas as hiring promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees Only)</u>	<u>A</u>
2 Characteristic <u>Self Management</u> Definition <u>Works with minimal supervision Manages own time effectively maintains control on all current projects/responsibilities and ensures follow up</u>	<u>A</u>
3 Characteristic <u>Leadership</u> Definition <u>Employee can be relied upon to guide others to the accomplishment of objectives/responsibilities and outcomes develop teamwork and resolve conflict</u>	<u>A</u>
4 Characteristic <u>Technical Competence</u> Definition <u>Possesses necessary knowledge to effectively perform job and able to apply what he/she has learned about his/her job</u>	<u>A</u>
5 Characteristic <u>Adaptability</u> Definition <u>Employee can adapt to job or organizational changes</u>	<u>A</u>
6 Characteristic <u>Job Knowledge</u> Definition <u>Knows the details of the job and follows all job procedures accurately</u>	<u>A</u>
7 Characteristic <u>Internal Relations</u> Definition <u>Degree to which one works effectively and cooperatively with others and other departments in achieving organizational goals Degree of responsiveness to organizational needs</u>	<u>A</u>
8 Characteristic <u>Safety</u> Definition <u>Follow established safety practices and corrects unsafe work practices on the job capable of creating a positive and disciplined environment</u>	<u>A</u>
9 Characteristic <u>Reliability</u> Definition <u>Consistent delivery of what is required when it is required Meets deadlines and follows instructions</u>	<u>A</u>
10 Characteristic <u>Quality of Work</u> Definition <u>Neatly thoroughly and accurately completes job assignments according to established standards of quality</u>	<u>A</u>

Section III
OBJECTIVES SECTION

	Weight Factor %	Perform x Level = 0 1 2 3	Weighted Average
1 Objective <u>Develop in writing a goal in the areas of content instructional methods</u> <u>or assessment or professional growth and development (Professional development)</u>			
Success Criteria <u>An annual goal must be developed of each school year</u> <u>Documented attainment of the goal must be submitted to the immediate supervisor</u> <u>of the same school year</u>			
Actual Performance _____	<u>20%</u>	<u>1</u>	<u>0.05</u>

2 Objective _____			

Success Criteria _____			

Actual Performance _____	_____	_____	_____

3 Objective _____			

Success Criteria _____			

Actual Performance _____	_____	_____	_____

4 Objective _____			

Success Criteria _____			

Actual Performance _____	_____	_____	_____

Total Section III Summary Rating	<u>20%</u>		<u>0.05</u>

Section IV
SUMMARY AND IMPROVEMENT PLAN

1 Identify employee's performance strengths

Ms Mc Cabe is very conscientious about her job and shows concern for the inmates she employs

2 Identify employee's areas in need of improvement

Ensure supervision is notified when problems arise

3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance

Continue SCDC training and professional development opportunities

V Summary rating for each section.

Job Duties Section I
Objectives Section III

Weighted
Average
1.75
0.05
1.80

Appraisal Overall Weighted Average Total

(2.5 3.0 = Substantially Exceeds Performance Requirements)
(1.5 2.49 = Exceeds Performance Requirements)
(0.5 1.49 = Meets Performance Requirements)
(0.0 0.49 = Below Performance Requirements)

VI Justification For Below or Substantially Exceeds Rating

VII Employee Comment

VIII Planning /stage

Rating Supervisor _____ Date _____
Reviewing Official _____ Date _____
Concurring Official _____ Date _____
Employee _____ Date _____

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

IX Evaluation Stage

Rating Supervisor [Signature] Date 5/23/08
Reviewing Official [Signature] Date 05/22/08
Concurring Official _____ Date _____
Employee [Signature] Date 5/23/08

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

PERI270D EMPLOYEE INQUIRY 12/01/08
 PERI270M

SSN > 250 82-6872	EMPL # > 019007 STATUS> A
NAME > MCCABE MARY H	SCDC # > 012352 OHR #> P2 000105866
STREET > 105 MARSEILLE DRIVE	JCLS/BAND/LEVEL > UB02
	SLOT > 0035 JOB COUNTY > 42
CITY > SIMPSONVILLE	SECURITY IND> N FLSA > 1
CONTACT PHONE > 864-243-9799	II TYGER RIVER CORRECTIONAL INSTIT
WORK PHONE > 803-896-3501	TITLE > CERTIFIED TEACHER
EDUCATION LEVEL > 18	69 511 WORK HOURS > 40 00
HIRE DATE > 01/30/95	RACE > WHITE
STATE HIRE DATE> 01/30/95	SEX > FEMALE
REVIEW DATE > 01/02/09	EMER TEAM >
PROB END DATE >	CITIZEN > YES
CONT SERV DATE > 01/30/95	69 511 MARITAL > MARRIED
SEC SERV DATE > 01/30/95	SEC STEP > 02 06/02/03
BIRTH DATE > 09/11/47	2 896 29 FED CAT > 02
RETIRE SYSTEM > POLICE	33 41 CERTIFIED >
RETIRE IND > N	FILING STATUS> MARRIED
FUND > 96500 > 0 0500	FED EXEMPT > 00
> 91000 > 0 3500	STATE EXEMPT > 00
> 96600 > 0 6000	
BUDGET > 31161	
BCLASS > 016000	
PGM > 820	

PF4=FETCH EMPLOYEE PF5=DEDUCTIONS PF6=ONE-TIME PAY PF7=EARNINGS PF8=UPDATE
 > EMPLOYEE INFORMATION DISPLAYED

4-© 1 Sess-1 167 7 50 33 SCDC1319 3/10

)
STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE

Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)

SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008

DOCUMENTS REGARDING
BEVERLY M. McCLANAHAN

PERI310D
PERI310M
PERTRANA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
HUMAN RESOURCES MANAGEMENT SYSTEM
SALARY HISTORY

12/01/08

SSN > 249-70-1727 > MCCLANAHAN, BEVERLY M

> CORRECTIONAL OFFICER III

EFF	REASON	SEC	LOC	CLASS	CODE	BND	LVL	SLOT	CDE	FLSA	BASE	ADDL	ANNUAL
DATE	CODE	STEP									SALARY	BENEFITS	SALARY
08/17/04	12	02	32211	JD40	05	B	0107	1			34500	0 00	34500
08/17/04	BU		32211	JD30	03	E	0112	2			27716	0 00	27716
06/02/04	17		42101	JD30	03	E	0112	2			27716	0 00	27716
06/02/04	03		32211	JD30	03	E	1528	2			27716	0 00	27716
06/02/03	45	02	32211	JD30	03	E	1528	2			26909	0 00	26909
06/02/02	03		32211	UB04	00		0014	1			53132	0 00	53132
05/23/02	25		32211	UB04	00		0014	1			52052	0 00	52052
06/02/01	03		32211	UB14	00		0014	1			52052	0 00	52052
02/02/01	17		32211	UB14	00		0014	1			44728	0 00	44728
06/02/00	03		32211	UB14	00		0062	1			44728	0 00	44728
01/17/00	02		32211	UB14	00		0062	1			40283	0 00	40283
01/02/00	01		32211	KA25	05	C	0006	1			33209	0 00	33209
06/02/99	03		32211	KA25	05	C	0006	1			32881	0 00	32881
06/02/98	03		32211	KA25	05	C	0006	1			31924	0 00	31924

PF4=FETCH EMPLOYEE PF2=MODIFY/DELETE PF1=ADD PF3=CHANGE CODE PAGE (0001)

4-0

1 Sess-1

167 7 50 33

SCDC1319

5/7

(Front)

STATE OF SOUTH CAROLINA
POSITION DESCRIPTION

SCDC USE ONLY

SC DEPT OF CORRECTIONS

AGENCY NAME

Beverly M. McClanahan

EMPLOYEE'S NAME

Vocational Teacher UB14

CURRENT CLASS / CLASS CODE / SLOT

134047

POSITION NUMBER

SOURCE OF FUNDING

01000		
STATE	FEDERAL	OTHER

Education

DIVISION / SECTION / UNIT

Columbia/Richland 40

CITY / COUNTY

CODE

Principal/UB16/0013

SUPERVISOR CLASS / CLASS CODE / SLOT

POSITION STATUS

F

MERIT SYSTEM STATUS

N

TEMPORARY POSITION

L

4900 2080

P/P

HOURS / WEEK

RATE / HOUR

AGENCY
FIELD

830

STATION PROGRAM

32211

TRAVEL EXPENSE UNIT

STATE PERSONNEL USE

BEVERLY M MCCLANAHAN

000134047

OLD N04-UB14-0014

NEW N04-UB04-0014

Voc Teacher

APPROVED CLASS TITLE

E

FLSA

DA

APPROVAL

2-14-01

DATE

update

REQUESTED ACTION (RECLASS, UPDATE, BUI, HRS OR PROGRAM CHANGE)

Vocational Teacher

REQUESTED CLASSIFICATION

THE FOLLOWING SECTION OF THE POSITION DESCRIPTION IS TO BE COMPLETED BY THE SUPERVISOR

- 1 What knowledge, skills, and abilities are needed by an employee upon entry to this job? Where/how would an individual normally acquire these knowledge, skills and abilities?

STATE MINIMUM REQUIREMENTS:

High School Diploma

SCDC REQUIREMENTS:

High School diploma or equivalent Six (6) years in vocational trade. Must possess teaching certificate in vocational trade or be qualified for the issuance thereof. Ability to work individually and collectively with adult offenders within a correctional setting. Ability to communicate with community employers.

- 2 Describe the guidelines and supervision an employee receives in order to do this job, including the employee's independence and discretion

Daily on-site supervision by school principal through verbal and written communications.

- 3 Supervisor's comments

4

Robby L. Kenealy

SUPERVISOR'S SIGNATURE

2-12-2001

DATE

(Back)

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

THIS SECTION OF THE DESCRIPTION IS TO BE COMPLETED BY THE INCUMBENT

1 JOB PURPOSE

Under general supervision provide vocational instruction and supervision for enrollees, inclusive of the provision and management of vocational activities

2 ESSENTIAL AND MARGINAL FUNCTIONS.

	Percentage of Time
1 Assesses student abilities and needs required to complete course of instruction. (Essential)	5%
2 Develop curriculum and provide instruction to ensure student progress. (Essential)	50%
3. Evaluates student progress. (Essential)	5%
4 Maintains discipline and security in classroom, shop and other applicable work areas. (Essential)	10%
5 Supervise the use of all tools and equipment to ensure proper security, use and storage. (Essential)	10%
6 Maintains student and other required records and submits reports as required. (Essential)	5%
7. Assists with job placement of course graduates. (Marginal)	5%
8 Maintains training equipment which is safe and adequate to support proper training. (Essential)	5%
9 Performs other duties as required in the area of Vocational Education (Essential)	5%

3 SUPERVISORY RESPONSIBILITIES

CLASSIFICATION TITLES OF THREE HIGHEST LEVEL SUBORDINATES

NUMBER

- (1) _____
- (2) _____
- (3) _____

TOTAL NUMBER OF EMPLOYEES SUPERVISED _____

4 COMMENTS

5 THIS SECTION OF THE DESCRIPTION WAS COMPLETED BY

Division of Educational Services

(PLEASE PRINT)

6 THE ABOVE DESCRIPTION IS AN ACCURATE AND COMPLETE DESCRIPTION OF MY JOB.

X.R. McClanahan
(INCUMBENT'S SIGNATURE)

2-12-01
DATE

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

SCDC PERSONNEL USE ONLY

S C Department of Corrections

116324 014790 JD30 1529

7301 2754

BROAD RIVER CORRECTIONAL INSTITUTION

Broad River Correctional Inst
DIVISION / SECTION / UNIT

Vacant
INCUMBENT'S NAME

Columbia/Richland
CITY / COUNTY

4,0
CODE

N/A
CURRENT CLASS / CLASS CODE SLOT

Corr Off Asst Supvr
SUPERVISOR CLASS / CLASS CODE / SLOT

POSITION STATUS ☒ MERIT SYSTEM STATUS ☒

116324
POSITION NUMBER

SOURCE OF FUNDING		
1 0 0 0 0		
STATE	FEDERAL	OTHER

P 0 4 0 0 0 2 0 8 0
P/P HOURS / WEEK BASE / HOURS

AGENCY
FIELDS

317

01032211
771

0.70287
OPEN DATE

☒
ACTION

Correctional Officer II
APPROVED CLASS TITLE

LN
PLSA

Pat Boynton
APPROVAL

July, 1987
DATE

☐ RECLASS ☐ UPDATE ☒ NEW POSITION
REQUESTED ACTION

Correctional Officer II

REQUESTED CLASSIFICATION

THE FOLLOWING SECTION OF THE POSITION DESCRIPTION IS TO BE COMPLETED BY THE SUPERVISOR

- What knowledge skills and abilities are needed by an employee upon entry to this job? Where / how would an individual normally acquire these knowledge, skills and abilities?
High School graduate or State High School Equivalency Certificate
Satisfactory completion of academic and on-the-job training in the SCDC as required for certification as a Correctional Officer
One year work experience in correctional security or police work
- Describe the guidelines and supervision an employee receives in order to do this job, including the employee's independence and discretion
Incumbent is supervised by direct observation and unannounced inspections by his immediate supervisor and by review and reports by the facility head and other management officials
- Supervisor's comments An ability to supervise direct and control the activities of persons in subordinate positions and to influence inmates to adhere to desired behavior standards is desirable

4 _____
SUPERVISOR'S SIGNATURE DATE OTHER REQUIRED SIGNATURE DATE

STATE OF SOUTH CAROLINA

POSITION DESCRIPTION

THIS SECTION OF THE DESCRIPTION IS TO BE COMPLETED BY THE INCUMBENT

1 JOB PURPOSE

The incumbent is responsible for maintaining proper security and safety standards for all inmates and public property under his control. He must make security checks and inspections of the entire working environment and correct or report to proper authority all shortcomings and deficiencies. The incumbent must prepare written reports of daily activities and written reports of disciplinary infractions, accidents and incidents. He must develop and maintain a professional rapport with all inmates under his control and maintain a cooperative relationship with his coworkers and other employees in the working environment.

2 JOB TASKS

Percentage
of Time

- 1 Supervises inmates in their living quarters, cafeteria work area, recreation area and outside their assigned facility, e.g., in transit, on sick call, in court, etc.
- 2 Makes prescribed security inspections and searches of specified buildings, building contents, grounds, vehicles, people (inmates, visitors & employees) and take appropriate corrective action.
- 3 Makes prescribed periodic counts of inmates and submits required reports to specified authorities.
- 4 Maintains and operates security devices such as gates and doors (manual and electric), "dead lock" weapons (lethal & non lethal), and mechanical restraining devices.
- 5 Makes sanitation and safety inspections of buildings and building contents, grounds, and vehicles and corrects or reports shortcomings and deficiencies.
- 6 Prepares and submits written reports on daily activities, disciplinary infractions, accidents and incidents.
- 7 Develops and maintains a professional rapport with all inmates under his control to include compassionate and active response to their problems and complaints; refers them to appropriate persons for assistance; assists them in adjusting to new jobs and the environment; and resolves verbal and physical disputes among inmates.
- 8 Performs other related duties when directed.

SUPERVISORY RESPONSIBILITIES

CLASSIFICATION TITLES OF THREE HIGHEST LEVEL SUBORDINATES

NUMBER

(1) _____	_____
(2) _____	_____
(3) _____	_____

TOTAL NUMBER OF EMPLOYEES SUPERVISED _____

4 COMMENTS

5 THIS SECTION OF THE DESCRIPTION WAS COMPLETED BY _____

6 THE ABOVE DESCRIPTION IS AN ACCURATE AND COMPLETE DESCRIPTION OF MY JOB

(PLEASE PRINT)

(INCUMBENT'S SIGNATURE)

DATE

STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE

Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)

SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008

DOCUMENTS REGARDING
BEVERLY M. McCLANAHAN

UNABLE TO LOCATE
POSITION DESCRIPTION
FOR POSITION ASSUMED
6/2/2004
(JD30-0112)

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

GENERAL INFORMATION

110730
 Position Number
 Educational Services Division / BREC / 32211
 Division / Section / Unit
 Beverly McClanahan
 Employee Name
 Corr Off I
 Current State Title
 N 0 4
 Agency Code
 Columbia / Richland
 City / County
 410
 County Code
 N Y/N
 Is Position in Central Office
 150310
 Alphanumeric Code
 01112
 Slot
 03
 Band

Full / Part Time Indicator
 40 0 0
 Hours Per Week
 Base Hours

Supervisor State Title
 Alphanumeric Code
 Slot

SOURCE OF FUNDING

1 0 0
 State %
 Federal %
 Other %

☐ OHR COPY

☐ AGENCY COPY

OFFICE OF HUMAN RESOURCES

11014
 Agency Code
 710410
 Alphanumeric Code
 0107
 Slot

10811721004
 Authorized Date

☒ Delegated

☐ New Position

☐ Prototype

☒ State Title Changes ☐ Update

Corr Off III
 Approved State Title

Darlene Harmon
 Approval Signature

8/11/04
 Date Approved

REQUESTED ACTION INFORMATION

Reclass
 Requested Action

Lieutenant
 Requested State Title

150410
 Alphanumeric Code

☐ FLSA Designation

Supervisor's Signature

[Signature]

Date

7-28-04

Other Required Signature

Date

THE FOLLOWING SECTION OF THE POSITION DESCRIPTION IS TO BE COMPLETED BY THE SUPERVISOR

1 What are the minimum requirements for the position (Minimum requirements must at least meet the state minimum requirements for classified classes but may include additional requirements)?

The Division of Education in SCDC adheres to the teacher certification requirements set forth by the South Carolina Department of Education

2 What knowledge skills and abilities are needed by an employee upon entry to this job including any special certification or license?

Must possess teaching certificate in vocational trade or be qualified for the issuance thereof Must have (6) years experience in vocational trade Ability to communicate with community employers

3 Describe the guidelines and supervision an employee receives to do this job including the employee's independence and discretion

1 Daily supervision by the Institutional Warden or designee with concurrence of the Vocational Education Supervisor through verbal and written communication

2 Annual Merit Review

4 Indicate additional comments regarding this position (e.g., work environment, physical requirements overnight travel)

#013521

MISCELLANEOUS DATA

Voc Ed Trainer 5 B

Internal Position Title Band/Level

835

Program Code

322111

Budget Unit

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

1 Job Purpose Under limited supervision teaches a group of students either of elementary or secondary level in assignments requiring demonstrated practical experience
Plans and conducts classes based on grade level and/or ability of students

2 Job Functions

	Essential/ Marginal (E or M)	Percentage of Time
1 Interviews incoming students to establish qualifications to take the course	E	5%
2 Maintains records of student attendance and progress and provides informational reports as required by the Director of Vocational Programs	E	10%
3 Develop curriculum and provide instruction to ensure student progress	E	10%
4 Provides appropriate instruction to students according to their needs abilities and interest	E	50%
5 Maintains a proper learning environment within the classroom	E	10%
6 Provides supervision that safeguards students and aids security	E	5%
7 Maintains teacher competency in the area of vocational trade	E	5%
8 Performs other educational and related duties as required	E	5%

3 Position's Supervisory Responsibilities

This position includes supervisory responsibilities please indicate the state title and number of positions of the three highest subordinates

	STATE TITLE	NUMBER	
(1)	_____	_____	Number of employees directly supervised _____
(2)	_____	_____	
(3)	_____	_____	Total number supervised _____

4 Comments

5 The above description is an accurate and complete description of this job _____

Employee's Signature

Date

220

PERI320D SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
 PERI320M PERSONNEL MANAGEMENT SYSTEM
 PERTRANA REVIEW INFORMATION

12/01/08
 C000175

SSN/EMPL#> 249701727 > MCCLANAHAN BEVERLY M > CORRECTIONAL OFFICER III
 BASE

DATE	EFFECTIVE	REASON	JCLS/BAND/LEVEL	SALARY	PERF	F/P	A/I
02/17/06	02/17/06	01	JD40 05 B				A
02/17/05	02/17/05	01	JD40 05 B		ER	F	A
12/02/03	12/02/03	01	JD30 03 E		ER	F	A
06/02/02	06/02/02	01	UB04 00		ER	F	A
06/02/01	06/02/01	01	UB14 00		ER	F	A
06/02/00	06/02/00	01	UB14 00			F	A
01/02/00	01/02/00	01	KA25 05 C		SE	F	A
01/02/99	01/02/99	01	KA25 05 C		SE	F	A
01/02/98	01/02/98	01	KA25 05 C		SE	F	A
01/02/97	01/02/97	01	KA25 05 B		SE	F	A
LONGEVITY	EFFECTIVE	AGENCY CLASS/LEVEL	BAND	INCREASE		F/P	A/I
HISTORY							

ENTER=INQ PF1=ADD PF2=MODIFY PF4=FETCH PF5=CALC NEW DATE PAGE (0001)

4-© 1 Sess-1 167 7 50 33 SCDC1319 5/12

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name _____ MCCLANAHAN BEVERLY M Title 9009/Vocational Teacher
Organizational Unit _____ VOC TCHR
Date Assigned to Current _____
Performance Period From April 1, 2001 To March 31, 2002

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager, utilizing suggestions from the supervisor or non-supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty.

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration. All management and supervisory employees are required to be reviewed on promoting equal opportunity.

Objectives The objectives section allows for managers to document special projects/programs or career development requested by the employee. **Objectives may be identified for management, supervisory and non-supervisory employees.** However, it is suggested all management and supervisory employees have at least one objective.

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period. After this discussion, the supervisor shall complete the planning stage document. Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature. The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the entire period. Job duties, performance characteristics, and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage.

Once the manager has completed the evaluation document, it will be presented to the reviewing official and concurring official, if applicable, for signature. The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments.

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period. Success Criteria must be developed for each objective. The objectives section should not have a total weight value to exceed 25%.

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective. Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined.

Performance Characteristics shall be given a rating of acceptable/unacceptable

- **Acceptable - Meets Requirements**
- **Unacceptable - Fails To Meet Requirements**

Performance Level Criteria

Substantially Exceeds Performance Requirements (3) Work that is characterized by exemplary accomplishments throughout the rating period; performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements (1): Work that meets the success criteria of the job

Below Performance Requirements (0) Work that fails to meet the success criteria of the job

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties), as outlined in the employee's job description. If the job description is incorrect, it should be updated at the time the planning stage is completed.

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100%. The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section. The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors.

Example of Appraisal Completion

<u>Job Duties</u>	<u>Example Weight Factor</u>	x	<u>Example Perform Level</u>	=	<u>Weighted Average</u>
1	20%		3		60
2	15%		2		30
3	20%		1		20
4	10%		1		10
5	5%		3		15
6	5%		2		10
<u>Total</u>	<u>75%</u>				<u>145</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Objectives					
1	10%		2		20
2	10%		1		10
3	5%		1		05
<u>Total</u>	<u>25%</u>				<u>35</u>
Average Weighted Review Total	<u>100%</u>				<u>1.80</u>

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	Perform x Level = 0-123	Weighted Average
1 Job Duty <u>Assesses student abilities and needs required to complete course of instruction.</u> Success Criteria <u>Student records contain evidence that students were interviewed, tested, and observed upon course entry and during probationary period (per SCDC Policy 2100.10-9)</u> Actual Performance _____	<u>.10</u>	<u>2</u>	<u>.20</u>
2 Job Duty <u>Develops curriculum and provides instruction to ensure student progress.</u> Success Criteria <u>1) Curriculum is competency-based, contains measureable course objectives, pre-tests, post-tests, unit tests, work projects, and reflects current theories and techniques, proper safety procedures, proper use of tools, job information, and related mathematics and/or applied science, 2) Seventy-five percent of enrollees complete course of instruction.</u> Actual Performance _____	<u>.50</u>	<u>2</u>	<u>1.00</u>
3 Job Duty <u>Evaluates student progress.</u> Success Criteria <u>1) Records contain test and performance scores which reflect the progress of each student, 2) Profiles of minimum course competencies are completed for each student.</u> Actual Performance _____	<u>.05</u>	<u>3</u>	<u>.15</u>
4 Job Duty <u>Maintains discipline and security in classroom, shop and other applicable work areas.</u> Success Criteria <u>1) All disruptions occurring in the classroom and work areas due to student misbehavior are controlled per SCDC policy; 2) Minimum problems exist in the loss of instructional materials and equipment</u> Actual Performance: _____	<u>.10</u>	<u>3</u>	<u>.30</u>

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	Perform x Level = 0-123	Weighted Average
5 Job Duty <u>Supervise the use of all tools and equipment to ensure proper security, use, and storage.</u> Success Criteria <u>1) Written tool inventories are maintained;</u> <u>2) Tools are issued and supervised according to SCDC Policy 1500.10; 3) Student records indicate evidence of student understanding of proper tool use.</u> Actual Performance _____	<u>10</u>	<u>3</u>	<u>.30</u>
6 Job Duty <u>Maintains student and other required records and submits reports as required.</u> Success Criteria <u>1) A student record is maintained for each student, 2) Records of training and generated revenues/expenditures resulting from any production/repair services are maintained per SCDC Policy 2100.10-11, 3) All required reports are accurate and submitted on time.</u> Actual Performance _____	<u>5</u>	<u>3</u>	<u>.15</u>
7 Job Duty <u>Assists with placement of course graduates</u> Success Criteria <u>1) Maintains record of efforts to coordinate placement with SCDC Job Placement Coordinators, potential employers and other personnel (if applicable); 2) Fifty percent of graduates are placed in training related job.</u> Actual Performance _____	<u>5</u>	<u>3</u>	<u>.15</u>
8 Job Duty <u>Maintains learning environment which is safe, and adequate to support proper training.</u> Success Criteria <u>1) Classrooms/shops contain no safety hazards and are adequate regarding lighting, ventilation and space and cleanliness, 2) No student injuries occur; 3) Sufficient equipment and supplies are maintained and replacements are requisitioned as needed</u> Actual Performance _____	<u>5</u>	<u>3</u>	<u>.15</u>
Total Section I Summary Rating:	<u>100</u>		<u>2.40</u>

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

1 Characteristic. Promoting Equal Opportunity

Definition. Meets agency affirmative action goals in such areas as hiring, promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees Only)

A

2 Characteristic Leadership

Definition. Employee can be relied upon to guide others to the accomplishment of objectives/responsibilities and outcomes, develop teamwork, and resolve conflict.

A

3 Characteristic Problem Analysis

Definition. Able to identify problems and relevant issues and breaks problems into components, sees relationships and alternative solutions and arrives at sound conclusions through logical process; able to evaluate services rendered.

A

4 Characteristic Judgement

Definition. Able to reason, compare, understand, and think rationally on the job, makes quality work-related decisions based on sound conclusions and separates facts from opinions, able to assess the achievement of others and translate into a corrective action plan.

A

5 Characteristic Job Knowledge

Definition. Knows the details of the job and follows all job procedures accurately.

A

6 Characteristic Technical Competence

Definition. Possesses necessary knowledge to effectively perform job and able to apply what he/she has learned about his/her job.

A

7 Characteristic Internal Relations

Definition. Degree to which one works effectively and cooperatively with others and other departments in achieving organizational goals and expected outcomes. Degree of responsiveness to organizational changes.

A

8 Characteristic Communication Ability

Definition. Ability of the employee to present accurate information to other employees, peers, and superiors and to enhance the flow of information to inform management.

A

9 Characteristic Quality of Work

Definition. Neatly, thoroughly, and accurately completes job assignments according to established standards of quality.

A

10 Characteristic. Safety

Definition. Follows established safety practices and corrects unsafe work practices on the job; capable of creating a positive and disciplined environment.

A

**Section III
OBJECTIVES SECTION**

	Weight Factor %	Perform x Level 0-12-3	Weighted = Average
1 Objective _____ _____ Success Criteria. _____ _____ Actual Performance. _____ _____ _____	_____	_____	_____
2 Objective _____ _____ Success Criteria _____ _____ Actual Performance. _____ _____ _____	_____	_____	_____
3 Objective _____ _____ Success Criteria. _____ _____ Actual Performance _____ _____ _____	_____	_____	_____
4 Objective _____ _____ Success Criteria _____ _____ Actual Performance _____ _____ _____	_____	_____	_____
Total Section III Summary Rating: _____			

Section IV
SUMMARY AND IMPROVEMENT PLAN

- 1 Identify employee's performance strengths.

Maintains high Class enrollment
and encourages students productivity

2. Identify employee's areas in need of improvement.

None noted At this time; however the
employee needs to stay abreast with
policy-procedure changes

- 3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance

Agency needs to provide meaningful
Training and stay abreast with Training
Requirements

V Summary rating for each section.

Job Duties - Section I	Weighted Average <u>2.40</u>
Objectives - Section III	
Appraisal Overall Weighted Average Total	<u>2.40</u>
(2.5 - 3.0 = Substantially Exceeds Performance Requirements)	
(1.5 - 2.49 = Exceeds Performance Requirements)	
(0.5 - 1.49 = Meets Performance Requirements)	
(0.0 - 0.49 = Below Performance Requirements)	

VI Justification For Below or Substantially Exceeds Rating:

VII. Employee Comment

VIII Planning /stage.

Rating Supervisor	<u>Bobby L. King</u>	Date	<u>5-3-2001</u>
Reviewing Official	<u>Ray L. King</u>	Date	<u>5-3-01</u>
Concurring Official		Date	
Employee	<u>Beverly McClanahan</u>	Date	<u>5-4-01</u>

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

IX. Evaluation Stage.

Rating Supervisor	<u>Laverne Thomas</u>	Date	<u>4-24-02</u>
Reviewing Official	<u>Ray L. King</u>	Date	<u>4/24/02</u>
Concurring Official		Date	
Employee	<u>Beverly McClanahan</u>	Date	<u>4-29-02</u>

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

)

STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE

Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)

)

SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008

DOCUMENTS REGARDING
BEVERLY M. McCLANAHAN

)

UNABLE TO LOCATE
EPMS COVERING
6/2/2003 – 12/2/2003

3

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name Beverly McClanahan Position/Classification/Title JD40/Vocational Teacher
Organizational Unit Education Location Broad River Corr Inst
Date Assigned to Current Position _____ State Employment Date _____
Performance Period
From August 17 2004 To February, 17 2005

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager utilizing suggestions from the supervisor or non supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration All management and supervisory employees are required to be reviewed on promoting equal opportunity

Objectives The objectives section allows for managers to document special projects/programs or career development requested by the employee **Objectives may be identified for management, supervisory and non-supervisory employees** However it is suggested all management and supervisory employees have at **least one objective**

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period After this discussion, the supervisor shall complete the planning stage document Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the **entire** period Job duties, performance characteristics and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage

Once the manager has completed the evaluation document, it will be presented to the reviewing official and concurring official, if applicable, for signature The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be accomplished and accomplished by an employee during the rating period Success Criteria must be developed for each objective The objectives section should not have a total weight value to exceed 25%

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a 'meets performance requirements' rating The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective Success criteria are not required for performance characteristics However, each performance characteristic shall be defined

Section I
JOB DUTIES
(From Position Description)

		Weight Factor %	Perform x Level 0-1-2-3	Weighted Average
1	Job Duty <u>Assesses student abilities and needs required to complete course of instruction.</u>			
	Success Criteria <u>Student records contain evidence that students were interviewed, tested, and observed upon course entry and during probationary period (per SCDC Policy 2100 10-9)</u>			
	Actual Performance _____	<u>5%</u>	<u>2</u>	<u>10</u>
2	Job Duty <u>Develops curriculum and provides instruction to ensure student progress</u>			
	Success Criteria <u>1 Curriculum is competency based, contains measureable course objectives, pre-tests, post-tests, unit tests, work projects, and reflects current theories and techniques, proper safety procedures, proper use of tools, job information, and related math and/or applies science; 75% of enrollees complete course of instruction.</u>			
	Actual Performance _____	<u>50%</u>	<u>2</u>	<u>100</u>
3	Job Duty <u>Evaluates student progress.</u>			
	Success Criteria <u>1 Records contain test and performance scores which reflect the progress of each student 2) Profiles of minimum course competencies are completed for each student</u>			
	Actual Performance _____	<u>5%</u>	<u>2</u>	<u>10</u>
4	Job Duty <u>Maintains discipline and security in classroom, shop and other applicable work areas</u>			
	Success Criteria <u>1 All disruptions occurring in the classroom and work areas due to student misbehavior are controlled per SCDC policy 2 Minimum problems exist in the loss of instructional materials and equipment</u>			
	Actual Performance _____	<u>10%</u>	<u>2</u>	<u>20</u>

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	Perform x Level 0-1 2 3	Weighted Average
5 Job Duty <u>Supervises the use of all tools and equipment to ensure proper security, use, and storage</u> Success Criteria. <u>1)Written tool inventories are maintained,2)Tools are issued and supervised according to SCDC Policy 1500 10,3)Student records indicate evidence of student understanding of proper tool use</u> Actual Performance. _____	<u>10%</u>	<u>2</u>	<u>20</u>
6 Job Duty <u>Maintains student and other required records and submits reports as required.</u> Success Criteria. <u>1)A student record is maintained for each student; 2)Records of training & generated revenues/expenditures resulting from any production/repair services are maintained per SCDC Policy 2100 10-11, 3)Required reports are accurate and submitted on time</u> Actual Performance: _____	<u>5%</u>	<u>2</u>	<u>10</u>
7 Job Duty <u>Assists with placement of course graduates</u> Success Criteria. <u>1)Maintains record of efforts to coordinate placement with SCDC Job Placement Coordinators, potential employers and other personnel(if applicable), 2)50% of graduates are placed in training related job</u> Actual Performance _____	<u>5%</u>	<u>2</u>	<u>10</u>
8 Job Duty <u>Maintains learning environment which is safe, and adequate to support proper training.</u> Success Criteria <u>1)Classrooms/shops contain no safety hazards and are adequate regarding lighting, ventilation, space, & cleanliness 2) No student injuries occur, 3)Sufficient equipment & supplies are maintained and replacements are requisitioned as needed.</u> Actual Performance: _____	<u>5%</u>	<u>2</u>	<u>10</u>
Total Section I Summary Rating:		<u>95%</u>	<u>190</u>

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

1 Characteristic Promoting Equal Opportunity

Definition Meets agency affirmative action goals in such areas as hiring, promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees Only)

A

2 Characteristic Leadership

Definition. Employee can be relied upon to guide others to the accomplishment of objectives/responsibilities and outcomes, develop teamwork, and resolve conflict.

A

3 Characteristic Problem Analysis

Definition. Able to identify problems and relevant issues and breaks problems into components, sees relationships & alternative solutions & arrives at sound conclusions through logical process, able to evaluate services rendered.

A

4 Characteristic Judgement

Definition. Able to reason, compare, understand, and think rationally on the job, makes quality work-related decisions based on sound conclusions & separates facts from opinions

A

5 Characteristic Job Knowledge

Definition. Knows the details of the job and follows all job procedures accurately

A

6 Characteristic Technical Competence

Definition. Possesses necessary knowledge to effectively perform job and able to apply what he/she has learned about his/her job.

A

7 Characteristic Internal Relations

Definition Degree to which one works effectively & cooperatively with others & other departments in achieving organizational goals & expected outcomes Degree of responsiveness to organizational changes.

A

8 Characteristic Communication Ability

Definition Ability of the employee to present accurate information to other employees, peers, and superiors and to enhance the flow of information to inform management.

A

9 Characteristic Quality of Work

Definition Neatly, thoroughly, and accurately completes job assignments according to established standards of quality

A

10 Characteristic Safety

Definition. Follows established safety practices and corrects unsafe work practices on the job, capable of creating a positive and disciplined environment.

A

Section III
OBJECTIVES SECTION

	Weight Factor %	Perform x Level = 0-1 2-3	Weighted Average
1 Objective <u>Meets all training requirements</u> <u>to maintain Correctional Officer</u> Success Criteria. _____ _____ _____	3%	<u>2</u>	<u>6</u>
Actual Performance. _____ _____ _____			
2 Objective <u>Maintains accreditation files and</u> <u>standards in compliance with Agency</u> <u>management Review Process.</u> Success Criteria. _____ _____ _____	2%	<u>2</u>	<u>4</u>
Actual Performance. _____ _____ _____			
3 Objective _____ _____ _____ Success Criteria. _____ _____ _____ Actual Performance _____ _____ _____	_____	_____	_____
4 Objective _____ _____ _____ Success Criteria _____ _____ _____ Actual Performance: _____ _____ _____	_____	_____	_____
Total Section III Summary Rating:	<u>5</u>		<u>10</u>

Section IV
SUMMARY AND IMPROVEMENT PLAN

- 1 Identify employee's performance strengths

Northrup is a team player and is an asset to the Broad River staff

- 2 Identify employee's areas in need of improvement

none noted

- 3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance.

Performance Characteristics shall be given a rating of acceptable/unacceptable

- **Acceptable - Meets Requirements**
- **Unacceptable - Fails To Meet Requirements**

Performance Level Criteria

Substantially Exceeds Performance Requirements (3). Work that is characterized by exemplary accomplishments throughout the rating period, performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period

Meets Performance Requirements (1) Work that meets the success criteria of the job

Below Performance Requirements (0) Work that fails to meet the success criteria of the job

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties), as outlined in the employee's job description. If the job description is incorrect, it should be updated at the time the planning stage is completed

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100% The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable No weight factor should be assigned to this section , The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors

Example of Appraisal Completion

<u>Job Duties</u>	<u>Example Weight Factor</u>	x	<u>Example Perform Level</u>	=	<u>Weighted Average</u>
1	20%		3		60
2	15%		2		.30
3	20%		1		.20
4	10%		1		10
5	5%		3		15
6	5%		2		10
<u>Total</u>	<u>75%</u>				<u>1 45</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Objectives					
1	10%		2		.20
2	10%		1		10
3	5%		1		05
<u>Total</u>	<u>25%</u>				<u>.35</u>
Average Weighted Review Total	<u>100%</u>				<u>1 80</u>

V Summary rating for each section

Job Duties - Section I

Objectives - Section III

Appraisal Overall Weighted Average Total

(2.5 3.0 = Substantially Exceeds Performance Requirements)

(1.5 2.49 = Exceeds Performance Requirements)

(0.5 1.49 = Meets Performance Requirements)

(0.0 0.49 = Below Performance Requirements)

Weighted
Average

1.90

1.0

2.00

VI Justification For Below or Substantially Exceeds Rating

VII. Employee Comment

VIII Planning /stage

Rating Supervisor

Reviewing Official

Concurring Official

Employee

Date 12-17-04

Date _____

Date _____

Date 12-17-04

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

IX. Evaluation Stage

Rating Supervisor

Reviewing Official

Concurring Official

Employee

Date 2-15-05

Date 2-15-05

Date _____

Date 2-15-05

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

PERI270D
 PERI270M
 SSN > 249-70-1727
 NAME > MCCLANAHAN, BEVERLY M
 STREET > 3110 MONTCREST ROAD

EMPLOYEE INQUIRY

12/01/08
 06/01/2005

EMPL # > 014097 STATUS> T 010
 SCDC # > 013521 OHR #> P1 000110730
 JCLS/BAND/LEVEL > JD40 05 B
 SLOT > 0107 JOB COUNTY > 40

CITY > COLUMBIA SC 29210-5523
 CONTACT PHONE > 803-772-1834 COUNTY > 32
 WORK PHONE > 803-896-0000

EDUCATION LEVEL > 18
 HIRE DATE > 12/03/90
 STATE HIRE DATE> 07/29/83
 REVIEW DATE > 02/17/06
 PROB END DATE >
 CONT SERV DATE > 12/03/90
 SEC SERV DATE > 12/03/90
 BIRTH DATE > 07/15/43
 RETIRE SYSTEM > POLICE
 RETIRE IND > N
 FUND > 51000 > 1 0000
 > >
 > >

BASE PAY >
 SPEC INCEN >
 ADD BEN > >
 EMER RES TEAM>
 SPECIAL PAY >
 TOTAL ANNUAL > 34,500
 SEMI-MONTHLY > 1,437 50
 HOURLY RATE > 16 58
 A/L PAY > Y
 BUDGET > 32211
 BCLASS > 015800
 PGM > 835

SECURITY IND> N FLSA > 1
 III BROAD RIVER CORRECTIONAL INSTI
 TITLE > CORRECTIONAL OFFICER III
 34,500 WORK HOURS > 40 00
 RACE > WHITE
 SEX > FEMALE
 EMER TEAM >
 CITIZEN > YES
 MARITAL > MARRIED
 SEC STEP > 02 06/02/03
 FED CAT > 02
 CERTIFIED > N 11/20/03
 FILING STATUS> MARRIED
 FED EXEMPT > 01
 STATE EXEMPT > 01

PF4=FETCH EMPLOYEE PF5=DEDUCTIONS PF6=ONE-TIME PAY PF7=EARNINGS PF8=UPDATE
 > EMPLOYEE INFORMATION DISPLAYED

4-6 1 Sess-1 167 7 50 33 SCDC1319 3/10

)
**STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE**

**Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)**

1
**SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008**

**DOCUMENTS REGARDING
JAMES C. BELL**

PERI310D
PERI310M
PERTRANA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
HUMAN RESOURCES MANAGEMENT SYSTEM
SALARY HISTORY

11/24/08

SSN > 250-98-3702 > BELL, JAMES C

> PROGRAM COORDINATOR I

EFF	REASON	SEC	LOC	CLASS	CODE	BND	LVL	SLOT	FLSA	CDE	BASE	ADDL	ANNUAL
DATE	CODE	STEP									SALARY	BENEFITS	SALARY
06/02/08	03		31191	AH35	05	B	0005	2			40750	0 00	40750
06/02/07	03		31191	AH35	05	B	0005	2			40347	0 00	40347
06/02/06	03		31191	AH35	05	B	0005	2			39172	0 00	39172
01/17/06	06		31191	AH35	05	B	0005	2			38032	0 00	38032
06/02/02	03		31191	UB04	00		0023	1			52144	0 00	52144
05/23/02	25		31191	UB04	00		0023	1			51056	0 00	51056
06/02/01	03		31191	UB14	00		0023	1			51056	0 00	51056
06/02/00	03		31191	UB14	00		0023	1			48042	0 00	48042
06/02/99	03		31191	UB14	00		0023	1			43213	0 00	43213
06/02/98	03		31191	UB14	00		0023	1			40441	0 00	40441
06/02/97	03		31191	UB14	00		0023	1			39020	0 00	39020
07/01/96	25		31191	UB14	00		0023	1			37262	0 00	37262
06/02/96	03		31191	9009	00		0023	1			37262	0 00	37262
02/02/96	17		31191	9009	00		0023	1			35257	0 00	35257

PF4=FETCH EMPLOYEE PF2=MODIFY/DELETE PF1=ADD PF3=CHANGE CODE PAGE (0001)

4-6

1 Sess-1

167 7 50 33

SCDC1155

5/7

(Front)

STATE OF SOUTH CAROLINA
POSITION DESCRIPTION

SCDC USE ONLY

SC DEPT. OF CORRECTIONS

AGENCY NAME

James Bell

INCUMBENT'S NAME

Vocational Teacher

UB14

0023

CURRENT CLASS / CLASS CODE / SLOT

103608

POSITION NUMBER

SOURCE OF FUNDING		
STATE	FEDERAL	OTHER
01/01/01		

Education

Perry 31191

DIVISION / SECTION / UNIT

Pelzer-Greenville

CITY / COUNTY

213

UB14

SUPERVISOR CLASS / CLASS CODE / SLOT

POSITION STATUS
(FILLED OR VACANT)

MENT SYSTEM STATUS

N

TEMPORARY POSITION

F/P HOURS / WEEK BASE / HOURS

AGENCY
FIELD

8316

31191

WITH BUDGET UNIT

STATE PERSONNEL USE

JAMES C BELL

000103608

OLD N04-UB14-0023

NEW N04-UB04-0023

VUC THR

APPROVED CLASS TITLE

PLA

Bam

APPROVAL

22300

DATE

Update

REQUESTED ACTION (DECLASS UPDATE, BU, HRB OR PROGRAM CHANGE)

REQUESTED CLASSIFICATION

THE FOLLOWING SECTION OF THE POSITION DESCRIPTION IS TO BE COMPLETED BY THE SUPERVISOR

- What knowledge, skills, and abilities are needed by an employee upon entry to this job? Where/how would an individual normally acquire these knowledge, skills and abilities?
STATE MINIMUM REQUIREMENTS:
High School Diploma
SCDC REQUIREMENTS:
High School diploma or equivalent. Six (6) years in vocational trade. Must possess teaching certificate in vocational trade or be qualified for the issuance thereof. Ability to work individually and collectively with adult offenders within a correctional setting. Ability to communicate with community employers.
- Describe the guidelines and supervision an employee receives in order to do this job, including the employee's independence and discretion

Daily on-site supervision by school principal through verbal and written communications.

3 Supervisor's comments

4

Supervisor's signature

2/14/00

DATE

3147

(Back)

STATE OF SOUTH CAROLINA POSITION DESCRIPTION

THIS SECTION OF THE DESCRIPTION IS TO BE COMPLETED BY THE INCUMBENT

1 JOB PURPOSE

Under general supervision provide vocational instruction and supervision for enrollees, inclusive of the provision and management of vocational activities.

2 ESSENTIAL AND MARGINAL FUNCTIONS

	Percentage of Time
1 Assesses student abilities and needs required to complete course of instruction (Essential)	5%
2 Develop curriculum and provide instruction to ensure student progress (Essential)	50%
3 Evaluates student progress (Essential)	5%
4 Maintains discipline and security in classroom, shop and other applicable work areas (Essential)	10%
5 Supervise the use of all tools and equipment to ensure proper security, use and storage (Essential)	10%
6 Maintains student and other required records and submits reports as required (Essential)	5%
7 Assists with job placement of course graduates (Marginal)	5%
8 Maintains learning environment which is safe and adequate to support proper training (Essential)	5%
9 Performs other duties as required in the area of Vocational Education (Essential)	5%

3 SUPERVISORY RESPONSIBILITIES

CLASSIFICATION TITLES OF THREE HIGHEST LEVEL SUBORDINATES

NUMBER

- (1) _____
- (2) _____
- (3) _____

TOTAL NUMBER OF EMPLOYEES SUPERVISED _____

4 COMMENTS

5 THIS SECTION OF THE DESCRIPTION WAS COMPLETED BY

Division of Educational Services

(PLEASE PRINT)

6. THE ABOVE DESCRIPTION IS AN ACCURATE AND COMPLETE DESCRIPTION OF MY JOB

[Signature]

(INCUMBENT'S SIGNATURE)

2-14-00

DATE

)

STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE

Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)

SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008

DOCUMENTS REGARDING
JAMES C. BELL

UNABLE TO LOCATE
POSITION DESCRIPTION
FOR POSITION ASSUMED 1/17/2006
(AH35-0005)

)

PERI320D SOUTH CAROLINA DEPARTMENT OF CORRECTIONS 11/25/08
 PERI320M PERSONNEL MANAGEMENT SYSTEM C000175
 PERTRANA REVIEW INFORMATION

SSN/EMPL#> 015874 > BELL JAMES C > PROGRAM COORDINATOR I
 BASE

DATE	EFFECTIVE	REASON	JCLS/BAND/LEVEL	SALARY	PERF	P/P	A/I
01/17/09	01/17/09	01	AH35 05 B			F	A
01/17/08	01/17/08	01	AH35 05 B		MR	F	A
01/17/07	01/17/07	01	AH35 05 B		MR	F	A
06/02/02	06/02/02	01	UB04 00		SE	F	A
06/02/01	06/02/01	01	UB14 00		ER	F	A
06/02/00	06/02/00	01	UB14 00		SE	F	A
06/02/99	06/02/99	01	UB14 00		ER	F	A
06/02/98	06/02/98	01	UB14 00		SE	F	A
06/02/97	06/02/97	01	UB14 00		ER	F	A
06/02/96	06/02/96	01	9009 00		MR	F	A

LONGEVITY EFFECTIVE AGENCY CLASS/LEVEL BAND INCREASE P/P A/I
 HISTORY

ENTER=INQ PF1=ADD PF2=MODIFY PF4=FETCH PF5=CALC NEW DATE PAGE (0001)

4-0 1 Sess-1 167 7 50 33 SCDC1174 5/12

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Name _____ BELL JAMES C _____ Position/Title 9009/Vocational Teacher
VOC TCHR
Organizational Unit PERRY CORRECTIONAL INSTITUTION _____
Date Assigned to C. _____ it Date _____
Performance Period
From April 1, 2001 To March 31, 2002

GENERAL INSTRUCTIONS

Planning Stage

Job Duties The manager, utilizing suggestions from the supervisor or non supervising professional employee, shall select job duties from the employee's most recent position description and develop success criteria for each job duty

Performance Characteristics Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the manager and employee from a list developed by the Division of Personnel Administration. All management and supervisory employees are required to be reviewed on promoting equal opportunity

Objectives The objectives section allows for managers to document special projects/programs or career development requested by the employee **Objectives may be identified for management, supervisory and non-supervisory employees** However, it is suggested all management and supervisory employees have at **least one objective**.

The supervisor should initially meet with the employee to discuss the position description and how it relates to the employee's job duties/objectives for the upcoming period After this discussion, the supervisor shall complete the planning stage document Prior to discussing the completed planning stage with the employee, the manager will present the final document to the reviewing and concurring official if applicable for signature. The manager will then complete the planning stage by meeting with the employee to review his/her planning stage for the period and obtain the employee's signature The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period

Evaluation Stage

The manager will complete the evaluation document based on the employee's performance for the **entire** period Job duties performance characteristics, and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage

Once the manager has completed the evaluation document, it will be presented to the reviewing official and concurring official, if applicable, for signature The manager will then schedule a meeting with the employee to discuss his/her performance and obtain the employee's signature and appropriate comments

Objectives

Objectives are an identified project (something above and beyond normal duties and responsibilities) to be focused on and accomplished by an employee during the rating period Success Criteria must be developed for each objective. The objectives section should not have a total weight value to exceed 25%

Success Criteria

Success Criteria should specify the expected level of performance necessary to obtain a "meets performance requirements" rating. The success criteria shall be incorporated into the employee's performance appraisal for each job duty and objective Success criteria are not required for performance characteristics. However, each performance characteristic shall be defined.

Performance Characteristics shall be given a rating of acceptable/unacceptable

- **Acceptable - Meets Requirements**
- **Unacceptable - Fails To Meet Requirements**

Performance Level Criteria

Substantially Exceeds Performance Requirements (3). Work that is characterized by exemplary accomplishments throughout the rating period; performance that is considerably and consistently above the success criteria of the job

Exceeds Performance Requirements (2) Work that is above the success criteria of the job throughout the rating period.

Meets Performance Requirements (1) Work that meets the success criteria of the job

Below Performance Requirements (0) Work that fails to meet the success criteria of the job

Weight Factor

A Weight Factor is to be used which reflects the percentage of time it takes to perform each job duty (or combination of smaller job duties), as outlined in the employee's job description. If the job description is incorrect, it should be updated at the time the planning stage is completed

The Job Duties section accounts for most or all of the employee's workload. The job duties section should have a total weight factor which when added to the Objectives Section should equal 100% The Performance Characteristics section identifies how well the employee approaches the completion of the required tasks and is rated Acceptable/Unacceptable. No weight factor should be assigned to this section., The Objectives section outlines specific major goals to be completed and should carry a total weight factor of no more than 25%. At least one objective is suggested to be established for all supervisors

Example of Appraisal Completion

<u>Job Duties</u>	<u>Example Weight Factor</u>	x	<u>Example Perform Level</u>	=	<u>Weighted Average</u>
1	20%		3		60
2	15%		2		.30
3	20%		1		.20
4	10%		1		10
5	5%		3		15
6	5%		2		10
<u>Total</u>	<u>75%</u>				<u>145</u>
Performance Characteristics					
1			A		
2			A		
3			U		
<u>Total</u>					
Objectives					
1	10%		2		.20
2	10%		1		10
3	5%		1		05
<u>Total</u>	<u>25%</u>				<u>.35</u>
Average Weighted Review Total					
	<u>100%</u>				<u>180</u>

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	Perform x Level = 0-123	Weighted Average
1 Job Duty <u>Assesses student abilities and needs required to complete course of instruction.</u> Success Criteria <u>Student records contain evidence that students were interviewed, tested, and observed upon course entry and during probationary period (per SCDC Policy 2100.10-9).</u> Actual Performance _____	<u>10</u>	<u>20</u>	<u>.20</u>
2 Job Duty <u>Develops curriculum and provides instruction to ensure student progress.</u> Success Criteria <u>1) Curriculum is competency-based, contains measureable course objectives, pre-tests, post-tests, unit tests, work projects, and reflects current theories and techniques, proper safety procedures, proper use of tools, job information, and related mathematics and/or applies science, 2) Seventy-five percent of enrollees complete course of instruction.</u> Actual Performance _____	<u>15</u>	<u>25</u>	<u>.375</u>
3 Job Duty <u>Evaluates student progress.</u> Success Criteria <u>1) Records contain test and performance scores which reflect the progress of each student, 2) Profiles of minimum course competencies are completed for each student.</u> Actual Performance _____	<u>10</u>	<u>2.5</u>	<u>.25</u>
4 Job Duty <u>Maintains discipline and security in classroom, shop and other applicable work areas.</u> Success Criteria <u>1) All disruptions occurring in the classroom and work areas due to student misbehavior are controlled per SCDC policy, 2) Minimum problems exist in the loss of instructional materials and equipment</u> Actual Performance _____	<u>5</u>	<u>2.5</u>	<u>.125</u>

Section I
JOB DUTIES
(From Position Description)

	Weight Factor %	Perform x Level = 0-123	Weighted Average
5 Job Duty <u>Supervise the use of all tools and equipment to ensure proper security, use, and storage.</u> Success Criteria <u>1) Written tool inventories are maintained;</u> <u>2) Tools are issued and supervised according to SCDC Policy 1500.10; 3) Student records indicate evidence of student understanding of proper tool use.</u> Actual Performance: _____	10	25	.25
6 Job Duty <u>Maintains student and other required records and submits reports as required.</u> Success Criteria <u>1) A student record is maintained for each student; 2) Records of training and generated revenues/expenditures resulting from any production/repair services are maintained per SCDC Policy 2100.10-11, 3) All required reports are accurate and submitted on time</u> Actual Performance: _____	10	2.5	.25
7 Job Duty <u>Assists with placement of course graduates.</u> Success Criteria <u>1) Maintains record of efforts to coordinate placement with SCDC Job Placement Coordinators, potential employers and other personnel (if applicable), 2) Fifty percent of graduates are placed in training related job</u> Actual Performance: _____	10	2.5	.25
8 Job Duty <u>Maintains learning environment which is safe, and adequate to support proper training</u> Success Criteria <u>1) Classrooms/shops contain no safety hazards and are adequate regarding lighting, ventilation and space and cleanliness, 2) No student injuries occur, 3) Sufficient equipment and supplies are maintained and replacements are requisitioned as needed</u> Actual Performance: _____	5	2.5	.125
Total Section I Summary Rating:	75		1.825

Section II
PERFORMANCE CHARACTERISTICS

Performance Level
Acceptable/Unacceptable

1 Characteristic <u>Promoting Equal Opportunity</u> Definition <u>Meets agency affirmative action goals in such areas as hiring, promotion, or placement level of personal and organizational commitment to equal opportunity (Management and Supervisory Employees Only)</u>	—
2 Characteristic <u>Leadership</u> Definition <u>Employee can be relied upon to guide others to the accomplishment of objectives/responsibilities and outcomes, develop teamwork, and resolve conflict.</u>	A+
3 Characteristic <u>Problem Analysis</u> Definition <u>Able to identify problems and relevant issues and breaks problems into components, sees relationships and alternative solutions and arrives at sound conclusions through logical process, able to evaluate services rendered.</u>	A+
4 Characteristic <u>Judgement</u> Definition <u>Able to reason, compare, understand, and think rationally on the job, makes quality work-related decisions based on sound conclusions and separates facts from opinions, able to assess the achievement of others and translate into a corrective action plan</u>	A
5 Characteristic <u>Job Knowledge</u> Definition <u>Knows the details of the job and follows all job procedures accurately.</u>	A+
6 Characteristic <u>Technical Competence</u> Definition <u>Possesses necessary knowledge to effectively perform job and able to apply what he/she has learned about his/her job</u>	A+
7 Characteristic <u>Internal Relations</u> Definition <u>Degree to which one works effectively and cooperatively with others and other departments in achieving organizational goals and expected outcomes. Degree of responsiveness to organizational changes.</u>	A+
8 Characteristic <u>Communication Ability</u> Definition <u>Ability of the employee to present accurate information to other employees, peers, and superiors and to enhance the flow of information to inform management.</u>	A
9 Characteristic <u>Quality of Work</u> Definition <u>Neatly, thoroughly, and accurately completes job assignments according to established standards of quality</u>	A+
10 Characteristic <u>Safety</u> Definition <u>Follows established safety practices and corrects unsafe work practices on the job; capable of creating a positive and disciplined environment.</u>	A

Section III
OBJECTIVES SECTION

	Weight Factor %	Perform x Level = 0-1-2-3	Weighted Average
1 Objective <u>Provide OJT for all Math projects.</u> <u>PCI & Non profit orgs.</u>			
Success Criteria <u>directly observe, beginning in</u> <u>design, construction, cost, keeps up to date</u> <u>list & pictures of all projects-</u>			
Actual Performance _____	<u>20</u>	<u>2.5</u>	<u>50</u>
2 Objective <u>Meets training & certif requirements</u>			
Success Criteria <u>All new SDCS training + 40 hrs</u> <u>Reviews for certif, attends 2 craft Advisory meeting</u>			
Actual Performance _____	<u>5</u>	<u>3.0</u>	<u>.15</u>
3 Objective _____			
Success Criteria _____			
Actual Performance _____	_____	_____	_____
4 Objective _____			
Success Criteria _____			
Actual Performance _____	_____	_____	_____
Total Section III Summary Rating	<u>25</u>		<u>.65</u>

Section IV
SUMMARY AND IMPROVEMENT PLAN

1 Identify employee's performance strengths

Mr. Bell shows exceptional skills in working with all levels of inmates. He exhibits a positive attitude with staff as well as inmates.

2 Identify employee's areas in need of improvement

None noted at this time

3 Identify actions and recommendations to be taken by employee and/or Agency to improve present performance or to prepare for future performance.

Meet mandatory SCDC & SCDE training
Continue w/ teacher certification

V Summary rating for each section.

Job Duties Section I	Weighted Average <u>1.825</u>
Objectives Section III	<u>.65</u>
Appraisal Overall Weighted Average Total	<u>2.5</u>
(2.5 3.0 = Substantially Exceeds Performance Requirements)	
(1.5 2.49 = Exceeds Performance Requirements)	
(0.5 1.49 = Meets Performance Requirements)	
(0.0 0.49 = Below Performance Requirements)	

VI. Justification For Below or Substantially Exceeds Rating

Mr. Bell's ability to work with all students staff and faculty at Perry is an asset to Perry's school as well as the institution. His ability to coordinate outside projects with institutional duties is exceptional.

VII Employee Comment

VIII. Planning /stage

Rating Supervisor *[Signature]* Date 4/5/01
 Reviewing Official *[Signature]* Date 4-11-01
 Concurring Official *[Signature]* Date 4-11-01
 Employee *[Signature]* Date 4-11-01

(My signature indicates that I have discussed the planning stage and position description with my supervisor not that I necessarily agree.)

IX. Evaluation Stage

Rating Supervisor *[Signature]* Date 4-15-02
 Reviewing Official *[Signature]* Date 4-18-02
 Concurring Official *[Signature]* Date 4-23-02
 Employee *[Signature]* Date 4-23-02

(My signature indicates that I have discussed the planning stage and position description with my supervisor - not that I necessarily agree.)

PERU320D SOUTH CAROLINA DEPARTMENT OF CORRECTIONS 12/01/08
PERSONNEL MANAGEMENT SYSTEM UPDATE ON 07/01/23
REVIEW INFORMATION BY BEGINPAY

SSN > 250-98-3702 > BELL JAMES C > PROGRAM COORDINATOR I

REVIEW TYPE > 01 MERIT JCLS/BAND/LEVEL> AH35 05 B
REVIEW DATE > 01/17/07
RATING > MR MEETS REQUIREMENTS
WEIGHTED AVERAGE > 0 50 RECEIVED DATE > 00/00/00
EFFECTIVE DATE > 01/17/07
SUPERVISOR >

FULLTIME/PARTTIME> F FULL-TIME AGENCY > N04
ANNUAL SALARY >

INCREASE AMOUNT >

STATUS INDICATOR > A ACTIVE TERMINATION REASON >

MAIL DATE > 10/27/06 DUE DATE > 00/00/00
LATE NOTICE DATE > 00/00/00 DC NOTICE DATE > 00/00/00

MAKE MODIFICATIONS AND PRESS ENTER TO STORE

4- 1 Sess-1 167 7 50 33 SCDC1319 7/20

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
PERSONNEL MANAGEMENT SYSTEM
REVIEW INFORMATION**

12/01/08
UPDATE ON 08/01/24
BY BEGINPAY

> PROGRAM COORDINATOR I

```

REVIEW TYPE      > 01 MERIT                      JCLS/BAND/LEVEL> AH35      05 B
REVIEW DATE      > 01/17/08
RATING           > MR MEETS REQUIREMENTS
WEIGHTED AVERAGE > 0 50                          RECEIVED DATE >      00/00/00
EFFECTIVE DATE   > 01/17/08
SUPERVISOR       >

```

FULLTIME/PARTTIME> P FULL-TIME
ANNUAL SALARY >

INCRBASE AMOUNT >

STATUS INDICATOR > A ACTIVE TERMINATION REASON >

MAIL DATE	> 10/05/07	DUE DATE	> 12/17/07
LATE NOTICE DATE	> 00/00/00	DC NOTICE DATE	> 00/00/00

MAKE MODIFICATIONS AND PRESS ENTER TO STORE

4-6	1 Sess-1	167 7 50 33	SCDC1319	7/20

)

STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE

Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)

SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008

DOCUMENTS REGARDING
JAMES C. BELL

UNABLE TO GENERATE
JOB POSTING FOR POSITION
INTO WHICH MR. BELL WAS
HIRED ON 1/17/2006
(AH35-0005)

**DEPARTMENT OF CORRECTIONS
PERRY CORRECTIONAL INSTITUTION**

- Posting Notice -

Opening date	11/01/2005	Closing Date	11/10/2005
Job Title	PROGRAM COORDINATOR I	Class Code/Slot	AH35 / 0005
Internal Title	VOCATIONAL INSTRUCTOR		
Band Range	\$ 28,255 - \$ 52,278	Pay Band	05
Hiring Range	\$ 29,390 - \$ 46,520		
Position #	P000037396	Position Type	Permanent
Location	PELZER, SC (GREENVILLE)	Normal Work Schedule	MONDAY THROUGH FRIDAY / 7 00 AM - 4 00 PM
		Part Time / Full Time	Full

Description of Duties See Class Specification - AH35

Other Specific Duties

ASSESS STUDENT'S ABILITIES AND NEEDS REQUIRED TO COMPLETE COURSE OF INSTRUCTION DEVELOP CURRICULUM AND PROVIDE INSTRUCTION TO ENSURE STUDENT PROGRESS EVALUATES STUDENT PROGRESS MAINTAINS DISCIPLINE AND SECURITY IN CLASSROOM, SHOP, AND OTHER APPLICABLE WORK AREAS SUPERVISE THE USE OF ALL TOOLS AND EQUIPMENT TO ENSURE PROPER SECURITY USE AND STORAGE MAINTAINS STUDENT AND OTHER REQUIRED RECORDS AND SUBMITS REPORTS AS REQUIRED ASSISTS WITH JOB PLACEMENT OF COURSE GRADUATES MAINTAINS LEARNING ENVIRONMENT WHICH IS SAFE, AND ADEQUATE TO SUPPORT PROPER TRAINING PERFORMS OTHER DUTIES AS REQUIRED IN THE AREA OF VOCATIONAL EDUCATION

COMMENTS WHEN APPLYING FOR THIS POSITION, PLEASE USE SCDC POSITION #010108 MUST SATISFACTORILY COMPLETE SCDC BASIC TRAINING RESUMES ARE NOT ACCEPTED LIEU OF, BUT MAY ACCOMPANY, THE COMPLETED APPLICATION THE SCDC APPLICATION MAY BE OBTAINED AT [HTTP //WWW STATE SC US/SCDC](http://www.state.sc.us/scdc)

State of South Carolina Minimum Training and Experience Requirements
(NOTE: ADDITIONAL REQUIREMENTS MAY BE APPLICABLE FOR INDIVIDUAL POSITIONS IN THE EMPLOYING AGENCY)

A bachelor's degree and relevant program experience

Additional Requirements

TWO (2) YEARS EXPERIENCE IN THE VOCATIONAL TRADE OF CARPENTRY, ASSOCIATE DEGREE AND FOUR (4) YEARS EXPERIENCE IN THE VOCATIONAL TRADE OF CARPENTRY, HIGH SCHOOL DIPLOMA AND SIX (6) YEARS EXPERIENCE IN THE VOCATIONAL TRADE OF CARPENTRY INCUMBENT MUST POSSESS OR BE ELIGIBLE TO OBTAIN A TEACHING CERTIFICATE IN THE VOCATIONAL TRADE OF CARPENTRY

Note If any additional requirements are listed above applicants must also meet those Additional Requirements

<http://www.state.sc.us/jobs/positions/P000037396.html>

11/2/2005

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
RECRUITING AND EMPLOYMENT SERVICES BRANCH
4502 BROAD RIVER ROAD
COLUMBIA, SOUTH CAROLINA 29210
JOB VACANCY NOTICE

*THE LANGUAGE USED IN THIS ANNOUNCEMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT *
*BETWEEN THE EMPLOYEE AND THE AGENCY THIS ANNOUNCEMENT DOES NOT CREATE ANY *
*CONTRACTUAL RIGHTS OR ENTITLEMENTS THE AGENCY RESERVES THE RIGHT TO REVISE *
*THE CONTENTS OF THIS ANNOUNCEMENT, IN WHOLE OR IN PART NO PROMISES OR *
*ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT *
*WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT *

OPENING DATE: 01/26/06

CLOSING DATE 02/06/06 (4 30 PM)

SCDC INTERNAL TITLE	VOCATIONAL TEACHER	SCDC POSITION #	015093
HOURS/WEEKLY:	037 50 SHIFT SCHEDULE	01 WORK TIME	0730 AM - 0330 PM
LOCATION	TYGER RIVER CORRECTIONAL INSTITUTION, ENOREE (SPARTANBURG)		

STATE JOB TITLE VOCATIONAL TEACHER
SALARY BASED ON CERTIFICATION

STATE JOB CLASS UB04

ADDITIONAL SCDC REQUIREMENTS

A HIGH SCHOOL DIPLOMA OR EQUIVALENT MUST POSSESS TEACHING
CERTIFICATE IN VOCATIONAL TRADE OR BE QUALIFIED FOR THE ISSUANCE
THEREOF SIX (6) YEARS EXPERIENCE IN CARPENTRY

DESCRIPTION OF DUTIES

UNDER GENERAL SUPERVISION, PROVIDES VOCATIONAL INSTRUCTION AND
SUPERVISION FOR ENROLLEES, INCLUSIVE OF THE PROVISION AND MANAGEMENT
OF VOCATIONAL PROGRAM ACTIVITIES ASSESSES STUDENTS' ABILITIES AND
NEEDS REQUIRED TO COMPLETE COURSE OF INSTRUCTION DEVELOPS
CURRICULUM AND PROVIDES INSTRUCTION TO ENSURE STUDENTS' PROGRESS
MAINTAINS DISCIPLINE AND SECURITY IN THE CLASSROOM, SHOP AND OTHER
APPLICABLE WORK AREAS SUPERVISES THE USE OF ALL TOOLS AND
EQUIPMENT TO ENSURE PROPER SECURITY, USE AND STORAGE ASSISTS WITH JOB
PLACEMENT OF COURSE GRADUATES

COMMENTS

MUST SATISFACTORILY COMPLETE SCDC BASIC TRAINING

PERI270D
 PERI270M
 SSN > 250-98-3702
 NAME > BELL JAMES C
 STREET > 407 BELL RD
 CITY > DONALDS
 CONTACT PHONE > 864-456-3202
 WORK PHONE > 803-896-0000
 EDUCATION LEVEL > 12
 HIRE DATE > 01/17/06
 STATE HIRE DATE > 10/21/91
 REVIEW DATE > 01/17/09
 PROB END DATE >
 CONT SERV DATE > 01/17/06
 SEC SERV DATE >
 BIRTH DATE > 12/29/52
 RETIRE SYSTEM > POLICE
 RETIRE IND > N
 FUND > 91000 > 1 0000
 > >
 > >
 SC 29638-0000
 COUNTY > 24
 BASE PAY >
 LONGEVITY >
 ADD BEN >
 EMER RES TEAM >
 SPECIAL PAY >
 TOTAL ANNUAL >
 SEMI-MONTHLY > 1 697 91
 HOURLY RATE > 19 59
 A/L PAY > Y
 BUDGET > 31191
 BCLASS > 015000
 PGM > 830
 EMPLOYEE INFORMATION DISPLAYED
 EMPLOYEE # > 015874 STATUS > A
 SCDC # > 010108 OHR # > P1 000037396
 JCLS/BAND/LEVEL > AH35 05 B
 SLOT > 0005 JOB COUNTY > 23
 SECURITY IND > N FLSA > 2
 III PERRY CORRECTIONAL INSTITUTION
 TITLE > PROGRAM COORDINATOR I
 WORK HOURS > 40 00
 RACE > WHITE
 SEX > MALE
 EMER TEAM >
 CITIZEN > YES
 MARITAL > MARRIED
 SEC STEP >
 FED CAT > 02
 CERTIFIED >
 FILING STATUS > SINGLE
 FED EXEMPT > 00
 STATE EXEMPT > 00
 PF4=FETCH EMPLOYEE PF5=DEDUCTIONS PF6=ONE-TIME PAY PF7=EARNINGS PF8=UPDATE
 4-6 1 Sess-1 167 7 50 33 SCDC1319 3/10

STATE OF SOUTH CAROLINA
OFFICE OF HUMAN RESOURCES
STATE EMPLOYEE GRIEVANCE COMMITTEE

Hearing in the Matter of
Bell, et al., v. SCDC (PUSD No. 1)

SUBMISSION OF DOCUMENTS
BY SCDC IN SATISFACTION OF
REQUESTS MADE BY
PANEL ON NOVEMBER 17, 2008

COMMITTEE EXHIBIT

Abraham [aka Teacher Pay Lawsuit] Impact (if any) of 2003 RIF upon plaintiffs named in case

		S	T		A		T		U		RIF	EFF				
												TERM				
												DATE				
LAST	FIRST															
1	Abraham											Active				
2	Adams											06/30/97				
3	Archie											06/06/97				
4	Austin											01/01/03				
5	Austin											06/30/03				
6	Bagnal											06/29/05				
7	Bailey											06/01/03				
8	Baker											06/10/07				
9	Balot											05/01/97				
10	Baskin											08/19/96				
11	Bass											06/01/03				
12	Becole											06/24/96				
13	1 Bell											06/01/03				
14	2 Bernard											06/01/03				
15	Bias											09/13/96				
16	Bodie											06/30/99				
17	Boland											07/01/01				
18	Bounds											04/27/08				
19	3 Bowyer											06/01/03				
20	Boxx											06/01/03				
21	Bradley											10/30/98				
22	4 Bratton											06/30/08				
23	5 Bridges											06/01/03				
24	Brown											08/04/99				
25	Brown											06/01/03				
26	Brunson											06/30/00				
27	Burch											08/15/97				
28	Burnette											08/30/07				
29	Clark											10/09/98				
30	Clark Jr											06/27/08				
31	6 Cobb											06/01/03				
32	Cook											06/30/01				
33	Cook											07/18/03				

SC Court of Appeals issued opinion on 9/11/2000, and it denied rehearing on 12/16/2000

2 grievants were not plaintiffs in Abraham Geneva Martin & Beverly McClanahan

COMMENTS

REHIRED 9/17/07 UB07 ACADEMIC PROG MGR -TERM 9/15/08

LEGEND

STATUS CODE

R = POSITION RIF'd (6/1/03)

T = NO LONGER EMPLOYED

A = ACTIVE

RIF CODE = SAME AS PLAN

Sorted Alphabetically (like caption for Court of Appeals decision)

Page 1 of 4

Abraham [aka "Teacher Pay Lawsuit"] Impact (if any) of 2003 RIF upon plaintiffs named in case

SC Court of Appeals issued opinion on 9/11/2000 and it denied rehearing on 12/16/2000						
2 grievants were not plaintiffs in <u>Abraham</u> Geneva Martin & Beverly McClanahan						
		S T A T U S	RIF CODE	EFF TERM DATE		
LAST	FIRST				COMMENTS	
34	7 Croxton	Jeannie	R 13	06/01/03		
35	8 Culbreath	Bernetha	R 13	06/01/03		
36	Danforth	Robert	T	01/01/08		
37	Davis	Ron	R 1	Active		
38	Deal	Sylvia	R 13	06/01/03		
39	Dedmond	Wadonna	T	05/30/06		
40	Demko	Loretta	T	08/31/01		
41	Dillingham	Randolph	T	07/01/98		
42	Divine	Rex	T	06/30/08		
43	Dodge	John	T	12/11/98		
44	9 Dreyer	William	R 13	06/01/03		
45	Eddings	John	A	Active		
46	English Davis	Darlene	T	06/30/08		
47	10 Farr	Jacqueline	R 3	06/01/03		
48	Floyd	Johnny	R 13	06/01/03		
49	Freeman	Kathy	T	12/31/97		
50	11 Fritts	Ruth	R 13	08/03/03		
51	Gainey Jr	Cecil	R 13	06/01/03		
52	Gilbert	Juanita	T	01/01/05		
53	Givens Jr	Otis	T	06/30/99		
54	12 Glenn	Nancy	R 13	Active		
55	Glover	John	T	06/30/99		
56	Goodman	Roger	T	04/16/02		
57	Greene	Alfonso	R R4	06/30/04		
58	Hall	James	T	07/01/97		
59	Hand	Lucisu	T	06/30/06		
60	Hayes	Mary	R 3	06/01/03		
61	Henderson Jr	Arnold Brooks	R 1	Active		
62	Henegan	Troy	T	06/28/96		
63	Holbrooks	Jeffery	T	12/16/97		
64	Hopper	Toni	T	04/01/97		
65	Houck	Michael	T	07/19/99		
66	Howard (Englert)	Eileen	R 1	Active		

LEGEND

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Sorted Alphabetically (like caption for Court of Appeals decision)

Page 2 of 4

Abraham [aka Teacher Pay Lawsuit] Impact (if any) of 2003 RIF upon plaintiffs named in case

		S T A T U S		RIF CODE		EFF TERM DATE	COMMENTS	
LAST FIRST								
67	Hudson	Mary	R	13	06/01/03			
68	Hudson	Patricia	A		Active			
69	Hummel	Sandra	T		06/04/96			
70	Jeffcoat	James	T		02/08/99			
71	Jeffenes Jr	Grayson	R	13	06/01/03			
72	Johnson	Linda	T		12/30/00			
73	Jones	Etta	R	13	06/01/03			
74	Jones	Elois	R	13	06/01/03			
75	Karr	Arnold	T		04/01/08			
76	Kinard	Bobby	T		08/31/01	TEMP EMP 8/26/04 8/29/05 7/17/06 8/27/07 8/24/08 - Currently active		
77	LaBrew	Deloris	R	13	04/01/04	DELAY IN RIF DUE TO MILITARY OBLIGATION		
78	Lowder	Mary	T		02/17/03			
79	Maik	Thomas	T		01/03/00			
80	Mannko	William	R	1	06/30/04	RETIREMENT OPPORTUNITY EMPLOYEE REHIRED 7/16/04 7/16/05 7/31/06 7/30/07 TERM 6/30/08		
81	Marshall	Myrtle	T		01/01/99			
82	Marshall	Andrew	T		08/31/01			
83	McCabe (Cawthon)	Mary	R	13	Active			
84	McKay	William	T		09/30/03			
85	McLeod	John	T		07/12/96			
86	Medlin	Harry	T		09/01/98			
87	Mitchum	Grace	T		08/31/01			
88	Mobley	Roger	T		06/30/98			
89	Moore	Thomas				Notes in file indicate no compensation from lawsuit due unable to locate as employee		
90	Murdaugh	Johnny	T		06/30/97			
91	Patton-Brown	Rosalind	T		08/16/95			
92	Phillips	Theron	R	13	09/29/06			
93	Pyatt	Adaline	R	13	06/01/03			
94	Ramsey	Charlotte	T		06/30/97			
95	Randolph	Max	R	2	06/01/03			
96	Reid	Alma	T		12/30/05			
97	Rexrode	Steve	T		07/05/96			
98	Rhoten (Wilson)	(Brenda L) Loretta	R	3	06/01/03	Temp Empl 3/17/06 - Term 4/3/06		

LEGEND

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Abraham [aka Teacher Pay Lawsuit] Impact (if any) of 2003 RIF upon plaintiffs named in case

		S T A T U S		RIF	EFF TERM DATE	COMMENTS
LAST	FIRST	CODE				
99	Ritchie	Gerald	T		04/30/04	
100	Roache	Charles	T		06/30/01	
101	Robinson	Nathan	T		06/19/90	
102	Rogers	Helen	T		06/30/96	
103	Rogers	Leonard	T		09/30/03	
104	Rowell	Eunice	T		01/03/97	
105	Ruger	Rose	R	R4	07/18/03	
106	Sharpe	Hoyt	T		07/23/06	
107	Siegfried	Henry	T		01/01/97	
108	Singletary	Maurey	T		04/01/97	TEMP EMPLOYEE 9/30/02 7/23/03 7/10/04 6/5/05 6/4/06 6/17/07 6/22/08-Currently active
109	Smith	Luther	T		11/19/96	
110	16 Smith	Carolyn	R	13	06/01/03	
111	Starks	Mary	T		12/01/05	TEMP EMP 12/21/95 1/11/99 Perm FTE position 3/29/99 (non-education) temp emp 4/19/00 11/17/00 12/3/01 Temp Grant 1/17/03
112	Stokes	Boyd	A		Active	
113	Strckland	William	T		08/31/01	
114	Teufel	Howard	T		08/31/01	
115	Theodore	David	T		08/12/98	
116	Thomas	Donald	R	13	06/01/03	
117	Thompson	Beverly	T		08/16/01	
118	Venning	Jacqueline	R	1	Active	
119	Vinson III	Daniel	R	13	06/01/03	
120	17 Williams	Maggie	R	3	06/01/03	
121	Williams	Charles L	T		06/30/04	RETIREMENT OPPORTUNITY EMPLOYEE REHIRED 7/16/04 7/05/05 TERM 9/16/05
122	Wilson	Yvonne L Williams	A		Active	
123	18 Woodlief	Paula	R	13	06/01/03	
124	Wright	Carolyn	T		12/01/99	
125	Zuver Sr	James	T		12/31/00	

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Page 4 of 4

			S T A T U S		RIF		EFF TERM		COMMENTS	
LAST	FIRST	S CODE	DATE	SC Court of Appeals issued opinion on 9/11/2000 and it denied rehearing on 12/16/2000						
2 grievants were not plaintiffs in <u>Abraham</u> Geneva Martin & Beverly McClanahan										
1	Robinson	Nathan	T	06/19/90						
2	Patton Brown	Rosalind	T	08/16/95						
3	Hummel	Sandra	T	06/04/96						
4	Becole	Helen	T	06/24/96						
5	Henegan	Troy	T	06/28/96						
6	Rogers	Helen	T	06/30/96						
7	Rexrode	Steve	T	07/05/96						
8	Mcleod	John	T	07/12/96						
9	Baskin	Dedra	T	08/19/96						
10	Bias	Johnnie	T	09/13/96						
11	Smith	Luther	T	11/19/96						
12	Siegfried	Henry	T	01/01/97						
13	Rowell	Eunice	T	01/03/97						
14	Hopper	Toni	T	04/01/97						
15	Singletary	Maurey	T	04/01/97	TEMP EMPLOYEE 9/30/02 7/23/03 7/10/04 6/5/05 6/4/06 6/17/07 6/22/08-Currently active					
16	Balot	Alice	T	05/01/97						
17	Archie	James	T	06/06/97						
18	Adams	Mane	T	06/30/97						
19	Murdaugh	Johnny	T	06/30/97						
20	Ramsey	Charlotte	T	06/30/97						
21	Hall	James	T	07/01/97						
22	Burch	Warren	T	08/15/97						
23	Holbrooks	Jeffery	T	12/16/97						
24	Freeman	Kathy	T	12/31/97						
25	Mobley	Roger	T	06/30/98						
26	Dillingham	Randolph	T	07/01/98						
27	Theodore	David	T	08/12/98						
28	Medlin	Harry	T	09/01/98						
29	Clark	James F	T	10/09/98						
30	Bradley	Patricia	T	10/30/98						
31	Dodge	John	T	12/11/98						
32	Marshall	Myrtle	T	01/01/99						
33	Jeffcoat	James	T	02/08/99						

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Abraham [aka Teacher Pay Lawsuit] Impact (if any) of 2003 RIF upon plaintiffs named in case

			SC Court of Appeals issued opinion on 9/11/2000 and it denied rehearing on 12/16/2000		
			2 grievants were not plaintiffs in <u>Abraham</u> Geneva Martin & Beverly McClanahan		
	LAST	FIRST	STATUS	RIF CODE	EFF TERM DATE
34	Bodie	John	T		06/30/99
35	Givens Jr	Otis	T		06/30/99
36	Glover	John	T		06/30/99
37	Houck	Michael	T		07/19/99
38	Brown	Burke	T		08/04/99
39	Wright	Carolyn	T		12/01/99
40	Malik	Thomas	T		01/03/00
41	Brunson	Heyward	T		06/30/00
42	Johnson	Linda	T		12/30/00
43	Zuver Sr	James	T		12/31/00
44	Cook	Sandra	T		06/30/01
45	Roache	Charles	T		06/30/01
46	Boland	Richard	T		07/01/01
47	Thompson	Beverly	T		08/16/01
48	Demko	Loretta	T		08/31/01
49	Kinard	Bobby	T		08/31/01
50	Marshall	Andrew	T		08/31/01
51	Mitchum	Grace	T		08/31/01
52	Strickland	William	T		08/31/01
53	Teufel	Howard	T		08/31/01
54	Goodman	Roger	T		04/16/02
55	Austin	Jeannette	T		01/01/03
56	Lowder	Mary	T		02/17/03
57	Bailey	Ellen	R		06/01/03
58	Bass	Horace	R	13	06/01/03
59	1 Bell	James	R	13	06/01/03
60	2 Bernard	Orthella	R	13	06/01/03
61	3 Bowyer	Kathenne	R	13	06/01/03
62	Boxx	Frank	R	13	06/01/03
63	4 Bndges	Ann	R	13	06/01/03
64	Brown	Robert	R	13	06/01/03
65	5 Cobb	Rance	R	13	06/01/03
66	6 Croxton	Jeannie	R	13	06/01/03

TEMP EMP 8/26/04 8/29/05 7/17/06 8/27/07 8/24/08 - Currently active

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Page 2 of 4

Abraham [aka Teacher Pay Lawsuit] Impact (if any) of 2003 RIF upon plaintiffs named in case

					SC Court of Appeals issued opinion on 9/11/2000 and it denied rehearing on 12/16/2000	
					2 grievants were not plaintiffs in Abraham Geneva Martin & Beverly McClanahan	
LAST	FIRST	STATUS	RIF	TERM		
		S	CODE	DATE	COMMENTS	
67	7 Culbreath	Bernetha	R	13	05/01/03	
68	Deal	Sylvia	R	13	06/01/03	
69	8 Dreyer	William	R	13	06/01/03	
70	9 Farr	Jacqueline	R	3	06/01/03	
71	Floyd	Johnny	R	13	06/01/03	
72	Gainey Jr	Cecil	R	13	06/01/03	
73	Hayes	Mary	R	3	06/01/03	
74	Hudson	Mary	R	13	06/01/03	
75	Jeffenes Jr	Grayson	R	13	06/01/03	
76	10 Jones	Etta	R	13	06/01/03	
77	Jones	Elois	R	13	06/01/03	
78	Pyatt	Adaline	R	13	06/01/03	
79	11 Randolph	Max	R	2	06/01/03	
80	12 Smith	Carolyn	R	13	06/01/03	
81	Thomas	Donald	R	13	06/01/03	
82	Vinson III	Daniel	R	13	06/01/03	
83	13 Williams	Maggie	R	3	06/01/03	
84	14 Woodlief	Paula	R	13	06/01/03	
85	Rhoten (Wilson)	(Brenda L.) Loretta	R	3	06/01/03	Temp Empl 3/17/06 - Term 4/3/06
86	Austin	Diane	T		06/30/03	
87	Cook	Gary	T		07/18/03	
88	Ruger	Rose	R	R4	07/18/03	
89	15 Fritts	Ruth	R	13	08/03/03	
90	McKay	William	T		09/30/03	
91	Rogers	Leonard	T		09/30/03	
92	LaBrew	Delons	R	13	04/01/04	DELAY IN RIF DUE TO MILITARY OBLIGATION
93	Ritchie	Gerald	T		04/30/04	
94	Greene	Alfonso	R	R4	06/30/04	
95	Marinko	William	R	1	06/30/04	RETIREMENT OPPORTUNITY EMPLOYEE - REHIRED 7/16/04 7/16/05 7/31/06 7/30/07-TERM 6/30/08
96	Williams	Charles L	T		06/30/04	RETIREMENT OPPORTUNITY EMPLOYEE - REHIRED 7/16/04 7/05/05 TERM 9/16/05
97	Gilbert	Juanita	T		01/01/05	
98	Bagnal	Thurston	T		06/29/05	

LEGEND

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Page 3 of 4

Abraham [aka Teacher Pay Lawsuit] Impact (if any) of 2003 RIF upon plaintiffs named in case

		SC Court of Appeals issued opinion on 9/11/2000, and it denied rehearing on 12/16/2000			
		2 grievants were not plaintiffs in Abraham Geneva Martin & Beverly McClanahan			
LAST	FIRST	STATUS	RIF CODE	EFF TERM DATE	COMMENTS
99	Starks Mary	T		12/01/05	TEMP EMP 12/21/95 1/11/99 Perm FTE position 3/29/99 (non-education) temp emp 4/19/00 11/17/00 12/3/01 Temp Grant 1/17/03
100	Reid Alma	T		12/30/05	
101	Dedmond Wadonna	T		05/30/06	
102	Hand Lucisu	T		06/30/06	
103	Sharpe Hoyt	T		07/23/06	
104	Phillips Theron	R	13	09/29/06	
105	Baker Shelley	T		06/10/07	
106	Burnette Pamela	T		08/30/07	REHIRED 9/17/07 UB07 ACADEMIC PROG MGR TERM 9/15/08
107	Danforth Robert	T		01/01/08	
108	Karr Arnold	T		04/01/08	
109	Bounds Jewell	T		04/27/08	
110	Clark Jr Clarence	T		06/27/08	
111 16	Bratton Linda	R	1	06/30/08	
112	Divine Rex	T		06/30/08	
113	English-Davis Darlene	T		06/30/08	
114	Abraham Geraldine	R	3	Active	
115 17	McCabe (Cawthon) Mary	R	13	Active	
116	Davis Ron	R	1	Active	
117	Eddings John	A		Active	
118	Howard (Englert) Eileen	R	1	Active	
119 18	Glenn Nancy	R	13	Active	
120	Henderson Jr Arnold Brooks	R	1	Active	
121	Hudson Patricia	A		Active	
122	Moore Thomas				Notes in file indicate no compensation from lawsuit due unable to locate as employee
123	Stokes Boyd	A		Active	
124	Venning Jacqueline	R	1	Active	
125	Wilson Yvonne L Williams	A		Active	

LEGEND

STATUS CODE

R = POSITION RIF'd (6/1/03)

T = NO LONGER EMPLOYED

A = ACTIVE

RIF CODE = SAME AS PLAN

Sorted by Eff Term Date

BELL, ET AL V SCDC DEPOSITION EXCERPTS

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June 21, 2006
- 2 JOHN NEAR
June 21, 2006
- 3 WENDELL BLANTON
December 20, 2005

JON E OZMINT

12

1 A I've had to, yes, sir

2 Q Do you have a chief financial officer in the
3 department?

4 A We do We call him the yes, we do Glen
5 Franz is our director of the Office of Budget
6 & Resource Management

7 Q Could you spell his last name for the court
8 reporter, please?

9 A F-R-A-N-Z It's one N

10 Q Has he been with you throughout your tenure as
11 the director?

12 A Yes Not in that position, but yes

13 Q Do you recall who in the early months of 2003,
14 I guess from January to July 2003, who would
15 have occupied Mr Franz' position?

16 A John Davis was in that position

17 Q So according to this document, Number Fifteen,
18 if we accept its general reliability, the total
19 expenditures have ranged in the over three
20 hundred million dollar category each of these
21 years from 2000 to 2005, is that correct?

22 A That is correct It's been over three hundred
23 million in expenditures each year What is
24 equally important to me is this doesn't reflect
25 appropriations And that's a pretty broad

JON E OZMINT

13

1 range from 313 to 349 But yes, they've all
2 been over three hundred million

3 Q Tell me what the sources of funds for the
4 Department of Corrections are

5 A Well, our main source of funds is direct
6 appropriations from the legislature and those
7 legislatively appropriated funds come basically
8 in three forms, annual appropriations, annual
9 recurring appropriations, annual one time
10 appropriations and capital reserve fund monies
11 We also have some carry-over bond funds that we
12 have been living on for a number of years
13 Those are funds that were originally slated for
14 large larger construction projects that
15 have now been converted to use for either
16 smaller projects or just routine maintenance
17 We draw some federal dollars from a variety of
18 sources A very small percentage of our budget
19 in comparison to most state agencies would be
20 federal dollars Some of those the only
21 consistent source of federal funds that we do
22 draw are EFA, the educational related funds
23 Most of the rest of our federal funding comes
24 in the form of either grants or funds like
25 VOITUS funds, which were not grant funds, but

JON E OZMINT

14

1 they were federal dollars tied to, in that
2 particular instance, prison construction If
3 you pass truth in sentencing, Congress used
4 those funds as a carrot to get states to pass
5 the 85 percent laws And if you'll do that, in
6 other words we'll give you these funds to help
7 you build prisons with So all the states did
8 it Of course those funds did not create those
9 prisons, nor did they continue to build those
10 prisons long after those 85 percent laws were
11 on the books and those federal funds were dried
12 up The other source of funds, we have revenue
13 funds Most of our revenue funds are generated
14 from our canteen sales and our prison industry
15 operations

16 Q You arrived in January of 2003 and determined
17 at some point in the spring, I understand from
18 the documents that have been provided to me,
19 that a reduction in force would be implemented
20 Is that correct?

21 A Repeat that again

22 Q Sure You arrived as executive director in

23 A I was I was thinking about agriculture
24 funds going into the revenue funds account, by
25 the way Sorry

JON E OZMINT

24

1 it Those probationary employees aren't
2 entitled to bring certain they don't have
3 certain rights that the other employees do
4 But the reality is, they cost you a whole lot
5 less

6 Q Let me take that one step further Now, in
7 your reduction in force, you made the
8 determination at some point apparently early on
9 that you were not going to include correctional
10 officers in the groups that were to be RIF'd
11 So you had made a conscious decision that
12 whatever happened in the reduction in force, it
13 wouldn't adversely affect that group of
14 employees Isn't that the case?

15 A I didn't want it to I later learned because
16 of the silliness of the bumping rule that that
17 could happen And I fought against that tooth
18 and nail, but my understanding was that under
19 certain circumstances, we could actually wind
20 up bumping a lower cost security person for a
21 higher cost certified person Which again, in
22 state government, that may make all the sense
23 in the world to somebody It makes no sense to
24 me But I think that did end up happening

25 Q Well, under OHR rules, isn't it the case that

JON E OZMINT

27

1 security So we're only hiring those three
2 So if you do your probationary, temp formula,
3 you don't get many numbers There may have
4 been somewhere across the agency some temporary
5 employees working that had been where some
6 previous director had made exceptions, but
7 there weren't many And so what you're going
8 to wind up doing is cutting the very people for
9 whom you have by necessity lifted the hiring
10 freeze And only those three areas were not
11 subject to the hiring freeze So we were
12 really in a box I mean you can't not feed
13 inmates You can't not treat them when they're
14 all, and you cannot I mean we just could
15 not continue to bleed our security ranks

16 Q Did it concern you when you went through this
17 process that at some of the educational
18 institutions the only state funded instructors
19 left were the pink slip employees?

20 A It did, but on the other hand, they were more
21 we got more value for the dollar from
22 those

23 Q Because you didn't have to pay benefits, is
24 that the case?

25 A Not only because we didn't have to pay

JON E OZMINT

38

1 know, you draw a third, you draw 25 percent
2 Sure, I can spend seventy cents and draw thirty
3 in education But that seventy cents bought me
4 less in education than it bought me anywhere
5 else in the agency in terms of the number of
6 bodies that I could put inside our
7 institutions So again, that goes back to the
8 reason for this When I got this, I made the
9 decision, okay, I think that's entirely
10 reasonable And we did allow Wendell and his
11 folks, with John Near and all of us, you know,
12 sort of coming behind to develop a plan that
13 would allow him to accomplish as much as
14 possible with the resources that we were going
15 to be able to leave for him to spend

16 Q But ultimately, isn't it true that when the
17 decision was made as to those positions that
18 were going to be eliminated, that decision was
19 made at your office and was not made by the
20 superintendent of the school district as it
21 related to the educational positions that were
22 eliminated?

23 A No, no

24 MR SUMMERS Object to the form of the question Go
25 ahead and answer

JON E OZMINT

39

1 A But the answer to the question is no, that's
2 not true Our educational cuts were based
3 precisely on input from Wendell I don't
4 recall I doubt that we were able to follow
5 his input one hundred percent But I can tell
6 you that he had significant input, and that we
7 did follow as much as we could his input But
8 understand as far as the second part of
9 your question was did the ultimate decision
10 rest with me I can I can guarantee you
11 there's nobody else in that agency that, by
12 virtue of what we were about what I had
13 inherited, it was never going to cut anybody,
14 wasn't going to happen I couldn't leave the
15 decision to Wendell Blanton He wouldn't cut
16 anybody I couldn't leave the decision to John
17 Near I love him to death He wouldn't have
18 cut a soul I mean it's it wasn't going to
19 be done It had not been done to the tune of
20 thirty-three million bucks when I walked in the
21 door So I had no reason to hold out hope that
22 that it was going to be done suddenly out
23 of the blue because we were looking at thirty-
24 four plus a dollar

25 Q Do you remember informing an employee of your

JON E OZMINT

40

1 department that one of the reasons that
2 educators were cut is because they were paid
3 too much, and another was that they were
4 disloyal because they had sued the agency to
5 increase their pay?

6 **MR SUMMERS** I object to the form of the question,
7 but go ahead

8 A Yeah No I never made any I never made
9 either of those statements in the way you
10 characterize them I I made a public
11 statements that were precisely why we chose to
12 cut where we were I don't know if you have
13 we put out I know we put out a press
14 release on it And so it it was true that
15 we did try to cut in a way where we kept as
16 many people and occurred and incurred the
17 greatest savings As for the other, the
18 allegation that I made a statement what did
19 you say the second statement was? That

20 Q That the teachers had gotten a raise and
21 security had not gotten one and that you would
22 not have sued the agency to get more money
23 because it was wrong

24 **MR SUMMERS** Again, I'm going to object to the form
25 of the question as responsive

JON E OZMINT

41

1 A That didn't have anything to do I never
2 made that statement I certainly never
3 attributed the cuts to anything that to any
4 lawsuit or decision to sue In fact, I don't
5 know at what point I know I found out about
6 somebody informed me about the teachers
7 suing and all that at some point before the RIF
8 actually went into effect, but it wasn't
9 anything that I mean we were far down the
10 road to making the decision before I even knew
11 that that had taken place And I mean it was
12 common knowledge in the agency that when no
13 that agency, again, was running a deficit And
14 in years that that agency had run a deficit, I
15 did know that teachers because of the teachers
16 pay scale had gotten an increase I don't
17 think that that had anything to do that had
18 nothing to do with the decision to RIF I
19 imagine that that kind of policy decision
20 well, that kind of policy decision does have an
21 impact on how much bang you get for your buck
22 In other words, for making cuts in the most
23 efficient manner possible so that you get
24 so that you keep as many people as you can,
25 accomplish the missions that you absolutely

JON E OZMINT

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1 have to accomplish and save as much money as
2 possible, which was the parameter of you
3 know, that was the dynamic we were trying to
4 accomplish That was that was the goal we
5 were trying to accomplish in making these RIFs
6 So I guess those raises might have worked to
7 the teachers disadvantage in the sense that it
8 made it meant that by cutting by
9 riffing one teacher, you were basically saving
10 two correctional officers So in that respect

11
12 Q Is that like with the calculus that you used
13 when you were going through this process?

14 A We used the parameter of insuring safety,
15 trying to accomplish our absolute core,
16 essential missions, those things that we must
17 do and saving as much money as possible while
18 having the most while having the least
19 impact on the operations of the agency

20 **(Plaintiff's Exhibit Number Nineteen was marked for**
21 **identification purposes)**

22 Q Fair to say that around March 18th, there
23 abouts, in 2003 when Mr Blanton was sending
24 this memo to you, you were in the final stages
25 of bringing your reduction in force together?

JON E OZMINT

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1 examination, but I will just read to you the
2 relevant language It says based upon the
3 information you submitted, it appears that the
4 plan's procedurally correct The Office of
5 Human Resources approval of procedurally
6 correct indicates only that the required
7 elements of the RIF plan are present in
8 accordance with the department's RIF policy
9 procedure Our approval does not, and it's
10 underlined, does not, include the determination
11 of the geographic locations and the competitive
12 area, the competitive classes, competitive
13 class series, bumping rights, positions to be
14 eliminated, and it goes on Do you see that in
15 Exhibit Number Seven?

16 A Yes

17 MR SUMMERS Let the record reflect that he is
18 looking at first the copy that

19 A Yes, I see that

20 Q So in its examination of your submission, the
21 Office of Human Resources specifically excluded
22 any review or approval of the geographic areas
23 and the other things identified therein is
24 that fair?

25 A It is fair to say that they were, in classic

JON E OZMINT

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1 OHR fashion, were unwilling to take
2 responsibility for anything that that they
3 insist on you sending them much of what
4 they insist on you sending them, but they
5 they don't want to take any ownership

6 Q They essentially say this is your

7 A This is your baby

8 Q All right, thank you

9 A And I get that quite a lot from OHR

10 (Plaintiff's Exhibit Number Nineteen was identified
11 for the record)

12 Q Now, in Exhibit Number Nineteen, which I
13 believe you have before you

14 MR SUMMERS Let the record reflect that Nineteen
15 was just handed to Director Ozmint

16 Q This is a memorandum that again, provided
17 to me by your department Indicates it was
18 sent to all employees regarding reorganization
19 and agency reduction in force on March 31,
20 2003 Are you generally familiar with this
21 document?

22 A Yes, sir

23 Q So this was thirteen days after receiving the
24 memo from Superintendent Blanton And I
25 believe this reflects that you've already

COPY³⁻

STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS
COUNTY OF RICHLAND) C/A #04-CP-40-1761

James "Cal" Bell, Othella Bernard,
Katherina Bower, Linda M W Bratton,
Ann T Bridges, Rance C Cobb, Jeannie
B Croxton, Bernetha L Culbreath,
William K Dreyer, Jacqueline D Farr,
Ruth Fritts, Nancy Glenn, Etta Jane
Jones, Geneva M Martin, Mary H McCabe,
Beverly McClanahan, Max D Randolph,
Carolyn McIver Smith, Maggie G Williams,
and Paula Woodlief,

Plaintiffs,

v

South Carolina Department of
Corrections and Palmetto Unified
School District No 1,

Defendants,

DEPOSITION OF
JON E OZMINT

Wednesday, June 21, 2006
1 05 p m - 2 08 p m

The deposition of Jon E Ozmint, taken on behalf of the Plaintiffs at the law offices of Gergel, Nickles & Solomon, P A, 1519 Richland Street, Columbia, South Carolina, on the 21st day of June, 2006 before Margaret S Smith, Court Reporter and Notary Public in and for the State of South Carolina, pursuant to Notice of Deposition and/or agreement of counsel

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3183

JON E OZMINT

5

1 A I will

2 Q Are you aware of any condition today that would
3 impair your ability to hear what I'm asking
4 you?

5 A No

6 Q Are you aware of any condition that would
7 impair your ability to respond to my questions?

8 A No

9 Q I believe that you are the Executive Director
10 of the Department of Corrections, is that the
11 case?

12 A I am the director of the department

13 Q The title is director?

14 A Yes, sir

15 Q How long have you been in that position?

16 A Since January of '03

17 Q And what did you do immediately before becoming
18 the director of the department?

19 A I was in private practice with the law firm
20 Murphy & Grantland

21 Q How long were you with that firm?

22 A Year and a half, two years

23 Q And do you retain your license to practice law?

24 A I do

25 Q Have you had your deposition taken before?

STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS
)
 COUNTY OF RICHLAND) C/A #04-CP-40-1761

James "Cal" Bell, Othella Bernard,
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 and Paula Woodlief,

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v

South Carolina Department of
 Corrections and Palmetto Unified
 School District No 1,

Defendants,

**DEPOSITION OF
 JOHN NEAR**

Wednesday, June 21, 2006
 9 08 a m - 11 33 a m

The deposition of John Near, taken on behalf of
 the Plaintiffs at the law offices of Gergel, Nickles
 & Solomon, P A , 1519 Richland Street, Columbia,
 South Carolina, on the 21st day of June, 2006 before
 Margaret S Smith, Court Reporter and Notary Public
 in and for the State of South Carolina, pursuant to
 Notice of Deposition and/or agreement of counsel

JOHN NEAR

6

1 A Yes, sir

2 Q Tell me what your position of employment is

3 A I'm the human resources director for the
4 Department of Corrections

5 Q How long have you been in that position?

6 A Approximately thirteen to fourteen years

7 Q Have you held any other positions at the
8 Department of Corrections?

9 A I was hired as the assistant director of human
10 resources and was in that position for about
11 seven years

12 Q So you have more than twenty years of service
13 with the Department of Corrections?

14 A Yes, sir

15 Q Do you have any training other than on-the-job
16 training in the field of human resources?

17 A Well I was a college graduate at

18 Q Excuse me just a moment Let's just let the
19 record reflect that will you state your
20 name, please, ma'am?

21 MS SMITH Carolyn McIver Smith

22 Q Mrs McIver Smith has joined us Prior to Ms
23 Smith joining us, I had asked if you had any
24 training other than on-the-job training in the
25 field of human resources I believe you said

JOHN NEAR

10

1 areas or geographic areas in which employees
2 may compete, does it not?

3 A To my knowledge, every employer and every
4 agency does have the ability to determine those
5 areas in which bumping can occur, yes

6 Q Those are not matters that are subject to the
7 purview of the Office of Human Resources or the
8 Budget & Control Board, is that correct?

9 A I believe that's correct I believe all they
10 do is review it for the correctness of the
11 policy which you're enforcing

12 Q And that policy, generally speaking, is one
13 that the Office of Human Resources has already
14 approved in general terms, isn't that correct?

15 A Yes, sir

16 Q So would it be the case normally that the
17 Office of Human Resources is just comparing the
18 agency's application of its own procedural
19 steps to the specific reduction in force?

20 A Not entirely I think they certainly the
21 State Office of Human Resources as it relates
22 to state government does have model model
23 policies which they which they use as a
24 guideline to help them in reviewing policies
25 They certainly, I would think, would bank on

JOHN NEAR

11

1 other agencies that have had reductions in
2 force And so I would think that along with
3 seeing if an agency is meeting their own
4 policy, they also look at their experience in
5 the area

6 Q Have you had any experience being administrator
7 of a public school system in South Carolina?

8 A No, sir

9 Q What was your role, if any, in the
10 administration of the Palmetto Unified School
11 System within the Department of Corrections?

12 A Well, I had no responsibility for
13 administration of the Palmetto Unified School
14 District

15 Q Did the district employ a superintendent?

16 A Yes

17 Q And did the district have a board of trustees
18 or board of education?

19 A The district had a board I'm not sure of the
20 exact terminology of how the described
21 themselves, but they did have a board

22 Q And that's something that was established by
23 statute, is that your understanding?

24 A I'm not sure

25 (Plaintiff's Exhibit Number One was marked for

JOHN NEAR

12

1 identification purposes)

2 Q Mr Near, I'm going to hand you a package of
3 documents that have been marked Exhibit Number
4 One And this is a printout of that chapter of
5 Title 24 of the South Carolina code which
6 relates to the Palmetto Unified School
7 District Let me ask you first have you at any
8 time had the opportunity to review these
9 statutory materials?

10 A No, sir

11 Q You have or have not?

12 A No, sir

13 Q So would it be fair to say that at least in
14 your participation in the reduction in force
15 which affected the Palmetto Unified School
16 District, you did not consult with this Code of
17 Law?

18 A I was not aware of this of this Code of
19 Law, no

20 Q Tell me what your role was in the reduction in
21 force which was implemented at the Department
22 of Corrections on June 1, 2003

23 A I guess in broad terms it was my responsibility
24 to prepare the reduction in force plan, make
25 sure that the plan, the policies, all of that

JOHN NEAR

13

1 were submitted to the Office of Human Resources
2 as required in regulation, conduct the
3 reduction in force and just go through all of
4 the all of the mechanics of a RIF

5 Q Can we agree that for purposes of our
6 deposition when we make reference to RIF or
7 reduction in force, unless we specifically are
8 using those terms generically, they'll apply to
9 the June 1, 2003, Department of Corrections
10 reduction in force? That's the only one we're
11 talking about today?

12 A To my knowledge, yes

13 Q Among us, we can agree that when we use that in
14 the short term for that particular reduction in
15 force is that fair?

16 A Yes

17 Q So I want to go through your duties here You
18 say you planned and reviewed the policies which
19 were submitted to the Office of Human
20 Resources, is that correct?

21 A Yes

22 Q Did anyone assist you in doing that?

23 A I had a number of people in my own department
24 who assisted me with the preparation of the
25 reduction in force, yes

JOHN NEAR

16

1 with him as it related to the reduction in
2 force, the development of geographic areas

3 Q Did you consult with anyone at the State
4 Department of Education as to the division of
5 the Palmetto Unified School District for
6 purposes of RIF?

7 A No

8 Q Did you consult with anyone at the Office of
9 the Attorney General concerning the division of
10 the Palmetto Unified School District for
11 purposes of RIF?

12 A No

13 Q And you've already told me that you didn't
14 examine the Code of Laws which establishes the
15 Palmetto Unified School District in conducting
16 this RIF, is that correct?

17 A That's correct

18 Q Were you aware in creating these geographic
19 areas that you were eliminating bumping for a
20 significant number of the eliminated educators?

21 MR SUMMERS I'll object as to form, but go ahead
22 and answer the question, Mr Near

23 A Actually, I don't look at developing
24 geographical areas for the purpose of bumping
25 in that regard I guess I see it as exactly

JOHN NEAR

20

1 Mr Near

2 A I don't I don't know that they ever said
3 that or I ever asked that, no

4 Q Well, if their response to you says we're not
5 going to comment on this, you wouldn't dispute
6 that, would you?

7 A Well, they didn't say that So I don't know
8 that I could give you an answer on that

9 Q You didn't get correspondence from them, or Mr
10 Ozmint didn't provide them correspondence
11 indicating they didn't comment on the
12 geographic areas?

13 A I don't recall a specific comment about the
14 specific geographic area, no

15 Q So as I understand your testimony, one of the
16 purposes of the geographic area is to address
17 bumping, is that fair?

18 A It's to enable employees to be able to move
19 within within an area and possibly retain
20 their position

21 Q And if we have a single school district and I
22 am a teacher employed in that single school
23 district, unless otherwise confined, I can
24 compete against all other employees within that
25 district Would that be fair?

JOHN NEAR

22

1 Q Well, what's not to agree with? Let's go over
2 this one more time Let's make sure we
3 understand each other Let's assume as the law
4 says that this is a statewide unified school
5 district Let's assume that between the two of
6 us Will you do that?

7 A Okay

8 MR SUMMERS I'm going to object as to the premise
9 and the form of the question, but obviously Mr
10 Nickles can continue

11 Q So we have a single statewide school district
12 and there is a reduction in force in that
13 single statewide school district Let's assume
14 that to be the case, okay? You have to answer

15 A Okay, yes

16 MR SUMMERS Same objection

17 Q Now, unless that school district is somehow
18 divided up artificially, then I have the right
19 to bump into any other school in which there's
20 a position which I have seniority Would that
21 be fair?

22 A If you are dividing the state into a single
23 geographic area and you have a reduction in
24 force and you wanted to have the ability to
25 bump within that one geographic area, then yes

JOHN NEAR

23

1 An individual could bump within that area

2 Q So if the General Assembly for the State of
3 South Carolina, not John Near, created a single
4 unified school district, then the General
5 Assembly has expressed its purpose to have all
6 those individuals treated uniformly Would
7 that be fair?

8 MR SUMMERS Objection as to the premise and to the
9 form, but Mr Near

10 A Again, I don't know that I could answer I
11 couldn't speak for for what the General
12 Assembly would intend or not

13 Q Well, you're familiar with the lawsuit that was
14 brought by teachers of the Palmetto Unified
15 School District to have their pay elevated to
16 the statutory minimum, are you not?

17 A The agency did have a settlement on a lawsuit
18 several years back, yes

19 Q And wasn't it the premise of that lawsuit that
20 there was a single unified school district in
21 which all teachers had to be paid on a similar
22 basis?

23 MR SUMMERS Objection as to form Mr Near

24 A I don't know that I know the answer to that
25 question

JOHN NEAR

24

1 Q Didn't the Court of Appeals for the State of
2 South Carolina find that there was a single
3 unified school district at the Department of
4 Corrections?

5 MR SUMMERS Objection as to form

6 A Again, I don't know

7 Q So whatever the Court of Appeals found, they
8 found but you don't have any knowledge of that
9 at this point?

10 A No, sir

11 Q But certainly, you didn't look at that when
12 creating these geographic areas within the
13 Palmetto Unified School District?

14 A No, sir

15 Q Who created the competitive areas for the
16 reduction in force?

17 A I would say that I probably initially would be
18 the one who created the competitive areas for
19 the reduction in force

20 Q Did you consult with Superintendent Blanton of
21 the Palmetto Unified School District in
22 creating those competitive areas?

23 A Again, I had meetings and consulted with a
24 number of management within the agency which
25 included the agency director, general counsel

JOHN NEAR

25

1 and very possibly the superintendent of
2 education, as well as the Office of Human
3 Resources

4 Q If the superintendent of education testified
5 that he was not consulted and was merely
6 informed of the competitive areas, would you be
7 able to dispute that?

8 MR SUMMERS Objection to form

9 A No, I would not

10 MR SUMMERS Go ahead

11 A I would not be able to dispute that, no

12 Q Did you consider certification issues when
13 creating the competitive areas?

14 A No, sir

15 Q Were you aware that certified teachers were
16 being eliminated while non-certified staff were
17 being retained in instructional positions?

18 A As far as which positions were which
19 positions were eliminated, again, the agency
20 director was the one who identified which
21 positions were to be eliminated

22 Q Did the agency director in your presence ever
23 express any dissatisfaction with the level of
24 pay that teachers were receiving within the
25 Department of Corrections?

JOHN NEAR

26

1 A Not that I recall

2 Q Did anyone on your administrative team ever
3 indicate to you that they felt the teachers
4 were being overpaid or paid disproportionate to
5 their duties?

6 A Not that I recall

7 Q Do you know why pink slip employees would be
8 retained over permanent employees?

9 A Well, if you're talking about specific
10 incidences, I don't know I guess from a
11 from a business standpoint, obviously a pink
12 slip or temporary employee is an individual
13 who's paid by the hour, does not earn benefits,
14 and obviously the cost would be would be
15 less

16 Q But every dollar you spend on a temporary
17 employee is the same value as the dollar you
18 spend on any other employee Would you agree
19 with that?

20 A I don't know that I know that to be true, no

21 Q So you think that if you spend a dollar on a
22 certified employee, it cost you more than the
23 dollar you spend on a temporary employee?

24 A No I didn't say that

25 Q Isn't it ordinarily the case in your business,

JOHN NEAR

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1 Mr Near, that before reduction in force is
2 implemented, temporary, part-time and
3 probationary employees are examined for
4 elimination?

5 A I would say that that's certainly very common
6 And the agency did do that

7 Q Well the agency did it in 2001, didn't it?

8 A Well, the agency eliminated a number of
9 positions for several years prior to the
10 reduction in force

11 Q But in this case, it's been brought to your
12 attention, has it not, that certified teachers
13 lost their positions while non-certified people
14 were retained for providing instruction to the
15 inmate You were aware of that, weren't you?

16 A If we had an individual who was a temporary
17 employee and who was their employment
18 continued, it would be because, number one,
19 those individuals have no rights under
20 reduction in force And that would be an
21 agency decision whether to retain them or not
22 I guess it would also I would also think
23 that since they are temporary in nature, the
24 agency would have the ability to eliminate
25 those positions at any time or reduce their

JOHN NEAR

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1 hours I would think in a lot of cases it
2 would probably be a good business decision

3 Q So were the individuals who were put on the
4 street given the opportunity to take the
5 position of the pink slip employee?

6 MR SUMMERS Objection as to form

7 A The reduction in force process does not allow
8 an individual to bump into temporary positions

9 Q Let me make sure I understand You have a
10 temporary employee who has no rights under
11 state law, correct?

12 A That is well, as far as the reduction in
13 force process, yes

14 Q So you can remove that person regardless of
15 reduction in force, correct?

16 A Correct

17 Q And there's nothing that would prohibit you as
18 an agency from offering someone subject to
19 reduction in force that position Nothing in
20 law prohibits you from doing that, does it?

21 A Well, there the policy does not allow that
22 So I guess since policy is founded in law, I
23 guess you could say that, yeah, it's not
24 permitted

25 Q Because you chose not to permit it at the

JOHN NEAR

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1 position, you may or may not know what that
2 individual makes per hour and know what
3 benefits are not available to them And
4 certainly in many cases an individual can be
5 better off, depending upon their their
6 personal situation, whether they be in a
7 they'd be better off in a permanent position
8 that doesn't even have anything to do with
9 education

10 Q So you made that decision for the affected
11 employees in the reduction in force You
12 didn't give them the opportunity to choose to
13 go into a temporary position Is that fair?

14 A The agency policy does not allow to bump into
15 temporary positions Never has to my
16 knowledge

17 Q Who made the agency policy?

18 A The agency policy is is is approved
19 through the agency director and the Office of
20 Human Resources

21 Q But you know from your discussions with other
22 HR directors that this is treated differently
23 at other agencies, don't you?

24 MR SUMMERS Objection as to form

25 A I do know that reductions in force have been

JOHN NEAR

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1 conducted throughout state government in many
2 agencies And I do know that reductions in
3 force are conducted in many, many different
4 ways I do know that reductions in force in
5 other agencies identify competitive areas which
6 are extremely narrow which can very easily
7 prohibit people from bumping And our agency
8 had eleven geographical areas where people
9 could bump which actually enabled employees to
10 bump into other positions and hopefully retain
11 their positions

12 Q Well, I want to go back to this geographic area
13 because I believe I'm misunderstanding your
14 testimony The geographic area confined
15 bumping rights for individuals to those
16 particular areas, did it not?

17 A That's correct

18 Q So if I'm an employee in geographic area number
19 one, I can't bump anybody in geographic area
20 number two even if I am far ahead of them on
21 seniority points or reduction in force points,
22 is that correct?

23 A Partly You want to remember that in a
24 reduction in force the identify the
25 identification of the geographic area is not

JOHN NEAR

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1 just for the purposes of bumping but also for
2 recall

3 Q You don't get recalled unless you've lost your
4 job, right?

5 A That's not true, no An individual can be
6 displaced into another position and be recalled
7 back into their position

8 Q But to be displaced, you have to have either a
9 vacancy or you have to bump somebody else,
10 correct?

11 A Say that one more time

12 Q Well, if I am if I get notice that my
13 position has been eliminated

14 A Right

15 Q then unless something happens to me, I've
16 lost my job, right?

17 MR SUMMERS Objection as to form Go ahead and
18 answer

19 A Yeah You may or may not lose your position,
20 right

21 Q But the only positions I can look to to bump
22 into are within that geographic area in which
23 my job is designated, correct?

24 A Yes, and to be recalled into that geographic
25 area

JOHN NEAR

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1 Q And the only people that I can bump are those
2 people in my competitive area?

3 A In your geographic area, yes

4 Q So I have two confinements I have one, the
5 competitive area to which I've been assigned,
6 and secondly, the geographic area to which I've
7 been assigned Is that fair?

8 A I yes

9 Q So in your case, for example, rather than
10 assign a competitive area as certified teacher,
11 the competitive areas are more narrowly
12 defined isn't that correct?

13 A I don't know that they're more narrowly defined
14 than anything else They're just they're
15 just defined within the geographic area

16 Q Well, they're defined not just within the
17 geographic area but by position as to
18 competitive area That's different from
19 geographic area, is it not?

20 A When you talk about bumping within individual's
21 classifications, yes

22 Q And who designates those competitive areas? Is
23 that you said the agency director did that,
24 correct?

25 A It's authorized through agency policy by the

JOHN NEAR

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1 services

2 Q But in this case, isn't it true that the agency
3 director told the employees that the purpose of
4 this reduction in force was to address a budget
5 deficit?

6 A I would say that's primarily true, yes

7 Q Well, if it's primarily true, in what part is
8 it not true?

9 A No I'm trying to recall from the reduction in
10 force plan I believe that is, yes

11 Q So as I understand your testimony, the agency
12 director selected the positions for
13 elimination, is that correct?

14 A That would be correct

15 Q And you created the geographic areas is that
16 correct?

17 A I would create the geographic areas for
18 certainly for his approval He's the approving
19 authority of the of the reduction in force,
20 yes

21 Q And tell me who determined that the individuals
22 affected by reduction in force would not be
23 first be offered opportunities to move into
24 temporary or grant positions Did somebody in
25 your office, or did the agency director make

JOHN NEAR

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1 that decision?

2 A I don't think there was any decision at all
3 there The policy doesn't allow for full time
4 positions to bump into temporary positions

5 Q I didn't ask you that question We know that
6 certain positions were changed before the
7 reduction in force Your agency has told us
8 that, okay So let's take that for granted
9 That certain people had their positions changed
10 before the reduction in force, okay Isn't it
11 true that before the reduction in force you
12 could have also offered individuals to be
13 affected the opportunity to move into other
14 non-affected positions Couldn't that have
15 been done?

16 MR SUMMERS Objection to form

17 A Well, I guess if you're supposing, I guess just
18 about anything could happen prior to a
19 reduction in force

20 Q But instead, at some level in your agency a
21 decision was made to keep the individuals who
22 were temporary grant or temporary employees in
23 their positions and not have those individuals
24 affected by the reduction in force?

25 MR SUMMERS Objection as to form

JOHN NEAR

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1 A Again, if you're asking me did the agency have
2 temporary and temporary grant employees on the
3 payroll of the agency, I would say probably
4 I don't know that they did, but I would assume
5 that there were some, sure

6 Q When I see a term used for pink slip employee
7 in the materials produced by your agency, what
8 does pink slip mean?

9 A Pink slip is just a term that goes back many,
10 many years as someone who was hired in a
11 temporary basis And I think originally,
12 probably thirty years ago, they were hired and
13 the form probably was pink And it was
14 come to mean temporary employment

15 Q But the fact that you're a temporary employee
16 does not mean that you're only there for a
17 short period of time, does it?

18 A That's not true It may or may not

19 Q The fact of the matter is that you have pink
20 slip employees who've worked many, many years
21 for the department, isn't that true?

22 A It's very possible, yes

23 Q Do you know what percentage of the total
24 Department of Corrections budget is
25 attributable to the Palmetto Unified School

JOHN NEAR

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1 District?

2 A No

3 Q Would it surprise you if it's less than four
4 percent of the total budget?

5 A It wouldn't surprise me, but no, I don't know

6 Q You're aware that the Palmetto Unified School
7 District receives funding other than through
8 state allocations, are you not?

9 A Yes

10 Q What other sources of funds are available to
11 the Palmetto Unified School District?

12 A There are, to my knowledge, three sources of
13 funds in state positions Those would be
14 those are paid out of state funds, which is tax
15 dollars, those which are paid out of federal
16 funds which come again from federal monies, and
17 those which come from other sources, which may
18 be grants and things of that nature

19 Q When you look at the Palmetto Unified School
20 District, though, it receives money through the
21 Education & Finance Act, and the Education
22 Improvement Act, does it not?

23 A I believe it does, yes

24 Q And those are not a part of the department's
25 line item allocation, are they?

JOHN NEAR

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1 A I don't know that

2 Q If the purpose of the reduction in force was to
3 save money and only four percent, let's assume,
4 of the budget came from the Palmetto Unified
5 School District, why was more than fifty
6 percent of the cut in that school district?

7 MR SUMMERS Object as to form Mr Near

8 A Again, I don't know

9 Q You didn't play any role in analyzing those
10 budget issues?

11 A I didn't identify the budget issues or identify
12 the positions, no

13 Q Would you agree that it would be wrong to use
14 an employee's participation in a lawsuit as a
15 reason for eliminating their position?

16 MR SUMMERS Object as to form Mr Near

17 A I don't I don't know that I have an answer
18 to that I don't I certainly don't know
19 that that ever came up I never heard it come
20 up

21 Q I didn't ask you if you heard it I said you
22 are in a position of some authority within the
23 agency, are you not?

24 A Yes

25 Q And as the director of human resources, you

JOHN NEAR

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1 want to make sure that at least employment
2 decisions are done fairly and equitably, is
3 that fair?

4 A Yes

5 Q So if there were a consideration that teachers
6 should be eliminated because they successfully
7 sued the agency to get more money, that would
8 not be fair, would it?

9 MR SUMMERS Object as to form

10 A It doesn't sound fair, no, not the way you put
11 it

12 Q And I ask you in your position as the director
13 of human resources, are you generally
14 responsible for both the manner in which
15 current employees are treated and in reviewing
16 applications for those interested in employment
17 with the department?

18 A Generally, to some extent as it relates to
19 policy and all that, yes

20 Q But you have staff within your department that
21 you rely upon to make sure that the process is
22 handled in a fair manner, is that true?

23 A Yes

24 Q Do you know who Cal Bell is?

25 A Only through the certainly through the

JOHN NEAR

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1 Q And then there is another one by J C I guess
2 that would be Joseph Counts, with a total of
3 fifty-two Do you see that?

4 A Yes

5 Q Let's remember those numbers, fifty-nine from
6 Ms Burnette and forty-four for Mr Sharpe and
7 fifty-two from Mr Counts I'm going to add
8 those up That's six and nine is fifteen
9 ten one fifty-five Is that accurate?

10 A If you

11 Q I believe it is Nine and four is thirteen,
12 two's fifteen, six and four is ten, five
13 one fifty-five

14 MR SUMMERS Mr Nickles, allow me, I came to the
15 same total using my West Virginia University
16 math skills

17 MR NICKLES All right

18 Q Let's look further into this document We see
19 on page three of the application it has the
20 question do you have a relative or former
21 spouse working for this agency, and the answer
22 is Barnie Lloyd, brother-in-law, Tyger River
23 You see that?

24 A Yes

25 Q What position does Mr Lloyd hold at Tyger

JOHN NEAR

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1 River?

2 A Associate warden

3 Q That's under the warden?

4 A Yes, sir

5 Q That's a pretty high up position at Tyger
6 River?

7 A It'd be the number two position

8 Q Number two man at Tyger River?

9 A Yes

10 Q Then you look over at work experience And the
11 last employer, Union County Sheriff's Office,
12 \$14 60 a week I mean an hour and may not
13 contact this employer Do you see that?

14 A Yes

15 Q So Mr Yarborough, if he's being accurate about
16 his \$14 60 a week, he's making a little under
17 \$600 a week, 40 hours a week as a deputy
18 sheriff That's what he's listed as his 42
19 hours a week So right at \$600 a week Would
20 that be about right?

21 A Yes

22 Q Then you look further into this at the third
23 page from the back, it's Department of
24 Education transmittal to Mr Yarborough Do
25 you see that? Keep going It's about the

JOHN NEAR

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1 third page from the back of the document

2 There we are

3 A Yes

4 Q See that document?

5 A Yes

6 Q Dated March 13, 2006?

7 A Yes

8 Q The document states this is not a teaching
9 certificate, and you must complete the
10 following institutes during your first year of
11 certification Do you see that?

12 A Yes

13 Q So while the department could hire Mr
14 Yarborough, he was not certified and had to
15 carry out additional duties to obtain the
16 certification, correct?

17 A Yes

18 Q Then there's a report of employee or inmate
19 relative which follows this And this is
20 directed to you from Kelvin Perry Do you see
21 that?

22 A Yes

23 Q And remarks brother-in-law works at facility,
24 and you sign off on approving this selection
25 Do you see that?

JOHN NEAR

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1 A Right My assistant signed off for me, but I
2 would have I would have approved that, yes

3 Q That was with your authority, was it not?

4 A Yes, sir

5 Q And the last document in this particular set is
6 a letter of March 20 from Connie Riley to Mr
7 Yarborough telling him that he has been
8 selected for the position of vocational teacher
9 at Tyger River Correctional Institution, and
10 his starting salary is \$40,284 per year, I
11 guess, is that right?

12 A Yes

13 Q That would be a significant pay increase from
14 being a deputy sheriff in Union County,
15 wouldn't it?

16 A That would be a significant increase from being
17 a deputy sheriff in Union County, yes

18 (Plaintiff's Exhibit Number Five was marked for
19 identification purposes)

20 Q I'm going to hand you a document that's being
21 marked Exhibit Number Five and ask you to take
22 a look at that series of documents, if you
23 would, please Once again, the an applicant
24 referral report is the first page Do you see
25 that?

JOHN NEAR

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1 A Yes

2 Q And this lists as this is for James C
3 Bell, is that correct?

4 A Yes

5 Q And this lists his employment history, does it
6 not?

7 A Yes

8 Q Perry Correctional Institution, program
9 coordinator, School District of Green, I
10 believe, is Greenville, vocational building,
11 Generations Group, vocational carpentry, SCDC
12 Perry Correctional Institution, teacher,
13 position eliminated by reduction in force Do
14 you see that?

15 A Yes

16 Q He had been a teacher from 1992 to the
17 elimination of his position in 2003 and had
18 been previously employed in Tyger River as a
19 vocational teacher for three years Do you see
20 that?

21 A Yes

22 Q There's a handwritten note on the side of this,
23 2/15/06, originally 524 What does that mean?

24 A I don't know specifically what 524 means

25 Q Very difficult position to fill What's that

JOHN NEAR

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1 referring to?

2 A As I understand from when you originally asked
3 for the for the information on this, they
4 had announced the position and only had the two
5 people apply, I believe

6 Q S/O, what does S/O

7 A Selecting official

8 Q wants to consider policy admin 11 28
9 requirement waived What does that mean?

10 A It's possible that what what a code 524
11 means is that individuals that are in a
12 position within our agency, an individual
13 cannot make a lateral or downward move during
14 their initial six months or probationary period
15 within the agency It's possible that I
16 see the the on the employment history
17 that his start date as Perry as the program
18 coordinator was January of '06 Since this
19 position was just a couple of months later, it
20 could have been considered as a as a move
21 during that period, but they wanted to make
22 sure they waived that to consider

23 Q And the position being considered here,
24 vocational teacher, is paid a significantly
25 higher rate than the program coordinator

JOHN NEAR

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1 position, is it not?

2 A I don't know that for sure, but I would assume
3 so, yes

4 Q And the vocational teacher position is one,
5 according to this record, that Mr Bell had
6 occupied prior to his reduction in force
7 Isn't that what it says?

8 A He was a vocational teacher prior to the
9 reduction in force, yes

10 Q Both at Tyger River and at Perry?

11 A At yes

12 Q The next document in this series, and if they
13 are upside down, please correct them, is an
14 applicant evaluation by J C We've agreed
15 that's Joseph Counts and that's a fifty-one
16 You see that? Do you see Mr Counts?

17 A I do, yes

18 Q And is his a fifty-one?

19 A Yes

20 Q The next one is P B who we've agreed is Mr
21 Burnette who is there at Tyger River See
22 anything unusual about this one?

23 A No, nothing unusual

24 Q Well let's look at it Look at the entry for
25 flexibility Hasn't that obviously been

JOHN NEAR

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- 1 changed from a nine to an eight?
- 2 A It looks like that has and there's security
- 3 is different as well
- 4 Q And cooperation?
- 5 A Yes
- 6 Q And at the total it's been changed from sixty-
- 7 one to fifty-eight Do you see that?
- 8 A Yes
- 9 Q Now, for whatever reasons, Ms Burnette did not
- 10 put her initials on this, did she?
- 11 A I see her initials at the top
- 12 Q But she initialed Mr Yarborough's when she
- 13 changed the bottom line She didn't initial
- 14 this one when she changed the bottom line, did
- 15 she?
- 16 A I don't see initials, no
- 17 Q And the next person would be Mr Sharpe, and he
- 18 would have had a forty-four Is that right?
- 19 A Yes
- 20 Q So let's add up the totals that were entered
- 21 here, fifty-one plus fifty-eight plus forty-
- 22 four That would have been one fifty-three,
- 23 correct?
- 24 A Correct
- 25 Q But if we had had sixty-one by Ms Burnette as

JOHN NEAR

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1 she originally entered it, it would have been
2 one fifty-six, wouldn't it?

3 A No, I don't know that

4 Q Well, what's the difference between fifty-eight
5 and sixty-one? Mathematically, what's the
6 difference between those?

7 A You're mathematically correct I think your
8 question is is is had she not changed
9 that, would the score be different And I
10 guess, again, after looking at applicant
11 evaluation sheets for years, you know, it's
12 very common that they be changed, scratched
13 through, re-looked at It's a very common
14 practice

15 Q Well, isn't it curious to you sitting here
16 today, Mr Near, that we have Mr Yarborough,
17 who was not employed by the department,
18 applying who makes a one fifty-five by these
19 three folks And then we have Mr Bell who
20 originally, if we are to believe the original
21 entries by Ms Burnette, was scored one fifty-
22 six And then it was changed to make him below
23 Mr Yarborough for purposes of the total
24 number Doesn't that disturb you?

25 MR SUMMERS Objection as to form

JOHN NEAR

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1 A Well, again, it it's very common in going
2 through applicant evaluations that there are
3 changes Just like when, you know, when we're
4 writing, sitting at the table right now
5 There's scratch throughs and, you know, if
6 something is added incorrectly, if something is
7 done differently, if somebody re-evaluates what
8 their thinking is, it's very possible

9 Q Do you have any explanation, Mr Near, sitting
10 here today for the changes in Ms Burnette's
11 scores other than to increase to decrease
12 Mr Bell's score below that of Mr Yarborough?
13 Do you have any other explanation?

14 MR SUMMERS Objection as to form

15 A I have I have absolutely no explanation
16 because I wasn't a part of the interview
17 process

18 Q But you're responsible for the integrity of the
19 employment process, are you not?

20 A I would say yes

21 Q And so it doesn't disturb you that in a one on
22 one process here where you have Mr Bell, who's
23 a former employee, who's a plaintiff in this
24 lawsuit, having his score changed to be below
25 that of the only other applicant? That doesn't

JOHN NEAR

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1 education and instruction to inmates may be
2 developed and made available to affected
3 employees by the reduction in force You see
4 that?

5 A Where is that at?

6 Q Number five on page five of the letter

7 A Yes, I see that

8 Q Were temporary positions created to provide
9 instructional services?

10 A I don't know that I recall right now, but do I
11 think that we may have hired temporary
12 employees, certainly, yes

13 Q So individuals who were affected by the
14 reduction in force may have been later hired in
15 temporary positions providing essentially the
16 same services? Is that understandable or
17 something that might have occurred?

18 A That's very possible

19 Q Employees were also informed that they would be
20 considered for re-employment by the agency in
21 the event that positions became available for
22 which they were qualified, isn't that correct?

23 A Are you speaking of recall?

24 Q In addition to recall, weren't the employees
25 told even though they had been removed due to

JOHN NEAR

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1 again, if you're if you're going to
2 eliminate positions but carry on a function,
3 you certainly have to have some plans to try to
4 carry it on

5 Q In the competitive area, competitive job
6 classification section, Roman Numeral III,
7 indicates the positions to be eliminated are
8 located across the state of South Carolina
9 You see that?

10 A Yes

11 Q And I believe your testimony earlier is that it
12 was your responsibility to establish geographic
13 areas and the director's responsibility to
14 designate those positions for elimination, is
15 that correct?

16 A Yes

17 Q And this letter went out to Mr Wilkins on
18 March 28, 2003 Is that the best of your
19 recollection?

20 A Yes, sir

21 (Plaintiff's Exhibit Number Seven was marked for
22 identification purposes)

23 Q I hand you a document marked Exhibit Number
24 Seven, I believe, and it is a collection of
25 four pages Do you recognize the first

JOHN NEAR

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1 document dated March 28, 2003?

2 A Yes, sir

3 Q Is that the same date that the letter was sent
4 to the Office of Human Resources requesting
5 approval?

6 A Yes

7 Q And this is directed to you, is that correct?

8 A Yes

9 Q And it is signed by Christopher Poore, P-O-O-R-
10 E Is that the human resources consultant for
11 the Office of Human Resources?

12 A Yes

13 Q And is this the document which you relied upon
14 as reflecting approval by the Office of Human
15 Resources for the reduction in force?

16 A Yes

17 Q In the second paragraph of this letter it says
18 based on information you submitted, it appears
19 the plan is procedurally correct Do you see
20 that?

21 A Yes

22 Q And then it goes on to say our approval does
23 not, and Mr Poore underlines does not, include
24 the determination of geographic locations in
25 the competitive areas Do you see that?

JOHN NEAR

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1 A Yes

2 Q Does not include competitive classes, does not
3 include competitive class series, does not
4 include bumping rights, does not include
5 positions eliminated or does not include any
6 exceptions to the plan Do you see that?

7 A Yes

8 Q So you weren't relying upon the Office of Human
9 Resources for approval on any of those items,
10 is that fair?

11 A That's what their approval says, yes

12 Q Those were items that were done by the agency
13 itself and not subject to approval by the
14 Office of Human Resources Is that your
15 understanding?

16 A That's correct

17 Q So whatever the Office of Human Resources
18 approved, it does not include those items that
19 are accepted in Mr Poore's letter of March 28,
20 2003 is that fair?

21 A Well, what this says is the plan was approved,
22 and it says that the designation of competitive
23 areas and a number of other areas are the
24 responsibility of the Department of
25 Corrections

JOHN NEAR

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1 Q Well, it says more than that It says our
2 approval does not include these things Isn't
3 that what it says?

4 A That's right That's what it says

5 Q And if we look at the second parcel of the two
6 pages that are a part of this Exhibit Number
7 Seven, these are the competitive areas And
8 the second page shows the geographic locations
9 is that correct?

10 A Yes

11 Q And this is what you had fashioned for use in
12 the reduction in force, is that correct?

13 A Yes

14 Q When you were putting together this geographic
15 competitive area listing, did you determine
16 where the educational programs were located
17 within the eleven areas?

18 A No The reduction in force plan was submitted
19 for the agency and for all the positions
20 eliminated, not a separate plan for the
21 department, for the division of education

22 Q That's not my question I said when you were
23 putting this together, did you determine where
24 the educational services were being offered
25 within the competitive areas?

JOHN NEAR

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1 Lee, only pink slip employees And in Manning,
2 only a pink slip employee Do you see that?

3 A I do

4 Q Based upon this document, there is a sizable
5 reduction in the number of educational staff
6 for the Department of Corrections Palmetto
7 Unified School District Would that appear to
8 be the case?

9 MR SUMMERS Objection as to form

10 A There was a substantial reduction in all the
11 areas, including education, yes

12 Q Well, is that really fair, Mr Near, because
13 when you have 148 positions, 84 positions is
14 more than 50 percent, is it not?

15 A Yes

16 Q And that's of the total number of all
17 Department of Corrections employees that were
18 cut 148 was the total number of eliminated
19 positions throughout the agency, isn't that
20 correct?

21 A Yes

22 Q How many positions are there throughout the
23 agency, just an approximate number?

24 A At that time there was probably six thousand

25 Q And do you know how many instructional staff

JOHN NEAR

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1 beyond that, I mean I honestly don't know what
2 was provided or not provided to you

3 Q Don't you keep a copy of things that are sent
4 out through your attorney?

5 A Well again, I don't I don't know that I
6 would always keep a copy of everything, no

7 (Plaintiff's Exhibit Number Eleven was marked for
8 identification purposes)

9 Q I hand you a copy of another order in this
10 case This one's dated September 8, 2005
11 This reflects a second order by the same judge
12 compelling the answers to that discovery Were
13 you aware of this order being issued by the
14 court?

15 A I don't recall seeing this page, no

16 Q Do you know if any response was provided by
17 your agency within the period of time allowed
18 by the court in this order?

19 A I don't know

20 (Plaintiff's Exhibit Number Twelve was marked for
21 identification purposes)

22 Q I'm going to hand you a document marked Exhibit
23 Number Twelve This represents itself to be a
24 response to the interrogatories of June 15,
25 2004 It is dated November 30, 2005 Have you

JOHN NEAR

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1 seen this document before?

2 A No Again, I have seen a number of documents,
3 but I don't know that I specifically recall one
4 that's legal, no

5 Q Well, let's look at interrogatory number four
6 Provide a complete list of all vacancies filled
7 since the reduction in force Now, we've seen
8 in your materials that have already been
9 examined, for example, as to Mr Bell in
10 Exhibit Number Five, the first page of that
11 You see that?

12 A Yes

13 Q There's a personnel history listed by position,
14 start date and end date for that individual
15 You see that?

16 A Yes

17 Q You have that for each person employed by the
18 Department of Corrections, don't you?

19 A Well we don't have one There would be one
20 If you wanted that, you'd have to have that
21 generated for that one, yes

22 Q The information is available to you, is it not?

23 A It could be generated

24 Q Did the orders of the judge issued say only if
25 it's convenient for you should you provide this

JOHN NEAR

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1 A-L-L, you know the meaning of that word, don't
2 you?

3 A I believe I do

4 Q It means every, doesn't it?

5 A I believe it does

6 Q It means each, correct?

7 A (Nods head affirmatively)

8 Q So this is a very simple statement Provide a
9 complete list of all vacancies filled since the
10 reduction in force That in formation is
11 available through your records, is it not?

12 A It would have to be obtained through the
13 records, yes

14 Q Number five, provide a complete list of all new
15 positions approved since the reduction in
16 force That again could be determined through
17 your records, could it not?

18 A It could be determined if there were new
19 positions that were approved Again, if you're
20 talking what new positions, are you talking
21 about new positions that the State of South
22 Carolina approved for the agency? Are you
23 talking about a position that the agency wanted
24 to somehow change or or rebudget? Are you
25 talking about something that somebody was in an

JOHN NEAR

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1 existing position and that changed? You know,
2 again, I you know, a new position
3 Generally, when someone asks me did the agency
4 get new positions this fiscal year, I would say
5 in the appropriations process did the agency
6 get a new position

7 Q Well, was even that information provided in
8 response to this discovery request?

9 A Well again, I don't know what was provided to
10 you

11 Q Well you can see what the answer is Documents
12 or information in response to this
13 interrogatory does not exist in current form
14 Extensive programming of defendant's
15 information bank will be required That
16 doesn't provide any information, does it? It's
17 an excuse

18 MR SUMMERS Objection as to counsel's
19 characterization

20 Q It doesn't provide any information, does it?

21 A There's no information there, no

22 Q Number eight, provide a complete list of all
23 reclassifications and promotions and transfers
24 implemented by the Department of Corrections
25 during the calendar years 2002, 2003 and 2004

JOHN NEAR

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1 Once again, that information is available
2 within your system, is it not?

3 A If the agency knew exactly exactly what was
4 provided and and they were able to go
5 through and do the programming, they probably
6 could

7 Q Number ten, provide a complete list of all
8 employees indicating position and hire date
9 assigned to the responsibilities that were
10 performed by certified educators prior to
11 reduction in force Did you consult with Mr
12 Blanton or anyone in the Palmetto Unified
13 School District in reference to this request?

14 A No I don't recall talking to him about it,
15 no

16 Q And the same would be true for numbers eleven
17 and twelve, that you have not provided that
18 information Your only response is the
19 response which is in this document Is that
20 fair to the best of your knowledge?

21 A To my knowledge, the information was provided,
22 yes

23 (Plaintiff's Exhibit Number Thirteen was marked for
24 identification purposes)

25 Q Mr Near, I'm going to hand you a document

JOHN NEAR

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1 marked Exhibit Number Thirteen, I believe I
2 want to ask if you have been provided a copy of
3 this document before today

4 A I don't recall without reading through it

5 Q You're welcome to read through as much as you
6 would like This is a letter dated September
7 8, 2003, to Terry Baggott at the Office of
8 Human Resources of the Budget & Control Board
9 from Ms Donna Guffey of this office
10 identifying certain perceived deficiencies in
11 the reduction in force process And my
12 question is, has this letter been provided to
13 you before today, or do you recognize any of
14 the issues or the questions addressed therein?
15 And I will invite your attention to specific
16 items within the letter

17 A Okay I don't recall just at the moment, but
18 probably because it's a few years old

19 Q All right, that's fair

20 (Plaintiff's Exhibit Number Fourteen was marked for
21 identification purposes)

22 Q Let me then show you Exhibit Number Fourteen
23 And this is a letter dated October 1, 2003,
24 which is in response to Exhibit Number
25 Thirteen, and it's signed by Ms Deborah

JOHN NEAR

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1 Corrections, isn't that the case?

2 A That decision is made within the Department of
3 Corrections

4 Q And so the consequences of those decisions are
5 not based upon the Office of Human Resources,
6 but based upon the conduct of the Department of
7 Corrections is that fair?

8 A I don't understand the question

9 Q Whatever happened as a result of the decisions
10 made within the Department of Corrections, it's
11 the responsibility of the Department of
12 Corrections to answer for those, isn't that
13 fair?

14 A It's the responsibility of Department of
15 Corrections to develop the reduction in force
16 plan, carry it out and certainly be responsible
17 for it I would think so, yes

18 Q And to be responsible for whatever consequences
19 may derive from that process, fair?

20 A I would think so, yes

21 Q I don't have any other questions Thank you
22 very much

23 MR SUMMERS I don't have any questions at this
24 time

25 (There being no further questions, the deposition

STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS
COUNTY OF RICHLAND) C/A # 04-CP-40-1761

James Cal" Bell, Othella
Bernard, Katherina Bower,
Linda M W Bratton, Ann T
Bridges, Rance C Cobb,
Jeannie B Croxton, Bernetha
L Culbreath, William K
Dreyer, Jacqueline D Farr,
Ruth Fritts, Nancy Glenn,
Etta Jane Jones, Geneva M
Martin, Mary H McCabe,
Beverly McClanahan, Max
D Randolph, Carolyn McIver
Smith, Maggie G Williams
and Paula Woodlief,

Plaintiffs,

v

South Carolina Department
of Corrections and
Palmetto Unified School
District No 1,

Defendants

COPY

DEPOSITION OF
WENDELL BLANTON

Tuesday, December 20, 2005
10 11 a m - 11 46 a m

The deposition of Wendell Blanton, taken on behalf of the Plaintiff at Gergel Nickles & Solomon 1519 Richland Street, Columbia, South Carolina, on the 20th day of December, 2005 before Sonya K Grice Court Reporter and Notary Public in and for the State of South Carolina, pursuant to Notice of Deposition and/or agreement of counsel

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(803) 252-3445 / (800) 822-0896

SUPERINTENDENT WENDELL BLANTON

5

1 effects of anything else?

2 A No

3 Q Okay The one rule that is a hard and fast
4 rule and we will do this in a very gentlemanly
5 manner, trying not to be sexist is that we'll
6 not break between a question and answer If
7 you need to go to the restroom, get another
8 quick sip of coffee or just take a break,
9 because you and I will be talking a lot, you
10 may certainly ask to do so, but not between a
11 question and an answer

12 A Understood

13 Q All right Tell me your current position?

14 A I am the Superintendent of Education of the
15 — Palmetto Unified School District, South
16 Carolina Department of Corrections

17 Q How long have you been in that position?

18 A Since 99 I've been in the position since
19 '99 I've been with the agency much longer
20 than that

21 Q Okay And I ll ask about that in a moment
22 Tell me your status Are you retired, TERI?
23 What are you?

24 A I'm retired and rehired under the Department of
25 Corrections' special program for that purpose

SUPERINTENDENT WENDELL BLANTON

6

1 Q Okay And when was that made available?

2 A I believe it was October 2003 that I exercised
3 that option, with many other employees, that
4 was the first time it was offered

5 Q All right Tell me about your prior work
6 experience, going back before '99, when you
7 became Superintendent?

8 A I worked in the School District office or the
9 Division of Education's office beginning in '84
10 in various positions and capacities Prior to
11 that, I was principal of the school at Kirkland
12 Correctional Institution At that point in
13 time, we had a very large school there, the
14 mission of Kirkland changed But we had a very
15 large school there in '84 when I left Prior
16 to that I was a guidance counselor in the
17 District Prior to that, I worked with a drug
18 abuse treatment program as counselor/music
19 therapist This was my original position
20 beginning in '71

21 Q Okay And that was within the Department of
22 Corrections?

23 A All of that was with the Department of
24 Corrections

25 Q So all of your experience has been within the

SUPERINTENDENT WENDELL BLANTON

20

1 known under two titles, Division Director of
2 Education and Superintendent of Education, are
3 you considered part of the Department of
4 Corrections Administration or are you a
5 certified person in the Palmetto Unified School
6 District?

7 A I'm both

8 Q Okay

9 A And I guess that's why two titles come about
10 Most divisions are called Division Directors,
11 and so when they send out messages to all
12 Division Directors, I generally am on that
13 receiving end At the same time, our school
14 district is in place, and so,

15 Q And let's talk about that school district How
16 many districts do you supervise?

17 A How many districts?

18 Q Yes, sir

19 A One

20 Q One?

21 A Palmetto Unified School District

22 Q And what does that encompass?

23 A It encompasses education in the Department of
24 Corrections

25 Q Where?

SUPERINTENDENT WENDELL BLANTON

21

1 A However, unlike most Superintendents who report
2 only to the Board, I also have a supervisor
3 within our agency, so I report to Gerri Miro or
4 the Director of the Division of Programs and
5 Services So, you know, I do not just - our
6 school district is unique I'm sure you've
7 read the law that created it

8 Q Yes, sir

9 A And so I report to the Board, but I also report
10 to the agency

11 Q Okay And you have a division supervisor, and
12 who is that?

13 A That's Gerri Miro, currently Now, at the
14 point of, I guess at the point of the reduction
15 in force, I think it was - it was Judy Anderson
16 at the point of reduction in force And she's
17 currently a warden now, still with our
18 facility

19 Q Tell me Judy's last name again?

20 A Anderson

21 Q Okay So it encompasses all of South Carolina?

22 A All of corrections, but not Juvenile Justice
23 They have a separate district

24 Q Okay

25 A So we pick them up at age 21

SUPERINTENDENT WENDELL BLANTON

22

1 Q Okay

2 A And, of course, our primary focus then is, as
3 far as the school district is concerned, is the
4 high school age eligibles those that are
5 eligible for funding under the Educational
6 Finance Act

7 Q Okay So EFA

8 A EFA, we receive those funds, and that's the
9 primary focus of the school district But over
10 the years, of course, our adult ed and services
11 to adults has been the larger in terms of
12 volume, in terms of number of students, but
13 probably not in scope of services and not
14 necessarily even in dollars spent, but because
15 we've had extra funding to provide a full and
16 comprehensive program, whereas we might, so we
17 would serve all of those students, you know, at
18 least 15 hours a week, whereas some of our
19 adult ed students might be served only four
20 hours a week

21 Q All right Now, the school district
22 encompasses all of the Department of
23 Corrections, exclusive of DJJ because it's its
24 own entity within the state?

25 A Well, yes And, of course, I mean, as I say,

SUPERINTENDENT WENDELL BLANTON

23

1 there is a division between the nine high
2 school programs and the adult ed, other
3 programs

4 Q Right

5 A And so we do

6 Q But not geographically?

7 A Not geographically, and, I mean, you know,
8 there is a difference in scope of programs in
9 terms of available resources, in terms of those
10 kinds of things And so, you know, the
11 question has always been, you know, well, is
12 the school district just those high school
13 programs or to what extent can the school
14 district, you know include the adult ed
15 components

16 Q Okay But those programs are at the same
17 places at the same time? You can have high
18 school programs

19 A You can have them

20 Q and adult ed programs in the same
21 facilities?

22 A At nine places, but then there are 28 prisons
23 So at the other places, then the educational
24 programming is much more limited in scope and
25 resources, yes

SUPERINTENDENT WENDELL BLANTON

24

1 Q Okay Are there any geographical regions that
2 are segregated and not under your purview?

3 A No I have more limited responsibility for
4 programs that are offered by the adult ed local
5 communities That essay is provided through
6 contractual services, and so, you know, I do
7 not have the authority over those programs that
8 I would over the programs funded through our
9 agency or through federal funds received by our
10 agency So I have direct supervisory
11 responsibility through subordinates for all
12 programs that are funded through our district

13 Q Right

14 A But programs that are funded through the
15 county, local adult ed programs I have
16 coordinating responsibility

17 Q Okay So for just facilitating those
18 agreements?

19 A That's correct

20 Q Okay You talk about your responsibility to
21 report to the Palmetto Unified School District
22 Board as well as your division supervisor How
23 many times a year does the Board meet?

24 A Four times a year, by law Each quarter Once
25 each quarter

SUPERINTENDENT WENDELL BLANTON

25

- 1 Q Okay And who's on that Board?
- 2 A The Board is appointed, all of the members of
- 3 our Board are appointed Four of them are
- 4 appointed by the Director of the agency, by the
- 5 Commissioner and then the official title became
- 6 Director of the Department of Corrections
- 7 Q And that's Ozmint?
- 8 A That's Ozmint
- 9 Q Okay
- 10 A And his predecessors Of course, they re
- 11 appointed for four years
- 12 Q Right
- 13 A Four of the Board members are appointed by the
- 14 State Department of Education, by Inez
- 15 Tenenbaum or her predecessors, and then one of
- 16 the Board members is appointed by the Governor
- 17 Q Okay So there are nine Board members?
- 18 A We do have nine members There have been times
- 19 that we've had vacancies, but right now we do
- 20 have nine Board members, all positions are
- 21 filled
- 22 Q Okay Did you have nine Board members back in
- 23 2003?
- 24 A I could not totally recall that There were at
- 25 least eight We did have a fairly extensive

SUPERINTENDENT WENDELL BLANTON

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1 vacancy with the Governor's appointee shift,
2 just getting through the bureaucracy, and we
3 had a person move out of state, never submitted
4 a letter of resignation There was a period
5 but - so there have been some times when that
6 position has been vacant for extended periods
7 of time

8 Q Okay Tell me what your role is with the
9 Board?

10 A Of course, I'm at every Board meeting You
11 know, we discuss programs We discuss
12 directions, inform the Board of what is
13 occurring They - of course, we have an
14 agenda, as you can see through the Minutes

15 Q Right And I'll ask about those in a minute

16 A And, as you see, as you read the Minutes you
17 see that I am, you know, I field questions
18 about our operations, and they occasionally
19 give me an assignment for information So they
20 are - you know, I do play a very active role
21 with them

22 Q Now, what does the Board do?

23 A Okay The Board was created by the
24 legislation

25 Q Right

SUPERINTENDENT WENDELL BLANTON

27

1 A And the Board originally, the scope of power of
2 the Board has been an area where over - see,
3 I've been there ever since, I've just about
4 attended every Board meeting since '81 I mean
5 '84 The Board was created and kind of
6 constituted in that period, '83/'84, about the
7 time I came to Headquarters, it was being
8 constituted So I've been to just about every
9 Board meeting And, you know, in some cases
10 the Board has kind of searched for its role and
11 how, and its authority But the Board is,
12 originally was constituted, as written in the
13 legislation, reported to the Board of
14 Corrections, when we had a Board of
15 Corrections Then when that law was revised,
16 that language was changed by the legislature,
17 and they actually report to the Director of the
18 division, of the agency

19 Q Of the whole Department of Corrections?

20 A The whole agency So, you know, I mean, he can
21 terminate them, you know, so, you know I - the
22 Board, as I say, has more limited power,
23 certainly, than a regular school board A
24 regular school board has, you know, the
25 ultimate authority They are elected

SUPERINTENDENT WENDELL BLANTON

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1 officials But in this case, they are
2 appointed officials, and they are, they work at
3 the pleasure of the Director of our agency
4 And so they advise the agency and look at our
5 programs and advise on directions and policies,
6 and they look at

7 Q Do they make any policies? Do they make any
8 changes to policies, within the District?

9 A They have developed a policy manual, you know,
10 for the Board operation So, primarily, their
11 concern in terms of policy has been the Board
12 operations However, change in policy would,
13 from time to time, be discussed with them, and
14 their advice would be sought

15 Q Explain what you mean, "their advice would be
16 sought"?

17 A Just what it says you know They would give
18 their ideas about it, but the final approval of
19 SCDC policy lies with the Director

20 Q Including any internal educational policies?

21 A Including education policies, yes

22 Q Let's talk about their policy manual I just
23 so I'll clarify, I work a lot with school
24 districts, and so I deal with the regular
25 Superintendents and the school boards, and

SUPERINTENDENT WENDELL BLANTON

40

1 A Well, and here again, level of services vary
2 greatly from institution to institution They
3 did at that time and they still do

4 Q Okay

5 A You know, we, again, at some of those places we
6 would have, because of the nature of the
7 institution, its institutional mission, we
8 would have maybe one teacher, or we might have
9 five teachers At some of the adult, you
10 know, we had fairly large programs because we
11 had large student bodies At other
12 institutions they are farm oriented and
13 everybody works during the day They're not
14 allowed to go to school during the day We
15 have smaller staffing at some places like work
16 release centers, very small staffing because,
17 again, they go out in the community and work,
18 they pick up trash along the side of the road
19 So we limited our programming to night school
20 part-time programs

21 Q Okay Was there, prior to June 1st, 2003, a
22 salary schedule for certified employees?

23 A Since the beginning of the school district
24 there has been a salary schedule for certified
25 employees, yes

SUPERINTENDENT WENDELL BLANTON

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1 Q And this may be before my time, may be before
2 yours Were you the Superintendent when the
3 teacher pay lawsuit was done?

4 A Not when it began I think I was when it
5 settled, but it was very early in my tenure
6 when it settled, but I m pretty sure I was
7 Superintendent when it settled

8 Q And as a certified person, you benefitted from
9 that as well?

10 A I did

11 Q Are there any State Department of Education
12 requirements for y'all to maintain a teacher
13 salary scale?

14 A Yes It was created in the law It's a part
15 of the law and, of course, that's what the law
16 the wording and actual how that was being
17 defined, that was the heart of the lawsuit
18 But the wording in the law has not changed from
19 the very beginning It basically says that we
20 would pay the State minimum plus a supplement
21 average supplement, throughout the state so
22 that per day our teachers are paid what the
23 average teacher in South Carolina is paid

24 Q Okay

25 A Now, again, how that was calculated was the

SUPERINTENDENT WENDELL BLANTON

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1 keep a record of their credentials or check
2 with the State Department of Education to be
3 sure we're paying them on the right cell And,
4 of course, then if a person increases their
5 credential, we notify, you know that this
6 salary should be increased So that's our
7 primary role is verify credentials

8 Q Okay Let me ask this Were you consulted by
9 HR, or whoever was generating the RIF, were you
10 consulted regarding the RIF prior to it being
11 implemented?

12 A I was not involved and, in fact, felt that I
13 needed to be involved And I expressed that to
14 my supervisor, and at the very end, I did have
15 some involvement in the reduction in force,
16 probably in March before the announcement was
17 made in, I guess it was made, what, first of
18 April?

19 Q April Fool's Day

20 A Yes So my involvement came very late, and it
21 was after I had heard that perhaps all of
22 education was going to be cut And that's when
23 my involvement occurred because I said you
24 know, "Why does the agency, why is the agency
25 willing to lose \$6 million in education

SUPERINTENDENT WENDELL BLANTON

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1 funding, federal funding? And if you cut our
2 budget, our state budget, you jeopardize our
3 other funding, and you need an educator to
4 advise you of how, you know, how this could be
5 done and we could still keep the school
6 district intact " So it was my hope, and I
7 believe I did that, that I saved many jobs by
8 asking to be involved And Judy Anderson
9 facilitated that and got the Director, you
10 know, attuned to involving me, and I did become
11 involved at that late date

12 Q Now, Judy Anderson is your immediate
13 supervisor?

14 A Exactly

15 Q Or was at the time?

16 A At that time

17 Q Okay And when did you say you got wind of the
18 RIF?

19 A Well, I mean you know we all read the
20 newspapers The whole agency was concerned
21 about our budget shortfalls, and so I can't say
22 when that actually started but I think we
23 began to hear that there was something coming
24 and that it was coming you know, in early
25 April, and I didn't know any of the specifics

SUPERINTENDENT WENDELL BLANTON

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1 except I was hearing that the Division of
2 Education would be heavily involved, and
3 perhaps we would lose all of our staff And
4 so, at that point in time, I felt it was
5 judicial to get involved and try to save as
6 much as I could

7 Q And what I'm hearing from you is that no one
8 came to you, you went to your supervisor?

9 A Well I'm not saying she didn't come to me
10 She and I discussed - she was very supportive
11 and wanted to be very helpful, and she was
12 concerned And so, you know, we had
13 discussions about my not being involved, and I
14 expressed to her that I felt like somebody from
15 our division that knew the District operation
16 needed to be involved And she communicated
17 that up, and it resulted in my getting an
18 involvement at the very end

19 Q And who did you relay your advice to?

20 A I relayed it to the Director to the Chief of
21 Staff at that point in time, Richard Stroker,
22 of course, then, ultimately, after meeting with
23 them briefly, very briefly, as I recall, I'm
24 saying, you know, ten or 15 minutes, and I
25 expressed my concern of what was going on and,

SUPERINTENDENT WENDELL BLANTON

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1 you know, they did share with me that a
2 reduction in force was coming and it would
3 heavily involve education And so I expressed
4 my concern that if they cut this school
5 district the wrong way we would lose it all and
6 that, you know, I wanted to preserve as much as
7 possible And at that point in time, I was
8 scheduled to meet with John Near, Glen Franz,
9 and Richard Stroker was in and out of the room
10 frequently The Director did not participate
11 directly in those sessions

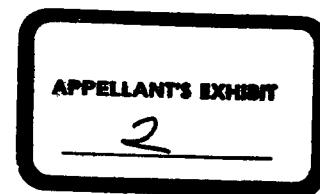
12 Q But he did participate in the 10- to 15-minute
13 discussion

14 A With me about, yeah, my concern that they not
15 cut the whole District and that they not cut it
16 in a way that, you know would cause us to lose
17 the federal money That just seemed to be a
18 no-brainer to me Why would you want to lose
19 the money? And we had to focus our services
20 toward that population that generated the
21 money, and that was those under 21

22 Q Did they seem aware that they were jeopardizing
23 federal funds?

24 A I think - I mean, I'm not sure that they were
25 totally unaware of it I cannot say that they

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
STEVENSON CORRECTIONAL INSTITUTION



M E M O R A N D U M

TO Ms Nancy Glenn
Stevenson Correctional Institution

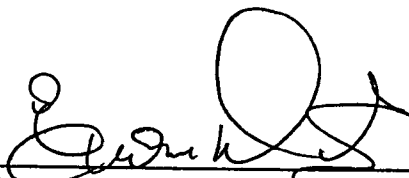
FROM Evonne Dreher, Administrative Captain
Stevenson Correctional Institution

SUBJECT Shift Assignment

DATE May 30, 2003

This is to advise you that effective June 2, 2003, you will be assigned to SCI Operations as the Librarian Your work schedule will be 11 00 a m - 7 00 p m
You will also be required to perform other duties as needed

If I can be of any assistance, please feel free to contact me

S/ 
Evonne Dreher, Administrative Captain

ED/jhh

cc Acting Warden Robinson
Major Marsh
Captain Cobbs
Sgt Rogers
Personnel File



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PALMETTO UNIFIED SCHOOL DISTRICT 1 (PUSD)

C

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PALMETTO UNIFIED SCHOOL DISTRICT 1 (PUSD)

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[EFA High Schools](#) | [Adult Education Centers](#) | [Vocational Program](#) | [PUSD Matrix](#) |

[Contact PUSD](#) | [Board of Trustees](#)

 C
 Bac

District Board of Trustees Meeting Dates

October 23 2008

History of Palmetto Unified School District

Palmetto Unified School District (PUSD) began in 1981 by mandate of the South Carolina legislature (SC Statue 24 25 10) to provide educational services to inmates through a statewide school district. The district constitutes the South Carolina Department of Corrections Division of Education and is governed by its policies and procedures. Because PUSD is a sanctioned school district it is also mandated to comply with the regulations of the South Carolina Department of Education (SDE).

The Division of Education is one of the eight areas that comprise the Division of Programs and Service. PUSD as a school district has a governing board of trustees as well as a district superintendent.

The purpose of this district is to enhance the quality and scope of educational services for inmates within the South Carolina Department of Corrections. PUSD is charged with the mission of maximizing the academic, vocational and life skills of student inmates for their successful return to society. The mission is accomplished through the three R's:

- 1 Rigor (high standards and expectations)
- 2 Relevance (appropriate instruction)
- 3 Relationships (a positive compassionate climate)

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Overview of the Palmetto Unified School District Division of Education

Under the Individuals with Disabilities Education Act (IDEA) students under the age of twenty two who have had prior placement in special education programs in public schools must be screened and placed in the least restrictive education environment appropriate with their custody and security level. These students must have a specific written plan of instruction/activities that is referred to as an IEP (Individualized Education Plan).

All students seventeen through twenty one years of age are interviewed upon arrival at Kirkland Reception and Evaluation Center (males) or Camille Graham (females) to determine whether they have had prior placement in special education. If the student self reports prior participation he/she is asked to sign a Permission for Release form to secure the necessary psychological and education reports as required by law. Upon receipt of the documentation, an IEP Committee is convened to formulate a thirty day interim plan for implementation while at the Reception and Evaluation Center. The student is assigned to the special education class at R and E until transferred to the designated facility. The high schools that serve this population are located at Stevenson, Lee, Camille Graham, Trenton, or Turbeville.

The District has nine high schools that are assessed through the Annual Report Card, an evaluation mechanism of South Carolina's Education Accountability System. The report card provides schools and communities with information on the progress of schools and districts measured against the 2010 national goal of having South Carolina student achievement ranked in the top half of the states nationally. Schools and districts strive for an Improvement and Absolute rating of **Excellent**. Palmetto Unified has since 2002 consistently received the highest grade possible (**Excellent**) thus earning the coveted distinction of receiving the Palmetto Gold Award for Excellence. The district is among a select few that receives this honor. The three measures of the district's effectiveness are the gains made by students on the standardized Test of Adult Basic Education (TABE), the percentage of students receiving a GED, and the percentage of students receiving vocational certifications.

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Beliefs of PUSD Teachers

1. Participation in religious activities increases pro-social behavior
2. Learning is a journey, not a destination
3. Education Reduces Crime
4. The individual is most influenced by the family
5. Team work (Together Everyone Accomplishes More)

6 People deserve a second chance

7 All students can learn

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EFA High Schools

There are nine high schools that serve students ages seventeen through twenty one. These schools are located at Camille Graham, Lee, MacDougall, Ridgeland, Stevenson, Tyger River, Trenton, Turbeville, and Wateree. Students at these high schools may work towards completing the twenty-four Carnegie Units for a high school diploma or passing the GED Test. These schools also provide adult basic education instruction for those students older than twenty one who want to pursue the GED.

Many students, twenty-one years old and younger, are in need of supplementary enrichment programs to boost their achievement in basic skills: reading, language arts, or mathematics. These students are served through Title One labs, which provide specialized instruction that is above and beyond the students' regular class participation.

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Adult Education Centers

Palmetto Unified, in addition to its nine high schools, also has under its purview adult education programs. These programs primarily focus on the population over the age of twenty-one.

The District has a unique relationship with local school districts statewide. Through a Memorandum of Understanding, these school districts work within designated facilities as service providers to expand educational opportunities for students.

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Vocational Program

An integral component of the district's mission is to provide inmates with marketable technical and soft (pro-social) skills necessary for them to successfully re-enter the job market upon release. The vocational program consists of the following initiatives:

Vocational Classes

- Fifty three vocational/career technology classes
- Classes developed based on job projection data from the Department of Commerce and input from workforce development agencies technical colleges and meet standards developed by the State Department of Education s Career and Technology Division

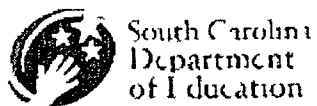
Work Keys Program

- A nationally recognized job skills assessment that measures real world skills that employers have identified as being critical to job success Assessment helps educators to identify and narrow the gap between students skills and employment needs
- Teachers are being trained on supportive software and curriculum to enhance those skills students require for success on the GED and Work Keys Tests

Credentialing Program

Many inmates are assigned to work areas such as prison industries cafeteria maintenance waste management and recycling These inmates presently do not receive any documentation of work skills This work certificate credentialing program will provide documented competencies or work skills for inmates This credential is intended to increase an inmate s employability upon release A goal has been set to award minimally fifty certificates by June 30 2008

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PALMETTO UNIFIED SCHOOL DISTRICT (SCDC)

EDUCATION PROGRAMS AND SERVICES

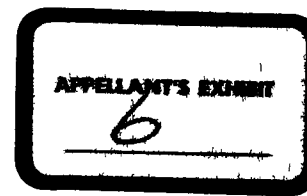
FACILITIES		ALLEDALE	BROAD RIVER	C. GRAHAM	CAMPBELL	CATAWBA	COASTAL	EVANS	GOODMAI	KERSHAW	KIRKLAND	LEATH	LEE	LIEBER	LIVESAY	L. SAVANNAH	MANNING	MCCORMICK	MACDOUGAL	PALMER	PERRY	RIDGELAND	STEVENSON	TRENTON	TURBEVILLE	TYGER RIVER	WALDEN	WATEREE	WATKINS	
PROGRAMS																														
ACADEMIC	ACADEMIC/H S EDUCATION			PU									PU						PU						LD	LD	LD	LD	LD	
	ADULT BASIC EDUCATION/GED	LD	LD		LD	LD	V	LD	LD	LD	LD		LD		LD	LD	LD	LD	LD	LD	LD	LD			LD	LD	LD	LD	LD	
	ADULT BASIC EDUCATION/GED			PU								PU	PU	PU					PU				PU	PU	PU	PU		PU		
	COMPUTER INSTRUCTION													LD					LD							LD			LD	
	COLA INTERNATIONAL U (CIU)										CIU																			
	CLN (CORRECTIONS LEARNING NET)		PU	PU		PU	PU		PU	PU		PU	PU		PU	V	PU	PU	PU		PU	PU	PU	PU	PU	PU	CH		PU	
	LITERACY											LD																	LD	
	SPECIAL EDUCATION			PU							PU		PU										PU	PU	PU					
	SPICE (SELF PACED IN CLASS EDUC)											IS		IS												IS				
	STOP (SHORT TERM OFFENDER PROG)		LD											PU						PU		PU	PU	PU	PU	PU		PU		
VOCATIONAL PROGRAMS	TITLE I			PU									PU						PU			PU	PU	PU	PU	PU		PU		
	AUTO BODY																									PU				
	AUTO MECHANICS		PU															PU								PU				
	BARBERING							PU																						
	CABINETRY													PU	PU				PU	PU		PU	PU	PU	PU	PU	PU			
	CARPENTRY	PU						PU		PU				PU	PU				PU	PU		PU	PU					PU		
	CONSTRUCTION (CEO & CEM)																													
	ELECTRICAL											PU	PU					MTC								CTC				
	HORTICULTURE		PU										PU					PU					PU			PU				
	HVAC	PU																					PU							
	MASONRY																								PTC					
	MASONRY									PU					PU			PU		PU		PU			PU	PU	PU			
	MATH FOR HORTICULTURE																												LD	
	OFFICE SKILLS			PU																										
	PLUMBING														PU			MTC								PU				
	SMALL ENGINE REPAIR										PU																	PU		
	UPHOLSTERY										PU																			
WELDING			MTC																	FDT				PTC						
WELDING			PU																				PU	PU	LD	LD				
WORK KEYS				LD		LD					LD			LD					LD	LD			LD	LD	LD					
LIFE																														
	JUNIOR ACHIEVEMENT																						DOC							
	IMPACT OF CRIME			PU									PU						PU			PU	PU	PU	PU	PU		PU		

PU Palmetto Unified School District
 LD Local School District
 MTC Midlands Technical College
 FDT Florence Darlington Technical College
 PTC Piedmont Technical College
 GTC Greenville Technical College

CIU Columbia International University
 CTC Central Carolina Technical College
 DOC Department of Corrections
 IS Inmate Services
 V Volunteers

APPELLANTS EXHIBIT

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PALMETTO UNIFIED SCHOOL DISTRICT 1 (PUSD)

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District Board of Trustees Meeting Dates

January 17 2008

April 17 2008

June 12 2008

October 23 2008

Board of Trustees

Mr Earl Brown Jr – Chair

Mr Roosevelt Garrick Jr – Vice Chair

Ms Queen Davis

Ms Deloris Jefferson

Mr Leslie Levy

Ms Evelyn Segui

Mr James Tuten

Ms Carolyne Williams

Dr Robert Reid

BELL, ET AL V SCDC HEARING NOTEBOOK**TABLE OF CONTENTS**

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REDUCTION IN FORCE AND APPEAL TIME TABLE

January 2003 -	Ozmint appointed SCDC Executive Director
March 28, 2003 -	RIF plan approved
April 1, 2003	RIF announced to employees
April 2, 2003	Transfers and reassignments of selected employees begin
April 7, 2003	RIF communicated to PUSD Board by Superintendent Blanton
April 11, 2003 -	Randolph conversation with Ozmint regarding RIF
June 1, 2003 -	RIF implemented, employees separated
June 20, 2003 -	Grievance filed
July 16, 2003	Retirement incentive implemented
August 2003 -	New hires, new positions in education division begin
April 6, 2004 -	Suit filed in Richland County Court of Common Pleas
June 15, 2004 -	Documents requested from SCDC
May 4, 2005 -	Court orders SCDC to produce documents
September 9, 2005 -	Court denies reconsideration request by SCDC
December 20, 2005 -	Blanton deposition
June 21, 2006 -	Ozmint and Near depositions
September 7, 2006 -	Documents produced by SCDC
January 8, 2007 -	Court orders a hearing by the State Grievance Committee
February 20, 2007	SCDC appeals hearing order to Court of Appeals
May 14, 2008 -	Court of Appeals dismisses SCDC appeal
June 4, 2008 -	OHR remands grievance to SCDC for Agency proceedings
July 19, 2008 -	Agency review period expires without action by SCDC
July 23, 2008	Appeal of SCDC inaction to OHR
November 5 7, 2008 -	Hearing scheduled

GROUND FOR APPEAL FORM

Procedural Background

The South Carolina Department of Corrections (SCDC) 2003 reduction in force (RIF) prejudiced the substantial rights of the grievants in this appeal. As addressed below, the RIF was made in an arbitrary and capricious manner, reflecting an abuse of discretion and unwarranted exercise of discretion in violation of S C Code Ann § 8-17-340(E)(2)(f). The RIF was also characterized by violation of statutory authority, unlawful procedure and legal error as provided in S C Code Ann § 8-17-340(E)(2)(a) – (d). The SCDC did not participate in agency grievance proceedings. Accordingly, there are no factual determinations that call for review by the Grievance Committee under S C Code Ann § 8-17-340(E)(2)(e). Instead, the Committee must make its own determinations regarding the facts in this appeal.

By way of background, each grievant submitted an initial request for appeal by letter dated June 12, 2003 seeking reinstatement to their former positions, back pay, lost benefits, interest and any other relief available under the State Employee Grievance Procedure Act. The grievants assert that their separations, transfers and demotions were in violation of their rights as employees and cannot be supported by the challenged RIF. The grievants also assert that the SCDC employed others to perform their duties under different titles and reduced compensation.

Initially the SCDC and the State Office of Human Resources (OHR) denied grievants' request for a hearing. Grievants appealed to the Court of Common Pleas for Richland County. Upon grievance motion, the Court ordered SCDC to produce documents and to make administrators available for deposition. The SCDC resisted this order and failed to produce responsive documents. Following a further court order, grievants received limited documentary evidence and deposed agency administrators. Upon admission that additional records were available, grievants were provided documents showing the protection of certain individuals from RIF, retention of temporary, part-time and grant employees in favor of grievants, and the implementation of new position titles providing services formerly offered by the grievants. As a result, the court granted grievants' request for a hearing. The SCDC appealed this order to the South Carolina Court of Appeals. The appeal was dismissed and grievants' right to a hearing reinstated. Despite multiple court orders and explicit directive from OHR, the SCDC again refused to hear from grievants. This appeal followed.

Issues On Appeal

The grievants contend that there was an unjustified division of a legislatively established statewide district into eleven geographic units, arbitrarily restricting "bumping rights" available to senior educators in contravention of the statutes creating the Palmetto Unified School District ("District"). See, S C Code Ann § 24-25-10 et seq. These statutes provide for educational services within the SCDC through "a special statewide unified district." The SCDC's drawing of geographic areas for bumping rights was not in keeping with the statewide nature of the District.

The District operates and is administered as a single entity. Nevertheless, the person responsible for creating the geographic divisions failed to consider the statutes which established the unified school district. Dividing the District into geographic areas meant that teachers could not use seniority to "bump" (replace) more recently hired employees in other areas. As a result, more senior educators lost their jobs, including the grievants who have decades of experience and were in their 50's and 60's when separated by RIF in 2003. Director Ozmint characterized this elimination of senior educators through RIF as getting "more bang for the buck" (OHR record p 727)

The SCDC has repeatedly argued that its RIF plan was "approved" by OHR. This "approval", however, did not apply to the division of the unified school district, the creation of competitive groups or exceptions to the RIF. Instead, the letter granting approval specifically informed the SCDC

approval does not include the determination of the geographic locations in the competitive areas, competitive classes, competitive class series, bumping rights, the positions to be eliminated, or any exceptions included in the plan, since these are solely the responsibility of the SCDC's management. Justification for any exception should be retained by the Department.

March 28, 2003 letter to John Near from OHR (OHR record p 207)

The restriction on "bumping rights" to designated areas within the District was arbitrary, capricious and adversely affected veteran educators holding advanced degrees. This arbitrary division deprived educators of meaningful recognition of years of service and was inconsistent with the statutory nature of the District. For example, grievant Bill Dreyer would have been able to 'bump' Ray Dorn, a teacher at Trenton Correctional Institution based on seniority but for the geographic limitations (Affidavit of William K. Dreyer). Grievant Nancy Glenn had seniority over four other media specialists but could not "bump" due to the arbitrary designated areas (Affidavit of Nancy Glenn)¹

In addition to the SCDC's division of a legislatively established unified school district, the illegitimate nature of the RIF is reflected in the lack of participation by the District and its Board. State law designates the duties of the District's Board and Superintendent. See, S.C. Code Ann. § 24-25-10 et seq. These duties include responsibility for programming and budgeting issues. Nevertheless, a memo from District Superintendent Wendell Blanton to Board members dated April 7, 2003, states "[a]s you may have read in the newspaper, we are experiencing a reduction-in-force action regarding 87 education positions. You will be provided more information on April 17, 2003," at the Board meeting. Minutes from that meeting indicate "Mr. Blanton gave an overview of the agency's reduction in force plan. Of the 148 positions eliminated, 84 are from the Division of Education." No Board minutes prior to the RIF indicate any discussion of potential cuts in the number of educators and programs (OHR record pp 738-740)

¹ Affidavits by grievants are provided herewith

Rather than participating as required by statute, the Board received RIF information after the fact. Superintendent Blanton indicated that he 'didn't know of any of the specifics except I was hearing that the Division of Education would be heavily involved, I felt it was judicial to get involved and try to save as much as I could' (OHR record pp 731-733). Moreover, Superintendent Blanton made clear his disagreement with the RIF in a written request to provide input in the pending cuts in educational programs and staff so that matching federal and grant funds would not be lost (OHR record p 742).

The SCDC contends that administrative policy allows the agency director or designee to take RIF actions without the involvement of the District's Board. This position is contrary to state law that delegates to the Board primary responsibility for the administrative functions of the District, including maintenance of a twelve month educational program. These same statutes assign the agency director the limited role of "consent and concurrence." S.C. Code Ann. §24-25-70.

The SCDC not only violated statutes and procedures but also abused its discretion in implementing the 2003 RIF. For example, grievants contend that their selection for RIF was in retaliation for enforcing their right to be paid in compliance with state law and in violation of laws establishing a "unified" school district. Abraham v. Palmetto Unified School District No. 1, 343 S.C. 36, 538 S.E.2d 656 (Ct. App. 2000), held that the SCDC and the District are required by S.C. Code § 24-25-70(7) to provide additional compensation to instructors based upon the average of local school supplements throughout the state. This resulted in substantial back pay and salary increases for all educators employed by the SCDC.

The record reveals numerous deviations from the announced RIF purpose and from normal RIF practices. These deviations include shielding at will, temporary and grant employees from separation in favor of separating full time educators. Some SCDC employees were moved or offered other positions immediately prior to the RIF or placed in positions made through the RIF process without having the appropriate qualifications. Contrary to the RIF justification, positions designated for separation were actually not eliminated but re-cast into unclassified positions with essentially the same duties but with a reduction in pay. For example, Grievant Max Randolph was offered a teacher position after the RIF on the regular pay band rather than the teacher's salary schedule (Affidavit of Max Randolph). Grievant Beverly McClanahan remained at SCDC in the only offered position of Correctional Officer. In this position, Ms. McClanahan performed the same teaching duties that she had performed prior to the RIF but was not paid on the teacher salary schedule (OHR record p 769). Grievant Nancy Glenn also accepted a Correctional Officer position to remain employed. Ms. Glenn continued to perform librarian duties but for lower pay (Affidavit of Nancy Glenn).

Others affected by the RIF, like James "Cal" Bell, were offered only entry level correction officer positions or were assigned non-certified positions with the same duties previously performed as educators, but for substantially less pay. Documents produced after a court order also reveal that the SCDC retained probationary, grant and "pink slip" temporary employees in favor of educators separated by RIF (OHR record pp 1085-1086). These at-will

employees are normally eliminated and their positions filled by permanent employees, such as grievants, before a RIF is implemented. In fact, this procedure was used by the Department in 2001, prior to Director Ozmint's appointment (OHR record pp 710-711)

Of the eighty-seven educators affected by RIF, seventy-eight were certified instructors or instructional supervisors. Seven institutions eliminated all District instructional staff, while others retained only part-time, pink slip teachers. In fact, the SCDC shielded certain employees from RIF by reassignment of duties and exempting positions. A "reorganization" took place prior to the RIF that shifted high-ranking administrators and provided some promotions. Brenda Reed was moved just prior to RIF from the Training Academy to Personnel. Ms. Reed's previous position was eliminated (OHR record p 1031). Two Division Directors, Richard Bazzle and Judy Anderson, received demotions but kept their salaries without confinement in competitive areas (OHR record pp 1032-1033). This was done just a few days before the RIF was announced. Other employees were permitted to maintain their salary with changed positions (OHR record p 1032). Jane Mailloux, a teacher with less service time than others affected by the RIF was hired immediately after the recall period ended (Affidavit of May McCabe)

Further evidence of retaliation is presented by the disproportionate reduction of educators compared to the Department's overall budget. In a memorandum to employees announcing the reduction in force, Director Ozmint cited the Department's financial crisis (OHR record pp 773-774). Prior to the reduction in force, education accounted for less than 4% of the total SCDC budget (OHR record p 744). Nevertheless, educators comprised 60% of the employees affected by the reduction in force.

Grievant Max D. Randolph objected to the concentration of educators affected by the RIF in a discussion with Director Ozmint on April 11, 2003. This was after the RIF had been announced but before its implementation. Mr. Randolph suggested that the teacher separations could be handled through attrition or retirement. He recalls the Director responding that teachers had sued the Department to get a raise and this was "wrong". He further recalls the Director stating that he could "afford" education on a budget of \$300 million (OHR record pp 1232-1233).

In light of Director Ozmint's reported comment, it is notable that for the fiscal years 2000-2004, the SCDC's total expenditures always exceeded \$300 million (OHR record p 775). During this same period, District expenditures never exceeded \$17 million² (OHR record p 776). Additionally, federal funds were available to the District for educational purposes (OHR record p 777). Finally, part of the funds used to pay grievants came directly through the Education Improvement Act and Education Finance Act (OHR record p 776). These funds were not a part of the SCDC annual appropriation and were available only to pay certified teachers.

² This expenditure comparison was prepared by the District as information for Board members and notes that in fiscal year 2001 (the highest expenditure by more than \$2,000,000) Teacher Lawsuit Settlement was paid out. This statement verifies that the SCDC was conscious of the grievants' lawsuit and the financial impact of complying with state law.

Additional evidence of retaliation is presented by the SCDC's replacement of educators following the RIF. Documents produced by court order reveal that of the eighty-seven educators affected by RIF, more than eighty were replaced, primarily by unclassified or temporary employees (OHR record pp 1070-1081). Of the more than eighty employment actions identified, only four were offered to grievants (OHR record pp 1070-1073). The vast majority of positions are identified as "unclassified" even though the duties assigned include principal, certified teacher, and classroom teacher.

When teaching positions became available following the RIF, grievants were overlooked or rejected. For example, James "Cal" Bell, lead grievant in this action, applied for a position of certified vocational teacher at the Tyger River Correctional Institution. Mr. Bell had sixteen years of experience as a certified vocational teacher, including current service at Perry Correctional Institution. Mr. Bell was not selected for the position. Instead, Mr. Bell's interview score was reduced so that the only other applicant would receive the position. This applicant had no prior employment with the Department, no teaching experience and no certificate to teach (OHR record pp 746-768).

Retaliation is further evident in the retirement incentive extended by Director Ozmint on July 16, 2003, immediately after the RIF (OHR record p 1106). Several district level administrators took advantage of the offer to retire and return to employment. This option was not available to similar employees separated by RIF, including several grievants who were within months of obtaining full retirement benefits. Instead, grievants Jeannie Croxton, William Dreyer, Jacqueline D. Farr, Ruth Fritts, Etta Jane Jones, Geneva Martin, Max Randolph and Maggie Williams were forced to take out loans to buy retirement service time or accept reduced retirement benefits.

Conclusion

Grievants have lost employment, compensation and benefits as a result of the RIF. Grievants have been compelled to seek court orders to obtain information from the SCDC and to have their case heard by the Committee. The multiple deviations from normal RIF procedures establish that grievants were targeted for separation from employment and lost their jobs as a result of arbitrary and capricious conduct on the part of the SCDC. Finally, the failure to involve the Palmetto Unified School District Board in the planning and implementation of the RIF is a violation of law that renders the grievants' separations from employment invalid. For each of these reasons the grievants are entitled to reinstatement with full back pay and/or adjusted retirement benefits.



SCDC POLICY/PROCEDURE

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NUMBER ADM-11 05

TITLE REDUCTION IN FORCE

ISSUE DATE MARCH 14, 2003

RESPONSIBLE AUTHORITY DIVISION OF HUMAN RESOURCES

OPERATIONS MANUAL ADMINISTRATION

SUPERSEDES ADM-11 05 (July 1, 2000)

RELEVANT SCDC FORMS/SUPPLIES 16-5, 16-7

ACA/CAC STANDARDS None

STATE/FEDERAL STATUTES Sub-regulations 19-703, 19-704, 19-705, 19-706, 19-715, 19-718, and 19-719, State Office of Human Resources Regulations Manual

THE LANGUAGE USED IN THIS POLICY/PROCEDURE DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THE AGENCY RESERVES THE RIGHT TO REVISE THIS CONTENTS OF THIS POLICY/PROCEDURE

PURPOSE To establish guidelines for a reduction-in force (RIF) in the event of reduced Agency funding, change in workload, or reorganization

POLICY STATEMENT In order for the SCDC to continue effectively meeting its financial and/or operational objectives, the Agency Director may authorize a reduction-in-force (RIF) due to the reorganization of the SCDC reduced funding, and/or change in workload. Any RIF will be planned and conducted in compliance with all applicable State of South Carolina Office of Human Resources regulations and policies/procedures

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- 1 AUTHORIZATION FOR A REDUCTION-IN-FORCE (RIF)
- 2 GENERAL RIF PROVISIONS
- 3 EXCEPTIONS IN SPECIAL OR UNIQUE CASES
- 4 EMPLOYEE NOTIFICATION
- 5 ESTABLISHMENT OF RIF SERVICE DATES
- 6 BUMPING RIGHTS OF EMPLOYEES
- 7 RECALL AND REINSTATEMENT RIGHTS OF EMPLOYEES
- 8 GRIEVANCES
- 9 REORGANIZATION
- 10 REHIRES
- 11 DEFINITIONS

APPROVED

OFFICE OF HUMAN RESOURCES

Christopher D. Taylor 3/14/03

SPECIFIC PROCEDURES

1 AUTHORIZATION FOR A REDUCTION-IN-FORCE (RIF)

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1.1 The Agency Director *or designee* is authorized to approve any position(s) to be abolished and to approve the competitive areas within which employees subject to a lay off will be able to exercise their rights under this policy/procedure (NOTE The competitive area may be *agency wide*, a department, or a more restricted *geographical* area where the staff is separately organized and clearly distinguishable from the staff in other areas) The Agency Director will be the final authority for approving a reduction-in-force whereby

- *employees may only bump into vacant positions, which are actively recruiting to be filled,*
- filled positions are abolished with the subsequent removal of some or all employees from the payroll and/or the reassignment, and/or possible transfer *or demotion* of others

1.2 A RIF plan based on the directives of the Agency Director will be developed by the Division Director of Human Resources

1.3 A copy of the RIF plan will be submitted to the State Office of Human Resources (OHR) for approval of procedural correctness prior to the effective date of the RIF. At a minimum, the plan will contain the reasons for the RIF, a proposed list of affected employees in the order of their RIF Service Dates (see Section 5, below), the competitive area(s) and classification(s) affected, and the age, race, and sex of the affected employees, *organizational chart of affected areas, and a sample letter to employees*. In addition, efforts will be made to assist laid-off employees to find other employment through the State Career Center of the OHR. The Recruiting and Employment Services Branch of the SCDC Division of Human Resources will be provided with updated employment applications of all employees affected by the RIF.

1.4 Upon approval of the RIF plan by the OHR, the Division Director of Human Resources will be responsible for implementing the actions called for in the plan. No action will be taken nor will information be provided to any employee without the written approval of the Division Director of Human Resources. No action will be considered official without the written approval of the Division Director of Human Resources.

2 GENERAL PROVISIONS GOVERNING RIFs

2.1 The Division Director of Human Resources will maintain a roster of employees who have been bumped or who have been laid-off. It will be the responsibility of all Agency managers to furnish the Division Director of Human Resources with any and all information related to the filling of positions upon request.

2.2 It is the responsibility of all employees to ensure that the Division of Human Resources has current information on their home addresses and telephone numbers at all times.

2.3 Whenever a RIF is in effect, no additional new hires, internal promotions, or reassignments into vacant positions *in the competitive area* will be allowed in any position without first determining through the Division Director of Human Resources or designee those employees with recall rights. These employees have recall rights as a result of being bumped or laid off and must be notified of such vacancies to determine their eligibility.

3 EXCEPTIONS IN SPECIAL OR UNIQUE CASES

3.1 In exceptional cases, the Agency Director reserves the right to approve actions outside the provisions of this policy/procedure if, in his/her opinion, circumstances warrant such approval. If any provisions of this policy/procedure are affected by a proposed exception, justification and specific instructions to be followed will be recommended in writing to the Agency Director by the *appropriate member of the Director's staff*.

APPROVED
OFFICE OF HUMAN RESOURCES

Christopher D. Ford 3/14/03

with the concurrence of the General Counsel and the Division Director of Human Resources

3 2 Reasons or justification for such actions above may include, but are not limited to the following -182-

3 2 1 Sufficient evidence exists that the movement by an employee into a position may aggravate a pre-existing health related condition. Such evidence would require medical documentation and diagnosis of inability to perform the essential functions of the position.

3 2 2 A particular employee may be retained over another employee within the Agency regardless of RIF Service Date and bumping rights of other employees because s/he possesses supervisory skills, knowledge, experience, or abilities that cannot be learned within a reasonable training period. In such cases, a statement of facts must be made in the reduction-in-force plan and approved in advance by the Agency Director. The SCDC will retain documentation to support any exceptions made on this basis.

3 3 3 The move would violate State and/or Agency nepotism policies/procedures.

3 3 4 Sufficient evidence exists to show that it would not be in the best interest of the SCDC or the employee to allow a move.

4 EMPLOYEE NOTIFICATION

4 1 After a RIF plan is approved and reviewed for procedural correctness by OHR and before it becomes effective, employees to be affected by an approved RIF will be notified in writing by the Division Director of Human Resources. Notification will be made by either

- A personally delivered letter to the affected employee requiring the signed acknowledgment of receipt by the employee, or
- Certified mail (return receipt requested)

4 2 An employee affected by a RIF may make a written request to the Division Director of Human Resources to receive a copy of the RIF plan affecting the employee. The RIF Service Dates of affected employees (see Section 5, below) will not be disclosed in the copy of the plan provided to such employees.

4 3 Employees notified that their position is to be abolished (and those employees subsequently bumped under these procedures) will be scheduled to meet with a designated representative of the Division of Human Resources to review their rights under these procedures. After reviewing their rights, affected employees must indicate in writing whether they will exercise or waive their bumping rights (see Section 6, below). Written notification of each employee's decision must be filed with the Division of Human Resources representative designated to meet with the employee no later than two (2) working days following the meeting, or else that employee's bumping rights will be automatically waived.

4 4 Generally, employee meetings and *employees exercising their bumping rights* will be made in decreasing order based on each affected employee's RIF Service Date. Exceptions may be made by the Division Director of Human Resources when

- A change in the order of meetings and transactions does not affect other employees with a lower RIF Service Date, or
- To delay a meeting or transaction would jeopardize efficient operations of the RIF, or
- An employee either fails to keep or fails to notify the Division of Human Resources of his/her inability to keep a required appointment date and therefore *the appointment will be rescheduled after other employees with a lower RIF Service Date have been contacted.*

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4 5 After the final list of employees to be laid off is determined, these employees will be notified by the Division Director of Human Resources or an approved designee no later than 14 calendar days before the actual date the lay off is to become effective. Notification will, at a minimum, include the following information

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- Reason for the lay off,
- Competitive classification *and/or competitive series* (job class, pay band, pay level) and competitive area,
- Benefits to which the affected employee is entitled,
- Where to obtain benefit information,
- Recall *and reinstatement rights*,
- Services available for seeking other employment,
- Efforts taken (or to be taken) to place the affected employee, and
- *Employee grievance rights*

4 6 Notification will be made to such employees by either a hand-delivered letter to the employee requiring the employee's written acknowledgment of the same, or by certified mail (return receipt requested)

4 7 The Division of Human Resources will be responsible for ensuring that SCDC Form 16-5, "Personnel Advice Form," and SCDC Form 16-7, "Employee Termination Clearance," are completed for all employees being removed from the SCDC payroll

5 ESTABLISHMENT OF RIF SERVICE DATES A RIF Service Date will be established for any employee affected by a RIF and will be used as the basis for bumping, laying-off, recalling, or reinstating an affected employee. All approved RIFs will be conducted in such a manner which provides employees the optimum security for past performance and length of service, while minimizing disruption to the Agency's operations. The RIF Service Date will be established by combining the continuous state service date of each affected employee with credit for his/her job/merit performance, as follows

5 1 Continuous State Service The continuous state service date of each affected employee will be determined by the employee's most recent date of hire with the state. Section 19-719 of the State Office of Human Resources Regulations Manual outlines conditions affecting the employee's length of continuous state service

5 2 Job Performance Credit All employees will be awarded additional service credit based on the total of their last two (2) scheduled performance appraisals (special appraisals are excluded) which precede the date of designation of positions to be eliminated by the Agency Director. The additional service credit will be allocated as follows

- - Below Performance Requirements = 0 months credit
- - Meets Performance Requirements = 6 months credit
- - Exceeds Performance Requirements = 12 months credit
- - Substantially Exceeds Performance Requirements = 18 months credit

5 3 The calculated additional service credit will be added to the employee's continuous state service date to determine the RIF Service Date for all RIF purposes

5 4 Where two (2) employees have equal RIF Service Dates, deadlocks will be broken by using each employee's Agency hire date. If the deadlock continues, other impartial means (e.g., drawing lots, etc.) may be used to break the deadlock

5 5 Probationary employees will not have any rights under these RIF procedures and may be terminated at

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any time during their initial 12 month probationary period.

6 BUMPING RIGHTS OF EMPLOYEES

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6.1 Applicability Only those employees considered covered state employees are authorized to have bumping rights. Temporary ("pink-slip"), contract, full/part-time temporary grant employees, and probationary employees have no bumping or RIF rights.

6.2 Covered Employees Covered employees have bumping rights only when

6.2.1 The position the employee occupies is being abolished or the employee is bumped by another employee and the bumped employee has a greater RIF Service Date than remaining employees in the classification *and/or job classification* series, or

6.2.2 The employee elects to exercise his/her bumping rights in writing no later than two (2) working days following the review meeting with the designated representative of the Division of Human Resources (see Section 4.3, above)

6.3 If an employee elects to exercise his/her bumping rights, the employee must utilize the option below which provides him/her the highest resulting pay band or s/he may elect to be laid-off with recall or reinstatement rights as provided by the provisions within these procedures (**NOTE** Under no circumstances may an employee gain from a RIF. Bumping rights are only provided laterally or downward.)

6.4 The following procedures must be followed only in cases where the position eliminated is one of a designated competitive series (e.g. Administrative Specialist I, AA25, Band 2, and Administrative Specialist II, AA50, Band 3)

- If the employee whose position is eliminated has a higher RIF Service Date than other employees in the designated competitive series in the competitive area, s/he will bump into the position occupied by the employee with the lowest RIF Service Date in the same job classification and pay band with the same or lower pay level. The bumped employee may then bump into the position occupied by the employee with the lowest RIF Service Date in the next lowest job classification in the designated competitive series. Once the employee with the lowest RIF Service Date in the series is determined, s/he must then follow the procedures outlined in Section 6.6, below.
- In all cases, the employee bumping into a position must meet the State and SCDC minimum training and experience requirements as outlined in 6.10, below.

6.5 If a position eliminated is not one of a designated series and the employee elects to exercise his/her bumping rights, the employee must first bump the employee in the competitive area with the lowest RIF Service Date in the same job classification and pay band, and same or lower pay level, provided s/he meets the State and SCDC minimum training and experience requirements.

6.6 The employee must next be reassigned or demoted into a vacant position in the competitive area of the same pay band, and pay level or lower, provided the agency is actively recruiting to fill the vacancy, and provided s/he meets the State and SCDC minimum training and experience requirements.

6.7 For those employees bumped or bumping into a position with a lower pay band, the employee's pay rate and review date will be determined in accordance with the Office of Human Resources Regulations Manual.

6.8 If a position is offered to an employee under RIF bumping procedures, and the employee *refuses* the position, s/he has the right to elect to be laid-off with recall/reinstatement rights.

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6 9 An employee is considered as meeting the minimum training and experience requirements provided

- S/he meets minimum state training and experience with regard to education and experience, -185- and
- The experience required is considered acceptable to perform the specific essential functions of the position (i.e., a vocational teacher of a specific trade such as electrical, automotive, plumbing, etc.) as defined in the position's SCDC Additional Requirements

6 10 Any employee exercising his/her bumping rights will be notified in writing by the Division of Human Resources of the position (job title, *pay band*, *pay level*, location, and salary) and effective date of the position change. Notification of the position change will also be made to the Recruiting and Employment Services Branch. The Recruiting and Employment Services Branch will be responsible for keying the selection and notifying the Payroll Branch so that the change can be made effective.

6 11 An employee bumped out of his/her position during a RIF (regardless of source of funds) may then exercise his/her rights according to these procedural guidelines.

6 12 A second wave of bumping rights for *covered* employees who have been displaced will not be implemented until first wave RIF bumping procedures have been completed.

6 13 An employee subject to lay off may waive his/her bumping rights in writing. Once waived, s/he forfeits bumping rights for the remainder of the RIF. An employee who waives bumping rights does not waive any recall rights under these procedures.

7 RECALL AND REINSTATEMENT RIGHTS OF EMPLOYEES

7 1 Covered employees who have been laid-off or bumped to a position with a lower pay band and pay level will have recall and reinstatement rights for a period of one (1) year from the effective date of their lay off, bumping, or reassignment to another *position*. Employees will be reinstated in inverse order of lay off.

7 2 *Recall Rights* When a vacancy occurs in an employee's competitive area which is (1) in the *same job class*, pay band, pay level or lower, and *functionally similar* as the position held prior to the lay off, downward bumping, or reassignment and (2) within a reasonable geographic distance (30 mile radius) of the work location of the employee, then the eligible employee will be offered the vacancy provided s/he meets the minimum training and experience qualifications. The position must be accepted in writing by the employee within two (2) working days of the offer or s/he waives any future recall rights.

7 3 Upon refusal of the position by an eligible employee, the offer will be extended in decreasing RIF Service Date order to other eligible employees on the recall list. If all eligible employees on the recall list refuse the position, the vacancy will be filled pursuant to normal Agency hiring policy/procedure.

7 4 *Reinstatement Rights* An employee affected by a *Reduction-In-Force* may apply for any SCDC or State job for which s/he meets the minimum training and experience requirements. If the employee accepts a position with a lower pay band than the one from which s/he was separated, s/he still retains recall rights to a position in the same job classification in the competitive area.

7 5 Probationary, temporary (*pink slip*), or temporary grant employees will not have recall or reinstatement rights. They may, however, apply for rehire through regular Agency employment policy/procedure.

7 6 If an employee on the recall list relocates to another geographic area, s/he will be eligible for recall in the new competitive area. After relocation it will be the employee's responsibility to notify the Division Director of Human Resources in writing of the relocation in order to be eligible for recall within the competitive area.

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77 Upon appointment to an established position (either as a result of bumping or recall), an employee shall be given one of the following types of status in accordance with State regulations and Agency policies/procedures

-186-

- Trial, or
- Covered

78 Any changes in salary, job date, or performance appraisal review dates will be in accordance with established State regulations and Agency policies/procedures

79 Employees who are recalled *or reinstated* within one (1) year of the effective date of the RIF will be eligible for all benefits including sick leave restored in accordance with state regulations, and will have the option of buying back all, some, or none of the annual leave ~~lost~~ *paid* as a result of the RIF

8 **GRIEVANCES** A *covered* employee who is affected by a reduction-in-force has the right to appeal through the Agency's employee grievance procedures and to the State Employee Grievance Process only if the appeal is based upon inconsistent or improper application of any portion of the Agency's reduction-in-force policy/procedure or plan *The grievance must be filed within 14 calendar days of the effective date of the RIF as outlined in SCDC Policy/Procedure ADM-11 02*

9 **REORGANIZATION**, Reorganization of the SCDC after a RIF will be implemented in compliance with all existing departmental policies. Those employees remaining after reorganization will not be eligible for moving expenses or travel to and from their home to their work stations if they are transferred to meet the mission of the Agency

10 **REHIRE** An employee affected by a RIF who waives his/her bumping or recall rights or who is not eligible for such rights may apply for rehire with the Agency through normal hiring and employment policies/procedures

11 DEFINITIONS

Bumping refers to the action taken when an employee subject to lay off is placed in a vacant position or displaces ("bumps") another employee in the same or another job classification and/or location

Class Series refers to a group of classes which are sufficiently similar in the kind of work performed to warrant similar state class titles, but sufficiently different in level of responsibilities to warrant different state salary ranges

Competitive Area refers to a common geographic or organizational area in which employees will be considered for reduction-in-force procedures including transfers, reassignments, and/or bumping which is determined and approved by the Agency Director

Competitive Class refers to classifications (job class, pay band, pay level) designated to compete in a reduction in force

Continuous State Service refers to service with the state determined by the most recent date of hire with the State of South Carolina without a break in service

Employee Subject to Lay Off refers to an employee who is subject to termination because s/he has a lower RIF Service Date than another employee

Lay Off refers to the actual termination of employment from the Agency because of reduced funding

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change in workload, or reorganization

State Minimum Qualifications refers to those qualifications specified by the state job specifications and specific job functions as required for an employee to enter a job classification -187-

Probationary Employee refers to an employee in a covered position who has less than 12 months of continuous state service

Recall refers to the reinstatement of an employee who is in lay-off status within one (1) year of the effective date of the lay off

Reduction-in-Force (RIF) refers to the reduction or abolishing of positions because of reduced funding, change in workload, or reorganization

Reduction-in-Force (RIF) Service Date refers to date upon which all RIF procedures are based RIF Service Date is determined by continuous state service date with additional service credits awarded for job performance rating

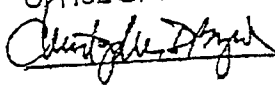
Temporary Employee refers to a full-time or part-time employee who does not occupy an FTE position, whose employment is not to exceed one year, and who is not a covered employee. (S C Code Ann §8-17-320)

Trial Period/Status refers to a six (6) month working trial period/status of a covered employee following a promotion, demotion, or reclassification transfer or reassignment to any class in which the employee has not held permanent status



s/ Jon E. Ozmint, Director

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 3/14/03

DEPARTMENT OF CORRECTIONS

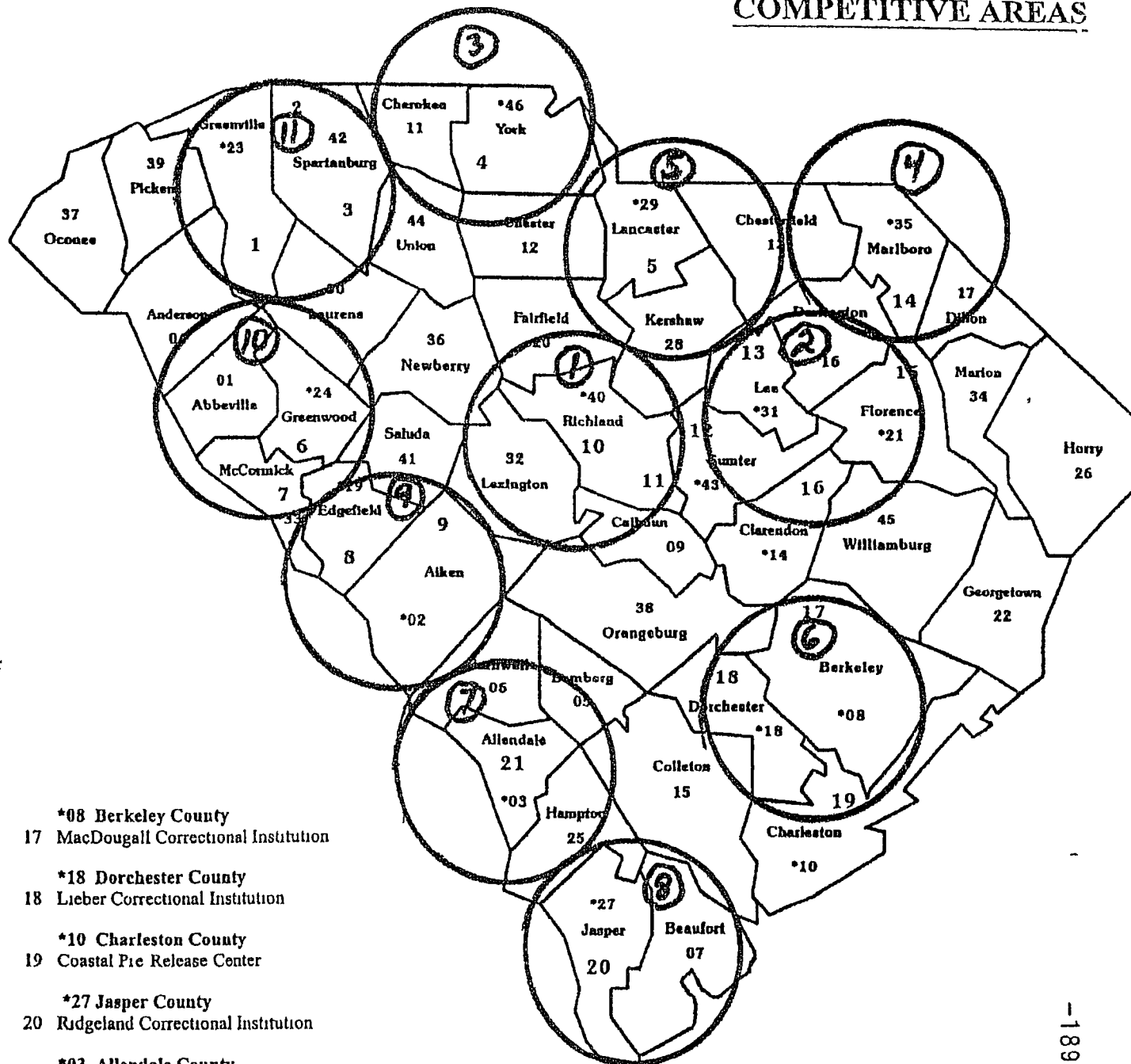
REDUCTION-IN-FORCE - COMPETITIVE AREAS

<u>Competitive Area</u>	<u>Location(s)</u>
1	All Broad River Road Complex Institutions and Divisions Watkins Pre-Release Center Manning Correctional Institution
2	Wateree River Correctional Institution Lee Correctional Institution Palmer Pre-Release Center Turbeville Correctional Institution
3	Catawba Pre Release Center
4	Evans Correctional Institution
5	Kershaw Correctional Institution
6	Coastal Office Coastal Pre-Release Center Lieber Correctional Institution MacDougall Correctional Institution
7	Allendale Correctional Institution
8	Ridgeland Correctional Institution
9	Lower Savannah Pre-Release Center Trenton Correctional Institution
10	Leath Correctional Institution McCormick Correctional Institution
11	Appalachian Office Northside Correctional Institution Livesay Pre-Release Center Tyger River Correctional Institution Perry Correctional Institution

Locations of Existing Institutions and Centers

- *23 Greenville County
- 1 Perry Correctional Institution
- *42 Spartanburg County
- 2 Livesay Pre Release Center
- Northside Correctional Institution
- 3 Tyger River Correctional Institution
- *46 York County
- 4 Catawba Pre Release Center
- *29 Lancaster County
- 5 Kershaw Correctional Institution
- *24 Greenwood County
- 6 Leath Correctional Institution
- *33 McCormick County
- 7 McCormick Correctional Institution
- *19 Edgefield County
- 8 Trenton Correctional Institution
- *02 Aiken County
- 9 Lower Savannah Pre Release Center
- *40 Richland County
- 10 Broad River Correctional Institution
- Campbell Correctional Institution
- Goodman Correctional Institution
- Kirkland Reception & Evaluation Center
- Stevenson Correctional Institution
- Walden Correctional Institution
- Watkins Pre Release Center
- Women's Correctional Institution
- 11 Manning Correctional Institution
- *43 Sumter County
- 12 Wateree River Correctional Institution
- *31 Lee County
- 13 Lee Correctional Institution
- *35 Marlboro County
- 14 Evans Correctional Institution
- *21 Florence County
- 15 Palmer Pre Release Center
- *14 Clarendon County
- 16 Furberville Correctional Institution
- *08 Berkeley County
- 17 MacDougall Correctional Institution
- *18 Dorchester County
- 18 Lieber Correctional Institution
- *10 Charleston County
- 19 Coastal Pre Release Center
- *27 Jasper County
- 20 Ridgeland Correctional Institution
- *03 Allendale County
- 21 Allendale Correctional Institution

COMPETITIVE AREAS



DEPARTMENT OF CORRECTIONS

COMPETITIVE JOB CLASSIFICATIONS & SERIES

Competitive Job Classifications and Competitive Job Classification Series within each competitive area for employee bumping are identified as

Competitive Job Classifications

AA75 - (Pay Band 4) - Administrative Assistant
AH20 - (Pay Band 7) - Administrative Manager I
AH45 - (Pay Band 7) - Program Manager I
AJ40 - (Pay Band 6) - Computer Operator II
AJ45 - (Pay Band 6) - Information Resource Consultant II
BC30 - (Pay Band 6) - Public Information Director I
BC50 - (Pay Band 8) - Director of Information Services
CD20 - (Pay Band 4) - Library Specialist
EB52 - (Pay Band 9) - Dentist
EC10 - (Pay Band 2) - Medical Assistant Technician I
EC25 - (Pay Band 5) - Technical Medical Associate II
GA40 - (Pay Band 4) - Human Services Specialist II
JA80 - (Pay Band 4) - Inspector II
UB02 - Certified Teacher
UB04 - Vocational Teacher
UB05 - Guidance Counselor
UB06 - Special Education Teacher

Competitive Job Classification Series

AA25, AA50 - (Pay Bands 2-3) - Administrative Specialist I & II
AD01, AD03 - (Pay Bands 3-4) - Fiscal Technician I & II
AD05, AD08, AD10, AD12 - (Pay Bands 3-4-5-6) - Auditor I, II, III, IV
AD15, AD18 - (Pay Bands 7-8) - Audits Manager I & II
AH10, AH15 - (Pay Bands 5-6) - Administrative Coordinator I & II
AH35, AH40 - (Pay Bands 5-6) - Program Coordinator I & II
CB30, CB35 - (Pay Bands 2-3) - Teacher Assistant, Teacher/Center Director
GA50, GA60 - (Pay Bands 5-6) - Human Services Coordinator I & II
UB09, UE07, UB07 - Superintendent, Academic Program Manager, Principal

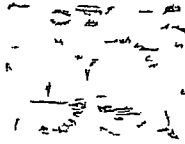
NOT
-473-

STATE OF SOUTH CAROLINA
State Budget and Control Board
DIVISION OF BUDGET AND ANALYSES
OFFICE OF HUMAN RESOURCES

MARK SANFORD CHAIRMAN
GOVERNOR

GRADY L. PATTERSON JR.
STATE TREASURER

RICHARD LCKSTROM
COMPTROLLER GENERAL



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SAMUEL L. WILKINS
DIRECTOR

HUGH K. LEATHERMAN SR.
CHAIRMAN SENATE FINANCE COMMITTEE

ROBERT W. HARRELL JR.
CHAIRMAN, WAYS AND MEANS COMMITTEE

FRANK W. FUSCO
EXECUTIVE DIRECTOR

March 28, 2003

Mr. John Near
Director of Human Resources Management
South Carolina Department of Corrections (SCDC)
4444 Broad River Road
Post Office Box 21787
Columbia, South Carolina 29221-1787

Dear Mr. Near

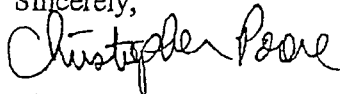
Your reduction-in-force (RIF) plan for the Department of Corrections (SCDC) eleven (11) competitive areas has been reviewed. As part of the plan, we reviewed the following components: the plan, the competitive areas diagram, the listing of competitive job classifications and job classification series, the "Listing of Positions Being Eliminated and the Employees Eligible for Bumping in Each Competitive Area", and the sample letter to employees in positions being eliminated. In light of your assessment that the Department's current organizational charts may not be completely up-to-date, we understand that the "Listing" includes all employees in each competitive area and each competitive class and class series included in the reduction in force plan. We used this information to conduct our review.

Based on the information you submitted, it appears that the plan is procedurally correct. The Office of Human Resources' approval of the procedural correctness indicates only that the required elements of the RIF plan are present and in accordance with the Department's RIF Policy/Procedure. Our approval does not include the determination of the geographic locations in the competitive areas, competitive classes, competitive class series, bumping rights, the positions to be eliminated, or any exceptions included in the plan, since these are solely the responsibility of SCDC management. Justification for any exception should be retained by the Department.

In accordance with SC Code of Laws Ann §8-11-185 (1976 & 2002 Supp), any state agency implementing a RIF must report information pertaining to employees affected by a RIF to the Office of Human Resources to be included in the RIF applicant pool. State law also requires agencies to consult the RIF applicant pool and give priority consideration to employees affected by a RIF when seeking to fill vacancies. For this purpose, the RIF applicant pool may be accessed through the web-site www.state.sc.us/ohr/rif. Should you have questions about these requirements, please call Bob Karel at 734-0980.

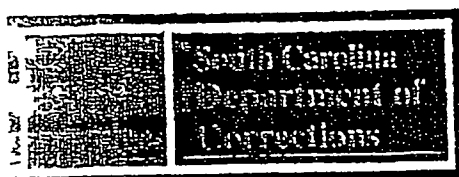
If I can be of further assistance, please give me a call at (803)737-0952.

Sincerely,



Christopher Poore
Human Resources Consultant

April 1, 2003



MARK SANFORD Governor
JOHN E. OZMINT Director

Today we have notified our employees of a Reduction in Force and Reorganization. One hundred and forty eight South Carolina Department of Corrections employees are affected and will be laid-off on June 1, 2003. This is a large reduction for this or any other state agency. It is even larger when viewed in the context of the past two years.

As you know, this agency will close out this fiscal year on June 30, having spent \$27.7 million more than the final budget allocated by our Legislature and the Budget and Control Board. Based upon revenue projections for next year and based on the appropriations bill passed by the House, our budget shortfall next year could be as bad or even worse. In order to address next year's problem, we must act now.

This first round of reductions and reorganization will create a leaner, less costly and more efficient headquarters. The total net savings to the taxpayer will range from \$5 million to \$8 million. In fact, headquarters will bear a greater burden in this first round of reductions than any of our prisons. No uniformed security personnel will be cut.

This reduction in force plan will affect the following functional areas:

- Headquarters management and administrative support staff
- Administration and management of support programs and
- Certified educational personnel and educational support staff

In developing this plan, we have included input from those responsible for the affected areas and we have done so in a manner that will have as little impact as possible on our

most important functions of security and safety. Two factors drove our deliberations: the necessity of further cuts and my determination to allow no further cuts in the frontline ranks of our uniformed staff.

Over the past two years our budget has been cut by 25% over \$70 million. We have lost more than 500 security personnel, including more than 400 correctional officers, even as our inmate population has grown by more than 2,300.

This plan does not protect the highest paid employees at the expense of others. For example, the average salary of those positions affected by this reduction in force is \$41,900. Yet, the average salary within South Carolina Department of Corrections is \$28,953. The average salary of our most essential employees, correctional officers, is \$22,886.

Finally, the decision to reduce educational personnel is unfortunate. Until this time even when essential functions such as security and maintenance have been cut, education has been exempted. However, that functional area is one of the most expensive functions in this agency. In fact, outside of our medical personnel, there is no comparable group of employees with higher average salaries than our principals, counselors and teachers. As you can see, our average warden, with responsibilities on a twenty-four hour basis for hundreds of lives, earns \$63,000 per year. The average associate warden earns \$50,000. By contrast, the average principal earns over \$67,000 and supervises 10 teachers and staff. Our average guidance counselor earns \$59,000 more than many wardens and \$9,000 more than our associate wardens.

We have worked closely with our Superintendent of Education, Wendell Blanton, to

ensure that we continue to educate inmates who are under the age of 21. These reductions are also designed to maximize the limited state and federal educational funding we receive through the state Department of Education. We look forward to the day when we can rebuild our educational program in a sustainable and efficient manner.

These lean budget years are requiring painful actions. We will take all reasonable steps to provide assistance to the staff who will be affected by these actions. The staff who will be affected by this are all dedicated employees who have done a good job for this Department, and I have no doubt that they would have continued to do so.

We will continue to evaluate other functional areas for further savings and efficiency. When we can safely do so, we will implement further changes to increase value to the taxpayers and to further reduce future deficits.

DEPARTMENT OF CORRECTIONS 2003 RIF
EDUCATORS SUBJECT TO RIF BY AREA

AREA 1

BROAD RIVER, WATKINS AND MANNING

Total Certified Teachers -	17
Subject to RIF -	15
<u>Positions Eliminated</u>	<u>10</u>
Bumping Opportunities	5

Total Vocational Teachers	10
Subject to RIF	9
<u>Positions Eliminated</u>	<u>8</u>
Bumping Opportunities	1

AREA 2

WATEREE AND LEE

Total Vocational Teachers --	8
Subject to RIF --	7
<u>Positions Eliminated -</u>	<u>3</u>
Bumping Opportunities	4

AREA 4

EVANS

Total Education Positions	4
<u>Positions Eliminated</u>	<u>4</u>
Bumping Opportunities	0

AREA 5

KERSHAW

Total Education Positions	8
<u>Positions Eliminated</u>	<u>8</u>
Bumping Opportunities	0

AREA 6

LEIBER AND MACDOUGAL

Total Certified Teachers	8
Subject to RIF -	5
<u>Positions Eliminated</u>	<u>4</u>
Bumping Opportunities	1

Total Vocational Teachers	4
Subject to RIF	1
<u>Positions Eliminated</u>	<u>1</u>
Bumping Opportunities	0

AREA 7

ALLENDALE

Total Education Positions	6
<u>Positions Eliminated</u>	<u>6</u>
Bumping Opportunities	0

AREA 10

LEATH AND MCCORMICK

Total Education Positions	12
<u>Positions Eliminated</u>	<u>12</u>
Bumping Opportunities	0

AREA 11

TYGER RIVER AND PERRY

Total Certified Teachers	12
Subject to RIF	11
<u>Positions Eliminated</u>	<u>8</u>
Bumping Opportunities	3

Vocational Teachers	9
Subject to RIF	5
<u>Positions Eliminated</u>	<u>4</u>
Bumping Opportunities	1

*Source – SCDC Statement of Positions Eliminated and Eligible for Bumping, pp 200 – 206

In addition to this list, 7 principal, guidance counselor and librarian positions were eliminated. In total, 91 educators were subject to RIF

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PAIRED IN SECTION V OF RISE PLAN

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R	I	F	1 2 3	NAME	E	X	E	B	S	D	L	TITLE	DATE	P	A	LOCATION
				SMITH RAYMOND	W	M	61	AH35	05	E		PROGRAM COORDINATOR I	7/16/80	01		MANNING CORRECTIONAL INSTITUTION
				ROSE MARSHALL	B	F	44	AH35	05	B		PROGRAM COORDINATOR I	3/18/81	01		KIRKLAND CORRECTIONAL INSTITUTION
				METTS THOMAS A	W	M	56	AH35	05	E		PROGRAM COORDINATOR I	5/21/81	01		CORRECTIONAL INDUSTRIES ADMINISTRATION
				BUFF SUSAN R	W	F	50	AH35	05	C		PROGRAM COORDINATOR I	9/28/82	01		DIV OF CLASSIFICATION & INMATE RECORD
				DIRUSSO KEITH J	W	M	39	AH35	05	E		PROGRAM COORDINATOR I	3/3/84	01		CORRECTIONAL INDUSTRIES ADMINISTRATION
1				FERGUSON SHARON J	B	F	49	AH35	05	E		PROGRAM COORDINATOR I	3/13/84	01		DIV OF CLASS & INMATE RECDS
				ROWE DEBORAH L	W	F	50	AH35	05	E		PROGRAM COORDINATOR I	5/5/84	01		DEPUTY DIRECTOR ADMINISTRATION
				ROLACK CAROLINE A	B	F	48	AH35	05	C		PROGRAM COORDINATOR I	5/12/84	01		DIV OF CLASSIFICATION & INMATE RECORD
				WILSON DENNIS L	W	M	63	AH35	05	D		PROGRAM COORDINATOR I	8/17/84	01		KIRKLAND CORRECTIONAL INSTITUTION
				WILLIS STEPHANIE	B	F	38	AH35	05	B		PROGRAM COORDINATOR I	10/13/84	01		MANNING CORRECTIONAL INSTITUTION
				WISE VICKIE M	B	F	37	AH35	05	E		PROGRAM COORDINATOR I	11/2/84	01		DIVISION OF POLICY DEVELOPMENT
1				MARTIN ODESSA	B	F	38	AH35	05	C		PROGRAM COORDINATOR I	12/9/84	01		OFFICE OF EXEC AFFAIRS
				HOWDESHELL THELMA S	W	F	47	AH35	05	C		PROGRAM COORDINATOR I	7/25/85	01		CORRECTIONAL INDUSTRIES ADMINISTRATION
				TISON JULIA K	W	F	52	AH35	05	E		PROGRAM COORDINATOR I	1/4/88	01		DIV OF CLASSIFICATION & INMATE RECORD
				KIRSCH THOMAS E	W	M	53	AH35	05	D		PROGRAM COORDINATOR I	5/22/88	01		FOOD PROCESSING PLANT
				VAN BORSCH DONALD	W	M	49	AH35	05	B		PROGRAM COORDINATOR I	8/12/87	01		WALDEN FARM OPER
				ADAMS JENLENN W	W	F	48	AH35	05	C		PROGRAM COORDINATOR I	7/9/88	01		CAMILLE GRAHAM CORRECTIONAL INST
				SMALL SHARON COHEN	B	F	36	AH35	05	C		PROGRAM COORDINATOR I	7/8/88	01		CORRECTIONAL INDUSTRIES ADMINISTRATION
				WATTS MONICA B	B	F	33	AH35	05	B		PROGRAM COORDINATOR I	3/25/89	01		YOUNG OFFENDER DIVISION
				FOX CLONTA S	W	M	37	AH35	05	C		PROGRAM COORDINATOR I	4/13/91	01		DIV OF CLASSIFICATION & INMATE RECORD
				GRIFFITH JOHN B	B	M	52	AH35	05	B		PROGRAM COORDINATOR I	10/18/91	01		WALDEN FARM OPER
				QUILLER PORTIA M	B	F	43	AH35	05	E		PROGRAM COORDINATOR I	2/8/92	01		VICTIM SERVICES DIVISION
				BARKLEY JOHN G	W	M	41	AH35	05	E		PROGRAM COORDINATOR I	2/8/93	01		MANNING CORRECTIONAL INSTITUTION
				BROOKS CAROL B	W	F	48	AH35	05	C		PROGRAM COORDINATOR I	4/3/93	01		DIV OF CLASSIFICATION & INMATE RECORD
3				ROWE ERNEST E	B	M	37	AH35	05	C		PROGRAM COORDINATOR I	12/11/93	01		DIV OF CLASSIFICATION & INMATE RECORD
3				MODZELEWSKI JOSEPH R	W	M	65	AH35	05	C		PROGRAM COORDINATOR I	3/11/94	01		DIV OF CLASSIFICATION & INMATE RECORD
3				HOLMES OLIVER L	B	M	65	AH35	05	A		PROGRAM COORDINATOR I	10/14/94	01		SUPPORT SERVICES ADMINISTRATION
3				HURT STACEY A	W	F	26	AH35	05	C		PROGRAM COORDINATOR I	11/13/94	01		SAFETY/FIRE INSPECTIONS DIVISION
3				MULLIS VANN S	W	M	57	AH35	05	C		PROGRAM COORDINATOR I	9/2/97	01		CORRECTIONAL INDUSTRIES ADMINISTRATION
3				TAYLOR SHIRLIE T	W	F	57	AH35	05	C		PROGRAM COORDINATOR I	5/22/98	01		CORRECTIONAL INDUSTRIES ADMINISTRATION
3				STANLEY WILLIAM R	W	M	25	AH35	05	C		PROGRAM COORDINATOR I	9/2/98	01		VICTIM SERVICES DIVISION
3				COBB JR LUCIUS D	W	M	32	AH35	05	C		PROGRAM COORDINATOR I	8/5/99	01		CORRECTIONAL INDUSTRIES ADMINISTRATION
				TOTAL POSITIONS ELIMINATED 11												
				TAYLOR JR BLAKE E	W	M	57	AH45	07	E		PROGRAM MANAGER I	7/1/67	01		DIV OF INSPECT OPER REVIEW DRUG TESTS
				BROWN SAMMIE D	W	F	59	AH45	07	B		PROGRAM MANAGER I	8/16/70	01		DEPUTY DIRECTOR PROGRAM SERVICES
				KELLY DEBORAH B	W	F	47	AH45	07	E		PROGRAM MANAGER I	1/5/75	01		DIV OF MEDICAL & PROF HEALTH SVCS
				KAWAGUCHI LAURA H	W	F	49	AH45	07	B		PROGRAM MANAGER I	5/30/75	01		DIV OF CLASSIFICATION & INMATE RECORD
				SCARBOROUGH JOETTE D	B	F	47	AH45	07	B		PROGRAM MANAGER I	5/14/77	01		DIV OF CLASSIFICATION & INMATE RECORD
				DUNLAP LINDA J	W	F	53	AH45	07	E		PROGRAM MANAGER I	2/9/79	01		DIV OF MEDICAL & PROF HEALTH SVCS
				ROCHESTER NELLIE M	W	F	54	AH45	07	E		PROGRAM MANAGER I	8/25/82	01		DIV OF MEDICAL & PROF HEALTH SVCS
				MITCHELL JOSEPHINE L	B	F	45	AH45	07	D		PROGRAM MANAGER I	9/18/82	01		BEHAVIORAL MEDICINE DIVISION
				RILEY TIMOTHY	W	M	42	AH45	07	B		PROGRAM MANAGER I	6/2/84	01		KIRKLAND CORRECTIONAL INSTITUTION
				MONTGOMERY SUSAN A	W	F	52	AH45	07	B		PROGRAM MANAGER I	11/28/84	01		OFFICE OF EXECUTIVE AFFAIRS
				VOGT LE ANN M	W	F	46	AH45	07	A		PROGRAM MANAGER I	9/17/87	01		KIRKLAND CORRECTIONAL INSTITUTION

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R	I	F	1 2 3	NAME	E	X	E	B	S	D	L	TITLE	DATE	P	A	LOCATION
				DUCK MARGARET H	W	F	58	EC25	05	A		TECHNICAL MEDICAL ASSOS II	10/7/94	01		DIV OF MED & PROF SVCS
13				TINDER MELISSA G	W	F	35	EC25	05	A		TECHNICAL MEDICAL ASSOS II	2/14/99	01		DIV OF MED & PROF SVCS
				TOTAL POSITIONS ELIMINATED 1												
				WILSON ANNIE S	B	F	54	GA40	04	E		HUMAN SERVICES SPEC II	5/30/75	01		GOODMAN CORRECTIONAL INSTITUTION
				JOHNSON ARLENE	B	F	49	GA40	04	C		HUMAN SERVICES SPEC II	1/30/76	01		GOODMAN CORRECTIONAL INSTITUTION
				WRIGHT RICHARD L	W	M	57	GA40	04	C		HUMAN SERVICES SPEC II	5/16/80	01		CAMPBELL PRE RELEASE CENTER
				HARRELL DONALD B	B	M	41	GA40	04	B		HUMAN SERVICES SPEC II	5/29/82	01		WATKINS PRE RELEASE CENTER
				WALTZ DONALD R	W	M	36	GA40	04	A		HUMAN SERVICES SPEC II	8/24/85	01		DIV OF CLASSIFICATION & INMATE RECORD
				MCKIE KENNETH	B	M	44	GA40	04	C		HUMAN SERVICES SPEC II	9/14/85	01		WATKINS PRE RELEASE CENTER
				JEFFERSON JANIE E M	B	F	59	GA40	04	B		HUMAN SERVICES SPEC II	10/30/87	01		WATKINS PRE RELEASE CENTER
				THOMAS BETTY JEAN	B	F	48	GA40	04	A		HUMAN SERVICES SPEC II	12/8/89	01		DIV OF CLASSIFICATION & INMATE RECORD
				RIDGES ANTHONY R	B	M	33	GA40	04	A		HUMAN SERVICES SPEC II	8/7/92	01		DIV OF CLASSIFICATION & INMATE RECORD
				ROGERS CHARLES E	W	M	46	GA40	04	A		HUMAN SERVICES SPEC II	4/17/93	01		DIV OF CLASSIFICATION & INMATE RECORD
				JONES VALERIE C	B	F	40	GA40	04	A		HUMAN SERVICES SPEC II	4/20/97	01		DIV OF CLASSIFICATION & INMATE RECORD
1				GEDDIS VALETA A	B	F	31	GA40	04	B		HUMAN SERVICES SPEC II	6/17/97	01		GOODMAN CORR INST
				ARMSTRONG JEROME K	B	M	46	GA40	04	A		HUMAN SERVICES SPEC II	7/19/97	01		DIV OF CLASSIFICATION & INMATE RECORD
				PRATT ANNIE M	B	F	49	GA40	04	C		HUMAN SERVICES SPEC II	11/8/97	01		GOODMAN CORRECTIONAL INSTITUTION
				NICKS TRICIA A	W	F	33	GA40	04	C		HUMAN SERVICES SPEC II	11/13/98	01		GOODMAN CORRECTIONAL INSTITUTION
P				MCKNIGHT ALICIA D	B	F	36	GA40	04	A		HUMAN SERVICES SPEC II	7/28/02	01		BEHAVIORAL MEDICINE DIVISION
3 P				CARAWAY MARY E	B	F	30	GA40	04	A		HUMAN SERVICES SPEC II	8/28/02	01		BEHAVIORAL MEDICINE DIVISION
				TOTAL POSITIONS ELIMINATED 1												
				SHAW ERNEST	B	M	52	GA60	06	D		HUMAN SERVICES COORD II	5/3/73	01		BEHAVIORAL MEDICINE DIVISION
				WEEKS REAVEL MAE	B	F	60	GA60	06	A		HUMAN SERVICES COORD II	4/13/79	01		STEVENSON CORRECTIONAL INSTITUTION
				McMILLAN ALTON L	B	M	55	GA60	06	B		HUMAN SERVICES COORD II	5/6/83	01		BEHAVIORAL MEDICINE DIVISION
				WALTON GEORGE L	B	M	47	GA60	06	B		HUMAN SERVICES COORD II	2/3/84	01		BROAD RIVER CORRECTIONAL INSTITUTION
				MICKENS BRENDA G	B	F	51	GA60	06	D		HUMAN SERVICES COORD II	1/5/85	01		BEHAVIORAL MEDICINE DIVISION
				OBERMAN BRUCE H	W	M	42	GA60	06	B		HUMAN SERVICES COORD II	6/2/85	01		BEHAVIORAL MEDICINE DIVISION
				HASTY BARBARA A	W	F	54	GA60	06	C		HUMAN SERVICES COORD II	8/28/85	01		BROAD RIVER CORRECTIONAL INSTITUTION
				MOORE KEVIN	B	M	44	GA60	06	B		HUMAN SERVICES COORD II	10/1/88	01		KIRKLAND CORRECTIONAL INSTITUTION
				DWYER ANN M	W	F	39	GA60	06	D		HUMAN SERVICES COORD II	11/2/90	01		BEHAVIORAL MEDICINE DIVISION
				SMITH SARAH A	B	F	60	GA60	06	B		HUMAN SERVICES COORD II	2/21/93	01		BEHAVIORAL MEDICINE DIVISION
1				SHATTUCK ROBERT W	W	M	56	GA60	06	B		HUMAN SERVICES COORD II	7/10/93	01		SUBSTANCE ABUSE SVCS DIV
				RYDER GARY H	W	M	55	GA60	06	B		HUMAN SERVICES COORD II	8/7/93	01		BEHAVIORAL MEDICINE DIVISION
				FLOWERS STANLEY R	B	M	42	GA60	06	B		HUMAN SERVICES COORD II	4/22/94	01		STEVENSON CORRECTIONAL INSTITUTION
				FLLER MARGARET D	W	F	47	GA60	06	C		HUMAN SERVICES COORD II	1/27/98	01		DIVISION OF INMATE SERVICES
				MYERS KENNETH ESR	B	M	49	GA60	06	B		HUMAN SERVICES COORD II	2/2/96	01		KIRKLAND CORRECTIONAL INSTITUTION
				ADEDOKUN DORCAS I	B	F	52	GA60	06	B		HUMAN SERVICES COORD II	4/19/96	01		GOODMAN CORRECTIONAL INSTITUTION
				HOLMES WILLIE B	B	M	54	GA60	06	A		HUMAN SERVICES COORD II	3/21/97	01		WATKINS PRE RELEASE CENTER
2				GORDON STEPHANIE T	B	F	40	GA60	06	B		HUMAN SERVICES COORD II	10/25/97	01		CAMILLE GRAHAM CORRECTIONAL INST
				JAMES THOMAS E	B	M	35	GA50	05	C		HUMAN SERVICES COORD I	6/30/73	01		BROAD RIVER CORRECTIONAL INSTITUTION
				PRICE CHRISTINE H	A	F	63	GA50	05	D		HUMAN SERVICES COORD I	9/6/75	01		CAMILLE GRAHAM CORRECTIONAL INST
				CANTEY JR LAWRENCE	B	M	43	GA50	05	E		HUMAN SERVICES COORD I	3/10/77	01		BROAD RIVER CORRECTIONAL INSTITUTION
				WADFORD PAMELLA	W	F	43	GA50	05	E		HUMAN SERVICES COORD I	5/29/81	01		BEHAVIORAL MEDICINE DIVISION
				MONTGOMERY ELOUISE J	B	F	46	GA50	05	D		HUMAN SERVICES COORD I	1/8/83	01		MANNING CORRECTIONAL INSTITUTION

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	R	I	F	1 2 3	EMPLOYEE NAME	C E G	O S N E	B S D L	CLASSIFICATION	SVC	M E	DATE	P A	LOCATION
					COMPETITIVE AREA 02									
					BLACK JR RAY	W M	41	AA50 03 A	ADMIN SPECIALIST II	4/23/88	02			PALMER PRE RELEASE CENTER
					ALFORD SHARON E	B F	54	AA50 03 C	ADMIN SPECIALIST II	2/20/89	02			TURBEVILLE CORRECTIONAL INSTITUTION
					MONTGOMERY ROBIN	B F	45	AA50 03 C	ADMIN SPECIALIST II	6/17/89	02			WATEREE RIVER CORRECTIONAL INSTITUTION
					GILL VENETTA J	B F	42	AA50 03 C	ADMIN SPECIALIST II	9/27/90	02			LEE CORRECTIONAL INSTITUTION
					HARRIS SANDRA K	W F	51	AA50 03 D	ADMIN SPECIALIST II	12/13/90	02			LEE CORRECTIONAL INSTITUTION
					MURPHY MARY A	B F	38	AA50 03 A	ADMIN SPECIALIST II	12/13/91	02			LEE CORRECTIONAL INSTITUTION
					WINTERS ANGELA M	B F	35	AA50 03 A	ADMIN SPECIALIST II	10/24/92	02			LEE CORRECTIONAL INSTITUTION
					WASHINGTON LISA S	B F	29	AA50 03 A	ADMIN SPECIALIST II	1/16/93	02			TURBEVILLE CORRECTIONAL INSTITUTION
					HILTON ROSA M	B F	38	AA50 03 A	ADMIN SPECIALIST II	4/22/94	02			LEE CORRECTIONAL INSTITUTION
					FORD LORETTA W	B F	44	AA50 03 A	ADMIN SPECIALIST II	7/21/95	02			LEE CORR CTIONAL INSTITUTION
					BENNETT BETTY A	B F	43	AA60 03 A	ADMIN SPECIALIST II	10/1/95	02			TURBEVILLE CORRECTIONAL INSTITUTION
					MELTON JANICE S	W F	54	AA50 03 A	ADMIN SPECIALIST II	1/5/96	02			LEE CORRECTIONAL INSTITUTION
					WILLIAMSON GLENDA F	W F	63	AA50 03 E	ADMIN SPECIALIST II	6/1/96	02			LEE CORRECTIONAL INSTITUTION
					BRADLEY TREVA R	B F	32	AA50 03 A	ADMIN SPECIALIST II	11/8/96	02			TURBEVILLE CORRECTIONAL INSTITUTION
					COKER SAMANTHA M	W F	28	AA50 03 A	ADMIN SPECIALIST II	11/16/96	02			TURBEVILLE CORRECTIONAL INSTITUTION
					WELCH CINDY Y	W F	38	AA50 03 A	ADMIN SPECIALIST II	3/22/97	02			TURBEVILLE CORRECTIONAL INSTITUTION
					MOORE LUVIVIAN	B F	47	AA50 03 C	ADMIN SPECIALIST II	4/3/97	02			LEE CORRECTIONAL INSTITUTION
					AUSTIN KIMBERLY H	W F	29	AA50 03 A	ADMIN SPECIALIST II	4/25/97	02			WATEREE RIVER CORRECTIONAL INSTITUTION
					BOONE SANDRA L	W F	41	AA50 03 A	ADMIN SPECIALIST II	12/6/97	02			LEE CORRECTIONAL INSTITUTION
					BRACEY SIMON SANDRA	B F	42	AA50 03 A	ADMIN SPECIALIST II	1/5/98	02			LEE CORRECTIONAL INSTITUTION
					BROWN BEATRICE T	B F	53	AA50 03 A	ADMIN SPECIALIST II	2/12/98	02			WATEREE RIVER CORRECTIONAL INSTITUTION
1					TIMMONS MARY L	W F	65	AA50 03 A	ADMIN SPECIALIST II	9/11/98	02			LEE CORR INST
3					JOHNSON LESIA M	B F	33	AA50 03 A	ADMIN SPECIALIST II	2/21/99	02			LEE CORRECTIONAL INSTITUTION
					TOTAL POSITIONS ELIMINATED 1									
1 3					HAYES ROBIN P	W F	39	JA80 04 E	INSPECTOR II	9/26/96	02			LEE CORR INST
1 3					DROOKS EARTHA	B F	42	JA80 04 E	INSPECTOR II	7/12/91	02			WATEREE RIVER CORR INST
1 3					SILJAK KAREN L	W F	41	JA80 04 E	INSPECTOR II	8/28/93	02			TURBEVILLE CORR INST
					TOTAL POSITIONS ELIMINATED 3									
					EDDINGS JOHN B	W M	51	UB04	VOCATIONAL TEACHER V P	6/4/82	02			TURBEVILLE CORR INST
					STOKLS BOYO E	W M	48	UB04	VOCATIONAL TEACHER VC	8/16/91	02			LEE CORR INST
					ROCCERS LEONARD P	W M	80	UB04	VOCATIONAL TCACHER VC	7/17/93	02			TURBEVILLE CORR INST
					STOKES ROGER D	W M	62	UB04	VOCATIONAL TEACHER VEL	1/1/94	02			LEE CORR INST
1 3					CORBETT JAMES L	W M	58	UB04	VOCATIONAL TEACHER VHO	1/29/94	02			WATEREE RIVER CORR INST
1 3					BFTTCNCOURT ANTHONY M	W M	39	UB04	VOCATIONAL TEACHER VHM	9/29/95	02			WATEREE RIVER CORR INST
1 3					DELOE DAVID D	W M	44	UB04	VOCATIONAL TEACHER VW	1/5/96	02			LEE CORR INST
R4					CAMPBELL ROBERT J	B M	48	UB04	VOCATIONAL TEACHER VM	8/7/98	02			TURBEVILLE CORR INST

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F	EMPLOYEE	C E G O S N E					CLASSIFICATION	SVC	M E
1 2 3	NAME	E X E B S D L					TITLE	DATE	P A LOCATION
P	PROBATIONARY EMPLOYEE								
T	TEMPORARY EMPLOYEE								
G	TEMPORARY GRANT EMPLOYEE								
	R1 R5 NOT RETAINED DUE TO NECESSARY QUALIFICATIONS SEE SECTION V OF RIF PLAN								
	KEY CODE EDUCATION TEACHERS (UB02 UB04 UB05 UB06)								
	MS MEDIA SPECIALIST						VET ELECTRONIC		
	G GUIDANCE						VM MASONRY		
	E ENGLISH						VA AUTO MECHANICS		
	M MATH						VH HORTICULTURE		
	SE SPECIAL EDUCATION						VAC HEATING/AIR CONDITIONING		
	GA-GENERAL ACADEMIC						VAB AUTO BODY REPAIR/FENDER		
	VW WELDING						VHM-HEAVY EQUIP MECHANIC		
	VC CARPENTRY						VHO HEAVEY EQUIP OPERATOR		
	VP PLUMBING						VAR APPLIANCE REPAIR		
	VEL ELECTRICIAN						VS SEWING		
							VO OFFICE OCCUPATIONS		

Institutions Greatly Reduced by RIF

Institutions		Remaining Staff (SDBG & Grant Funded)		Enrollment 03/01/03		Acad Yr to Date		Voc Yr to Date		Govt Funded Programs		# of Teachers		Hrs/Wk		Class End Date	
				Academic	Voc												
Allendale	None			172	49	382		101		Harvey Hayes	6	04/10/03	Elizabeth Brooks	6			
										Albert Ramsey	6						
										Kisha Harrison	6						
Broad River	None			225	59	353		106		Yvette Lakin	8	03/20/03	Nancy Odom	8			
										William Snipes	8						
Evans	1 Patsy Haithcock - Pink Slip Teacher 13 hrs/wk 2 Brenda Moody - Pink Slip Computer Lab 37.5 hrs/wk 3 Resia Henry - Title I Tchr Assistant (has to be moved) 4 Kimberly Thurman Classroom Teacher			151	29	450		101		Kimberly Thurman	5	06/30/03	Risha Henry	5			
										Caroline Bathney	5						
										Ronnie Moore	5						
										Patsy Haithcock	30						
Goodman	1 Brenda Rhoten Classroom Teacher (1/2 Goodman & 1/2 Stevenson) 2 Joseph Thomas Pink Slip Teacher (Goodman & Kirkland) 17 hrs/wk			147	9	378		28		None							
Kershaw	None			202	23	611		89		James Baker	4	06/01/03					
Kirkland	Maurie Singletary - Pink Slip Special Ed Teacher 20hrs/wk			25		45				None							
Leath	1 Patricia Williams Pink Slip Teacher 12 hrs/wk 2 Sandra Cook Pink Slip Teacher 18 hrs/wk			169	93	416		216		None							
Lieber	Robert Moore Classroom Teacher (G)			379	18	1,056		74		CeCe Bryant	40	05/29/03	Alice Baughman	24			
										Judith Haas	4						
										Robert Moore	4						

Institutions Greatly Reduced by RIF

Institution		Remaining Staff (SCDC & Chap. Funds)		Enrollment as of 03/01/03		County Funded Programs		
		Academic	Voc	Acad Yr to Date	Voc Yr to Date	# of Teachers	Hrs/ Wk	Class End Date
Manning	Sheri Akins Pink Slip Teacher 37.5 hrs/wk	147	41	478	160	Rose Ruger Jackie Venning Gerda Willmeth Talmedge Smith Robert Hill	8 8 4 4 4	06/30/03
McCormick	None	118	15	419	29	Jane Jones	6	04/30/03
Northside	None	54	13	179	24	Jane Malloux	6	04/28/03
Perry	None	188	39	699	132	Linda Bratton Othella Bernard Mary McCabe Eileen Howard Paula Cargill Cal Bell (carpentry)	6 6 6 6 6 6	05/30/03
Walden	None	49	38	104	65	None		
Watkins	None	15		40		Lavenia Thomas Nancy Glenn	4 4	03/20/03

4/8/2003

RESPONSE TO QUESTION # 5 FTE/TEMP/TEMP GRANT EMPLOYEES

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						B	E
						A	V
						N	E
EFF	EMPLOYEE	JOB	STATE	INTERNAL		D	L
DATE	NAME	CLASS	TITLE	TITLE			LOCATION
4/27/04	ADDISON LOIS	9999	UNCLASSIFIED	ADMINISTRATIVE ASSIST	00		LEE CORRECTIONAL INSTITUTION
4/6/06	AKINS SHERL W	9999	UNCLASSIFIED	ADMIN ASST	00		MANNING CORRECTIONAL INSTITUTION
3/22/04	AKINS SHERL W	9999	UNCLASSIFIED	ADMIN ASST	00		MANNING CORRECTIONAL INSTITUTION
7/31/08	ALBERY ROY E	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00		WALDEN CORRECTIONAL INSTITUTION
2/27/08	ALBERY ROY E	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00		WALDEN CORRECTIONAL INSTITUTION
2/22/05	ALBERY ROY E	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00		WALDEN CORRECTIONAL INSTITUTION
6/14/06	BAGNAL HENRY T	9999	UNCLASSIFIED	PRINCIPAL	00		TURBEVILLE CORRECTIONAL INSTITUTION
7/18/05	BAGNAL HENRY T	9999	UNCLASSIFIED	PRINCIPAL	00		TURBEVILLE CORRECTIONAL INSTITUTION
1/9/06	BAKER JEANNINE L	JD30	CORR OFF I	OFFICER II	3	E	KERSHAW CORR INST
12/6/04	BANGURA, ISHA	JD35	CORR OFF II	SERGEANT II	4	D	EVANS CORR INST
1/17/06	BELL JAMES C	AH35	PROG COORD I	PROG COORD I	5	B	PERRY CORR INST
9/29/97	BETTENCOURT, ANTHONY	JD40	CORR OFF III	VOC ED TRAINER	6	B	WATEREE RIVER CORR INST
12/15/05	BLANTON WENDELL J	9999	UNCLASSIFIED	SUPT OF EDUCATION	00		PALMETTO UNIFIED SCHOOL DISTRICT #1
12/6/04	BLANTON WENDELL J	9999	UNCLASSIFIED	SUPT OF EDUCATION	00		PALMETTO UNIFIED SCHOOL DISTRICT #1
12/1/03	BLANTON WENDELL J	9999	UNCLASSIFIED	SUPT OF EDUCATION	00		PALMETTO UNIFIED SCHOOL DISTRICT #1
6/5/06	BOWEN WILLIAM S	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00		MACDOUGALL CORRECTIONAL INST
7/6/06	BOXX, JR FRANK A	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		LEATH CORR INSTIT (WOMEN)
7/11/05	BOXX, JR FRANK A	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		LEATH CORR INSTIT (WOMEN)
6/10/03	BOXX, JR FRANK A	GA50	HUMAN SVC COORD I	HUMAN SVC COORD I	6	C	LEATH CORR INST
6/2/03	BRATTON LINDA M	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00		TYGER RIVER CORRECTIONAL INSTITUTION
8/22/05	BRIGMAN MERLE T	9999	UNCLASSIFIED	ADMIN SPEC II	00		PALMETTO UNIFIED SCHOOL DISTRICT #1
7/12/04	BRIGMAN MERLE T	9999	UNCLASSIFIED	ADMIN SPEC II	00		PALMETTO UNIFIED SCHOOL DISTRICT #1
10/4/04	BRITT, LEWIS A	JD40	CORR OFF III	VOC ED TRAINER	5	B	EVANS CORR INST
12/1/03	BROWN GEORGIA J	9999	UNCLASSIFIED	CERTIFIED TEACHER	00		TURBEVILLE CORRECTIONAL INSTITUTION
7/7/06	BROWN THOMAS A	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00		KERSHAW CORRECTIONAL INSTITUTION
7/5/05	BROWN THOMAS A	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00		KERSHAW CORRECTIONAL INSTITUTION
8/30/04	BROWN THOMAS A	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00		KERSHAW CORRECTIONAL INSTITUTION
9/17/01	BUEHLER, CONRAD C	JD30	CORR OFF I	OFFICER II	3	E	PERRY CORR INST
4/17/05	BURNETT PAMELA B	UB07	PRINCIPAL	PRINCIPAL	00		TYGER RIVER CORRECTIONAL INSTITUTION

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RESPONSE TO QUESTION # 5 FTE/TEMP/TEMP GRANT EMPLOYEES

EFF	EMPLOYEE	JOB	STATE	INTERNAL		LOCATION
DATE	NAME	CLASS	TITLE	TITLE	D L	
9/3/02	HILL WILLIE C	JD40	CORR OFF III	VOC ED TRAINER	5 B	MCCORMICK CORR INST
11/21/05	HOLLEY BARBARA J	9999	UNCLASSIFIED	ADMIN ASST	00	TYGER RIVER CORRECTIONAL INSTITUTIO
6/2/03	HOWARD EILEEN L	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00	TYGER RIVER CORRECTIONAL INSTITUTIO
7/24/06	HUNTER SANDRA R	9999	UNCLASSIFIED	TEACHERS AIDE	00	WATEREE RIVER CORRECTIONAL INSTITU
7/19/05	HUNTER SANDRA R	9999	UNCLASSIFIED	TEACHERS AIDE	00	WATEREE RIVER CORRECTIONAL INSTITU
7/20/04	HUNTER SANDRA R	9999	UNCLASSIFIED	TEACHERS AIDE	00	WATEREE RIVER CORRECTIONAL INSTITU
7/16/03	HUNTER SANDRA R	9999	UNCLASSIFIED	TEACHERS AIDE	00	WATEREE RIVER CORRECTIONAL INSTITU
8/8/05	JACKSON KATHY C	9999	UNCLASSIFIED	EDUC PROG SUPV COR	00	PALMETTO UNIFIED SCHOOL DISTRICT #1
8/30/04	JACKSON KATHY C	9999	UNCLASSIFIED	EDUC PROG SUPV COR	00	PALMETTO UNIFIED SCHOOL DISTRICT #1
10/18/05	JOHNSON TINA S	UB06	GUIDANCE COUNSELOR	GUIDANCE COUNSELOR	00	TRENTON CORRECTIONAL INSTITUTION
6/28/04	JONES EVA W	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	LEE CORRECTIONAL INSTITUTION
7/29/03	JONES EVA W	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	LEE CORRECTIONAL INSTITUTION
7/17/06	KINARD BOBBY L	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00	MANNING CORRECTIONAL INSTITUTION
8/29/05	KINARD BOBBY L	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00	MANNING CORRECTIONAL INSTITUTION
8/26/04	KINARD BOBBY L	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00	MANNING CORRECTIONAL INSTITUTION
7/31/06	KING CARROLL B	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00	BROAD RIVER CORRECTIONAL INSTITUTI
8/22/05	KING CARROLL B	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00	BROAD RIVER CORRECTIONAL INSTITUTI
11/14/05	KINLAW RODNEY L	UB04	VOCATIONAL TEACHER	VOC TEACHER WELDIN	00	CAMILLE GRAHAM CORRECTIONAL INST
2/17/04	LABREW DELORIS	UE07	ACADEMIC PROGRAM M	CURRICULUM COORD	00	CAMILLE GRAHAM CORRECTIONAL INST
7/2/03	LAKIN YVETTE	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00	STEVENSON CORRECTIONAL INSTITUTIO
6/2/03	LAKIN YVETTE	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00	PALMETTO UNIFIED SCHOOL DISTRICT #1
6/8/06	LATHAM ANITA E	9999	UNCLASSIFIED	CERTIFIED TEACHER	00	PALMETTO UNIFIED SCHOOL DISTRICT #1
3/29/99	LAWSON JR JOHN	JD40	CORR OFF III	VOC ED TRAINER	5 B	ALLENDAL CORR INST
3/29/99	LAWSON, JR JOHN M	JD40	CORR OFF III	VOC ED TRAINER	5 B	ALLENDAL CORRECTIONAL INSTITUTION
2/2/05	LOVETT WILLIE J	UB04	VOCATIONAL TEACHER	VOC TEACHER WELDIN	00	CAMILLE GRAHAM CORRECTIONAL INST
6/21/04	MAILLOUX MARGUERITE J	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00	TYGER RIVER CORRECTIONAL INSTITUTIO
7/31/06	MARINKO WILLIAM T	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	MACDOUGALL CORRECTIONAL INST
7/16/05	MARINKO WILLIAM T	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	MACDOUGALL CORRECTIONAL INST
7/16/04	MARINKO WILLIAM T	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	MACDOUGALL CORRECTIONAL INST

RESPONSE TO QUESTION # 5 FTE/TEMP/TEMP GRANT EMPLOYEES

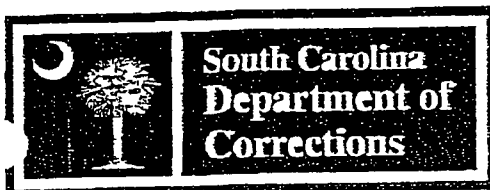
EFF	EMPLOYEE	JOB	STATE	INTERNAL	N	E	LOCATION
DATE	NAME	CLASS	TITLE	TITLE	D	L	
6/2/03	MARINKO WILLIAM T	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00		MACDOUGALL CORRECTIONAL INST
7/2/03	MCCABE MARY H	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00		TYGER RIVER CORRECTIONAL INSTITUTIO
12/3/90	MCCLANAHAN, BEVERLY	JD40	CORR OFF III	LT II	5	B	BROAD RIVER CORR INST
8/18/04	MCCOY SHARONDA R	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		CAMILLE GRAHAM CORRECTIONAL INST
8/18/03	MCCOY SHARONDA R	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		CAMILLE GRAHAM CORRECTIONAL INST
11/28/05	MCKAY WILLIE M	9999	UNCLASSIFIED	CERTIFIED TEACHER	00		TURBEVILLE CORRECTIONAL INSTITUTION
11/30/04	MCKAY WILLIE M	9999	UNCLASSIFIED	CERTIFIED TEACHER	00		TURBEVILLE CORRECTIONAL INSTITUTION
12/1/03	MCKAY WILLIE M	9999	UNCLASSIFIED	CERTIFIED TEACHER	00		TURBEVILLE CORRECTIONAL INSTITUTION
12/5/05	MCMILLAN EUGENE M	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		STEVENSON CORRECTIONAL INSTITUTIO
12/6/04	MCMILLAN EUGENE M	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		STEVENSON CORRECTIONAL INSTITUTIO
12/8/03	MCMILLAN EUGENE M	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		STEVENSON CORRECTIONAL INSTITUTIO
6/20/05	MESSER SHARON K	UE07	ACADEMIC PROGRAM M	TITLE I PROGRAM MGR	00		PALMETTO UNIFIED SCHOOL DISTRICT #1
11/24/03	MOODY BRENDA C	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		EVANS CORRECTIONAL INSTITUTION
11/28/05	MULLEN MARGARET G	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		TRENTON CORRECTIONAL INSTITUTION
1/3/08	MULLIS SUSAN D	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		STEVENSON CORRECTIONAL INSTITUTIO
11/2/05	MULLIS SUSAN D	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		STEVENSON CORRECTIONAL INSTITUTIO
1/4/05	MULLIS SUSAN D	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		CAMILLE GRAHAM CORRECTIONAL INST
1/14/04	MULLIS SUSAN D	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		CAMILLE GRAHAM CORRECTIONAL INST
6/2/03	MYERS MARIAM L	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00		CAMILLE GRAHAM CORRECTIONAL INST
10/20/04	MYLES RUSSELL W	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		LEE CORRECTIONAL INSTITUTION
7/8/05	NEAL BRUCE H	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00		KERSHAW CORRECTIONAL INSTITUTION
10/12/04	NEAL BRUCE H	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00		KERSHAW CORRECTIONAL INSTITUTION
7/5/06	NEIN JAMES C	AH35	PROG COORD I	PROG COORD I	5	B	ALLENDALE CORR INST
3/6/06	NETTLES TERI S	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00		RIDGELAND CORR INSTITUTION
4/19/99	NEWBY, CHERYL L	AA75	ADMINISTRATIVE ASST	ADMIN ASST	4	D	LEATH COPR INST
8/8/06	NEWMAN, JR JAMES H	9999	UNCLASSIFIED	CLASSROOM TEACHER	00		LEE CORRECTIONAL INSTITUTION
8/17/06	NEWSOME MICHAEL R	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00		TURBEVILLE CORRECTIONAL INSTITUTION
5/31/05	NEWSOME MICHAEL R	UB06	SPECIAL EDUCATION TE	SPECIAL ED TEACHER	00		TURBEVILLE CORRECTIONAL INSTITUTION
2/21/06	PERRY KYLE R	AH35	PROG COORD I	PROG COORD I	5	B	MANNING CORR INST

RESPONSE TO QUESTION # 5 FTE/TEMP/TEMP GRANT EMPLOYEES

					L	
					B	E
					A	V
					N	E
EFF	EMPLOYEE	JOB	STATE	INTERNAL		LOCATION
DATE	NAME	CLASS	TITLE	TITLE	D L	
11/13/83	PHILLIPS THERON M	JD40	CORR OFF III	VOC ED TRAINER	5 B	WALDEN CORR INST
6/2/03	PIERSON RUTH A	UB08	GUIDANCE COUNSELOR	GUIDANCE COUNSELOR	00	TURBEVILLE CORRECTIONAL INSTITUTION
2/22/06	PRIOLEAU MARGIE D	9999	UNCLASSIFIED	LIBRARY ASSISTANT	00	MACDOUGALL CORRECTIONAL INST
2/28/06	PRIOLEAU MARGIE D	9999	UNCLASSIFIED	LIBRARY ASSISTANT	00	MACDOUGALL CORRECTIONAL INST
2/10/04	PRIOLEAU MARGIE D	9999	UNCLASSIFIED	LIBRARY ASSISTANT	00	MACDOUGALL CORRECTIONAL INST
6/9/03	QUATTLEBAUM ESTHER	JD30	CORR OFF I	OFFICER II	3 E	KIRKLAND CORR INST
3/27/08	RHOTEN BRENDA L	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	LEE CORRECTIONAL INSTITUTION
11/28/05	ROGERS LEONARD P	9999	UNCLASSIFIED	VOC TEACHER	00	TURBEVILLE CORRECTIONAL INSTITUTION
11/30/04	ROGERS LEONARD P	9999	UNCLASSIFIED	VOC TEACHER	00	TURBEVILLE CORRECTIONAL INSTITUTION
12/1/03	ROGERS LEONARD P	9999	UNCLASSIFIED	VOC TEACHER	00	TURBEVILLE CORRECTIONAL INSTITUTION
1/1/08	ROUNDTREE MILTON	9999	UNCLASSIFIED	R & E ASSESSMENT COO	00	KIRKLAND CORRECTIONAL INSTITUTION
12/16/04	ROUNDTREE MILTON	9999	UNCLASSIFIED	R & E ASSESSMENT COO	00	KIRKLAND CORRECTIONAL INSTITUTION
1/26/04	ROUNDTREE MILTON	9999	UNCLASSIFIED	R & E ASSESSMENT COO	00	KIRKLAND CORRECTIONAL INSTITUTION
6/2/03	RUGER ROSE M	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00	CAMILLE GRAHAM CORRECTIONAL INST
10/7/05	RYMSZEWICZ EDWARD A	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00	LEATH CORR INSTIT (WOMEN)
11/8/04	RYMSZEWICZ EDWARD A	9999	UNCLASSIFIED	VOCATIONAL TEACHER	00	LEATH CORR INSTIT (WOMEN)
12/8/05	SHARPE EDWARD L	9999	UNCLASSIFIED	SPECIAL TEACHER	00	PALMETTO UNIFIED SCHOOL DISTRICT #1
12/13/04	SHARPE EDWARD L	9999	UNCLASSIFIED	SPECIAL TEACHER	00	PALMETTO UNIFIED SCHOOL DISTRICT #1
6/4/06	SINGLETARY MAURIE M	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	KIRKLAND CORRECTIONAL INSTITUTION
6/5/05	SINGLETARY MAURIE M	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	KIRKLAND CORRECTIONAL INSTITUTION
7/19/04	SINGLETARY MAURIE M	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	KIRKLAND CORRECTIONAL INSTITUTION
7/23/03	SINGLETARY MAURIE M	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	KIRKLAND CORRECTIONAL INSTITUTION
6/17/03	SMITH TALMADGE A	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00	STEVENSON CORRECTIONAL INSTITUTION
6/2/03	SMITH TALMADGE A	UB02	CERTIFIED TEACHER	CLASSROOM TEACHER	00	GOODMAN CORRECTIONAL INSTITUTION
12/5/06	STEVENSON DONALD D	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	RIDGELAND CORR INSTITUTION
12/2/04	STEVENSON DONALD D	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	RIDGELAND CORR INSTITUTION
11/17/03	STEVENSON DONALD D	9999	UNCLASSIFIED	CLASSROOM TEACHER	00	RIDGELAND CORR INSTITUTION
8/31/88	SULLIVAN JUDY E	JD35	CORR OFF II	CORPORAL II	4 B	KERSHAW CORR INST
2/29/02	TAYLOR, CONNIE C	AH35	PROG COORD I	PROG COORD I	5 B	EVANS CORR INST

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MARK SANFORD Governor

JONE OZMINT Director

TO Board of Trustees
Palmetto Unified School District

FROM Wendell J Blanton, Superintendent

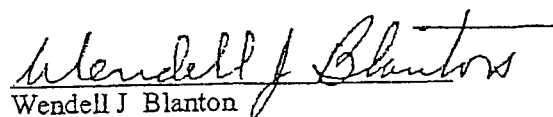
SUBJECT School Board Meeting Scheduled for April 17, 2003

DATE April 7 2003

It has been determined that five of nine board members will not be able to attend the school board meeting planned for April 17 2003 at MacDougall Correctional Institution. This means that we would not have a quorum. After conferring with Jim Harvey Chairman, I am notifying you that we will return to our usual meeting place in the SCDC Headquarters Building Rooms 216 - 217. We will meet at 10 00 a.m. on April 17 2003. If a quorum is not present we cannot take official action but can share information. In the hope that a quorum is possible in our usual meeting place I am attaching an agenda for this meeting. The minutes of our previous meeting are also attached.

As you may have read in the newspaper we are experiencing a reduction-in-force action involving 87 education positions. You will be provided more information on April 17 2003.

Please join us if at all possible. If you are unable to attend, please notify Teresa Cobb at 896-1568.


Wendell J Blanton

WJB tc

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

PALMETTO UNIFIED SCHOOL DISTRICT NO 1
Minutes of Board Meeting

April 17, 2003

Board Members Present

Jim Harvey
Earl Brown
Les Levy
Carolyn Williams

Staff Present

Wendell Blanton
Hoyt Sharpe
Teresa Cobb

Others Present

Felicia Poston

The meeting was called to order at 10 00 a.m. and Mr Earl Brown gave the invocation

The members that were present approved the minutes from the previous meeting

Mr Harvey informed the Board that, since there was not a quorum present, any matters that needed action would be deferred until the next meeting All agreed

Mr Harvey asked Mr Blanton to give a superintendent's report Mr Blanton passed out the Agency Organizational Chart (see attached) Mr Blanton told the Board that Ms Anderson, Director of Program Services had been reassigned to be the warden at Camille Graham Correctional Center He understands that the staff at the institution is very pleased to have Ms Anderson especially since she is very supportive of programs He said that he was very appreciative of all the support that Ms Anderson gave education over the past several months The new Acting Director for the Division of Programs and Services is Ms Geraldine Miro Mr Blanton said that Ms Miro would be responsible for several additional divisions He thinks this may be an advantage because she is over other divisions that Education deals with on a regular basis

Board Minutes - April 2003
Page 2

Mr. Blanton handed out copies of the Mission Statement (see attached). He reminded the Board that he had asked for input from them at the last meeting. He also had asked for input from the principals and educational coordinators. The statements were compiled and the principals and educational coordinators voted on the one they preferred. The statement presented to the Board members won by a landslide. He will present it at the next meeting to be officially accepted by the Board as our mission statement.

Mr. Harvey asked Felicia Poston to give a budget update. Ms. Poston handed out the Third Quarter Projected Budget Compared to Year-to-Date Expenditures report (see attached). She gave an overview of the report.

Mr. Blanton suggested that since there was not a quorum present, the election of officers should be deferred until the next meeting. Mr. Levy asked if Evelyn Segui would accept the position of Chairman for next year. Carolyn Williams offered to call her.

Mr. Blanton gave an overview of the agency's reduction in force plan. Of the 148 positions eliminated, 84 are from the Division of Education. He provided a copy of the document of notification provided to employees (see attached). Mr. Blanton handed out a list of employees that were notified that their jobs had been eliminated (see attached). He explained that some of these employees would have bumping rights. The reduction-in force process was in the early stages. He provided a list of employees at institutions not greatly affected by the RIF (see attached). He also provided a list of remaining staff (SCDC and county funded programs) available at the institutions greatly affected by the RIF (see attached).

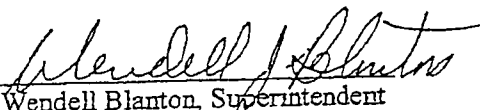
Board members expressed great regret that our educational mission had been negatively affected in this manner.

Meeting was adjourned at 11:10 p.m.

Respectfully submitted,

Teresa Cobb

Reviewed By


Wendell Blanton, Superintendent

PALMETTO UNIFIED SCHOOL DISTRICT
 Projected Budget Compared to Year To-Date Expenditures
 FY 2002 2003
 Third Quarter
 04/17/03

Program	2002 2003 Projected Expenditures Through 6/30/03	Actual Expenditures Through 03/31/03	Percent of Available Funds Used to Date	2002 2003 Funds Available	Projected Expenditures vs Funds Available
STATE					
Administration	191 264	164 183			
Library Services	510 007	437 659			
Occupational Education	2 040 150	1 358 224			
Guidance	510 037	409 623			
Academic	2 613 942	1 964 642			
Special Education	63 755	60 527			
School Administration	446 283	345 515			
Employer Contributions	2,142 159	1 600 558			
TOTAL STATE FUNDS	8 517 627	6 340 933	91 %	6 954 612	(1 562 815)
EFA					
Administration	18 333	8 991			
Library Services	109 995	82 827			
Occupational Education	439 981	315 421			
Guidance	146 660	103 772			
Academic	879 961	657 778			
Special Education	91 663	68 339			
School Administration	146 660	106 442			
Employer Contributions	636 932	278 507			
TOTAL EFA FUNDS	2 470 184	1 622 078	57 %	2 864 113	393 929
EIA					
Administration	1 946	697			
Library Services	31 130	23 907			
Occupational Education	95 337	72 002			
Guidance	38 913	31 111			
Academic	179 000	137 314			
Special Education	11 674	9 640			
School Administration	31 130	25 621			
Employer Contributions	42 231	64 345			
TOTAL EIA FUNDS	431 362	365 343	85 %	431 362	(0)
FEDERAL					
Administration	10 000	4 304		10 000	
Library Services	8 286	7 615		8 286	
Occupational Education	226 679	95 453		427 409	
Guidance	0	0		0	
Academic	1 579 144	653 900		1 779 144	
Special Education	165 897	57 707		165 897	
TOTAL FEDERAL FUNDS	1 990 006	819 080	34 %	2 390 736	400 730
OTHER					
Administration	7 944	5 096		101 447	
Library Services	26 075	17 015		26 075	
Occupational Education	163 150	112 002		163 150	
Guidance	500	0		500	
Academic	236 120	127 199		236 120	
Special Education	1 150	1 099		1 150	
School Administration	21 153	15 207		21 153	
Employer Contributions	0	0		0	
TOTAL OTHER FUNDS	456 092	278 139	51 %	540 595	93 503
EFA Carryover Funds Available				94 284	94 284
TOTAL ALL FUNDS	13 865 271	9 425 572	71 %	13 284 902	(580 369)
Less: Federal Funds Projected to be Carried Over or Returned					(400 730)
Less: EFA/EIA Balance to be carried forward for 2003 2004					(393 929)
TOTAL PROJECTED BALANCE FOR 2002 2003					(1 375 027)

EFA Carryover that has been budgeted is included in this figure

Other 2002 2003 Budget includes ABE State EIA equipment EFA Carry Over budgeted

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

- MEMORANDUM -

TO Jon Ozmint, Director

THROUGH Judy Anderson, Director for Program Services

FROM Wendell Blanton, Superintendent
Palmetto Unified School District No 1

SUBJECT Budget Issues

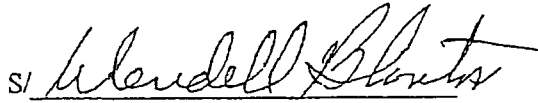
DATE March 18, 2003

I recognize that you and the agency are faced with very difficult decisions. I appreciate Ms. Anderson and you giving me the opportunity through this memo to provide input and express my concern.

Due to the severity of the budget crisis, I understand from media reports that the elimination of all educational programming is a possibility. If this is necessary, input from the Division of Education is a must. However, please consider carefully the items outlined on the attached fact sheet. I am sure you know that there will be difficult security, political, and legal ramifications of this course of action.

If, however, a partial cut of educational programs is the ultimate outcome, it is very important that the decision as to what portion is cut has total input from the leadership of our School District. It is very important that we protect as much of our federal funding and school district formula funding as possible. Due to the complications of school regulation, accreditation standards, federal program requirements, etc., wise decisions related to a partial cut can only be made by those knowledgeable and experienced in dealing with these issues.

Under the partial cut scenario, I would suggest that the Division of Education be given parameters as to the level of cut required and that we then provide input as to how the cut could be accomplished with the least possible harm to our programs and other funding sources.


Wendell Blanton

WB mwd

FACT SHEET ON EDUCATIONAL PROGRAMS
Palmetto Unified School District
South Carolina Department of Corrections

School programs provide meaningful activity and supervision to about 5,250 inmates for major portions of the day. This means that other agency employees are freed from supervisory responsibilities for these inmates during these time periods.

Every dollar spent on education returns more than two dollars to the citizens in reduced prison cost according to a recent recidivism study funded by the U.S. Department of Education. (See News and Notes, Correctional Education Association, Volume 24 Number 1 January 2002, Page 1. For additional information see Three States Recidivism Study at www.ceanational.org.)

Currently, SCDC pays for about 60% of the cost of education with school district and federal funds paying for 40%. Due to accreditation standards, maintenance of effort requirements, etc., the Agency will lose the 40% if it fails to fund the 60%.

Idleness is destructive to human growth and mental stability. Educational programs in prison engage inmates in positive thought patterns and activities thereby reducing anger and violence.

Education programs provide inmates with a realistic hope for a better life without crime. Hopelessness produces desperation and deviant behavior.

The schools of the Department of Corrections (Palmetto Unified School District) received an Absolute Rating of Excellent and an Improvement Rating of Excellent on the school report card issued in November 2002.

Palmetto Unified School District was recognized by the State Board of Education and the State Department of Education as a Gold Award Winner for 2002 - 2003.

		FY 04 Projected	FY 03	FY 02	FY 01	FY 00
State	810	177 884 00	179 520 95	215 992 00	320 135 00	333 821 27
	820	273 959 00	597 878 28	605 544 00	844 398 00	667 141 98
	830	651 469 00	1 868 572 69	1 885 406 00	2 384 493 00	1 944 209 04
	840	139 134 00	587 287 08	572 472 00	666 956 00	569 240 52
	850	888 713 00	2 732 963 60	2 764 527 00	3 897 532 00	2 819 807 69
	860	81 587 00	80 703 17	91 802 00	131 385 00	162 767 63
	870	169 974 00	476 074 21	514 872 00	710 247 00	545 230 33
	Fringes	881 607 00	2 397 849 34	2 569 130 00	2 372 896 00	1 955 476 00
Total State		3 264 327 00	8 920 849 32	9 219 805 00	11 328 042 00	8 997 694 46
Federal	810	16 000 00	16 000 00	0 00	174 668 00	0 00
	820	7 312 00	8 213 00	8 532 00	5 135 00	4 682 90
	830	216 820 00	163 865 24	163 312 00	303 947 00	90 307 07
	840	0 00	0 00	0 00	22 888 00	0 00
	850	903 000 00	1 322 799 24	1 048 797 00	829 071 00	942 313 35
	860	117 000 00	94 511 00	97 472 00	18 503 00	36 014 39
	870	0 00	0 00	0 00	0 00	0 00
Total Federal		1 260 132 00	1 605 388 48	1 318 113 00	1 354 212 00	1 073 317 71
EIA	810	107 665 00	41 632 00	41 608 00	45 887 00	123 224 00
	820	22 316 00	19 052 75	22 542 00	44 213 00	31 366 24
	830	66 119 00	55 857 00	79 991 00	106 288 00	149 687 62
	840	21 772 00	29 026 68	25 074 00	45 200 00	80 708 23
	850	146 070 00	255 057 07	147 480 00	294 767 00	542 117 81
	860	13 037 00	2 660 21	10 055 64	11 977 00	5 335 62
	870	21 672 00	28 190 76	23 280 26	16 727 00	74 174 50
Total EIA		398 651 00	431 476 47	350 030 90	565 059 00	1 006 614 02
EFA	810	653 324 00	736 348 00	721 489 00	733 167 00	575 825 49
	820	114 286 00	121 384 81	133 527 69	176 382 00	133 825 14
	830	445 783 00	486 699 82	466 655 70	471 818 00	236 337 72
	840	87 211 00	167 779 54	187 745 42	183 470 00	125 252 86
	850	989 403 00	824 596 89	989 734 06	1 000 626 00	626 941 73
	860	92 166 00	101 319 84	79 215 15	55 593 00	25 993 85
	870	121 305 00	176 416 76	160 761 79	168 792 00	96 731 21
Total EFA		2 503 478 00	2 614 545 65	2 739 128 81	2 789 848 00	1 820 908 00
Other and EFA Carryover	810	22 371 00	9 853 26	86 465 00	71 849 00	22 591 43
	820	25 222 00	22 516 10	40 207 00	3 480 00	47 347 52
	830	114 485 00	165 727 89	265 919 00	163 407 00	173 677 75
	840	0 00	0 00	17 083 05	0 00	0 00
	850	79 767 00	141 419 02	323 547 00	359 798 00	216 606 00
	860	384 00	1 098 86	1 835 00	0 00	0 00
	870	23 491 00	18 401 34	23 875 00	2 939 00	10 710 00
Const				5 059 10		4 00
Total EFA Carryover		265 720 00	359 016 47	758 931 05	606 532 10	470 936 70
ABE STATE	850	89 880 00	89 880 00	99 782 00	141 526 00	163 004 00
CANTEEN	820	0 00	0 00	0 00	0 00	793 94
	830	0 00	0 00	0 00	0 00	0 00
	850	0 00	0 00	0 00	0 00	0 00
Total Canteen		0 00	0 00	0 00	0 00	793 94
Total Education Expenditures		7 782 188 00	14 021 156 40	14 485 790 76	16 785 219 10	13 533 268 83

Reduction of
(6 238 968 40)

Teacher Law Suit Settlement was paid out in FY01

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

MEMORANDUM

TO Wendell Blanton

FROM Felicia Poston *FP*

SUBJECT Education Funds

DATE September 8 2003

As you requested the percentage of agency state funds spent on education are as follows for the current fiscal year and the three years prior

Fiscal Year	Percentage	Total Education State Funds Expended	Total Agency State Budget
00 01	3.39%	\$ 11,328,041	\$ 333,680,701
01 02	3.22%	9,219,806	286,045,254
02 03	3.51%	8,920,849	254,457,717
03-04	1.19%	3,055,190	257,808,695

This information is based on figures given to me by the budget office compared to year-end school board reports

TO: Gerri Miro *

FOR Information

Education is now only 1.19% of the agency's budget. All this money goes to salaries and fringes. We also have available about \$6 million in grant and other educational funding (See attached). The \$6 million will be lost if we lose the \$3 million. I would hope the agency would look outside of education if we have any additional cuts. Education has taken its hit. Please help us get this message out.

S/ *Wendell Blanton*
Wendell Blanton 9/12/03

PALMETTO UNIFIED SCHOOL DISTRICT
Projected Budget versus Funds Available
FY 2003 004

-1104-

Program	2003 2004 Projected Expenditures Through 6/30/04	03-04 Funds Available	Projected Balance
STATE			
Administration	177 884		
Library Services	273 959		
Occupational Education	651 459		
Guidance	139 134		
Academic	888 713		
Special Education	81 587		
School Administration	169 974		
Employer Contributions	881 607		
Total STATE	<u>3 264 327</u>	<u>3 055 190</u>	<u>(209 137)</u>
EFA			
Administration	34 288		
Library Services	114 286		
Occupational Education	445 783		
Guidance	87 211		
Academic	989 403		
Special Education	92 166		
School Administration	121 305		
Employer Contributions	619 036		
TOTAL EFA Budgeted	<u>2,503 478</u>	<u>2 96 359</u>	<u>462 881</u>
EIA			
Administration	0		
Library Services	22 316		
Occupational Education	66 119		
Guidance	21 772		
Academic	146 070		
Special Education	13 037		
School Administration	21 672		
Employer Contributions	107 660		
Total EIA Budgeted	<u>398 651</u>	<u>442 124</u>	<u>43 473</u>
FEDERAL			
Title V	7 312	7 312	
Title I	919 000	1 1 5 594	
Occ Ed	57 196	57 196	
IDEA	117 000	224 257	
Staff Dev	0	0	
Post Secondary	159 624	809 766	
ABE	0	0	
Title II NCLB	0	0	
Cap Bldg & Imp	0	0	
TOTAL FEDERAL	<u>1 260 132</u>	<u>2 254 145</u>	<u>994 013</u>
E A CARRYOVER ABE STATE and EIA EQUIPMENT			
Administration	22 371	22 371	
Library Services	25 222	25 222	
Occupational Education	114 485	114 485	
Guidance	0	0	
Academic	169 647	169 647	
Special Education	384	384	
School Administration	23 491	23 491	
Total Other Budgeted	<u>355 600</u>	<u>355 600</u>	<u>0</u>
EFA CO Funds to be set up		<u>339 780</u>	<u>339 780</u>
TOTAL ALL FUNDS	<u>7 782 88</u>	<u>9 073 418</u>	<u>1 631 010</u>
Less: Federal Funds Projected to be Carried Over			<u>(994 013)</u>
TOTAL PROJECTED BALANCE FOR 2003 2004			<u>636 997</u>

**South Carolina Department of Corrections
Operating Expenditures
Fiscal Years 2000-2005**

Funding sources include state appropriations, federal funds, special revenues, Prison Industries and canteen funds
Capital Improvement Funds, and Federal Funds Allocated to Counties/State Agencies are excluded

Actual Expenditures	Fiscal Year 2000	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004	Fiscal Year 2005
Personal Service	\$192 214 478	\$207 018 239	\$185 525 150	\$175 838 729	\$166 974 040	\$170 278 897
Contractual Services	\$27 977 986	\$17 371 781	\$14 765 754	\$16 155 712	\$15 655 190	\$17 907 365
Supplies	\$34 211 168	\$34 556 082	\$29 962 873	\$30 267 403	\$29 484 295	\$32 496 325
Fixed Charges	\$2 888 150	\$3 083 298	\$2 545 379	\$2 489 153	\$2 356 736	\$2 555 572
Travel	\$239 326	\$168 444	\$63 624	\$56 603	\$45 706	\$35 593
Equipment	\$7 129 635	\$2 033 990	\$854 345	\$1 122 181	\$646 326	\$1 427 744
Purchases for Resale*	\$18 100 789	\$16 641 922	\$14 999 580	\$16 280 212	\$15 731 929	\$15 955 164
Case Services	\$13 163 748	\$18 671 827	\$16 588 530	\$18 146 198	\$23 864 120	\$18 043 009
Interest Late Payment Charges	N/A	\$30	\$41	N/A	\$14	\$0
Heat/Lights/Power	\$10 256 194	\$12 011 055	\$10 158 961	\$11 640 660	\$12 172 340	\$13 362 688
Principal Interest	N/A	N/A	N/A	N/A	N/A	\$400 933
Transportation	\$1 278 880	\$1 304 243	\$886 547	\$977 950	\$1 344 176	\$1 568 860
Prosthetic Appliances	N/A	\$93 738	\$73 197	\$96 614	\$101 387	\$80 436
Employee Suggestion Awards	N/A	\$64	N/A	N/A	N/A	N/A
Employee Benefits	\$59 683 085	\$65 603 374	\$63 689 077	\$62 160 261	\$61 246 353	\$62 269 908
Total Expenditures	\$367,143 439	\$378 558 087	\$340 113 058	\$335 231 676	\$329 622,612	\$336,382,494
Expenditures Excluding Purchases for Resale	\$349,042,650	\$361,916,165	\$325,113,478	\$318,951,464	\$313,890,683	\$320,427,330

This budget line includes consumer goods purchased for resale principally in canteens and raw materials purchased for resale after further processing in Prison Industries

(Special Note This information is accurate as of June 30 of each fiscal year Data are presented and recorded in accordance with the budgetary accounting process of the State of South Carolina)

South Carolina Department of Corrections

11/22/2005

Education Federal Funding Comparison

Grant Title	FY 04 Award	FY 03 Award	FY 02 Award
Title V	7 312 00	8 286 03	9 405 35
Title I	1 155 594 00	1 047 725 23	774 235 00
Occ Ed	57 196 00	51 507 00	51 166 46
IDEA	224 257 00	165 896 61	140 074 76
Staff Dev/Title VI	0 00	24 804 00	54 109 47
Post Secondary	809 786 00	777 231 00	721 384 00
ABE	0 00	914 616 21	901 461 10
Title II NCLB	0 00	62 939 03	0 00
Cap Bldg & Imp	0 00	1 348 72	2 213 15
Total Federal Education Funds	<u>2 254 145 00</u>	<u>3 054 353 83</u>	<u>2 654 049 29</u>

These awards have not been announced at this time

GERGEL, NICKLES & SOLOMON, PA
ATTORNEYS AT LAW

Post Office Box 1866
Columbia South Carolina 29202 1866

-264-

Richard Mark Gergel
W Allen Nickles III
Carl L Solomon
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Dona L Guffey
Dwayne T Mazyck

1519 Richland Street
Telephone (803) 779 8080
Facsimile (803) 256-1816
office@gnsllaw.com

June 12, 2003

Via Hand Delivery

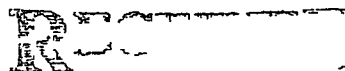
Michael H Montgomery, Esquire
1812 Lincoln Street
Columbia, South Carolina 29201

RE Palmetto Unified School District RIF

Dear Mike

In keeping with our agreement concerning service of grievances arising out of the Department of Corrections' reduction in force by members of the Palmetto Unified School District, enclosed are grievance reports and attachments for each of the following employees

- 1 James Cal Bell
- 2 Othella Bernard
- 3 Catherine W Bowyer
- 4 Linda M W Bratton
- 5 Ann Bridges
- 6 Rance Cobb
- 7 Jeannie B Croxton
- 8 Bernetha L Culbreath
- 9 William K Dreyer
- 10 Jacqueline D Farr
- 11 Ruth Fritts
- 12 Nancy Glenn
- 13 Etta Jane Jones
- 14 Geneva Martin
- 15 Nancy H McCabe
- 16 Beverly McClanahan
- 17 Max D Randolph
- 18 Carolyn McIver Smith
- 19 Maggie L Williams
- 20 Paula Woodhef



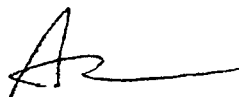
JUN 12 2003

EMPLOYEE RELATIONS

Michael H. Montgomery, Esquire
June 12, 2003
Page two

I understand that delivery of these materials to you satisfies any notice requirement under the grievance procedures of the South Carolina Department of Corrections. It is my further understanding that, to the extent appropriate, these grievances will be consolidated. If any additional information is required to initiate the grievance, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to be 'W. Allen Nickles, III', written in a cursive style.

W. Allen Nickles, III

WAN/pfb
Enclosures
cc Patsy Fulmer
File #03-156

NATURE OF GRIEVANCE

I am employed as an educator in the Palmetto Unified School District. This District is established by law and is composed of all schools in the South Carolina Department of Corrections. State law also provides that the District's Board shall participate in the governance of the District.

I have received notice that I have been separated from my education position due to reduction in force. I offer the following objections to this separation:

- a. Upon information and belief, the Department of Corrections did not involve the District's Board in the reduction in force,
- b. Upon information and belief, educators were singled out for reduction in force in an arbitrary and capricious fashion. For example, I am informed that the Executive Director identified the fact that some educators are paid at a rate higher than some wardens as a justification for eliminating teaching positions. This disparity, if it exists, is through no fault of educators who are paid in accordance with State law. It is my belief that legal action taken by educators to compel the Department to provide compensation in accordance with law was a reason for eliminating education positions.
- c. The restriction on "bumping rights" to designated areas within the Palmetto Unified School District is arbitrary, capricious and adversely affects veteran educators and educators holding advanced degrees. It is my contention that the division of the Unified District into competitive areas deprives educators of meaningful recognition of years of service and is inconsistent with the statutory nature of the District,
- d. Upon information and belief, all educators were grouped under generic terms for purposes of reduction in force. Such grouping is arbitrary, capricious and fails to recognize relevant criteria such as areas of certification, advanced training, degrees held and other employment qualifications.
- e. Upon information and belief, the reduction in force plan is being exercised arbitrarily and capriciously to retaliate against a class of employees (educators) who petitioned the government, through legal action, to compel the Department to provide compensation in accordance with law.

RELIEF SOUGHT

- 1 My grievance may be resolved by reinstatement to my former position as a educator with appropriate back pay and benefits
- 2 In addition to reinstatement, I seek verification from the Department that all employees were considered according to qualifications, positions held, service and performance in implementation of the reduction in force. This relief would include uniform application of appropriate reduction in force criteria to all positions in the Palmetto Unified School District without regard to location

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September 8 2003

Via Hand Delivery

Terry M Baggott
State Budget and Control Board
Office of Human Resources
1201 Main Street, Suite 1000
Columbia, South Carolina 29201



RE Palmetto Unified School District RIF

Dear Terry

The following is a preliminary response to your request for additional information seeking clarification concerning the fourth issue listed in our grievance letter of June 20, 2003 which states

- 4 Individuals and/or positions were arbitrarily protected or removed from consideration for separation for reasons unrelated to RIF criteria

This is a preliminary response as we have not received the requested information from your office as well as Mike Montgomery's office. We are in receipt of your letter of September 5, 2003 to Ms Robin Gracien and reserve the right to supplement this response upon receipt of the requested information.

- a The Principal and special education teacher at the Tyger River facility were not subject to the RIF
- b It is our understanding that a reorganization took place prior to the first reduction in force that shifted high-ranking administrators and provided some promotions prior to the actual first wave of RIF. For example, Mike Metts, Canine Division Director, was moved prior to RIF as his original position was eliminated. Also Brenda Reed was moved just prior to RIF from the Training Academy to Personnel. Ms Reed's previous position at the Academy was eliminated by RIF.
- c Three Division Directors, Richard Bazzle, Bernard Mackey, and Judy Anderson, received demotions but kept their salaries without confinement in

Terry M Baggott
September 8, 2003
Page two

competitive areas. This was done just a few days before the RIF was announced to those who would be displaced. Additionally, several employees were permitted to maintain their salary with a change in position. Bernard McKie, Warden, Kirkland R & E Center, and Laurie Bessinger, Director, Division of Security and Training. It is our understanding that Mr Bessinger's move was a promotion.

- d Director Ozmint stated on multiple occasions that most of the layoffs came from those employees in Headquarters as he was including the 87 educators in his Headquarters count to give the impression that most of the cuts were management.
- e Ms Wessinger, Administrative Assistant at Watkins or Walden was recalled to her position. It is our understanding that Ms Wessinger had been bumped by a teacher and was recalled to her position in error as there were other people in line who had bumping rights prior to Ms Wessinger being recalled.
- f Glen Eaves, an uncertified probationary employee, did not lose his position.
- g Four staff members in the Division of Education at Headquarters: Wendell Branton, Kathy Jackson, Tommy Wicker and Marilyn Dozier received letters from Director Ozmint extending an invitation for retirement and giving them the option to return to work in 60 days as a temporary employee with a salary not to exceed \$50,000 per year or 75% of his or her salary. Two teachers at the Turbeville Institution are being allowed to retire and come back to work for 75% of their salary. Warden Koley Rushton at McCormick Correctional is being allowed to retire and come back to work at 75% of his salary. This offer was not extended to others similarly situated in the RIF process.
- h Medical service providers, food service workers and correctional officers were exempt from the RIF and these job categories were actually hiring during this time period.
- i Rose Reuger bumped into a math position, subsequently resigned within a few weeks of the bump. The position still has not been filled at this time.
- j Employees in Columbia were offered jobs for which they were unqualified other than correctional officers. However, educators were only offered correctional officer positions.

Terry M Baggott
September 8, 2003
Page three

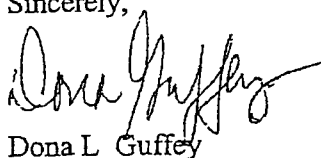
- k Jackie Benning, former Guidance Counselor at Manning Institution is currently working in two positions, one believed to be a part-time data entry position. Other educators affected by RIF were only offered correctional officer positions even if qualified for other positions. For example, Rance Cobb, former Principal at Leath, qualified for two positions at Leath but was not offered either although both were actively open at the time of RIF.
- l Ricky Harrison, an employee in the security department whose position was eliminated through the RIF bumped a print shop supervisor. It is our understanding that Mr. Harrison bumped Ken Kinney who runs the print shop. However, Mr. Harrison had no experience with print shop materials and Mr. Kinney was allowed to remain. Mr. Harrison remains assigned to the print shop without a specific job assignment.
- m It is our understanding that the Leath Institution was targeted because 7 out of 9 educators at Leath hold Master's degrees or above and have the highest educator salaries. The competitive areas appear to be drawn so that these employees would have no bumping opportunities.
- n Educators were targeted in retaliation for a previous lawsuit against the Department of Education in which 17 of the 20 RIF grievants were Plaintiffs. Max Randolph, grievant, had a conversation with Director Ozmint wherein Director Ozmint stated to Mr. Randolph that the teachers should not have sued for pay increases because it was wrong.
- o Mr. Aiken, retired educator, was hired in March 2003 to lead computer classes at the Manning institution filling a position that the Department of Corrections knew could be utilized by an employee subject to RIF. It is our understanding he is still in that position.
- p The Operational Review Manager at Wateree Correctional Institute was offered a Sergeant position instead of a regular Correctional Officer position despite the fact that she is not certified as an officer.
- q Grievant Maggie Williams, certified in secondary English, was bumped from her position by a Ms. Myers who holds only elementary certification. Palmetto Unified School District teachers remaining are now being told that they must obtain certification in the area that they have been placed within a certain time frame.

Terry M Baggott
September 8, 2003
Page four

- r John Ozmint, Director, received an 8% increase in salary during the time that the RIF plan was designed and implemented. Director Ozmint also approved structural improvements in the amount of \$100,000 for the home located on South Carolina Department of Corrections property where he resides during his term. Former Director Gary Manard recently had substantial work done on the residence.
- s Ms Lakin, an educator at Stevenson Correctional, holds a teaching position but is not currently teaching and is reported to have less service time than other educators affected by the RIF.
- t The Principal and a vocational teacher at the Wateree facility, which remains operational, were the only educators at that facility affected by the RIF. It is our understanding that the Principal Bert Haynsworth, is an older employee with substantial years of service.
- u Hoyt Sharpe, Director of Vocational Education, remains unaffected by the RIF even though there are no vocational programs to supervise.

We appreciate your careful consideration and look forward to receiving your responses to our request for additional information as well.

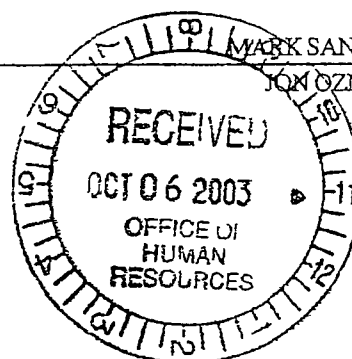
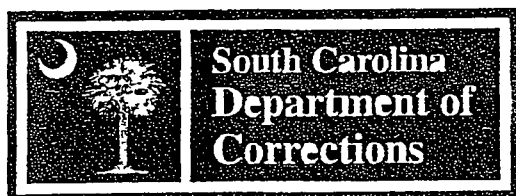
Sincerely,



Dona L. Guffey

DLG/pfb

File #03-156



MARK SANFORD Governor
JOHN OZMINT Director

October 1, 2003

Mr Terry M Baggott
Grievance and Mediation Services Manager
Office of Human Resources
1201 Main Street, Suite 1000
Columbia, South Carolina 29201

Re James Bell, Othella Bernard, Katherina Bowyer, Linda Bratton, Ann Bridges, Rance Cobb, Jeannie Croxton, Bernetha Culbreath, William Dreyer, Jacqueline Farr, Ruth Fritts, Nancy Glenn, Etta Jane Jones, Geneva Martin, Mary McCabe, Beverly McClanahan, Max Randolph, Carolyn Smith, Maggie Williams and Paula Woodhief v S C Department of Corrections

Dear Mr Baggott

The following information is provided in response to your September 15, 2003 request for me to respond to prior letters submitted by the law firm of Gergel Nickles & Solomon, P A.

In response to the September 8, 2003 request, I submit the following

- a The positions of Principal and Special Education Teacher were not eliminated due to the Reduction in Force (RIF) in competitive area 11, which included the Appalachian Office, Tyger River, Perry, Livesay, and Northside Correctional Institutions. It is the Department's position that throughout the RIF process, it retains the right to make management decisions regarding the administration of resources.
- b The complex mission of an agency which includes 29 correctional institutions, nearly 25 thousand inmates, and nearly 6,000 employees requires continuous analysis, reorganization and movement of staff both prior to and after a RIF. It is the Department's position that this question does not pertain to the grievance issue (the manner in which the RIF was executed) currently before the Office of Human Resources. The Department of Corrections retains the right to make management decisions regarding the administration of resources.
- c Warden vacancies had existed at several institutions within the agency due to the budget deficit. In an effort to further reduce expenses, the agency Director eliminated several executive staff positions and moved individuals into positions where they were needed most. Mr Bessinger, who was the Warden at Kirkland Correctional Institution, was given an increase in duties and responsibilities without a promotion or pay increase. Further, it is the Department's position that this question does not pertain to the grievance issue (the manner in which the RIF was executed) currently before the Office of Human Resources.

- d. In a memorandum to all employees on March 31, 2003, Director Ozmint stated that 148 positions were identified for RIF in many areas throughout the agency to reduce staff, primarily in the headquarters, institutional non-security, and support functions. Educational Services was only one of the 20 areas affected. See Attachment
- e. Deborah Wessinger an Administrative Assistant at Watkins was bumped by Katherine Myers an Administrative Assistant in the Division of Education. Her position was not eligible to be bumped by a teacher. Ms. Wessinger originally bumped into a vacant correctional officer slot at Walden Correctional Institution. She was recalled to work in accordance with the RIF plan to an administrative assistant position in the office of State and Local Inspections.
- f. Lynn Eaves is a non-certified Teacher Assistant at Tyger River and holds a classified state position (pay band 2), not an unclassified teacher position. The Teacher Assistant position was not eliminated in Competitive Area 11, nor are unclassified certified teachers eligible to bump into this classified position.
- g. The RIF in Fiscal Year 2002-03 was intended to permanently eliminate positions and to reduce overall payroll costs. Similar to other state agencies, the Department of Corrections received additional budget cuts in Fiscal Year 2003-04, even after implementing a RIF the previous year. The agency subsequently offered a plan to remaining staff to retire and return to work in their present position at a substantially lower salary – all without health insurance and other leave benefits. This plan is one of several cost-cutting actions for the current Fiscal Year and maintains our lower staffing levels and further reduces cost.
- h. The Department of Corrections has the right to make management decisions regarding the administration of resources. This question does not pertain to the grievance issue before the Office of Human Resource.
- i. Rose Ruger taught math at Manning Correctional Institution, and held certification in both math and general academics. Ms. Ruger bumped a math teacher at Camille Graham with less service. This position has not been filled at this time due to current budget reductions. It is the Department's position that it is not required to fill every vacant position.
- j. All employees who were displaced by the RIF were offered vacant positions for which they met the minimum training and experience requirements, in descending pay band and pay level order. The Department has no information regarding any person being offered a position for which they were not qualified.
- k. Jacqueline Venning, was a Guidance Counselor at Manning and is certified in Guidance, Special Education, and General Academics. Ms. Venning's position was eliminated and she bumped a less senior Guidance Counselor. At this time, Ms. Venning continues to provide Guidance Counselor duties, as well as other additional educational services she is qualified to perform and are necessary due to budget reductions. As stated in item (j) above, all employees subject to RIF were offered vacant positions in descending pay band and pay level order for which they met the minimum training & experience requirements.

- l Ricky Harrison's position was eliminated and he bumped into the position held by Mr Ken Kinney, a less senior employee in the Division of Industries print shop Mr Harrison met the established minimum qualifications for the position. Mr Harrison has been reassigned to a position in Industries that needed to be filled and Mr Kinney has been recalled in accordance with RIF policy
- m. Education employees at Leath Correctional Institution were not targeted for RIF based upon the level of their educational degree The RIF competitive area for Leath, which is located in Greenwood, included the town of McCormick which is a reasonable driving distance and within the normal recruiting area for Greenwood.
- n Educators were not targeted in retaliation for a previous lawsuit filed against the agency Over 40 of the positions eliminated and 19 of the 20 areas identified under the RIF were from non-education areas
- o Mr Sherl Akins was hired in March 2003 as a temporary grant employee Due to his temporary status, his position could not be bumped by a full-time employee who was subject to RIF
- p Eartha Brooks, Inspector (Operational Review Manager) at Wateree River Correctional Institution, was subject to RIF and elected layoff Ms Brooks was not offered a Sergeant position because she did not meet the minimum qualifications for the position, but was offered a Correctional Officer position
- q Maggie Williams was bumped by Mariam Myers, a more senior employee who met the minimum qualifications for the position All of the teachers retained meet the qualifications for the position they are holding There is no need for additional certification
- r The salary of the Director of the Department of Corrections is established by the state Agency Head Salary Commission The agency does not believe questions relating to the Director's residence pertain to the grievance issue before the Office of Human Resources, which is the manner in which the Reduction-In-Force was executed
- s Ms Lakin, who was a certified teacher at Broad River Correctional Institution, bumped a less senior employee, and actually had RIF seniority over almost all other certified teachers
- t The positions held by two vocational teachers and the Principal at Wateree River were eliminated by RIF The two vocational teacher positions eliminated were a vocational heavy equipment operator and a vocational heavy equipment mechanic and neither were eligible to bump a less senior employee The Principal position was held by Albertha Haynesworth who was not eligible to bump a Principal with more seniority at Turbeville Correctional Institution

- u Hoyte Sharpe, continues to be responsible for a number of areas including coordinating vocational programs and grants. The agency continues to have vocational programs to supervise at several institutions.

In response to the August 29, 2003 request, I submit the following

A) & B) are requests that were directed to the State Office of Human Resources. As such, these materials should be submitted by your office and not the Department of Corrections.

Regarding C) & E) - J), it is the Department's position that the grievance currently pending before the State Office of Human Resources is limited to how the Department's Reduction in Force Plan and Policy were applied. These requests regarding the Department's use and allocation of its resources exceed the scope of this grievance matter.

Regarding D), this material has already been provided by the Department.

I trust that this information satisfies your request. Please contact me if you have any further questions regarding this matter.

Sincerely,



Deborah Drucker Deutschmann
Deputy General Counsel

enclosure

cc W. Allen Nickles, III Esquire

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

C/A NO 04-CP-40-1761

James "Cal" Bell, Othella Bernard,
Katherina Bowyer, Linda M W Bratton,
Ann T Bridges, Rance C Cobb, Jeannie
B Croxton, Bernetha L Culbreath,
William K Dreyer, Jacqueline D Farr,
Ruth Fritts, Nancy Glenn, Etta Jane
Jones, Geneva M Martin, Mary H
McCabe, Beverly McClanahan, Max
D Randolph, Carolyn McIver Smith,
Maggie G Williams and Paula Woodlief,

Plaintiffs,

vs

South Carolina Department of
Corrections and Palmetto Unified
School District No 1,

Defendants

ORDER

PROCEDURAL HISTORY

Plaintiffs are certified educators formerly employed in full-time instructional or administrative positions in the Palmetto Unified School District ('District') This school district was created by statute to serve inmates in the South Carolina Department of Corrections ('SCDC' or 'Department') S C Code § 24-25-10, et seq Plaintiffs were each removed from their positions as the result of a reduction in force implemented effective June 1, 2003 Plaintiffs exhausted all administrative remedies afforded to them and seek judicial review for reinstatement to their former positions of employment

Plaintiffs filed a Petition for Judicial Review and Complaint on April 6, 2004 By this Petition, Plaintiffs seek an order remanding their grievance appeals to the Office of Human

Resources ("OHR") to be heard by the South Carolina State Employees Grievance Committee pursuant to S C Code Annotated § 1-23-380(A)(6). Plaintiffs filed a Motion for Discovery on November 19, 2004. In an Order dated May 2, 2005, this Court granted Plaintiffs' motion as to all requested interrogatory responses, requests for production of documents, and depositions. Defendant's Motion for Reconsideration was denied on September 8, 2005.

LEGAL ANALYSIS

An employee has a right of appeal from the final decision of an agency employee grievance procedure to the State Human Resources Director. S C Code Ann § 8-17-330. Under this section (titled Agency employee grievance plans procedures, appeals), an employee may file a grievance or an appeal concerning an adverse employment action, such as termination. This section states that "a reduction in force is an adverse employment action considered as a grievance only if the agency, or as an appeal only if the State Human Resources Director, determines that there is a material issue of fact that the agency inconsistently or improperly applied its reduction in force policy or plan." *Id.* The State Human Resources Director then forwards only those employee appeals regarding reductions in force to the State Employee Grievance Committee which have been determined to (1) have a material issue of fact regarding inconsistent or improper application of the agency's reduction in force plan or policy, and (2) meet the jurisdictional requirements. S C Code Ann § 8-17-340.

In this case, the Plaintiffs never received a hearing before the Grievance Committee because the State Human Resources Director determined their complaint was not grievable. This is a final decision from which Plaintiffs can appeal. Demian v. South Carolina Health and Human Services Finance Com'n, 297 S C 1, 374 S E 2d 510 (Ct App 1988). An appeal to the

circuit court from a final decision of the State Human Resources Director determining that an appeal is not grievable is governed by the Administrative Procedures Act, under S C Code Ann § 1-23-310 through 400, Code of Laws of South Carolina, 1976, as amended Id.

Under the Administrative Procedures Act, a party who has exhausted all administration remedies within the agency and who is aggrieved by a final decision in a contested case is entitled to judicial review under this article S C Code Ann § 1-23-380 The court may affirm the decision of the agency or remand the case for further proceedings S C Code Ann § 1-23-380(A)(6) The ultimate question faced by the Court is whether are not, there is a material issue of fact that the Department of Corrections inconsistently or improperly applied its reduction in force policy or plan

This Court finds there is sufficient evidence that a material issue of fact exists in the Department of Corrections implementation of its June 1, 2003 reduction in force plan Specifically, the Plaintiffs have raised several concerns that present material issues of fact, such as

- 1 the South Carolina Department of Correction's division of unified school district
- 2 the lack of participation by the School District and its Board of Trustees in the process
- 3 the fact that of the 148 positions eliminated in the reduction in force, 84 were from the Division of Education,
- 4 the assertion that Plaintiffs' selection for reduction in force was in retaliation for enforcing their right to be paid in compliance with state law under a separate law suit, and

612-3

5 the fact that the Department of Corrections retained probationary employees, grant employees and "pink slip" temporary employees in favor of educators which is in contrary to the Department's procedure used in the 2001 reduction in force where at-will employees were eliminated and those positions were filled by permanent employees

CONCLUSION

For the reasons stated above, there exist disputed issues of material fact which entitle Plaintiffs to a hearing before the State Employee Grievance Committee. Therefore, Plaintiffs' request for remand is GRANTED, and the Office of Human Resources is directed to reinstate the grievance for a hearing before the State Employee Grievance Committee.

AND IT IS SO ORDERED


G. Thomas Cooper, Jr.
Judge, Fifth Judicial Circuit

Columbia, South Carolina
January 8 2007

THIS OPINION HAS NO PRECEDENTIAL VALUE IT SHOULD
NOT BE CITED OR RELIED ON AS PRECEDENT IN ANY
PROCEEDING EXCEPT AS PROVIDED BY RULE 239(d)(2), SCACR

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

James "Cal" Bell, Othella
Bernard, Katherina Bowyer,
Linda M W Bratton, Ann T
Bridges, Rance C Cobb, Jeannie
B Croxton, Bernetha L
Culbreath, William K Dreyer,
Jacqueline D Farr, Ruth Fritts,
Nancy Glenn, Etta Jane Jones,
Geneva M Martin, Mary H
McCabe, Beverly McClanahan,
Max D Randolph, Carolyn
McIver Smith, Maggie G
Williams, and Paula Woodhief, Respondents,

v

South Carolina Department of
Corrections and Palmetto
Unified School District No 1, Defendants,

Of Whom South Carolina
Department of Corrections is
the Appellant

Appeal From Richland County
Gordon G Cooper, Circuit Court Judge

Unpublished Opinion No 2008-UP-257
Submitted May 1, 2008 – Filed May 14, 2008

APPEAL DISMISSED

Lake Eric Summers and Malone Thompson
Summers, both of Columbia, for Appellant

W Allen Nickles, III, and Dona L Guffey, both of
Columbia, for Respondents

PER CURIAM South Carolina Department of Corrections appeals the circuit court's order directing the Office of Human Resources to reinstate a grievance for a hearing before the State Employee Grievance Committee. We dismiss¹ pursuant to Rule 220(b), SCACR, and the following authorities: Leviner v Sonoco Prods Co, 339 S C 492, 494, 530 S E 2d 127, 128 (2000), Montjoy v Asten-Hill Dryer Fabrics, 316 S C 52, 52, 446 S E 2d 618, 618 (1994), Owens v Canal Wood Corp, 281 S C 491, 492, 316 S E 2d 385, 385 (1984), Hunt v Whitt, 279 S C 343, 343, 306 S E 2d 621, 622 (1983) (all finding a circuit court order remanding a case for additional proceedings before an administrative agency is not directly appealable).

APPEAL DISMISSED

HEARN, C J , and SHORT and KONDUROS, JJ , concur

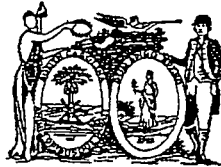
¹ We decide this case without oral argument pursuant to Rule 215, SCACR.

STATE OF SOUTH CAROLINA
State Budget and Control Board
OFFICE OF HUMAN RESOURCES

MARK SANFORD CHAIRMAN
GOVERNOR

CONVERSE A. CHELLIS III CPA
STATE TREASURER

RICHARD ECKSTROM CPA
COMPTROLLER GENERAL



HUGH K. LEATHERMAN, SR.
CHAIRMAN SENATE FINANCE COMMITTEE

DANIEL T. COOPER
CHAIRMAN WAYS AND MEANS COMMITTEE

FRANK W. FUSCO
EXECUTIVE DIRECTOR

1201 MAIN STREET SUITE 800
COLUMBIA SOUTH CAROLINA 29201
(803) 737-0900

SAMUEL L. WILKINS
DIRECTOR

June 4 2008

CERTIFIED MAIL

Mr W Allen Nickles, III
Attorney at Law
Post Office Box 1866
Columbia, South Carolina 29202

Ms Robin N Gracien, Chief
Employee Relations Branch
Division of Human Resources
S C Department of Corrections
Post Office Box 21787
Columbia South Carolina 29221 1787

Re James "Cal" Bell, et al v South Carolina Department of Corrections (SCDC)

Dear Mr Nickles and Ms Gracien

On May 20, 2008 this office received a copy of The South Carolina Court of Appeals opinion dated May 14 2008 dismissing SCDC's appeal of Judge Gordon G Cooper's Order issued on January 10, 2007. Judge Cooper's Order states, in part, that "there exist disputed issues of material fact which entitle Plaintiff's to a hearing before the State Employee Grievance Committee" and "the Office of Human Resources is directed to reinstate the grievance for a hearing before the State Employee Grievance Committee."

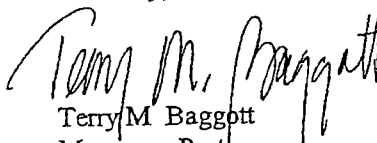
Section 8-17-340 (A) of the S C Code of Laws of 1976, as amended, states in part "There is created the State Employee Grievance Committee constituted and appointed to serve as an administrative hearing body for state employee appeals." Section 8-17-320 (2) defines appeal as "the request by a covered employee to the State Human Resources Director for review of an agency's final decision concerning a grievance." In addition, State Human Resources Regulation 19-718.05 (F) provides "If the State Human Resources Director determines that additional action by the agency is necessary and appropriate he may remand the appeal to the agency."

Mr W Allen Nickles III
Ms Robin N Gracien, Chief
June 4 2008
Page Two

Since the grievants have not had an opportunity to complete SCDC's internal grievance process additional action by the agency is necessary to establish a record and decision, concerning the grievance, for review by the State Employee Grievance Committee. Therefore, to effectuate the intent of Judge Cooper's Order and the opinion of the South Carolina Court of Appeals, the State Human Resources Director remands this matter to SCDC for processing according to its grievance policy. In addition since Judge Cooper's Order has established that material issues of fact exist regarding the application of SCDC's Reduction in Force policy in this case SCDC must address the substantive issues regarding the grievance.

If SCDC's final decisions are unfavorable to the grievants, or SCDC fails to make a decision within 45 calendar days of receipt of this remand, the grievants may institute an appeal to the State Human Resources Director within the time frames set forth in the State Employee Grievance Procedure Act and a hearing will be scheduled before the State Employee Grievance Committee in accordance with Judge Cooper's Order.

Sincerely,



Terry M Baggott
Managing Partner
Alternative Dispute Resolution Program

Enclosure

Westlaw

SC ST § 24-25-10

Page 1

Code 1976 § 24-25-10

Code of Laws of South Carolina 1976 Annotated Currentness
Title 24 Corrections Jails Probations Paroles and Pardons
Chapter 25 Palmetto Unified School District No. 1

§ 24-25-10 Palmetto Unified School District No. 1 established.

There is hereby established a special statewide unified school district within the South Carolina Department of Corrections to be known as the Palmetto Unified School District No. 1

HISTORY 1981 Act No. 168 § 1

CROSS REFERENCES

School districts generally see §§ 59-17-10 et seq.

LIBRARY REFERENCES

Schools C23
Westlaw Topic No. 345
C.J.S. Schools and School Districts §§ 18-29-32-63 to 68

Code 1976 § 24-25-10 SC ST § 24-25-10

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SC ST § 24 25 20

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Code 1976 § 24-25 20

Code of Laws of South Carolina 1976 Annotated Currentness
Title 24 Corrections, Jails Probations, Paroles and Pardons
Chapter 25 Palmetto Unified School District No. 1

→ § 24-25-20 Purpose.

The purpose of the district is to enhance the quality and scope of education for inmates within the Department of Corrections so that they will be better motivated and better equipped to restore themselves in the community. The establishment of this district shall ensure that education programs are available to all inmates with less than a high school diploma, or its equivalent, and that various vocational training programs are made available to selected inmates with the necessary aptitude and desire. Where enrollment in an education program must be restricted, justification for that restriction should be documented by the district.

HISTORY 1981 Act No. 168, § 2.

LIBRARY REFERENCES

Schools 23
Westlaw Topic No. 345
C.J.S. Schools and School Districts §§ 18 29 32 63 to 68

Code 1976 § 24-25 20 SC ST § 24 25 20

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Code 1976 § 24-25-30

Code of Laws of South Carolina 1976 Annotated Currentness
Title 24 Corrections, Juels Probations Paroles and Pardons
Chapter 25 Palmetto Unified School District No 1

§ 24-25-30 District schools to meet state standards state Superintendent of Education to administer standards reports evaluations.

Academic and vocational training provided by the Palmetto Unified School District No 1 shall meet standards prescribed by the State Board of Education, for the academic and vocational programs of these schools. The State Superintendent of Education shall administer the standards relating to the educational programs of the district. Reports shall be made by the State Department of Education to the Board of Trustees indicating the degree of compliance with the standards prescribed by the State Board of Education at least annually. Such State Department of Education supervisory personnel as deemed appropriate by the Department shall be utilized for evaluating the programs of the district and reporting to the district board.

HISTORY 1981 Act No 168 § 3

CROSS REFERENCES

General duties of State Superintendent of Education see § 59 3-30

LIBRARY REFERENCES

Schools 23
Westlaw Topic No 345
CJ S Schools and School Districts §§ 18 29 32 63 to 68

Code 1976 § 24-25 30 SC ST § 24-25-30

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Code 1976 § 24-25-35

Code of Laws of South Carolina 1976 Annotated Currentness
Title 24 Corrections Jails Probations, Pardons and Pardons
Chapter 25 Palmetto Unified School District No. 1

§ 24-25-35 Funds for certain educational programs.

The Palmetto Unified School District 1 of the South Carolina Department of Corrections shall submit appropriate student membership information to the State Department of Education and the South Carolina Department of Education's appropriation request under the line item Education Finance Act shall include sufficient funds for the Palmetto Unified School District 1. The amount to be requested for the Palmetto Unified School District 1 shall be sufficient to produce funds equal to the product of the number of students served by the school district weighted according to the criteria established by the South Carolina Department of Education under the provisions of the South Carolina Education Act of 1977 and the state portion of the appropriated value statewide of the base student costs adjusted for twelve months operation. The Palmetto Unified School District No. 1 shall comply with the following provisions of subsection (4) of Section 59-20-50 subsections (1) (2) (3)(a) (4)(b) (c) (d), (e) and (f) of Section 59-20-60. The South Carolina Department of Education annually shall determine that these provisions are being met and include its findings in the report mandated in subsection (5)(c) of Section 59-20-60. If the accreditation standards set forth in the Defined Minimum Program for the Palmetto Unified School District No. 1 as approved by the State Board of Education are not met, funds by this section shall be reduced the following fiscal year according to the provisions set forth in the Education Finance Act.

HISTORY 1994 Act No. 497 Part II § 15B

Code 1976 § 24-25 35 SC ST § 24 25 35

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Code 1976 § 24-25-40

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Title 24 Corrections Jails Probationers, Paroles and Pardons

Chapter 25 Palmetto Unified School District No. 1

§ 24-25-40 Trustees of school district appointment, terms vacancies.

The Palmetto Unified School District No. 1 shall be under the control and management of a board of nine trustees who shall operate the district under the supervision of the State Department of Corrections. Four members of the school board shall be appointed by the Director of the Department of Corrections, four members of the school board shall be appointed by the State Superintendent of Education, and one member of the school board shall be appointed by the Governor. The members of the board shall be appointed for terms of four years each and until their successors are appointed and qualify except that of those first appointed, the member appointed by the Director of the Department of Corrections and the members appointed by the State Superintendent of Education shall be appointed for terms of one two three and four years respectively such terms to be designated by the Director of the Department of Corrections and the State Superintendent of Education when making such appointments. The member initially appointed by the Governor also shall be appointed for a term of four years. Vacancies on the board shall be filled for the remainder of the unexpired term by appointment in the same manner as provided for the original appointment.

HISTORY 1981 Act No. 168 § 4 1993 Act No. 181 § 483

CROSS REFERENCES

Boards of school districts see §§ 59-19-10 et seq.

LIBRARY REFERENCES

Schools C51

Westlaw Topic No. 345

C.J.S. Schools and School Districts §§ 15-77 to 79 110 to 112 114 to 140 142 to 166 205 254 356 401

Code 1976 § 24-25-40 SC ST § 24-25-40

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Code 1976 § 24 25-50

Code of Laws of South Carolina 1976 Annotated Currentness

Title 24 Corrections, Jails Probations, Paroles and Pardons

Chapter 25 Palmetto Unified School District No 1

→ § 24-25-50 Removal of school board members

The members of the school board may be removed at any time for good cause by the Director of the Department of Corrections. The failure of any member of the school board to attend at least three consecutive meetings thereof unless excused by formal vote of the school board, may be construed by the Director of the Department of Corrections as a resignation from the school board.

HISTORY 1981 Act No. 168 § 5 1993 Act No. 181 § 484

CROSS REFERENCES

Removal of school district trustees generally see § 59-19 60

LIBRARY REFERENCES

Schools C51

Westlaw Topic No. 345

C.F.S. Schools and School Districts §§ 15 77 to 79 110 to 112, 114 to 140 142 to 166 205 254 356 401

Code 1976 § 24-25-50 SC ST § 24-25 50

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SC ST § 24 25 60

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Code 1976 § 24-25 60

Code of Laws of South Carolina 1976 Annotated Currentness
Title 24 Corrections Jails Probations Paroles and Pardons
Chapter 25 Palmetto Unified School District No 1

→ § 24-25-60 Board to elect officers terms, meetings compensation.

The school board at its first meeting, and every two years thereafter shall elect a chairman a vice-chairman and such other officers as it deems necessary who shall serve for two years each and until their successors are elected and qualify. No person may succeed himself as chairman of the board. The school board shall meet at least quarterly and at such other times as may be designated by the chairman. Special meetings may be called by the chairman or by a majority of the members of the board upon at least seventy two hours notice. Five members of the board shall constitute a quorum at all meetings thereof. The members of the board shall be paid per diem, mileage and subsistence as provided by law for members of boards commissions and committees.

HISTORY 1981 Act No 168, § 6

CROSS REFERENCES

Organization of school district boards of trustees generally see § 59 19 70

LIBRARY REFERENCES

Schools 63
Westlaw Topic No 345
C J S Schools and School Districts §§ 110 112, 114 116 129 141 to 142 168 to 191 194 to 195 218 244
248 253 259 264 to 265 321 341 to 342 346 725

Code 1976 § 24 25-60 SC ST § 24 25-60

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Code 1976 § 24-25-70

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Code of Laws of South Carolina 1976 Annotated Currentness
Title 24 Corrections, Jails Probations Paroles and Pardons
a Chapter 25 Palmetto Unified School District No. 1

—§ 24-25-70 Powers and duties of school board.

With the consent and concurrence of the Director of the Department of Corrections, the board of the school district shall operate as executory agent for the schools under its jurisdiction and shall perform administrative functions as follows

- (1) establish goals and objectives for the operation of the district
- (2) enter into agreements and contracts with other school districts technical schools colleges and universities
- (3) establish academic education programs ranging from primary through post high school, as well as special education for the handicapped and mentally retarded
- (4) establish vocational and trade courses as appropriate for preparation for employment
- (5) determine physical facilities needed to carry out all education programs
- (6) review and approve applications for grants donations, contracts and other agreements from public or private sources
- (7) establish a twelve-month school program and teachers' pay schedule based on the state and average school supplement pay scales
- (8) present an annual educational budget to the Department of Corrections for submission to the General Assembly. The Department of Corrections when making its annual budget request shall incorporate as a line item the budget of the district within its request. To the extent permitted by law any funds which may be appropriated by the General Assembly for the operation of the district shall not prohibit the district from securing any applicable federal funds or other funds which are available

HISTORY 1981 Act No. 168 § 7 1993 Act No. 181 § 485

CROSS REFERENCES

General powers and duties of school trustees, see § 59-19-90

LIBRARY REFERENCES

Schools 55

Westlaw Topic No. 345

CJS Schools and School Districts §§ 15 110 to 111 142 to 144 147 205 254 356 401

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SC ST § 24-25-70

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Code 1976 § 24-25 70

NOTES OF DECISIONS

In general 1

Teacher compensation 2

1 In general

Statutory provisions governing compensation, salary adjustments and annual leave did not create employment contract between corrections school district teachers, school district, and Department of Corrections (DOC), as statutes did not evidence any intent by General Assembly to create contractual rights. *Abraham v Palmetto Unified School Dist No 1* (S.C.App. 2000) 343 S.C. 36 538 S.E.2d 656 rehearing denied. Prisons ⇐ 8

2 Teacher compensation

Statute that directed school board to establish pay scales for teachers in twelve month corrections system school program required board to pay teachers salary supplement, in addition to state-wide minimum salary based on state wide supplement average, as interpreting term average school supplement to mean that board was only require to pay state minimum salary would be untenable and use of plural term scales evinced intention to pay teachers based on two schedules state pay scale and average school supplement scale. *Abraham v Palmetto Unified School Dist. No 1* (S.C.App. 2000) 343 S.C. 36 538 S.E.2d 656 rehearing denied. Prisons ⇐ 8

Fact that benefits received by teachers in corrections department school district exceeded those received by teachers in public school districts did not relieve Department of Corrections and school district from obligation to pay teachers according to law as nothing in overall legislative scheme governing pay permitted extra benefits to be set-off against teachers salaries. *Abraham v Palmetto Unified School Dist No 1* (S.C.App. 2000) 343 S.C. 36 538 S.E.2d 656 rehearing denied. Prisons ⇐ 8

Teachers who worked in corrections school district on twelve-month schedule were compensated at same rate as public school teachers despite teachers claims that they were not compensated for holidays and vacation time as year round teachers worked 235 days as compared to 190-day work year for public school teachers, and corrections school district teachers were paid 124 percent of public school teachers salaries. *Abraham v Palmetto Unified School Dist No 1* (S.C.App. 2000) 343 S.C. 36 538 S.E.2d 656 rehearing denied. Prisons ⇐ 8

Code 1976 § 24-25-70 SC ST § 24 25 70

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Code 1976 § 24 25-80

Code of Law. of South Carolina 1976 Annotated Currentness
Title 24 Corrections Jails Probations, Pardons and Pardons
* Chapter 25 Palmetto Unified School District No 1

- § 24-25-80 Duties of district Superintendent of Education

The duties of the district Superintendent of Education shall include the following

- (1) Identify goals and objectives for all educational services of the district
- (2) Develop policies and procedures for efficient delivery system of such services
- (3) Collect and analyze data necessary for research into planning and evaluation of educational services
- (4) Provide necessary information for preparation of an annual report of the district's operation
- (5) Prepare a separate budget of all necessary costs to be provided to the inmate by the unified school district,
- (6) Recommend to the school board plans for the renovations and designation of educational facilities
- (7) Provide all such studies research and evaluation of the district's operation as the board may request and perform such other duties as it may request.

HISTORY 1981 Act No 168 § 8

CROSS REFERENCES

General duties of county and district supermtendents see § 59-13-60

LIBRARY REFERENCES

Schools 63

Westlaw Topic No 345

CJS Schools and School Districts §§ 110 112 114 116 129 141 to 142, 168 to 191 194 to 195 218 244
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Code 1976 § 24-25-80 SC ST § 24-25 80

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Code 1976 § 24 25 90

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Code of Laws of South Carolina 1976 Annotated Currentness

Title 24 Corrections Jails, Probations, Paroles and Pardons

Chapter 25 Palmetto Unified School District No. 1

+§ 24-25-90 Superintendent and other personnel to be employed according to Department of Correction policies

The superintendent of the district and all other educational personnel shall be employed, supervised, and terminated according to the South Carolina Department of Corrections personnel policies and procedures

HISTORY 1981 Act No. 168 § 9

LIBRARY REFERENCES

Schools 63

Westlaw Topic No. 345

CJS Schools and School Districts §§ 110 112 114 116 129 141 to 142 168 to 191 194 to 195 218 244 248 253 259 264 to 265 321 341 to 342 346 725

Code 1976 § 24 25-90 SC ST § 24 25-90

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SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

MEMORANDUM

TO All Employees
FROM Jon E. Ozmint, Director
SUBJECT Retirement Opportunity
DATE July 16, 2003

Over the last two years, the Department of Corrections has made numerous attempts to address our budget shortfall. These efforts have included reduced spending, elimination of probationary staff, voluntary furloughs, holding positions vacant, and recently, a reduction-in-force. While these have helped, our budget for the next fiscal year appears to lack the necessary funding to operate the agency. Fortunately, There may be a method to further reduce costs without reducing our valuable staff and have a positive impact on many of our employees.

I am pleased to announce the opportunity for employees to retire from the agency and continue working in their present position in a temporary capacity. Employees who retire between August 1 – October 1, 2003 will be allowed to return to work after a required break and earn an hourly rate of pay equal to 75% of their current salary (not including ERT team payment) as a temporary employee – and also receive their retirement income. This opportunity will allow most employees to actually increase their present income, and at the same time, provide real savings to the agency.

Re-employment as a temporary employee after retirement includes

- PORS retirees must experience a 15 calendar-day break in service, with no limitation on their fiscal year earnings. SCRS and PORS/SCRS split-system retirees must experience a 60 calendar-day break in service, with a \$50,000 fiscal year earnings limitation.
- Retirees will be hired into their same position as a temporary employee. While continued employment is not guaranteed, the rehire process is being offered in order to retain our valuable employees and reduce direct costs to the agency.
- No benefits are associated with temporary employment, i.e. health, dental, life, sick/annual leave, & holidays – only retiree benefits will apply. The new hourly rate of pay will be for hours actually worked.

Employees who are eligible to retire and interested in returning to work in a temporary position should follow the procedures on the attachment to this memorandum.

S/

Jon E. Ozmint

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STATE OF SOUTH CAROLINA) BEFORE THE SOUTH CAROLINA
COUNTY OF RICHLAND) OFFICE OF HUMAN RESOURCES
)

ORIGINAL

James "Cal" Bell, Othella Bernard,
Katherina Bower, Linda M W Bratton,
Ann T Bridges, Rance C Cobb, Jeannie
B Croxton, Bernetha L Culbreath,
William K Dreyer, Jacqueline D Farr,
Ruth Fritts, Nancy Glenn, Etta Jane
Jones, Geneva M Martin, Mary H McCabe,
Beverly McClanahan, Max D Randolph,
Carolyn McIver Smith, Maggie G Williams,
and Paula Woodlief,

Plaintiffs,

v

South Carolina Department of Corrections
and Palmetto Unified School District
No 1,

Defendants,

**THE VIDEO DE BENE ESSE DEPOSITION OF
CHARLES WILLIAMS**

Wednesday, November 12, 2008

10 51 a m - 11 28 a m

The Video De Bene Esse Deposition of Charles Williams, taken on behalf of the Plaintiffs at the law offices of McDonald, Patrick & Baggett, P A , 414 South Main Street, Greenwood, South Carolina, on the 12th day of November, 2008 before Margaret S Smith, Court Reporter and Notary Public in and for the State of South Carolina, pursuant to Notice of Deposition and/or agreement of counsel

APPEARANCES

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Attorney for the Defendants

Also Present
Suzanne Bryant, Videographer

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EXHIBITS

(There were no exhibits marked to this deposition)

STIPULATIONS

It is stipulated and agreed that this deposition is being taken pursuant to the South Carolina Rules of Civil Procedure

It is further stipulated and agreed that the formalities of taking a videotaped deposition are hereby waived

It is stipulated by and between counsel and the witness that the reading and signing of the following deposition be, and the same are, hereby waived

1 MR NICKLES For the record, this is a de bene esse
2 deposition and it's for submission at the
3 hearing before the State Employee Grievance
4 Committee in the matter of Bell and others
5 versus Department of Corrections

6 CHARLES WILLIAMS, being duly sworn, deposes and
7 testifies as follows

8 MR WILLIAMS - EXAMINATION BY MR NICKLES

9 Q Mr Williams, my name is Al Nickles I'm an
10 attorney with the law firm Gergel, Nickles &
11 Solomon in Columbia I'm representing 20
12 former educators at the South Carolina
13 Department of Corrections Palmetto Unified
14 School District I've asked you to be here
15 today to answer questions under oath When I
16 ask you questions, I'm going to try to make my
17 questions clear to you If my questions aren't
18 clear to you, will you tell me, please, sir?

19 A Yes

20 Q If, for any reason, during the course of this
21 deposition you need to take a break or you need
22 to have any type of comfort break, please let
23 us know We think this deposition will be
24 brief Now, are you aware of any conditions
25 this morning that would interfere with your

1 ability to hear, understand or respond to any
2 of my questions?

3 A I don't think so I'm a little bit hard of
4 hearing If I need you to repeat it, I'll ask
5 you

6 Q Okay Have you heard everything clearly that
7 I've said thus far this morning?

8 A Yes

9 Q And if you don't hear my question fully, please
10 tell me Sometimes my voice is a lower
11 register and it's harder to hear than someone
12 who has a higher pitched voice So will you do
13 that if you don't hear me?

14 A Okay

15 Q State your full name for me, please, sir?

16 A It's Charles L Williams

17 Q All right What's your address, Mr Williams?

18 A It's Post Office Box 1778, Greenwood

19 Q All right, sir

20 A 29648

21 Q Are you currently employed, Mr Williams?

22 A No

23 Q Are you retired?

24 A Yes

25 Q Okay Where were you last employed?

1 A South Carolina Department of Corrections

2 Q Okay What was your position there?

3 A Vocational teacher I taught carpentry

4 Q Okay And at what institution did you teach
5 carpentry?

6 A Most recent institution?

7 Q Yes, sir

8 A Tyger River Correctional

9 Q Okay How long did you teach carpentry there?

10 A Approximately ten years

11 Q And did you have service at any other
12 institutions in the Department of Corrections?

13 A Yes

14 Q Tell me about those, please

15 A Well, I left Trenton I was there for several
16 years

17 Q What did you do at Trenton?

18 A Same job I taught carpentry to the youthful
19 offenders

20 Q Okay Did you teach at any other facilities?

21 A Yes

22 Q What were those?

23 A I taught at Greenwood Correctional Center
24 approximately 12 years

25 Q And was that also carpentry?

1 A Yes

2 Q Okay Any other locations?

3 A No

4 Q How many total years did you teach carpentry in
5 the Department of Correction facilities?

6 A Well, that's a good question Little over 20
7 years I went back on the pink slip and worked
8 an extra year after I retired

9 Q And what do you mean by pink slip?

10 A Temporary employee

11 Q What years were those or what year was that
12 that you were a pink slip employee?

13 A Let me think about it a minute I believe it
14 was Fiscal Year June 30 through July 1, '84 to
15 '85

16 Q All right, sir And tell me when did you
17 retire from the Department of Corrections?

18 A At the end of that fiscal year I retired and
19 stayed out my two weeks or 15 days and rehired
20 as a temporary employee

21 Q Okay Now, was it 2004-2005?

22 A No Temporary employee I think I'm not
23 real sure I believe it was yeah, I
24 believe you right, Mr Nickles

25 Q Okay

1 A I believe it was that

2 Q All right Now, were you employed at Tyger
3 River in 2003?

4 A Yes

5 Q And were you aware of a reduction in force that
6 took place during that year?

7 A Yes

8 Q Did you lose your position in that reduction in
9 force?

10 A No

11 Q Did you know people that did?

12 A Yes

13 Q Were there people at Tyger River that were
14 separated as a result of the reduction in
15 force?

16 A Yes

17 Q Were any of those in the vocational area?

18 A Yes

19 Q Okay Were any of those folks later replaced
20 by other employees to teach vocation?

21 A Yes

22 Q Who might that have been?

23 A Well, let's see, the lower yard, I think those
24 teachers got to stay And

25 Q What do you mean by lower yard, Mr Williams?

- 1 A Well, Tyger River, they merged with Cross
2 Anchor It was Dutchmen and Cross Anchor
3 originally, two different institutions, but
4 they sit side-by-side So they decided to
5 merge the two together and change the name from
6 Dutchmen to Tyger River So we were pretty
7 much described as upper yard where Dutchmen was
8 located and lower yard where Tyger I mean,
9 excuse me, Cross Anchor
- 10 Q Oh, okay
- 11 A was located
- 12 Q When did that merger take place approximately?
- 13 A I'd say just estimate probably around 2000
- 14 Q Okay All right, sir Was the vocational area
15 in the upper yard or the lower yard?
- 16 A Both
- 17 Q Both?
- 18 A You had a body and fender on the lower yard and
19 also auto mechanics They just had two down
20 there We had three on the upper yard of Tyger
21 River
- 22 Q Who was that?
- 23 A After me, carpentry, Mr Randolph, brick
24 masonry, and Michael Poole, heating and air or
25 HVAC

1 Q All right, sir Were any of those positions
2 eliminated in the reduction in force in 2003?

3 A No

4 Q Okay Did any of those individuals leave as a
5 result of reduction in force?

6 A Now, you're talking strictly vocational or

7 Q Yes, sir, just vocational

8 A Okay I can think of one, I think only one was
9 Mr Randolph, brick mason instructor

10 Q Okay And was he replaced by somebody else?

11 A Yes, the guy at Northside Correctional
12 Institute bumped him

13 Q Okay And what was that individual's name?

14 A Brooks Brooks Henderson

15 Q All right, sir Where was the in the upper
16 yard, were the carpentry and masonry area and
17 HVAC areas close to one another?

18 A They were side-by-side, actually in the same
19 building Just had partition walls between
20 them

21 Q Okay

22 A I shared a classroom with the masonry
23 instructor

24 Q All right, sir Do you know who Mr Jon Ozmint
25 is?

1 A Yes

2 Q Who is he?

3 A He's the Director over the Department of
4 Corrections

5 Q All right, sir Have you ever been in his
6 presence?

7 A Yes

8 Q On how many occasions?

9 A I can only think of one

10 Q Okay Would you describe that for me, please?

11 A No, excuse me, twice When they were giving
12 out people who had been there for some many
13 years anyway, when I made my 20, I got a
14 little diamond pendant with the little chips of
15 diamonds

16 Q Yes, sir

17 A So he was at that meeting That's was in
18 Columbia

19 Q Okay Did you ever were you ever in his
20 presence at Tyger River?

21 A Yes

22 Q Can you tell me about that, please?

23 A Well, he came through carpentry and brick mason
24 you have to go through the academic
25 building to get to the vocational building and

1 then there's three classes, as I mentioned
2 And would you repeat that question, please?
3 Q Yes, sir I said, would you tell me about
4 you said that you were in his presence at Tyger
5 River on one occasion

6 A Right You know, naturally on a job place they
7 say, so and so is coming when the big shot
8 comes around or whatever They said Ozmint was
9 on his way, he was coming through, coming down
10 And to kind of give you a heads up, that's just
11 the thing in most workplaces And he came
12 through the carpentry shop, him and Mr Lloyd
13 and I believe Mr Lloyd was acting Warden at
14 the time, Barney Lloyd

15 Q All right, sir

16 A And he came through the carpentry shop Mr
17 Randolph and I were standing outside talking
18 It was kind of an overcast day, sort of like
19 today actually, and we was opening our overhead
20 doors up and teachers would chat that way, he'd
21 watch his class and watch mine But this time
22 I think we was just talking I don't believe
23 we had inmates

24 Q All right

25 A I believe it was it was either right before

1 lunch or right after lunch, I'm not sure They
2 walked in and naturally everybody, especially
3 teachers at this time, was real concerned about
4 this RIF thing and we were told that when he
5 comes through if you have any questions be sure
6 and ask him So he came through and introduced
7 himself, him and Mr Lloyd and Mr Randolph and
8 I was asking some questions And Mr Poole was
9 there and at some point he walked off and went
10 back to his area because it didn't concern him
11 And so as he introduced himself and we
12 introduced ourselves and so forth you know,
13 that's been, what, about five years ago

14 Q Yes, sir

15 A Four or five years ago?

16 Q Yes, sir

17 A So it's kind of hard to recall, you know, what
18 was said, what was done I can

19 Q And all I'm asking you is to the best of your
20 recollection I don't want you to speculate
21 about anything

22 A Oh, okay

23 Q As best as you can recall, do you remember
24 anybody saying anything to Mr Ozmint?

25 A Yeah Max Randolph did and I said a few things

1 too And

2 Q Do you recall anything that Mr Randolph said
3 to him?

4 A Yeah

5 Q What was that that you recall?

6 A He said that he had been teaching there 14
7 years and he didn't think the RIF was right,
8 wasn't fair If I'm not mistaken, he was going
9 to get bumped and go down to the coast, but I
10 don't think he did Somebody said he went to
11 a high school or something or career center

12 Q Okay

13 A Could you repeat that question again?

14 Q Yes, sir I said, what what, if anything,
15 do you remember that Mr Randolph said to Mr
16 Ozmint?

17 A Oh, yeah He stressed how, you know, how hurt
18 he was, that he intended on working, I believe
19 he said, five or six more years and he wanted
20 to retire there And it'd be a hardship on him
21 to move to the coast And so as him and Mr
22 Ozmint were talking back and forth, Mr Ozmint
23 would you rather for me to give you I
24 mean, it's hard to give word for word or any of
25 that

1 Q No I want just your best recollection

2 A Well, they were talking and somehow or another
3 the lawsuit was brought up and Mr Ozmint
4 brought it up and said that maybe if y'all
5 hadn't have sued you might still have your
6 jobs And Mr Ozmint was using his hands like
7 this and saying, you know, there's so much
8 money here that we've got We've cut, cut,
9 cut, cut and we just don't have any choice but,
10 you know, to cut the teachers And Mr
11 Randolph again stressed, well, I don't think
12 that was right and, you know, and then he says
13 Mr Ozmint indicated somehow or another
14 that, you know, he didn't think it was right
15 that we sued them And at this time Mr
16 Randolph says, well, we didn't break any law
17 He says, rightfully, we just got what was ours
18 He said, if you owe the Internal Revenue a
19 dollar, you're going to have to pay them And
20 Mr Ozmint went on and he was indicating that,
21 you know, these are the deck of cards that were
22 dealt to me on this job and I've got to play
23 them the best way I can I don't know if those
24 were his exact words, but this was the way I
25 was interpreting Again, you've got this much

1 money here and you've got this much money going
2 out and he had cut, cut, cut and just couldn't
3 see no other way to doing it except, you know,
4 by, you know, cutting the teachers

5 Q Okay

6 A So the budget would balance somewhat And it
7 was pretty much cut and dry the way he
8 explained it that this was the way it was going
9 to be and so forth And also indicated that,
10 you know, if it hadn't been for the lawsuit we
11 might not be you know, there wouldn't be no
12 cut in the education and talked like maybe next
13 year would be even worse

14 Q Okay Do you remember anything else, the
15 exchange between Mr Ozmint and Mr Randolph or
16 Mr Ozmint and yourself on this occasion?

17 A Well, here again, I wasn't getting bumped or
18 cut or laid off I was real close to
19 retirement, so I didn't you know, I was
20 just glad I had my job and it wasn't going to
21 interfere with my future

22 Q All right, sir

23 A I was thrilled about that

24 Q Okay All right

25 A But I did feel sorry for the other teachers

1 I felt like there should be another way to do
2 it Now, the way Mr Ozmint explained it that,
3 you know, that was the only way he could see to
4 do it

5 Q All right Thank you Answer any questions
6 that Mr Summers may have

7 A Okay

8 MR WILLIAMS - EXAMINATION BY MR SUMMERS

9 Q It's still morning Good morning, sir

10 A Good morning

11 Q My name is Lake Summers Seated, I guess,
12 behind me as you look at me is Bart Vincent
13 He's with the Department of Corrections

14 A Okay

15 Q in the General Counsel's Office I'm an
16 attorney that's been hired by the Agency to
17 represent the Agency in the matter that Mr
18 Nickles described to you Okay?

19 A What was that last thing?

20 Q The matter the hearing

21 A Oh, okay

22 Q that Mr Nickles was describing to you
23 earlier

24 A Okay All right

25 Q And just as Mr Nickles said to you, I'm going

1 to try to ask questions that are clear If you
2 don't understand the question, please tell me

3 A I will

4 Q Okay And if you can't hear me or understand
5 what I'm saying, please tell me that too

6 A I will

7 Q Okay Your testimony with Mr Nickles was that
8 you heard the conversation between Mr Randolph
9 and Mr Ozmint, correct?

10 A Correct, because Mr Lloyd had wandered off and
11 it was just three of us standing there

12 Q Okay

13 A Mr Randolph was on the right, I'm standing
14 here and Mr Ozmint was in front of us

15 Q Okay But, as you said to Mr Nickles, it's
16 been, what, four or five years since that
17 conversation occurred?

18 A Right I if I was guessing, I'd say
19 probably five in about spring of the year or
20 something like that

21 Q Spring of the year?

22 A Yeah, early spring or something

23 Q And you said that you couldn't remember word
24 for word

25 A No, but I can remember, you know, the the

1 conversation of what was pretty much said and
2 the way it was answered and all that I can
3 try to do it word for word

4 Q Okay

5 A if you like, but I don't think I can But
6 I can give the gist of what happened

7 Q Okay And that's what did with Mr Nickles
8 when he asked the question?

9 A Right And I'm sure that Mr Ozmint would
10 probably agree, you know, he's telling the
11 truth

12 Q Okay

13 A You know, he had a job to run and it had to be
14 run that way because oh, yeah, one time he
15 said something about we can't cut security,
16 we've got to have that

17 Q And this was Mr Ozmint saying that?

18 A Right He was saying and in a kind of
19 roundabout way it was like, you know, if
20 anybody's got a better way, let me know You
21 know, this is it, this is the only way we can
22 do it at the present time I'm sorry about
23 people losing their jobs And he was just
24 running the job that was handed to him

25 Q Okay And you said, and I'm trying to make

1 sure I understand, you said something about a
2 lawsuit being brought up?

3 A Yeah He did mention that

4 Q Now, when you say he, was that Mr Randolph?

5 A No Mr Ozmint mentioned it first

6 Q Okay And do you recall what lawsuit this was?

7 A He was talking about the lawsuit the teachers
8 put against the State

9 Q Okay Were you involved in that at all?

10 A Yeah I mean, I signed my name to it

11 Q Okay

12 A so I was involved, yes

13 Q And you recalled if you could tell me about
14 what do you recall about Director Ozmint
15 bringing up, as you recall it, the lawsuit?

16 A Well, here again, he was pretty much describing
17 the job that they hired him for

18 Q Hired Mr Ozmint for?

19 A Right

20 Q Okay

21 A And this is the way it is and I think kind of
22 under condition with him, maybe if it hadn't
23 been for the lawsuit, this wouldn't be no lay
24 off for the teachers

25 Q Okay You sure he mentioned the teachers

1 specifically?

2 A Well, he may he indicated education or
3 teachers, I mean, it was because we're
4 talking about the RIF these little over 100, if
5 I'm not mistaken, got laid off or transferred
6 somewhere or something and that was what he was
7 talking about

8 Q Okay Now, do you ever recall Mr Ozmint
9 saying that the officers didn't get a pay
10 raise?

11 A I believe he did say that

12 Q Okay

13 A You know, that sounds I had forgotten about
14 that, but I believe he did mention that

15 Q Okay And did you hear Director Ozmint say
16 officers didn't get a pay raise and that was
17 not right?

18 A I believe he did indicate that I don't
19 remember word for word

20 Q How long did this conversation go on when you
21 were standing there with Mr Randolph and Mr
22 Ozmint?

23 A I'd say approximately five minutes

24 Q Okay Now, after this conversation, did you
25 and Mr Randolph talk about what Mr Ozmint had

1 said?

2 A Well, somewhat Mr Randolph went straight to
3 his office and got his notebook out and started
4 writing And I had walked across the
5 classroom connects to the two labs together and
6 he seemed to be somewhat nervous and all And
7 I said, what you doing, and he says

8 Q I'm sorry, sir, who seemed to be somewhat
9 nervous?

10 A Mr Randolph Nervous and hurt because he was
11 planning on retiring with the Department of
12 Corrections And he started writing something
13 down in just a regular notebook and I said,
14 what are doing, and he says, well, that was
15 important I'm writing this down, that Mr
16 Ozmint's not supposed to even discuss the
17 lawsuit And I didn't know that

18 Q How did Mr Randolph know that?

19 A He keeps up with things better than I do and it
20 was affecting him, not me

21 Q Okay

22 A Had it been affecting me, I would have probably
23 known that

24 Q Okay

25 A Because it was neither here or there to me

1 You know, because it was affecting him and not
2 me But he started writing something and I
3 said, what are you he said, that's
4 important Anytime something's important, I
5 always document it like that And I said,
6 well, I'm not going to document it He said,
7 yeah, you're not the one getting laid off

8 Q Okay

9 A And which I thought it was stupid at the time,
10 but now I look, I think it's pretty smart he
11 wrote that down

12 Q When's the last time you talked to Mr
13 Randolph?

14 A I think it was probably a week or so ago

15 Q Okay Do you recall what he said to you?

16 A Not really I mean, I recall that we was just
17 talking on the phone and, you know, I was
18 supposed to go to Columbia And I had a
19 doctor's appointment that day and I couldn't
20 make it And then we Mr Nickles set up
21 some way to do it over the telephone and I
22 couldn't I think y'all declined to have it
23 over the phone You wanted it face to face to
24 get me in the movie here I guess And I said,
25 you know, this really doesn't affect me I'm

1 retired I'm disabled, you know When you
2 retire, you want to put everything behind you
3 and move forward but still you want to do your
4 civic duty And we didn't Mr Randolph and
5 I, we're not what you call call each other once
6 a week or every six months or once a year
7 It's just real once you know, he's
8 older than I am, a little older than I am and
9 so forth and we really don't have that much in
10 common because he lives up in Chesney I believe
11 it is and I live in Greenwood And I can't
12 you know, I don't recall if you'd ask me
13 something more specific, you know

14 Q Okay Let me ask you this Before we get into
15 what specifically you recall or don't recall
16 Mr Randolph talking to you about last week,
17 when is the last time prior to last week that
18 you had talked to Mr Randolph?

19 A That was the last time I talked with him

20 Q Okay How about before that, though? How long
21 had it been since you all had talked before
22 this conversation that we're talking about?

23 A Probably a few days before that because I was
24 calling, you know, to see about getting a ride
25 down there with him, you know, and so forth,

1 you know, until change of plans came about

2 Q Right So you talked to him about getting a
3 ride down?

4 A Right

5 Q And then you had another conversation?

6 A Well, you take two guys I guess he and I worked
7 side-by-side for a while there probably five,
8 six, seven years and you become somewhat
9 friends just like attorneys or attorneys, y'all
10 are in the bar association and would you
11 repeat the question?

12 Q Sure I'm trying to make sure I understand how
13 many times you talked to Mr Randolph recently

14 A Recently, okay I probably talked with him
15 twice in the last three years, two years,
16 something like that

17 Q Okay And that would be last week?

18 A Yeah Yes

19 Q And you said the first time that y'all talked,
20 you called him about maybe getting a ride down
21 to Columbia?

22 A Right

23 Q Okay And then the second time that y'all
24 talked, who called who?

25 A I called him again and I said, what's going on,

1 you know, they want me to come down and I guess
2 testify or whatever I said, you know, I'm
3 retired, I don't he says, well, do what you
4 got to do He says, all you got to do is just
5 tell the truth

6 Q Okay

7 A And I said, well, I'll tell the truth because,
8 you know, this is not going to help me or hurt
9 me regardless of what I say But when I walk
10 out of this room, I'm going to know that I told
11 the truth on everything and I you know,
12 that's behind me

13 Q Okay

14 A I'm not either for it or against it at this
15 time I'm out I'm retired I'm happy

16 Q I understand And earlier you said that you
17 had signed you talked about the lawsuit,
18 the one that was discussed with Mr Randolph
19 and Mr Ozmint, correct?

20 A Correct

21 Q And you said you had signed your name to it?

22 A What? The first lawsuit?

23 Q Yes

24 A Yeah, yeah

25 Q Who was your attorney in that?

1 A Mr Nickles

2 Q Okay So you've known Mr Nickles for some
3 time?

4 A Well, I think I've only met him two or three
5 times I don't know what you call I don't
6 guess I could say I know him

7 Q Right You've met him before?

8 A Yeah, and I liked to not have recognized him

9 Q I understand Do you recall what day of the
10 week last week, was it later in the week that
11 you had this second conversation with Mr
12 Randolph?

13 A Oh, it was later, more like dusk dark or more

14 Q That was time of day, okay

15 A Right after supper or something

16 Q Okay You recall what day of the week it was?

17 A No, I don't I think it was the day before he
18 was supposed to ride down or something It
19 might have been two days before

20 Q Okay So that was the first conversation he
21 had, a day or two before?

22 A Yeah

23 Q Okay

24 A Yes

25 Q Okay Do you recall what day you were supposed

1 to come down?

2 A Wednesday, I believe

3 Q Okay And, again, I don't know if we've put
4 this on the record, but why weren't you able to
5 come down last week?

6 A Well, I had a doctor's appointment

7 Q Okay

8 A I wasn't really wanting to break that doctor's
9 appointment for health matters on my end and so
10 I got in touch with Mr Nickles and told him
11 He says, well, would you rather come a
12 different time I says, well, that would be
13 great, and he says, well, I see what I can do
14 I'll call you back And when he called me back
15 I believe it was I think it was the next day or
16 it might have been, you know, that same day
17 It's hard to recall But he said something
18 about would you have any objections of doing
19 this over the telephone I said, no, I
20 wouldn't have any objections And then when it
21 came down to that, y'all said, you know, we
22 want to see him eye to eye or something and so
23 that's when, you know, I was supposed to he
24 offered to send a car to pick me up, that's
25 right

1 Q This was Mr Nickles?

2 A Right He says, you want me to come pick you
3 up and bring you transportation I said, well,
4 it's about 150 miles round-trip and somebody
5 come get me and come back again and probably
6 have to go back And I said, no, I don't
7 particularly like that, and he said, well, let
8 me see what I can do I'll get back with you

9 Q Okay

10 A And then the next time we talked was my house,
11 coming to my house today actually

12 Q Right

13 A Approximately 11 00, so I had my daughter and
14 this lady that helps me cleaning my house,
15 getting ready for you guys And when he called
16 back and said something about the I believe
17 it was yesterday, was it when I called you?

18 MR NICKLES You can't ask me questions

19 A Oh, I'm sorry

20 Q That's okay Just the best you can remember

21 A All right A couple of days ago I believe it
22 was

23 Q Okay And he says, you ready to go and he used
24 the word video in his sentence, and I said, no,
25 I didn't know video and all that, you know My

1 house is not dirty but a little cluttered and
2 all And I'm thinking, you know, I don't have
3 anything to gain or anything to lose on this
4 thing and bringing videos You know, a man's
5 home is his castle, as you've always heard,
6 coming in there And he said, would you rather
7 not coming in your home and somewhere else, I
8 said, yeah, if you can get something He said,
9 I'll see what I can do And then that's how we
10 ended up here, to the best of my recollection

11 Q Okay Let me ask you a couple more questions
12 and we've taken up enough of your time today,
13 but let me ask a couple more You said you had
14 not talked to Mr Randolph probably, what, two
15 or three years, for two or three years before
16 the conversations?

17 A Right

18 Q Okay When you talked to Mr Randolph last,
19 two or three years ago, do you recall what that
20 conversation was about?

21 A I think it was just a just calling a
22 friend, you know, see how you're doing, how
23 your job's coming, your retirement and so
24 forth He told me, I think his son had gotten
25 married, you know, and just two friends

1 talking

2 Q Now, you said there were some notes or some
3 kind of paper that Mr Randolph was writing on?

4 A Yeah, he went straight to his office and

5 Q This is going back to the conversation

6 A Right

7 Q after the conversations?

8 A Pulled out a spiral notebook and started
9 writing in it

10 Q Did you ever take a look at what he wrote down?

11 A No

12 Q Did y'all ever talk about it?

13 A No

14 Q Okay

15 A Oh, yeah, he said something about they wasn't
16 supposed to he wasn't supposed to bring up
17 the lawsuit and discuss that I said, well, I
18 didn't know that, which I didn't know that We
19 were talking openly, all three of us, and Mr
20 Randolph, when Mr Ozmint indicated that he
21 didn't think that was right or fair of the
22 teachers suing the State for that back pay

23 Q Well, is that what he said?

24 A Well, he didn't say that in those words, but he
25 indicated that

1 Q Okay

2 A And that's when Mr Randolph got on the
3 defensive end and says he brought the IRS
4 up and he said, if you owe them a dollar,
5 they're going to collect theirs with interest
6 And I think Mr Ozmint then indicated, well, I
7 still don't think it's right and then he went
8 on about what all he had to do, the cut, budget
9 cuts and all And he indicated, you know, if
10 you've got a better way, show me, you know
11 It's like I've got to do this, do this, and do
12 that We've got to have security They've got
13 to eat, and so forth

14 Q And you talked about there was a Mr Poole?

15 A Yeah, heating and cooling instructor

16 Q All right Was he there for this conversation?

17 A I think he was there for some of it and he
18 walked off and went back to his area

19 Q Do you recall what part of it Mr Poole might
20 have been there for?

21 A Well, probably the first couple minutes I would
22 say

23 Q Okay So the topics that we were talking
24 about, Mr Poole might have heard?

25 A It's possible

1 Q Do you recall Mr Poole asking any questions?

2 A No, huh-uh He didn't ask any questions It
3 wasn't affecting him and he could see the
4 you know, hands going, people talking, you
5 know, he didn't want to get involved He went
6 back to his area which was the smart thing to
7 do, I guess

8 Q Did Mr Poole talk to you afterwards about Mr
9 Ozmint being there?

10 A He did mention something, he said, boy, y'all
11 got a little heated up over there, didn't you,
12 Mr Randolph I said, well, he's losing his
13 job, what do you expect

14 Q So he was talking about Mr Randolph getting
15 kind of heated up?

16 A Yeah, talking about Mr Randolph See, he
17 didn't he wasn't going anywhere and neither
18 was I

19 Q When you say he, Mr Poole?

20 A Right

21 Q Okay

22 A Mr Poole wasn't going anywhere and neither was
23 I It was basically Mr Randolph and, you
24 know, he took it personally I would imagine
25 I probably would have too Probably you too

1 Q Obviously, that may or may not be the case
2 We're asking you questions

3 A Well, put yourself, you know, about late 50's,
4 early 60's, five or six years from retirement
5

6 Q And you're speaking of who, sir, I'm sorry?

7 A Mr Randolph

8 Q Not me?

9 A No, you're still young

10 Q Relatively

11 A Right But, you know, you'd probably do the
12 same thing or maybe I would too

13 Q Okay

14 A But at this point, you know, I'm home free

15 Q I understand

16 A The Department of Corrections has been good to
17 me

18 Q And I may not have written this down How old
19 are you now, sir?

20 A How old am I?

21 Q Yes, sir

22 A I'll be 60

23 Q Okay

24 A next month

25 Q All right Well, happy early birthday

1 A Well, thank you

2 Q I have no further questions for Mr Williams

3 MR NICKLES No questions Just to thank you for
4 your cooperation

5 A You're quite welcome

6 (There being no further questions, the deposition
7 concluded at 11 28 a m)

8

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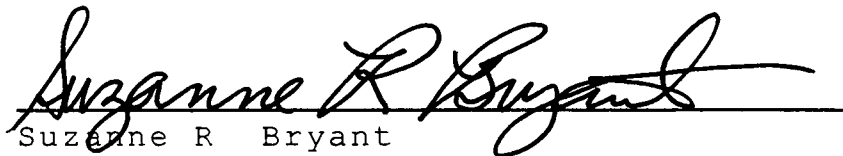
23

24

25

CERTIFICATE

I, Suzanne R Bryant , hereby affirm that I am familiar with the provisions of Rule 30(h) pertaining to videotape depositions and will assure that the videotaping of this deposition is done in compliance with the provisions of Rule 30(h) and in an impartial manner


Suzanne R Bryant
Court Reporter

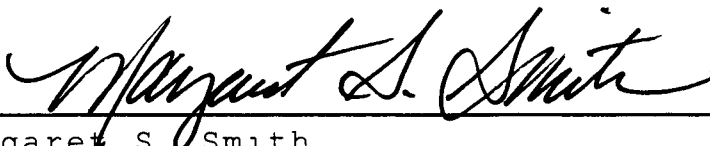
Notary Public for South Carolina
My Commission Expires September 21, 2014

CERTIFICATE

This is to certify that the video deposition of **CHARLES WILLIAMS**, consisting of Thirty-Four (34) pages, is a true and correct transcript of the testimony given by said deponent after being duly sworn, said deposition was reported by the method of Stenomask with Backup

I further certify that I am neither employed by nor related to any of the parties in this matter or their counsel, nor do I have any interest, financial or otherwise, in the outcome of same

IN WITNESS WHEREOF I have hereunto set my hand and seal on November 13, 2008



Margaret S. Smith
Court Reporter

Notary Public for South Carolina
My Commission Expires January 28, 2010



S C Code of Regulations R 43-50

CODE OF LAWS OF SOUTH CAROLINA 1976 ANNOTATED
REGULATIONS
CHAPTER 43 STATE BOARD OF EDUCATION
ARTICLE 3 REQUIREMENTS FOR TEACHER EDUCATION AND CERTIFICATION REGULATIONS

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Current through State Register Volume 32, Issue No 9, eff
September 26, 2008

43 50 Persons Required to Hold a Teaching Certificate

Each individual employed in an instructional, classroom teaching position or who serves in a position designed for the support of the instructional program in a public school of this state must hold an appropriate South Carolina teaching credential. The licensing of related educational professionals in the areas of Audiology, Nursing, and Social Work is remanded to the established licensing boards effective July 1, 2000. Individuals employed as Trade and Industrial teachers are required to meet all general certification requirements except where specified otherwise.

HISTORY Amended by State Register Volume 23, Issue No 6, eff June 25, 1999

<General Materials (GM) - References, Annotations, or Tables>

EFFECT OF AMENDMENT

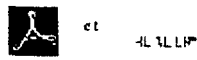
The 1999 amendment added the second and third sentences.

S C CODE REGS 43-50 SC ADC 43-50

SC ADC 43-50

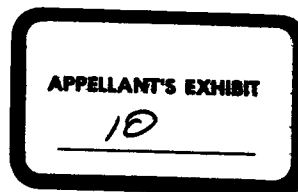
END OF DOCUMENT

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3388



Code 1976 § 59-25 20

Code of Laws of South Carolina 1976 Annotated Currentness

Title 59 Education

Chapter 25 Teachers

Article 1 General Provisions

➔ **§ 59-25-20 Qualifications of teachers**

No board of school trustees shall hereafter employ any teacher who has not a certificate to teach in the free public schools of the State. This provision, however, shall not affect the employment of any teacher now teaching in any of the schools of the special school districts. The trustees of any such school may also impose any additional examinations and qualifications they may deem proper before or after employing any teacher.

CREDIT(S)

HISTORY 1962 Code § 21-354, 1952 Code § 21 354, 1942 Code § 5358, 1932 Code §§ 5384, 5596, Civ C 22 §§ 2616, 2630, Civ C 12 §§ 1753, 1761, Civ C 02 §§ 1211, 1218, Cr C 22 § 452, 1896 (22) 165, 1920 (31) 1046, 1923 (33) 180, 1937 (40) 75

CROSS REFERENCES

Person with infectious disease being prohibited to teach and health certificate being prerequisite to teacher's employment, see §§ 44-29-150 et seq.

Prohibiting teacher or scholar to attend school to prevent spread of disease, see § 44-29-200

School trustees generally, see §§ 59-19-10 et seq.

Interstate agreement on qualification of educational personnel, see §§ 59-27-10 et seq.

LIBRARY REFERENCES

Schools ⇐ 133 1(1)

Westlaw Key Number Search 345k133 1(1)

C J S. Schools and School Districts § 206

ATTORNEY GENERAL'S OPINIONS

The school board may legally fix a policy prohibiting the employment of any teacher who is a member of a labor union. 1963-64 Op Atty Gen, No 1778, p 298

Code 1976 § 59-25 20, SC ST § 59-25-20

Current through End of 2007 Reg Sess

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END OF DOCUMENT

From Donna Traywick
To agency counsel email HR director email
Date 11/5/01 2:42PM
Subject Frequently Asked Questions (FAQs)

MEMORANDUM

TO Human Resources Directors and Attorneys of Agencies
 Departments Institutions of Higher Education Boards and
 Commissions

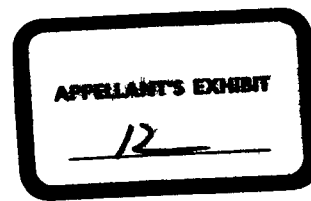
FROM Donna G. Traywick

DATE November 5, 2001

SUBJECT Frequently Asked Questions (FAQs)

As a part of our ongoing effort to provide Human Resources Managers easy access to HR information the Office of Human Resources is pleased to announce a new addition to our on line services. We have added a new section to our web site called Frequently Asked Questions (FAQs). You can access this information through the Hot Topics section at the following web address:
<http://www.state.sc.us/ohr/main.htm>

We have already developed FAQs for topics such as Reduction in Force and Temporary Grant/Time Limited Employees; our most recent addition is Military Leave. In the near future we will be adding other topic areas to include Voluntary Furlough, Voluntary Separation Programs, and Retirement Incentive Plans. Eventually we will provide FAQs on the most common topics related to recruitment, classification, compensation, employee relations, and human resources development. We hope this additional resource will help you address your agency's HR needs and provide leadership during these challenging times. Should you have any questions about the FAQs we have provided, please contact your HR Consultant at (803) 737-0970.



- Q Can an agency hire a temporary employee to replace an employee affected by a RIF or to perform the functions of a position eliminated by a RIF?

A An agency may not hire a temporary employee to perform the duties of an employee affected by a RIF. If these duties are required to be performed within one year of the effective date of the RIF, the agency should reestablish the position and implement its recall procedure.

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- ATTORNEYS AT LAW
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Richard Mark Gergel
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David E Rothstein
Dona L Guffey
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1519 Richland Street
Telephone (803) 779 8080
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office@gnsllaw.com

August 30, 2004

Scott T Justice, Esquire
Horger, Horger & Justice, L.L.C.
Post Office Box 518
Orangeburg, South Carolina 29116

RE James "Call" Bell, et al v SC Department of Corrections and Palmetto Unified
School District No 1
Civil Action No 04-CP-40-1761

Dear Mr Justice

I am in receipt of your letter dated August 23, 2004 wherein you indicated an interest in exploring a way in which the parties could reach some compromise regarding the requested information without the Court's intervention. It is our position that all of the requested information in the interrogatories and request for production are available pursuant to the Rules of Civil Procedure and the Administrative Procedures Act. See, S.C. Code Ann. § 1-23-380(5). Furthermore, the information requested is within the scope of discovery addressed in Ross v Medical University of South Carolina, 317 S.C. 377, 453 S.E.2d 880 (1995).

The discovery requests which have been provided also seek documents which are available for public inspection under the South Carolina Freedom of Information Act, S.C. Code § 30-4-10 et seq. Accordingly, in an effort to resolve this matter without unnecessary judicial intervention, I am submitting the following requests for information under the FOIA. Please designate any costs anticipated in the production of these documents and make such materials available for inspection and reproduction within fifteen days as provided by statute. We will withhold filing the Motion to Compel pending response to this request.

The information requested is as follows

- 1 A complete list of all positions occupied at the South Carolina Department of Corrections prior to the reduction in force effective June 1, 2003
- 2 A complete list of all vacancies existing immediately prior to the reduction in force

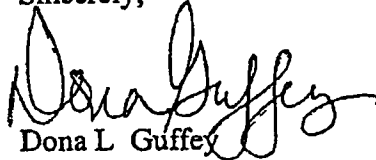
Scott T Justice, Esquire
August 30, 2004
Page two

- 3 A complete list of all new positions approved since the reduction in force
- 4 A complete list of all reclassifications and promotions and transfers implemented by the Department of Corrections during the calendar years 2002, 2003 and 2004
- 5 A complete list of all employees, indicating position and hire date, assigned responsibilities that were performed by certified educators prior to the reduction in force
- 6 A complete list of all employees affected by the reduction in force through reclassification, bumping or otherwise who have had their salary reinstated to pre-reduction in force levels
- 7 A complete list of all employees rehired or recalled following the reduction in force

This request is submitted to you in your capacity as legal representative of the Department of Corrections in the above matter. If, for any reason, you are not authorized to respond to this request, please designate the appropriate agent for purposes of service.

I look forward to hearing from you.

Sincerely,



Dona L. Guffey

DLG/pfb
File #03-156

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May 17, 2006

Via Facsimile (254-0309)

Lake Eric Summers, Esquire
Malone, Thompson & Summers, LLC
1312 Gadsden Street
Columbia, South Carolina 29201-3002

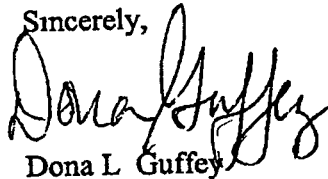
**RE: James "Cal" Bell, et al v SC Department of Corrections
Civil Action File No 04-CP-40-1761**

Dear Lake

Attached please find the following

- 1 Letter dated August 30, 2004 to Scott Justice Only received response to #1
- 2 Responses to Plaintiffs' First Set of Interrogatories and Requests for Production dated November 30, 2005 Still need responses to #'s 4-5 and #'s 7-12 Also, additional response needed for #6 for the years 2002 and 2003
- 3 Letter dated January 9, 2006 to Scott Justice No responses have been received

Sincerely,



Dona L. Guffey

DLG/pfb
Enclosures
File #03-156

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LABOR & EMPLOYMENT LAW
EMPLOYEE BENEFITS
IMMIGRATION

OF COUNSEL
ROBERT E ALLEN*

H FRANK MALONE
1930-2002

September 7, 2006

VIA HAND DELIVERY

W Allen Nickles, III, Esquire
Dona S Guffey, Esquire
Gergel, Nickles & Solomon, P A
Attorneys at Law
1519 Richland Street
Columbia, South Carolina 29202

Re Documents in Satisfaction of Outstanding Discovery Requests in Bell, et al, v SCDC v
Palmetto Unified School District (PUSD) No 1, Civil Action # 04-CP-40-1761

Dear Al and Dona

As I advised you in my e-mail response to Al's letter of September 1, 2006 concerning SCDC's long overdue responses to your remaining discovery requests, I was confident that I could deliver these responses to you by Friday, September 8. Thankfully, my confidence was well placed, as I now deliver to you documents in satisfaction of the remaining discovery requests in this case.

In an email to me on July 17, 2006, Dona distilled the discovery requests for which you demanded responses in the following manner:

- 2 A complete list of all vacancies by position existing immediately prior to June 1, 2003 (Immediately prior-the months of April and May 2003)
- 3 A complete list of all new positions (listed by position) approved by legislation or in-agency since June 1, 2003
- 4 A complete list of all reclassifications, promotions and transfers by individuals' names implemented by the DOC from Jan -Dec of the 2002, 2003, and 2004 years
- 5 A complete list of all employees by name, position and hire date that were assigned responsibilities that were performed by certified educators before June 1, 2003

September 7, 2006

Re Documents in Satisfaction of Outstanding Discovery Requests in *Bell, et al. v SCDC v Palmetto Unified School District (PUSD) No. 1*, Civil Action # 04-CP-40-1761

- 6 A complete list of all employees by name affected by the RIF through reclassification, bumping or otherwise who have had their salary reinstated to pre June 1, 2003 levels
- 7 A complete list of all employees by name rehired or recalled since June 1, 2003

As I first advised Dona in an email I sent to her on August 23, I forwarded these requests to John Near, SCDC's Director of Human Resources, for his review and action. As I also advised Dona in my email to her on August 23, Mr. Near "refined" the above stated requests in the following manner:

- 2 *A complete list of fillable vacancies as of June 1, 2003, sorted by state job class code, and including state job title, SCDC job title (if known), pay band, pay level, & vacancy location.*
- 3 *A complete list of any new positions authorized by the state legislature since June 1, 2003, and, a complete list of any positions with an effective date of July 2, 2003 through the present that were reclassified (including a different state job class code, pay band, or pay level), sorted by the new state job class code, including state job title, SCDC job title (if known), pay band, pay level & location name, and effective date of the action (note individual positions may have multiple transactions during this period)*
- 4 *A complete list of all reclassifications, promotions, demotions, reassignments, and transfers with an effective date of January 2, 2002 through December 17, 2004, sorted in date order by effective date, including employee name, new state job class code, state job title, SCDC job title (if known), pay band, pay level, & location name*
- 5 *A complete list of all employees hired, reclassified, promoted, demoted, or transferred June 1, 2003 and after who were assigned responsibilities that were performed by certified educators as of June 1, 2003, sorted by name, state job class code, state job title, SCDC job title (if known), pay band, pay level, and work location*
- 6 *A complete list of all employees affected by the RIF on June 1, 2003 who had their salary reinstated to the same level during the RIF recall period of June 2, 2003 through June 1, 2004, sorted by effective date, name, state job class code, state job title, SCDC job title (if known), pay band, pay level, and work location*

September 7, 2006

Re Documents in Satisfaction of Outstanding Discovery Requests in Bell, et al. v SCDC v Palmetto Unified School District (PUSD) No. 1, Civil Action # 04-CP-40-1761

- 7 *A complete list of all employees who were terminated by the RIF process and were recalled or rehired since June 1, 2003, sorted by hire date, name, state job class code, state job title, SCDC job title (if known), pay band, pay level, and work location, and whether in a full-time FTE position or part-time*

As I did not receive any objection from you regarding Mr Near's restatement of the requests Dona emailed to me on July 17, I now deliver to you the lists Mr Near generated in response to the requests Dona emailed me on July 17. The following table details the contents of SCDC's responses

Request #	Description	Total # of Pages
2	A complete list of fillable vacancies as of June 1, 2003, sorted by state job class code, and including state job title, SCDC job title (if known), pay band, pay level, & vacancy location	3
3	A complete list of any new positions authorized by the state legislature since June 1, 2003, and, a complete list of any positions with an effective date of July 2, 2003 through the present that were reclassified (including a different state job class code, pay band, or pay level), sorted by the new state job class code, including state job title, SCDC job title (if known), pay band, pay level, & location name, and effective date of the action (note individual positions may have multiple transactions during this period)	38
4	A complete list of all reclassifications, promotions, demotions, reassignments, and transfers with an effective date of January 2, 2002 through December 17, 2004, sorted in date order by effective date, including employee name, new state job class code, state job title, SCDC job title (if known), pay band, pay level, & location name	65

Page 4 of 4

September 7, 2006

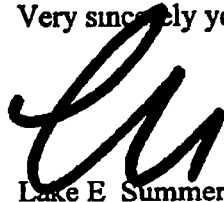
Re Documents in Satisfaction of Outstanding Discovery Requests in Bell, et al., v SCDC v Palmetto Unified School District (PUSD) No. 1, Civil Action # 04-CP-40-1761

5	A complete list of all employees hired, reclassified, promoted, demoted, or transferred June 1, 2003 and after who were assigned responsibilities that were performed by certified educators as of June 1, 2003, sorted by name, state job class code, state job title, SCDC job title (if known), pay band, pay level, and work location	6
6	A complete list of all employees affected by the RIF on June 1, 2003 who had their salary reinstated to the same level during the RIF recall period of June 2, 2003 through June 1, 2004, sorted by effective date, name, state job class code, state job title, SCDC job title (if known), pay band, pay level, and work location.	1
7	A complete list of all employees who were terminated by the RIF process and were recalled or rehired since June 1, 2003, sorted by hire date, name, state job class code, state job title, SCDC job title (if known), pay band, pay level, and work location, and whether in a full-time FTE position or part-time	2
	TOTAL # OF PAGES	115

As I stated in my September 1 email to both of you, we must first litigate your Petition for Judicial Review before we can tackle your complaint. Consequentially, I'm preparing to litigate your Petition for Judicial Review on or after September 18. Again, please let me know if you assess our priorities in a different manner. In the meantime, please give me a call should you have any questions regarding this letter or the documents accompanying the letter.

As always, I remain

Very sincerely yours,



Luke E. Summers

Enclosures

Cc (via e-mail)

David Tatarsky, SCDC General Counsel (w/out enclosures)

LAW OFFICES

MALONE, THOMPSON & SUMMERS LLC

3398

**THE STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

The Honorable Carolyn C Matthews, Administrative Law Judge

Case No 2009-ALJ-30-0103-AP

James "Cal" Bell, Othella Bernard, Katherina Bowyer, Linda M W Bratton,
Ann T Bridges, Rance C Cobb, Jeannie B Croxton, Bernetha L Culbreath,
William K Dreyer, Jacqueline D Farr, Ruth Fritts, Nancy Glenn, Etta Jane
Jones, Geneva M Martin, Mary H McCabe, Beverly McClanahan, Max D
Randolph, Carolyn McIver Smith, Maggie G Williams and Paula Woodlief,

Appellants,

vs

South Carolina Department of Corrections and Palmetto Unified School
District No 1,

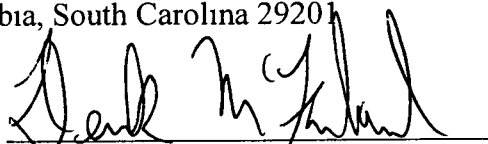
Respondents

CERTIFICATE OF SERVICE

I, Derrick K McFarland, Assistant General Counsel of the South Carolina Budget
and Control Board, Office of General Counsel, do hereby certify that I have this day
served a copy of the attached Record on Appeal on the parties listed below by causing
same to be delivered to as follows

W Allen Nickles, III
Attorney at Law
Post Office Box 1866
Columbia, South Carolina 29202-1866

Lake E Summers, Esquire
Malone, Thompson, Summers & Ott LLC
339 Heyward Street, Suite 200
Columbia, South Carolina 29201


Derrick K McFarland

Columbia, South Carolina
June 24, 2009