

Let's Work Together: The State Board of Education and School Boards

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S.C. Code Ann. § 59-1-425(A)

SECTION 59-1-425. Beginning and length of school term; make-up days; waiver; instructional days.

(A) A local school district board of trustees of the State has the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term is one hundred ninety days annually and must consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months. However, beginning with the 2007-2008 school year, the opening date for students must not be before the third Monday in August, except for schools operating on a year-round modified school calendar.



S. C. Code Ann. § 59-1-425(C)

SECTION 59-1-425. Beginning and length of school term; make-up days; waiver; instructional days.

(C) The State Board of Education may waive the requirements of making up days beyond the three days forgiven by the local school district, not to exceed three additional days missed because of snow, extreme weather conditions, or other disruptions requiring schools to close. Such a waiver only may be considered and granted upon the request of the local board of trustees through a majority vote of that local school board.



S.C. Code Ann. § 59-18-1570(A)

SECTION 59-18-1570(A). Designation of state of emergency in school district designated as school/district at-risk; remedial actions.

(A) If recommendations approved by the State Board of Education are not satisfactorily implemented by the school district according to the time line developed by the State Board of Education, or if student performance has not made the expected progress and the school district is designated as school/district at-risk, the district superintendent and members of the board of trustees shall appear before the State Board of Education to outline the reasons why a state of emergency must not be declared in the district.



S.C. Code Ann. § 59-19-190

SECTION 59-19-190. Purchase of land by trustees; reassignment or disposal of land purchased with State funds.

Whenever a board of trustees deems it expedient to acquire lands for public school purposes with any State funds, it may purchase, subject to the prior written approval of the State Board of Education, the lots or parcels of land necessary for such purchase. The reassignment or disposal of such parcels of land purchased after 1952 with any State funds shall be subject to the prior written approval of the State Board of Education.



S.C. Code Ann. § 59-19-350

SECTION 59-19-350. Schools of choice exempt from state laws and regulations.

(A) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create a school of choice within the district that is exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption. The exemption may be granted by the governing board of the district only if there is a two-thirds affirmative vote of the board for each exemption and the proposed exemption is approved by the State Board of Education.



S.C. Code Ann § 59-39-160

SECTION 59-39-160. Interscholastic activities; requirements for participation; monitoring; participation by handicapped; waiver.

(C) The State Board of Education may grant a waiver of the requirements of this section.

- (1) This waiver may be granted when a written statement from a school district superintendent and athletic director has been received stating circumstances, including, but not limited to:
 - (a) a student's ineligibility to participate in interscholastic activities is due to misinformation concerning eligibility requirements being provided by district personnel;
 - (b) a student's ineligibility to participate in interscholastic activities is due to a long-term absence as a result of a medical condition, but the student has been medically cleared to participate by his health care practitioner; or
 - (c) any reasonable circumstance as determined by the State Board of Education.



S.C. Code Ann. § 59-65-10 (denied – go back to check)

SECTION 59-65-10. Responsibility of parent or guardian; transportation for kindergarten pupils.

(A) A parent or guardian shall require his child to attend regularly a public or private school or kindergarten of this State which has been approved by the State Board of Education...or other programs which have been approved by the State Board of Education from the school year in which the child is five years of age before September first until the child attains his seventeenth birthday or graduates from high school...



Simplifying the Waiver Process

R. 43-261(C)

Waivers

Upon request of a district board of trustees or its designee, the State Board of Education may waive any regulation that would impede the implementation of an approved district strategic plan or school renewal plan. The State Board of Education may delegate to the State Superintendent the ability to waive regulatory requirements for similarly situated school districts and schools. The Superintendent will report regularly to the State Board of Education all waivers issued by the Superintendent. The State Department of Education will maintain a central electronic location of all waivers issued by the State Board of Education and the Superintendent.



R. 43-50

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.

R. 43-56

43-56. Foreign Applicants.

Applicants for initial teacher certification who have foreign transcripts or other credentials must consult with appropriate personnel at a regionally or nationally accredited college approved for teacher education purposes or which has programs approved for teacher education by the South Carolina State Board of Education to determine if requirements are met in the certification area.



R. 43-62(I)(C)

43–62. Requirements for Additional Areas of Certification.

(C) In the event that the State Board of Education should eliminate, revise, or adopt new certification areas, currently certified individuals who are affected may retain the areas of certification for which they previously qualified. However, the State Board of Education may require previously certified individuals to upgrade their certification by completing the new requirements within a specified period of time.



R. 43-62(VI)(A)(1–2)

IV. Career and Technology Add-On Certification

A. The add-on of a career and technology area of certification to an existing valid certificate allows the educator to practice and be considered in-field in the additional content area. Prerequisites for adding-on a content area to a current certificate are the following:

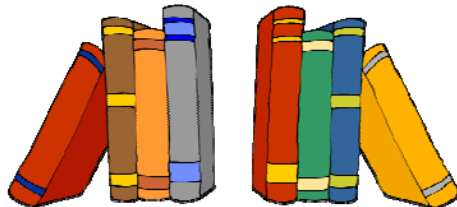
1. Bachelor's degree;
2. Initial or professional certificate at the early childhood, elementary, middle, secondary, or pre-K-12 Level;

R. 43-64(II)(D)

43–64. Requirements for Additional Areas of Certification.

D. MEDIA SPECIALIST

1. Master's degree
2. Completion of an advanced program approved by the State Board of Education for the preparation of media specialists or school library media specialists
3. Minimum qualifying score(s) on the area examination(s) required by the State Board of Education.



R. 43-70, Section 14

SECTION 14. Submission of Materials by Schools or School Districts

A school or school district may submit for review materials which in their opinion best suit the needs of the students in their care. Upon submission, the school or school district shall be notified of the time frame within which they may expect to have the materials for use in schools. Materials to be used during the following school year must be approved by the State Board of Education by May of each year.



R. 43-205(II)(A)(3) and (II)(B)(1)(c)

43-205. Administrative and Professional Personnel Qualifications, Duties, and Workloads.

A. Professional Personnel Qualifications and Duties

II. Prekindergarten through Grade Five

3. Teachers, Guidance Counselors, and Library Media Specialists

Each teacher, guidance counselor, and library media specialist must be properly certified by the State Board of Education.

B. Professional Personnel Workload

1. Regular Education Teachers

(c) Class sizes must not exceed the following student-teacher ratios:

<u>Grade Level</u>	<u>Maximum Student-Teacher Ratio</u>
Prekindergarten	20:1
Grades K-3	30:1
Grades 4-5 (English language arts and mathematics)	30:1
Grades 4-5 (all other subjects)	35:1



R. 43-205 (II)(B)(2)(a)

43-205. Administrative and Professional Personnel Qualifications, Duties, and Workloads.

- II. Prekindergarten through Grade Five
- 2. Guidance Counselors and Specialists in Art, Music, and Physical Education
 - (a) Schools having any combination of grades one through five must employ the full-time equivalent (FTE) of a school guidance counselor and specialists in art, music, and physical education (PE) in the following ratios for each area:

<u>Average Daily Enrollment</u>	<u>FTE</u>	<u>Minimum Allotted Time Daily</u>
800 or more	1.0	300 minutes
640-799	.8	240 minutes
480-639	.6	180 minutes
320-479	.4	120 minutes
Less than 320	.2	60 minutes



R. 43-205 (III)(A)(1)(a) and (IV)(A)(1)(a)

43-205. Administrative and Professional Personnel Qualifications, Duties, and Workloads.

- III. Grades Six through Eight
 - A. Professional Personnel Qualifications and Duties
 - 1. Principals
 - (a) Each school with an enrollment of 250 students or more must employ a full-time properly certified principal. Schools with fewer than 250 students in enrollment must be staffed with at least a half-time properly certified principal. A principal's duties and responsibilities are to be prescribed by the district superintendent. The district superintendent must request an out-of-field permit from the Office of Educator Certification for each principal who is not properly certified.
- IV. Grades Nine through Twelve
 - A. Professional Personnel Qualifications and Duties
 - 1. Principals/Directors
 - (a) Each school must be staffed with a full-time properly certified principal/director whose duties and responsibilities must be prescribed by the district superintendent. The district superintendent must request an out-of-field permit from the Office of Educator Certification for each principal/director who is not properly certified.

R. 43-205 (IV)(A)(1)(a), (IV)(B)(3)(b) and (IV)(B)(3)(c)

43–205. Administrative and Professional Personnel Qualifications, Duties, and Workloads.

IV. Grades Nine through Twelve

A. Professional Personnel Qualifications and Duties

1. Principals/Directors

- (a) Each school must be staffed with a full-time properly certified principal/director whose duties and responsibilities must be prescribed by the district superintendent. The district superintendent must request an out-of-field permit from the Office of Educator Certification for each principal/director who is not properly certified.

B. Professional Personnel Workload

3. Classroom Teachers

- (b) A teacher must not be permitted to teach more than 1,500 minutes per week.
- (c) A teacher must not be assigned classes requiring more than four preparations per day.



R. 43-232(I)(B)

43–232. Defined Program 6–8.

B. High School Credit

When approved by the principal and the parents, a student promoted to the seventh or eighth grade may take units of ninth grade or higher work for high school credit. The high school courses offered must be limited to core, career and technology education, and foreign language courses that are currently in the 9–12 section of the *Activity Coding System for the Student Information System*.

*Exceptional sixth graders to earn high school credit.



R. 43-220(II)(A)(8)



43-220. Gifted and Talented.

II. Academics

A. Programming

8. The programming must provide appropriate and sufficient time to assure that the goals and objectives of the programming are met. The following time requirements must be met by resource room/pull-out (R/P) and regular special classroom/ itinerant (SC) teacher programming models at respective grade levels to assure funding:

<u>Grades</u>	<u>Programming Model</u>	<u>Minimum Minutes Per Year (Per Week*)</u>
1-3	R/P	4500 (125)
	SC	8100 (225)
4-8	R/P	7200 (200)
	SC	8100 (225)
9-12	SC	8100 (225)

* = Assumes programming services of 36 weeks per school year.

R. 43-261

43-261. District and School Planning.

A. Development of District Strategic Plan and School Renewal Plans

2. New five-year district and school plans shall be submitted to the State Department of Education by April 30, 2005, and every five years thereafter. Plans will become effective on July 1 of the same year. The annual update of the district strategic plan must be submitted to the State Department of Education by April 30 of each year or, if applicable, on the AdvancED plan deadline, whichever is later.



Proviso 1.77

1.77. (SDE: Technology Technical Assistance)

Funds appropriated to the Department of Education for Technology Technical Assistance must be used to increase the capacity of districts who are or were the original trial and plaintiff school districts in the Abbeville law suit. Funds shall be used by the department to assist school districts in procuring appropriate technology to include devices and infrastructure in accordance with the recommendations made by the technology review team to begin to build capacity to offer online testing and increased access. For the current fiscal year districts and individual public charter schools may request a waiver from the State Board of Education from the requirement that all assessments be administered online.

