

**SOUTH CAROLINA  
SCHOOL BOARDS ASSOCIATION**

**2019**

**DELEGATE  
ASSEMBLY**

**HANDBOOK**

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## **The Board of Directors is pleased**

to present the 2019 Delegate Assembly Handbook in preparation for the South Carolina School Boards Association’s annual business meeting. The meeting will be held from 2 - 5 p.m., Saturday, December 7, 2019, at the Charleston Marriott.

As a school board member and public official in South Carolina, you play a critical role in the decisions of this official Delegate Assembly. Delegates will convene on December 7 to make important decisions on behalf of governing boards and students in all 79 school districts. They will elect the association’s leadership and adopt positions on educational issues that reflect the philosophies of the membership.

Take time to read the annual report and financial data. Your boards should be familiar with the resolutions after reviewing them in October or November. They are presented again in this booklet for your review. Your discussion will offer valuable guidance to those serving as your delegates at the Delegate Assembly. Finally, plan to attend the annual business meeting from 2 - 5 p.m. on December 7. Even if you are not an official delegate, you are invited to observe the meeting in a special visitor’s section. Your involvement enables SCSBA to serve as the leading voice for public education and for public school governance in South Carolina. As a reminder, if you were appointed to serve as a delegate for your district, you will be voting on behalf of your board.

# AGENDA

## 2019 Delegate Assembly Agenda

Charleston Marriott/Charleston, SC

Saturday, December 7, 2019

2-5 p.m.

Tony Folk, President, South Carolina School Boards Association, presiding

<b>Call to Order</b> .....	Tony Folk <i>SCSBA President</i>
<b>Pledge of Allegiance</b> .....	Cheryl Burgess <i>SCSBA Vice President</i>
<b>Credentials Report</b> .....	Jamie Devine <i>SCSBA Secretary/Treasurer</i>
<b>Approval of Agenda</b> (page 2) .....	Tony Folk
<b>Approval of 2018 Minutes</b> (page 4).....	Tony Folk
<b>Approval of Rules of Procedure</b> (pages 10-11).....	Tony Folk
<b>2018-19 Annual Report</b> (pages 12-15) .....	Tony Folk
<b>Finance Committee Report</b> .....	Jamie Devine <i>Chair, SCSBA Finance Committee</i> <i>SCSBA Secretary/Treasurer</i>
<b>Nominating Committee Report</b> (page 18)...	Wesley Hightower <i>Chair, SCSBA Nominating Committee</i> <i>SCSBA Immediate Past President</i>
<b>Election of Officers and Directors</b> .....	Tony Folk
<b>2019 Resolutions</b> (pages 19-41).....	Chuck Saylor <i>Chair, SCSBA Legislative Committee</i>
Section 1 – Current Legislative Priorities	<i>SCSBA President-elect</i>
Section 2 – Current Statements of Belief	
Section 3 – Recommended New Statement of Belief	
Section 4 – Resolutions Recommended for Deletion	
<b>2019 Recommended Changes to SCSBA Constitution and Bylaws</b> .....	Gail Hughes <i>Chair, SCSBA Policy and Constitution Committee</i> <i>SCSBA Region 1 Director</i>
(pages 42-57)	
<b>Installation of Officers and Directors</b> .....	Wesley Hightower <i>SCSBA Immediate Past President</i>
<b>Adjournment</b>	

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## Executive Committee



Tony Folk, *President*



Chuck Saylor, *President-elect*



Cheryl Burgess, *Vice President*



Jamie Devine, *Secretary/Treasurer*



Wesley Hightower, *Immediate Past President*

## Minutes of the 2018 Delegate Assembly

December 8, 2018

### Time and place

The 2018 meeting of the South Carolina School Boards Association Delegate Assembly was held at the Marriott Hotel in Charleston, South Carolina, on December 8, 2018. President Wesley Hightower called the meeting to order at 2:12 p.m. After welcoming the delegates, President Hightower called on SCSBA Vice President Chuck Saylor to lead the group in the Pledge of Allegiance.

### Credentials report

SCSBA Secretary Jamie Devine announced that there were 132 delegates from 73 school boards present, which represented 90 percent of the 81-member school boards.

### Approval of agenda

The agenda was approved by general consent.

### Approval of minutes

The minutes from the 2017 Delegate Assembly were approved by general consent.

### Rules of Procedure

The rules of procedure were approved by general consent. The chair appointed Kim Anderson, Melissa Donald, Steve Mann, and Tiffany Richardson to serve as tellers during any voting situation where a tabulated vote is required. The chair also appointed Helen McFadden to serve as parliamentarian for the 2018 Delegate Assembly.

### President's Report

President Hightower introduced the members of the Board of Directors. He then called everyone's attention to the Annual Report on pages 14 through 17 in the Delegate Assembly Handbook.



Gail Hughes, *Region 1  
Director - Beaufort, Colleton,  
Dorchester 2, 4, Jasper*



Cindy Bohn Coats, *Region 2  
Director - Charleston*



Michael Ramsey, *Region 3  
Director - Berkeley,  
Georgetown*

## Finance Committee Report

President Hightower called upon SCSBA Treasurer Cheryl Burgess to present the Finance Committee Report. Treasurer Burgess reported the association’s financial situation was in sound condition and indicated that a copy of the association’s annual audit conducted by the independent firm of The Brittingham Group, LLP was available to any delegate upon request. She further announced 100 percent membership in SCSBA of the 81 school boards in the state for the 42nd year in a row.



Janice Morreale, *Region 4 Director - Dillon 4, Horry, Latta, Marion*

## Nominating Committee Report

President Hightower called on Queenie Boyd, past president and chair of the Nominating Committee, to give the Nominating Committee Report. Chairperson Boyd introduced the other members of the SCSBA Nominating Committee. Chairperson Boyd reminded the delegates that the SCSBA Constitution calls for the president-elect to automatically become the president upon the conclusion of the Delegate Assembly; therefore, Tony Folk was not listed among the individuals on the slate of officers. The slate of officers and directors as found on page 20 of the Delegate Assembly Handbook included:



Kim Johnson, *Region 5 Director - Clarendon 1-3; Florence 1-5; Williamsburg*

- President-elect** ..... Chuck Saylor (Greenville County board)
- Vice President** ..... Cheryl Burgess (Lexington Three board)
- Secretary/Treasurer** ..... Jamie Devine (Richland One board)
- Director, Region 2** ..... Cindy Bohn Coats (Charleston County board)
- Director, Region 6** ..... Charles Govan (Darlington County board)
- Director, Region 8** ..... Amelia McKie (Richland Two board)
- Director, Region 10** ..... Hannah Priester (Hampton One board)
- Director, Region 11** ..... Tim Rhodes (Abbeville County board)
- Director, Region 14** ..... Travis Sloan (Spartanburg One board)

Chairperson Boyd moved for adoption of the Nominating Committee Report.



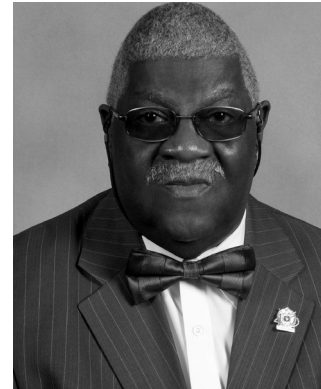
President Hightower informed the Delegate Assembly that Phillip Ashley, Anderson School District Two, had submitted a nominations packet to run for the Region 11 seat and noted that the election for Region 11 would be held as a separate election.

The motion to approve the Nominating Committee Report, with the exception of the Region 11 seat, was passed by a voice vote.

President Hightower directed the Delegate Assembly's attention to the biographical information for Phillip Ashley and Tim Rhodes. President Hightower noted that since Tim Rhodes was on the slate of officers proposed by the Nominating Committee, no second was needed, but that nominations from the floor require a second from a certified delegate representing a school board other than the board from which the candidate is a member. Jason Seay from Spartanburg School District Two seconded the nomination of Phillip Ashley. Each candidate was given three minutes to address the Delegate Assembly. After both candidates had spoken, President Hightower directed the Delegate Assembly to cast their votes. Shawn Johnson, Tim Newman, and Sheila Quinn conducted the counting of the ballots. The Delegate Assembly stood at ease while the ballots were being collected and moved onto the next agenda item while the ballots were being counted.

### **Legislative Committee Report**

President Hightower called on Tony Folk, president-elect and chair of the Legislative Committee, to give the Legislative Committee Report. Chairperson Folk introduced the other members of the SCSBA Legislative Committee.



Charles Govan, *Region 6  
Director - Chesterfield,  
Darlington, Kershaw, Lee,  
Marlboro*



Mary Ulmer, *Region 7  
Director - Calhoun,  
Orangeburg, Sumter*



Amelia McKie, *Region 8  
Director - Richland 1, 2*



# MINUTES

He stated that there were five current legislative priorities numbered 1 - 5 as found in Section 1 of the report. Section 2 contained 33 current statements of belief numbered 6 - 38. Section 3 contained one recommended new statement of belief, numbered 39. Section 4 contained four previously-adopted resolutions, numbered 40-43, that were recommended for deletion. Chairperson Folk moved that the Legislative Committee Report be adopted. President Hightower reminded the Delegate Assembly that in that the SCSBA Board of Directors submitted the report, no second was needed.

President Hightower called for a block vote on Section 1, which contained five legislative priorities numbered 1 – 5, three of which had previously been before the Delegate Assembly and two of which (number 2 and number 3) were moved from Statements of Belief to Legislative Priorities and revised. President Hightower noted that the Board of Directors recommended that these priorities be adopted as submitted in the Delegate Assembly handbook, and the vote passed with a voice vote.

President Hightower noted that in Section 2, Statements of Belief numbered 30 and 31 were moved from the current legislative priorities and revised. President Hightower called for a block vote on Section 2. The vote passed with a voice vote.

President Hightower called upon Debbie Elmore to offer a brief explanation on recommended new Statement of Belief number 39 in Section 3. After the explanation, President Hightower called for a vote on new Statement of Belief number 39. New Statement of Belief number 39 was adopted by a voice vote.



Daniel Martin, *Region 9  
Director - Lexington 1-5*



Hannah Priester, *Region 10  
Director - Aiken, Allendale,  
Bamberg 1, Barnwell 45,  
Blackville-Hilda, Denmark-  
Olar Two, Hampton 1, 2;  
Williston 29*



Tim Rhodes, *Region 11  
Director - Abbeville, Anderson  
1-3; Edgefield, Greenwood 50,  
52; McCormick, Saluda, Ware  
Shoals 51*

President Hightower called for a vote on the deletion of Resolutions numbered 40 - 43 in Section 4. The vote to delete Resolutions numbered 40 - 43 passed with a voice vote.

### **Installation of Directors and Officers**

President Hightower called upon Past President Queenie Boyd to conduct the installation of officers and then announced that Region 11 would be represented by Tim Rhodes, who won the election. Past President Boyd called the names of the newly-elected officers and directors and asked that they come forward to receive the oath of office. Officers and directors installed included:

- President** ..... Tony Folk (Dorchester Four board)
- President-elect** ..... Chuck Saylor (Greenville County board)
- Vice President** ..... Cheryl Burgess (Lexington Three board)
- Secretary/Treasurer** ..... Jamie Devine (Richland One board)
- Director, Region 2** ..... Cindy Bohn Coats (Charleston County board)
- Director, Region 6** ..... Charles Govan (Darlington County board)
- Director, Region 8** ..... Amelia McKie (Richland Two board)
- Director, Region 10** ..... Hannah Priester (Hampton One board)
- Director, Region 11** ..... Tim Rhodes (Abbeville County board)
- Director, Region 14** ..... Travis Sloan (Spartanburg One board)

President Hightower then recognized Board of Directors members Doug Atkins, who rotated off the board when he resigned his seat on the Anderson One board, and Johnny Wilson, who rotated off the board when he was not re-elected to the Georgetown County board. President Hightower also recognized Annie McDaniel, who rotated off the board after being elected to the S.C. House of Representatives.

President Hightower then recognized Past President Queenie Boyd, from Lee County, who was also leaving the Board of Directors. President Hightower presented Queenie Boyd with a plaque.



Billy Blackwell, *Region 12 Director - Cherokee, Chester, Fairfield, Laurens 55, 56; Newberry, Union*



Michele Branning, *Region 13 Director - Lancaster, York 1, Clover, Rock Hill, Fort Mill*

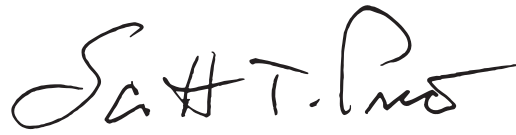
# MINUTES

President Hightower then introduced Tony Folk as the new president of the South Carolina School Boards Association.

President Folk then presented the President's Plaque to Past President Hightower and thanked him for his service to SCSBA.

### **Adjournment**

With no further business, President Folk declared the 2018 Delegate Assembly of the South Carolina School Boards Association adjourned at 3:02 p.m.



Scott T. Price, Executive Director



Travis Sloan, Region 14  
Director - Spartanburg 1-7



Lisa Wells, Region 15  
Director - Greenville



Beth Branham, *Ex-officio*



Tom Dobbins, Region 16  
Director - Anderson 4, 5;  
Oconee, Pickens

# RULES OF PROCEDURE

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The following meeting rules of procedure are recommended for adoption by the Delegate Assembly pursuant to Article V, Section 2, of the SCSBA Constitution which provides that the Delegate Assembly adopts rules of procedure for the conduct of its meetings. The rules are adopted at the outset of the deliberation of the Delegate Assembly, at which time they are subject to discussion and amendment.

1. The latest edition of the Robert's Rules of Order is the official parliamentary authority for all business sessions of the association except where such rules conflict with the constitution or rules adopted by the Delegate Assembly.
2. Any candidate being nominated from the floor at the Delegate Assembly must have notified the association president in writing at least 15 days prior to the Delegate Assembly. In such cases, the presiding officer will announce the names of individuals who have submitted such notification immediately after the chairman of the nominating committee has read the slate of officers and directors being presented by the board of directors. Nominations from the floor require a second from a certified delegate representing a school board other than the board from which the candidate is a member. Before the nomination can be accepted, the presiding officer must receive written endorsement of the nominee from the nominee's board, along with a letter of confirmation that the nominee will serve if elected. After all those wishing to make nominations are recognized, the presiding officer will allow each nominee in a contested race to speak in alphabetical order. The candidate and a supporting speaker may speak for a combined total of no more than three minutes. The presiding officer will strictly enforce the three-minute limit. Association elections are to be conducted by secret ballot. The counting of the ballots will be completed by three impartial and independent individuals excluding SCSBA staff, members of the SCSBA Board, SCSBA delegates, or any school board member in attendance other than delegates. The announcement of the results of the elections will be limited to the name of the successful candidate with no reference to the actual votes tabulated by each candidate. Tabulation records will be maintained by the independent counters until the end of the Delegate Assembly, at which time they will be destroyed. Candidates will be allowed to review the vote tabulations prior to them being destroyed. In the event three or more candidates offer for an office and if a majority vote is not received by any candidate for such office, a run-off election will take place between the two candidates receiving the largest number of votes.
3. In speaking to a motion, a delegate will be limited to three minutes. A delegate must come to the microphone to be recognized.
4. A delegate who has once spoken on a question will not be recognized again for the same question until others who wish to speak have spoken. A delegate is limited to speaking twice on a pending motion.

# RULES OF PROCEDURE

5. All matters except contested elections will be decided by voice vote or a tabulated vote. A tabulated vote may be called for by a single delegate if supported by four other delegates from boards other than the board of the delegate requesting the tabulated vote. A voice vote is a verbal expression of “yea” or “nay” with no recognition to the weighted votes. A tabulated vote is the tabulation of all weighted votes assigned to each school board.
6. Once a resolution, amendment, or constitutional change has been adopted by the Delegate Assembly, consideration of that same subject matter at a subsequent time during the same Delegate Assembly will be out of order unless the Delegate Assembly votes to reconsider the item in question. A motion to reconsider must be made by an individual who voted on the prevailing side of the original motion, and a simple majority vote will be necessary for the item to be reconsidered.
7. All substantive floor amendments to a proposed resolution or constitutional change will be made in writing on the official amendment forms provided at the Assembly and submitted to the president at the time the amendment is proposed. The presiding officer is granted authority to accept minor amendments in verbal form or may require such amendments to be submitted in writing prior to consideration.
8. Proposed resolutions or constitutional changes that are not presented in advance in the Delegate Assembly handbook by the board of directors may be presented to the Delegate Assembly if two-thirds of the delegates vote to allow the presentation of such. Consideration of a resolution or constitutional change presented from the floor will be voted on separately. Such resolutions or constitutional changes must be presented in writing to the president when a delegate makes the motion to allow presentation. Proposed resolutions or constitutional changes submitted under these circumstances will only be allowed when written verification is provided that the action is requested by a majority vote of the submitting board.
9. Although informal advice and explanation may be sought of SCSBA staff, only delegates and members of the board of directors who are not delegates may speak at the Delegate Assembly. All rulings concerning assembly or parliamentary procedure will be made exclusively by the presiding officer. The ruling of the presiding officer will be final unless there is an appeal from the decision of the presiding officer by a delegate and there is a second. In this case, the presiding officer will speak first and last and any delegate may speak once. A majority vote is required to sustain or overturn the decision of the presiding officer.
10. Subsequent to initial approval by the Delegate Assembly, any of these rules may be suspended by a two-thirds vote of the Delegate Assembly

## SCSBA mission

To be the leading voice advocating for quality public education while ensuring excellence in school board performance through training and service.

## 2018–2019 Annual Report

During the 2018–2019 year, SCSBA focused its efforts on equipping our members to be #SchoolBoardStrong as the leading voices for public schools. This was especially important because education reform made headlines as a major education bill moved through the House and Senate, promising drastic changes to K12 education, impacting teacher pay, accountability and school choice. These changes also extended to school boards who were being targeted with increased requirements, including new ethics rules only for school board members, mandatory training and nepotism policies, school district takeovers, forced consolidations and more.

In March of this year, Lexington County School District Two School Board Member and SCSBA Past President ElizaBeth “Beth” Dickerson Branham became the first South Carolinian to hold the office of National School Boards Association President when she was sworn in during the organization’s annual delegate assembly on Friday, March 30, 2019, in Philadelphia.

SCSBA maintains its presence as a unified voice for public education, providing board services across the state and representing the statewide interest of public education through legal, political, community and media advocacy.

Following is a snapshot highlighting SCSBA’s efforts this year — some quietly behind the scenes and others highly publicized — but all aimed at promoting and supporting local school boards as the voice for public education.

## LEADERSHIP DEVELOPMENT — KEEPING YOU AHEAD OF THE CURVE

- SCSBA recognized school board members throughout the state for achieving one of six levels in the 2018-2019 year with certificates of achievement and a lapel pin designating their level of accomplishment in the Boardmanship Institute.
- SCSBA recognized 14 school board members for achieving level six, the highest recognition in the Boardmanship Institute. To qualify, level six recipients must earn at least 300 points for



Scott Price, *Executive Director*



Gwen Hampton, MSW, CMP, *Director of Leadership Development*



participation in training sessions over the past five years or less and pass a written exam.

- SCSBA staff visited eight school districts across the state, working with school boards to enhance effective board governance practices.

## **POLICY AND LEGAL SERVICES — EFFECTIVE GOVERNANCE STARTS HERE**

- The Policy and Legal Services department provides training in specialized areas such as Boardmanship 101, FOIA, Parliamentary Procedures and Meeting Management, Policy Revisions, and Ethics by request.
- SCSBA continues to contract with school districts for specialized, fee-based policy projects. These include 24 ongoing policy manual overhauls, policy audits and reviews and policy manual re-coding work.
- The number of school boards that are subscribing to the policies online services continues to grow, with 71 districts and special schools currently using online policy manuals.



Dr. Tiffany Richardson, Esquire,  
*General Counsel and Director  
of Policy and Legal Services*

## **LEGISLATIVE REPRESENTATION — #SCHOOLBOARDSTRONG**

This past year, SCSBA continued to advance the voices of locally-elected and appointed school board members through our legislative advocacy services. We remain committed to ensuring that the local school board voice is heard in every public policy forum in which education decisions are made or influenced.

Lobbying and advocacy efforts at the State House resulted in an increase of more than \$250 million in new revenue for K12, much of which included the following:

- about \$160 million to raise the starting teacher pay from \$32,000 to \$35,000 and a 4 percent teacher pay raise;
- more than \$80 million allocated to the state Commerce Department and to the Department of Education to attract jobs and fix crumbling infrastructure and facilities in the state's school districts with the lowest tax base; and,
- decreased state standardized testing.

SCSBA spent much of the legislative session reviewing and working for changes to an 80-plus page education reform bill that sailed through the House but is being more cautiously considered in the Senate. This legislation will likely be taken up quickly when lawmakers return in 2020.



Debbie Elmore, *Director of  
Governmental Relations and  
Communications*

The advocacy efforts of member districts saw an increase, with nearly half of the 600-plus school board members throughout the state participating in the lobbying of federal and state lawmakers at our Two Days At The Capitol (2DAC) events and the annual advocacy day in Washington, D.C.

It was another exciting year of Regional Advocacy Meetings, where participants discussed the growing oversight of the state in K12 education, including state takeover of districts, the removal of school boards and mandated consolidation, and the growing teacher shortage crisis. Participants were asked to offer their thoughts and ideas on how to ensure the role of school boards remain strong.

## **COMMUNICATIONS — KEEPING SCHOOL BOARDS FRONT AND CENTER**

- The “Get on Board” guide outlining school board member roles and responsibilities was updated this year. This handbook includes information to assist school board members in their important role as they lead their district in fulfilling its vision and mission.
- An Advocacy Toolkit was released in conjunction with the Regional Advocacy Meetings and was intended to complement board and board member efforts by providing a guide to assist in lobbying local, state and federal officials on behalf of South Carolina’s outstanding public schools and students.
- SCSBA organized a “Local Voice, People’s Choice” School Board Recognition Press Conference this year in January at the State House recognizing the important role that school board members play in our state. This event got statewide media coverage and was well attended by local legislators and school board members. Governor Henry McMaster also signed a resolution officially declaring January as School Board Recognition Month in South Carolina.
- School boards across the state signed poster-sized copies of the South Carolina School Board Member Ethical Principles during the month of January. This project served as a symbolic gesture by school boards, publicly stating that they will uphold these effective governance principles. This project brought much deserved attention and recognition to school boards by media and in local communities.
- SCSBA provided school boards with several opportunities to boost their online presence on sites such as Facebook and Twitter, including a back to school social media activity where board members welcomed students and staff back to school using the hashtag #SchoolBoardStrong.



Melissa Donald, *Director of Finance*

## SCSBIT — MEMBERSHIP IS OUR STRENGTH

- The SC School Boards Insurance Trust (SCSBIT) continues to serve the majority of school districts for both property and casualty coverage along with workers' compensation coverage.
- The Property and Casualty Trust currently insures approximately \$14.9 billion in school properties and serves 430,000 students. The P & C Trust currently has 50 school district customers representing 63% of districts across the state. Some of the coastal districts remain insured by the State of South Carolina as SCSBIT rates these areas as higher risk for property losses and premiums are generally lower with the State. However, SCSBIT does have some coastal exposure including Georgetown and Beaufort school districts.
- SCSBIT continues to mitigate risk by purchasing reinsurance in the domestic, Bermuda, and London markets. The self-retention of losses retained by SCSBIT is \$150,000 with the reinsurance paying all losses after that. The latest audited financials on June 30, 2017, for the property and casualty trust fund reflect a net position of \$30.3 million with the June 2019 audit yet to be released.
- School districts across the state received \$1,227,551 for Workers' Compensation Risk Control Grants for the 2018-2019 fiscal year. The grants are used in an effort to improve safety and to help control costs by implementing preventive measures for our member school districts that have workers' compensation insurance with SCSBIT.
- SCSBIT continues to keep its entire qualified and professional staff, ensuring that customer service remains second to none. The latest audited financials on June 30, 2017, for the workers' compensation trust fund reflect a net position of \$33.8 million. The investment income earned from both funds helps to offset premiums for member districts. The workers' compensation trust insures 59 school districts which represents 75% of all SC Districts.
- SCSBIT is rolling out a new product called STOPit for its property and casualty customers. STOPit is an anonymous reporting system that allows students and staff the ability to report bullying, inappropriate sexual situations, and other matters on their cell phones or on a laptop computer. The product is being made available effective July 1, 2019 and is voluntary.



Steve Mann, CPA, *Director of Insurance Services*

SCSBIT remains the choice of school districts across the State of South Carolina. Commercial brokers continue to change insurance providers in an effort to lower premiums and earn more profit. SCSBIT continues to offer exceptional service and remains the insurer that the majority of school districts place their insurance coverage with.

## Statement of financial position

As of June 30, 2019

<b>Assets</b>	<b>June 30, 2019</b>
Current assets	
Cash and cash equivalents	\$ 572,168
Accounts receivable	6,453
Investments	6,355,465
Accrued interest receivable	18,602
Prepaid expenses and other assets	145,287
<b>Total current assets</b>	<b>\$ 7,097,975</b>
Property and equipment	
Land	\$ 215,713
Land improvements	187,779
Building and improvements	3,307,350
Furniture and office equipment	579,120
Vehicles	27,780
Total property and equipment	4,317,742
Less accumulated depreciation	(1,792,800)
<b>Net property and equipment</b>	<b>2,524,942</b>
<b>Total assets</b>	<b>\$ 9,622,917</b>
<b>Liabilities and Net Assets</b>	
Current liabilities	
Accounts payable	31,497
Other accrued expenses	180,107
Mortgage payable - current portion	107,080
OPEB liability - current portion	3,924
<b>Total current liabilities</b>	<b>\$ 322,608</b>
Mortgage payable - long-term portion	1,773,324
OPEB liability - long-term portion	1,679,653
<b>Total long-term liabilities</b>	<b>3,452,977</b>
<b>Total liabilities</b>	<b>3,775,585</b>
Net assets	
Net assets without donor restrictions	5,304,245
Net assets with donor restrictions	543,087
<b>Total net assets</b>	<b>5,847,332</b>
<b>Total liabilities and net assets</b>	<b>\$9,622,917</b>

## Statement of activities

June 30, 2019

	June 30, 2019
<b>Revenue</b>	
Membership dues	\$ 1,599,267
Conferences and meetings	525,005
Policy services	248,348
Investment income	224,367
Consulting	28,524
Publication sales and advertising	10,025
Administrative fees	3,292,256
Other income	38,265
<b>Total revenue</b>	<b>\$ 5,966,057</b>
<b>Expenses</b>	
Program services:	
Member services	\$ 3,353,383
Conferences, meetings and training seminars	584,729
Policy and other services	538,254
<b>Total program services</b>	<b>\$ 4,476,366</b>
General and administrative expenses	1,065,970
<b>Total expenses</b>	<b>\$ 5,542,336</b>
Increase in net assets	423,721
Net assets, beginning of year	5,423,611
<b>Net assets, end of year</b>	<b>\$ 5,847,332</b>

## Proposed slate of officers and directors

The SCSBA Board of Directors presents this slate of officers and directors for 2019-2020. Officers serve one-year terms. Directors serve four-year terms representing regions containing similar numbers of students.



Cheryl Burgess  
**President-Elect**  
Lexington County School District Three  
Current: Vice President



Jamie Devine  
**Secretary/Treasurer**  
Richland County School District One  
Current: Secretary/Treasurer



Michael Ramsey  
**Region 3 Director**  
Berkeley County School District  
Current: Region 3 Director

Mary Ulmer  
**Region 7 Director**  
Orangeburg County School District  
Current: Region 7 Director



Tim Rhodes  
**Region 11 Director**  
Abbeville County School District  
Current: Region 11 Director



Billy Blackwell  
**Region 12 Director**  
Cherokee County School District  
Current: Region 12 Director



Lisa Wells  
**Region 15 Director**  
Greenville County Schools  
Current: Region 15 Director





## Guide to Recommended Changes Legislative Priorities and Statements of Belief

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## Section 1: Current Legislative Priorities

### 1. Education funding reform

SCSBA supports legislation to reform the state’s education funding structure. Any revision should be based upon specific analysis and recommendations on (1) the current tax structure and the state’s taxing policy, (2) the current education funding formulas and their ability to equalize educational opportunities statewide, and (3) a realistic means of computing a per pupil funding amount, which is aligned with state-imposed student performance standards and expectations. Recommendations for reforming the method of fully funding public education in South Carolina must do the following:

- expand local district revenue-raising options;
- generate revenue that is adequate, stable and recurring;
- ensure equitable and timely distribution, to include direct distribution from the state to a district;
- provide adequate funding for other operational needs such as transportation and fringe;
- include state-driven initiatives to ensure that every public school student has the opportunity to learn in permanent

school facilities that are safe, structurally sound and conducive to a good learning environment;

- ensure that districts are held harmless from receiving less money through a new funding plan; and,
- grant all elected school boards full fiscal autonomy.

Rationale: An in-depth review of our state's tax system and how public education is funded is long overdue. However, the plan must include certain components as follows:

- It must generate adequate revenue for schools.
- It must set a per-pupil funding amount reflecting what it actually costs to educate a child.
- It must expand local initiatives and the ability for districts to exceed the state minimum requirements.
- It must include equitable components to lessen or erase the impact that a child's residence has on the quality of the education he/she receives.

The funding adequacy lawsuit involving school districts primarily along the I-95 corridor has evidenced woefully inadequate school facility conditions for students and teachers. Just as South Carolina should not be satisfied with a constitutional requirement for a "minimally adequate" education for children, the state must take steps to ensure that all children attend schools that are safe and conducive to learning.

*History: adopted prior to 2001; revised 2001, 2002, 2003, 2004, 2005, 2007, 2011, 2012, 2013, 2014, 2016*

## **2. School governance takeovers (moved from Statements of Belief)**

SCSBA opposes the takeover of schools, school districts and locally raised revenues and opposes legislative efforts to remove, diminish or interfere with the authority of local governing school district boards.

Rationale: School and district takeovers are very disruptive and the effects of which for communities and schools can be long lasting and difficult to overcome. What ultimately is lost in the takeover debate is the action of suspending local autonomy and democracy by usurping the appropriation of local revenues and eliminating responsibilities of duly elected local school boards. While researchers studying mayoral and state takeovers nationally are divided on the role takeovers have on student achievement, most agree that the role of parents and the community, especially among minority groups, can be marginalized and can further compromise democratic control of schools (Harvard, 2006; Moscovitch et al., 2010; Hess, 2003, 2011). Most found scant evidence that circumventing elected school

boards helps solve the problems. In fact, it may disenfranchise the very communities who depend most on strong public schools for their youth. To help all students reach their academic potential, state and local leaders should:

- ensure that neighborhoods are safe and free from crime, and that students have safe access to and from school;
- improve infrastructure needs including safe facilities, access to technology, clean water, etc.
- assist in providing students with access to healthcare and other support services, including the expansion of community and parent outreach centers to help parents access services; and,
- support teacher recruitment efforts by addressing obstacles, such as housing or cultural opportunities, that serve as deterrents to providing a quality teaching force.

*History: adopted 2018*

### 3. School start date

SCSBA supports amending state law regarding when public schools may start the school year to give districts the flexibility of setting their own start date.

Rationale: Following a lengthy legislative debate, the General Assembly in 2006 enacted a uniform starting date for South Carolina's public schools stating that – with few exceptions – no school could begin classes prior to the third Monday in August annually. One rationale used by proponents was the need for districts to have an equal or near equal amount of instructional days prior to taking high stakes state and federal testing, which was administered to all students on the same dates. However, a 20-day testing window approved in 2016 frees up schools to start earlier or later and still ensure an equal number of instructional days before testing. In addition, over the ensuing years, some districts have found it to be increasingly difficult to complete school business before the semester break and still meet the requirements of the uniform starting date. For example, schools that operate on a block schedule are unable to complete the semester and exams before the holiday break. This can mean a delay in starting college in January for students who graduate high school early or are enrolled in dual enrollment courses. Community and parent frustration with the holiday break schedule is evident. Determining the local school calendar should be a core function of the locally-elected school board of trustees.

*History: adopted 2012; revised 2015, 2016*

#### 4. Retired teacher salary cap

SCSBA supports legislation to eliminate the salary cap for retired classroom teachers.

Rationale: South Carolina, like most states in the country, is facing a major teacher shortage. The group of teachers who are eligible or near eligibility for retirement is quickly becoming the largest group within the state teaching force. In 2018, there were 4,106 school employees, or 54 percent of all participants statewide, in the Teacher and Employee Retention Incentive (TERI) program, which ended June 30, 2018. In 2015, school districts reported a 33 percent increase in the number of vacant teaching positions compared to the previous year and a 66 percent increase compared to the 2013-14 school year. As the teacher supply and demand gap continues to widen, school districts will need the option of recruiting retired teachers to return to the classroom, especially in critical need subjects or in high need areas. However, under current law, state retirees are prohibited from earning more than \$10,000 in the state system while continuing to draw their retirement pay. This makes it difficult to hire teacher retirees in districts that do not meet the criteria for exemptions to the salary cap, including a critical academic need area or a geographic need area, as defined by the State Board of Education.

*History: adopted 2017*

### Section 2: Statements of Belief

#### 5. Board hiring of superintendent

SCSBA believes that the superintendent, as the district's chief executive officer, should be hired by the board of trustees. The board should relinquish other staffing decisions to the superintendent with policies in place to assure equitable hiring, promotion and dismissal practices. The board should award staff contracts as provided in policy and act on the superintendent's recommendations for personnel.

**Rationale:** SCSBA believes the best use of the board's time is to govern with excellence. The perceptions of micromanagement by a board are primarily in the area of staffing. In South Carolina, some boards interpret state law to empower them to interview and hire on behalf of the district. This leads to divided loyalties among staff and a chief executive officer who cannot select those he/she feels would work best with the administrative team. The board's appropriate role is to hire the superintendent, assure that policies are in place to provide fairness in staffing practices and monitor the superintendent's job performance in relationship to previously established criteria

(i.e., goals and limits). When the board believes the superintendent does not merit its trust, it has the authority to seek new leadership.

*History: adopted prior to 1993; revised 1996, 2001, 2002, 2009*

## 6. Board member legal actions

SCSBA believes in prohibiting a school board member from instituting in his or her capacity as a citizen, taxpayer or a school board member any legal proceeding before any court or governmental agency opposing or challenging any votes taken by the school board of which he or she is a member. This prohibition does not affect a school board member's right in his or her capacity as a private individual to seek redress for a personal grievance resulting from board action.

**Rationale:** A school board's power lies in its action as a group, and individual board members exercise their authority over district affairs only as they vote to take action at a legal meeting of the board. Further, the policy-making function of a school board involves the interaction of competing ideas that eventually resolve themselves in a decision that may not satisfy all of the board's members. This is the essence of the legislative process and should not be compromised by ready access to the courts or some other forum for dissenting members who are disappointed in the outcome, which could present a significant public policy concern. Finally, board members in general enjoy qualified immunity from legal liability for their actions taken in their role as a school board member; this means, however, that a school board has no legal remedy against a fellow board member who files a lawsuit in his or her official capacity challenging board actions that may cause economic damage to the district. On the other hand, when acting as a private individual pursuing a personal grievance against the school board, a school board member has no such immunity. A board member must, however, be able to seek a remedy for injuries to his or her private, individual, personal rights or property – even if the wrong for which he or she seeks remedy occurred as a result of an action taken by the school board on which he or she is a member.

*History: adopted 2011; revised 2017*

## 7. Board training in at-risk underachieving school districts

SCSBA believes that state-funded training programs for school boards in districts rated at-risk should be mandatory as part of the effort under the Education Accountability Act to focus on actions that support increasing student achievement. The State Superintendent of Education is strongly encouraged to require such programs in any recommendation for school district improvement. SCSBA



believes that state-funded board training must be a key element of any recommendation by the state superintendent regarding district improvement well before the takeover stage. The training should be tailored to address the board's specific issues that are identified through a thorough diagnostic review of board operations, board and superintendent relationships and governance structure.

**Rationale:** State law places the governance of schools in the hands of board members chosen directly by the community's voters, who trust these leaders to make decisions in the best interests of their children. Removing voter control through takeovers should not be considered without technical assistance to school districts to include the school board. Under state law, state-funded board training is one option available to the state superintendent prior to the declaration of emergency in a district not meeting the state accountability standards, labeled at-risk. ~~SCSBA believes that board training must be a key element of any recommendation by the state superintendent regarding district improvement well before the takeover stage.~~  
*History: adopted 2004; revised 2008, 2011, 2019*

## 8. Charter schools

SCSBA believes that all charter schools should be sponsored and funded by the State as allowed by the EFA. However, local school boards should have the option to sponsor and retain oversight of public charter schools within their districts.

**Rationale:** South Carolina's charter school law was enacted in 1996 and has been amended numerous times over the years. In 2006, the S.C. Public Charter School District was established as another avenue for charter school applicants to apply for a charter. In the past, charter applicants had to obtain approval from the local school district board of trustees. Under the 2006 law, charter schools authorized by the state charter school district are open to students throughout the state – similar to schools such as the Governor's School for Science and Mathematics or the Governor's School for the Arts and Humanities – and are accountable to the state district's board of trustees. Numerous conflicts have arisen over the years between charter schools and their local board sponsors, most pertaining to funding and local districts' inability to exercise oversight of charter schools. The clearest way to resolve these ongoing issues between districts and charter schools is to place all charter schools under the state district's sponsorship, allowing an exception for local board sponsored charter schools to finish their contracted term.  
*History: adopted 2010; revised 2012, 2013, 2016, 2017*

## 9. Compulsory attendance and the EEDA

SCSBA believes that state accountability and reporting measures and the state's compulsory attendance laws should be consistent. SCSBA supports the continued full funding of the state Education and Economic Development Act (EEDA).

**Rationale:** South Carolina's public schools have made great strides to improve student achievement ~~under~~ since the Education Accountability Act of 1998 (EAA). A contradiction exists, however between the EAA accountability system's graduation measurement and the state's compulsory attendance law. While the EAA accountability system penalizes high schools for students who do not graduate on time (within four years after entering high school), the compulsory attendance law allows students to leave or drop out of school when they reach the age of 17, which could happen during their junior year of high school. ~~State lawmakers took a major step in 2005 to address the graduation rate with the passage of the Education and Economic Development Act (EEDA), which requires high schools to provide multiple career pathways for students.~~

*History: adopted 2006; revised 2007, 2009, 2010, 2018, 2019*

## 10. Consolidation

SCSBA believes in consolidation or deconsolidation of school districts provided that in each district affected a referendum is held and a majority of the voters voting in the referendum in each affected district authorizes consolidation or deconsolidation. Each district shall have equal voice in the consolidation or deconsolidation question.

**Rationale:** A major consolidation of South Carolina school districts took place in the early 1950s. Since then, other districts have consolidated into larger systems. Currently, there are ~~84~~ 79 school districts ranging in size from 750 to 61,000 students. A statewide study to determine, among other things, the relationship between school district size in South Carolina and student performance and the cost of providing educational services reached no conclusion on the district size/student performance relationship. Successful consolidations of school districts must include the buy-in of local community stakeholders and not a top-down approach.

*History: adopted prior to 1993; revised 2001, 2002, 2009, 2016*

## 11. Constitutional amendment

SCSBA believes the South Carolina Constitution should be amended to require the General Assembly to provide a high quality system of free public schools open to all children and allowing each student to reach his highest potential.

**Rationale:** The adequacy of education funding is the issue in a

lawsuit originally filed in 1993 by 40 South Carolina school districts. In 1999, the Supreme Court set a new baseline standard for the public education clause of the state's constitution. The Court said that the constitution broadly outlines the parameters of a "minimally adequate education" in South Carolina. In its final ruling in 2015, the court affirmed its earlier finding in favor of the districts, citing, among others, that the State was not meeting its constitutional duty. SCSBA does not believe that the General Assembly should be satisfied with or proud of a state constitution that only requires a "minimally adequate education."

*History: adopted 1999; revised 2002, 2004, 2008, 2013, 2016*

## 12. Early childhood education

SCSBA believes that the South Carolina General Assembly should provide adequate funding to ensure that all four-year-olds in South Carolina have the opportunity to attend a child development program at a public school. Preschool services should be expanded at the state level within already existing structures in the State Department of Education and appropriate state and federal agencies providing services to at-risk families and in local school districts.

**Rationale:** Research shows that early childhood education is a significant step toward preparing children for the first grade and an overall enhancement of their grade school experience. Although South Carolina has made gains in early childhood education, funding levels from the state only provide enough to serve the most at-risk students.

*History: adopted 2003; revised 2006, 2012, 2013, 2014, 2017*

## 13. Economic development tax incentives

SCSBA believes that a school district's tax base should not be eroded by economic development incentives and that all revenue generated or determined by local school district tax millage must be preserved for use by school districts for school purposes. SCSBA believes that school districts should be active participants in the negotiation process as related to economic development incentives provided to developers and industry and, in the case of multi-county industrial or commercial parks, that they receive negotiated fees in at least the same percentage as general taxes are to school taxes and statewide reporting for all economic development incentives should be implemented.

**Rationale:** Almost 100 percent of the local share of school districts' budgets comes from property taxes. School districts, however, are finding it increasingly difficult to preserve school tax millage for use exclusively for school purposes due to the erosion of the local tax base. Economic development incentives such as fee in lieu of taxes

and multi-county industrial parks are two examples of the erosion of school districts' tax bases. All revenue generated from taxable property, to include all special taxing districts, represented by assessed valuation of a school district as determined by school tax millage must be used by school districts for school purposes. Finally, no statewide data exists on multi-county industrial park agreements and related incentives such as special source revenue bonds and tax credits. No one is monitoring how economic development incentives are impacting school district tax revenue, and the lack of data makes it impossible to estimate the financial impact at the local district level.

*History: adopted prior to 2000; revised 2000, 2001, 2002, 2003, 2004, 2006, 2010*

#### **14. Education achievement gap and graduation rates**

SCSBA believes in meaningful, research-based national, state and local initiatives with measurable outcomes that facilitate closing the educational achievement gap and ensure all students complete at least a high school education program at the highest level.

**Rationale:** Leaders at the federal, state, and local levels should pursue a serious opportunity agenda that draws on the evidence and promise of school and community-based programs that work to help us guide at-risk children toward a better future. The State should marshal the necessary resources and support to have a positive impact on the academic performance of student groups that have historically underperformed academically in South Carolina public schools, thereby, significantly improving the academic performance of public school districts. Where there is a continuing or increasingly low graduation rate among some populations, including, but not limited to African American, Hispanic and Native American students, students with disabilities, and students living in poverty, school boards should adopt policies, programs, and practices and provide resources to address the needs of these students. Efforts must also be made to encourage and direct students who do not obtain a high school diploma to complete an alternative high school experience at the highest academic level.

*History: adopted 2007; revised 2016, 2018*

#### **15. Education innovation**

SCSBA believes in the collaborative exploration and implementation of innovative ways to transform the assessment and delivery of public education in South Carolina that embody the principles outlined in the Profile of the South Carolina Graduate adopted by the state in 2016.

**Rationale:** SCSBA is part of a coalition of business, education, policy and community leaders under the auspices of the South Carolina Council on Competitiveness called TransformSC. The initiative is devoted to identifying and launching new learning models in the state's public schools and helping to foster the conditions in which they can thrive. This public-private movement seeks to:

- create an innovation network of schools and districts that are committed to transformative practices;
- advocate for regulatory relief to encourage and foster the testing of innovative practices;
- catalogue in-state and out-of-state best educational practices; and,
- assist districts with implementing those programs that best meet the needs of the students they serve.

*History: adopted 2013; revised 2014, 2016, 2017*

## 16. Elimination of Education Oversight Committee

SCSBA believes that the Education Oversight Committee should be dissolved and that its responsibilities and duties, where necessary, be moved to the South Carolina Department of Education (SCDE).

**Rationale:** The appointed 18-member EOC was created in 1998 to advise elected officials on student performance, educational programs, and public school funding in accordance with the Education Accountability Act (EEA). The EOC has served a useful purpose in overseeing implementation of the EEA, as well as issuing critical reports on topics such as school governance and fiscal efficiency. However, in the last 20 years the EOC's role has expanded dramatically. Its members and staff no longer serve in an oversight capacity but as a governing body, establishing critical public education policy and appropriating millions of taxpayer dollars with no direct accountability to citizens. The EOC is often in conflict with the duly elected State Superintendent of Education, who has no vote on the EOC, but is accountable to the people of South Carolina and charged with providing the leadership and services to ensure a public education system that enables all students to become educated, responsible, and contributing citizens.

*History: adopted 2017*

## 17. Fiscal autonomy/affairs

SCSBA believes that all elected school boards should have full fiscal autonomy and opposes legislation that would remove a local board of trustees' power over the district's fiscal affairs.

**Rationale:** Taxing authority is a logical requirement and natural extension of the funding partnership between the state legislature

and the local school board. Nationally, nearly all school boards have taxing authority. Twenty-six districts in South Carolina have no taxing authority at all. Following passage of the Property Tax Relief Act of 2006, known as Act 388, no South Carolina school district has full fiscal autonomy. As elected officials, school board members need authority for financial decisions to enable them to bear the accountability for the district's instructional programs. State law currently establishes the powers and duties of local boards of trustees, including the authority to govern fiscal affairs of school districts. Transfer of this authority from a governing school board inherently conflicts with many existing powers and duties of a local board of trustees, including the authority to hire staff, enter into contracts and borrow funds as needed.

*History: adopted prior to 1993; revised 1998, 2000, 2001, 2002, 2007, 2013*

### 18. Full funding of education mandates

SCSBA believes that the General Assembly must meet its commitment to fully fund state-mandated educational programs for public schools. SCSBA believes that the South Carolina Constitution should be amended to prohibit state mandates on local units of government unless they are fully funded by the state.

**Rationale:** While it is critical for the General Assembly to reform how South Carolina funds its public schools, of equal importance is for the state to fully fund the system it has in place. When state funds are not adequate to meet the true cost of a required program, the fiscal burden falls to local taxpayers to cover the deficit, or districts must sacrifice in other areas such as classroom size and personnel. For example, the Education Finance Act (EFA) ~~was enacted in 1977~~ requires a funding formula that has not been fully funded in more than 10 years. ~~The heart of the EFA is the base student cost (BSC), a per-pupil amount set annually by the State Board of Economic Advisors as that necessary to fund the basic educational program. For the 2018-2019 school year, the BSC is set at \$2,485, which is below the statutorily required amount of \$3,095. While the EFA's base student cost is not the only state funding allocated to public schools, it provides the clearest example of legislators' failure to meet their commitment to K-12 public education. The issue of unfunded and underfunded mandates arises each legislative session as programs and directives are proposed at the state level with the knowledge that state funds are not available and that in most instances local taxpayers will feel the fiscal impact. Cities and counties enjoy statutory protection from unfunded state mandates, with certain exceptions. While a statutory prohibition of unfunded mandates for school~~



districts would be appropriate, such legislative enactments are often subject to political or other power shifts. A constitutional amendment, on the other hand, carries the weight of the state's electorate.  
*History: adopted 2013; revised 2014, 2015, 2016*

### 19. Impact fees

SCSBA ~~supports~~ believes ~~legislation to allow~~ public schools should be authorized to collect impact fees on new home and commercial development.

**Rationale:** State government must remain sensitive to the fact that existing taxpayers often face increased school debt-service property taxes to pay for the high growth that they did not cause. This may negatively impact the economy and potential taxpayer support for future school district referendums. Funding tools such as impact fees can help districts cope with community growth and unique educational demands.

*History: adopted 2007; revised 2012, 2013, 2016, 2019*

### 20. Local district fiscal impact statements (moved from Legislative Priorities)

SCSBA ~~supports~~ ~~legislation directing~~ believes the General Assembly ~~to~~ should provide individual school district fiscal impact statements before passage of any legislation which requires a local district financial match or use of local funds for any reason.

**Rationale:** The state government must become sensitive to the impact of mandated programs on local taxpayers. Any new requirement that has a financial impact on local school districts falls unequally on economically rich or poor districts unless it is made a part of the base student cost. Education-related legislation should never be considered and enacted until there is a clear understanding by lawmakers of the fiscal impact on each local school district. Current state statute requires such fiscal impact statements for laws impacting cities and counties.

*History: adopted 2006; revised 2009, 2018, 2019*

### 21. Local governance of school districts

SCSBA believes in local decision-making in the governance of school districts.

**Rationale:** One of the key strengths of high-quality public education is the emphasis on local decision making. The local school board is the body closest to the community and reflects the community's commitment to its schools. One of the four major roles of a school board is accountability for the mission of the district. When school boards are able to exercise appropriate governance, they become accountable to their community for results. The school board, speak-

ing as one, must reflect the interests of the community in the governance of the district.

*History: adopted prior to 1993; revised 1995, 1998, 2001, 2002, 2006, 2007*

## 22. Local legislation (moved from Legislative Priorities)

SCSBA supports legislative measures directing believes members of the General Assembly, prior to introducing any local legislation, should be required to attach a statement that the local affected school board as a whole was notified of the intent to file the bill and stating if the board supports the proposed legislation.

**Rationale:** South Carolina's current system of lawmaking provides for the authority of local legislative delegations to pass laws that apply only to a specific school district. Because members of the South Carolina Senate and House of Representatives as a practice do not vote as a body on a local bill, it can pass both legislative chambers in a matter of days. Local laws can change the makeup of a district board; change board election procedures; forgive missed days from the defined minimum plan requirement; and have an impact on a board's authority to set and fund its budget. Too often, these bills are filed without the knowledge and consent of the affected board. Additionally, some question exists about the legality of local laws as being unconstitutional special legislation under Article III, Section 34 of the South Carolina Constitution. The end result of local laws is a state whose variety of school district and board governance structures does not easily lend itself to statewide initiatives relating to public education. Local school boards as the governmental body elected or appointed to operate a school district must at the very least be consulted prior to the filing of a local bill or, at the most, should be the driving force behind such a bill's introduction.

*History: adopted 2002; revised 2004, 2018, 2019*

## 23. Maximizing potential of high achievers

SCSBA believes in increased growth and support of the State's gifted and talented education programs to enhance and nurture the potential of academically advanced students.

**Rationale:** High achieving students need gifted education programs to challenge them in regular classroom settings and enrichment and accelerated programs to enable them to make continuous progress year to year. Less than 20 percent of students in South Carolina public schools are served by gifted and talented programs. Studies of gifted and talented programs show they have a long-term impact on students' postsecondary achievements and in maintaining their interests over time and involvement in creative productive work after they finish college and graduate school.

*History: adopted 2016*

## 24. Nonpartisan election of school board members

SCSBA believes in the popular nonpartisan election of all school board members.

**Rationale:** Nationally, nearly all school boards are elected. Only an elected board can have taxing authority. Presently, there are three school boards – Latta, Dillon 4 and Clarendon 2 – that have all appointed members. Clarendon County has one appointed board, one elected board, and one board with a combination of elected and appointed. Trustees elected in partisan elections often have to respond to the demands of their party rather than to the needs of the school children. Two school boards in this state, Horry County and Lee County, are elected in partisan elections. A board member losing in a June primary serves as a lame duck board member for five months. If several lose in June, the entire board is affected until the November general election.

*History: adopted prior to 1993; revised 1998, 1999, 2002, 2008, 2011*

## 25. Public school choice

SCSBA believes in public school choice options, particularly when designed to increase opportunities for all children to learn in ways that best meet their abilities and needs. SCSBA believes in the right of local boards to determine school choice options within their own districts or between districts. Mandated choice programs must be driven by local flexibility, remain within the public school system and reflect a focus on academic achievement.

**Rationale:** Recognizing that school choice is a matter of great interest in the state, as well as the fact that South Carolina is a target state for out-of-state proponents of vouchers and tuition tax credits whose idea of choice includes private schools – an idea long opposed by SCSBA – it is critical that, for the benefit of its membership, SCSBA occupy a seat at the table concerning any initiatives relating to school choice. SCSBA's focus on choice initiatives, mandated or discretionary, will be on flexibility and local decision-making authority, academic achievement, public school involvement and adequate funding.

*History: adopted 2007; revised 2009, 2012*

## 26. Road management for schools

SCSBA believes that the state should bear fiscal and managerial responsibility for roads that are located at or near public schools.

**Rationale:** The State Department of Transportation (DOT) is charged with the responsibility of road management including the systematic planning, design, construction, maintenance and operation of the state highway system and roads, including roads located at or near public schools. While SCSBA recognizes that roads located near or

at schools are critical for school traffic flow and safety, districts and schools do not receive funds to design and manage these roads. Further, SCSBA believes that school districts are increasingly being required to fund the management of roads that are located near or at schools due to DOT shifting its funding responsibility to the districts. SCSBA believes that road management, including funding, is the state's responsibility.

*History: adopted 2011*

## 27. School bus privatization

SCSBA believes that the General Assembly must conduct a thorough review of the current state transportation system to determine if it is the most efficient, effective and economical service model. Any review, as well as any efforts at privatizing school bus transportation for South Carolina's public schools, must ensure the following:

- student safety is the top priority;
- adequate state funding is available for operation, maintenance and replacement on a recurring basis, with no financial burden falling to the local districts; and,
- the unique needs of all districts are met.

**Rationale:** While South Carolina is one of the few remaining states to operate a school bus system, it has been recognized nationally for its efficiency. Under the current state-operated system, even children living on a dirt road in a rural community can expect bus service. If privatization is pursued in South Carolina, certain basic elements of the current state-run system must be preserved without additional costs to the districts. School districts currently have the ability to contract with private companies for transportation services.

*History: adopted 2004; revised 2005, 2007, 2010*

## 28. School bus safety

SCSBA supports legislation to allow believes the Department of Public Safety should be authorized to obtain a civil penalty citation against the registered owner of a vehicle that unlawfully passes a stopped school bus.

**Rationale:** Section 56-5-2770 of the South Carolina State Code of Laws sets forth the penalties for unlawfully passing a stopped school bus. However, these penalties only apply to the driver of the vehicle, and the Department of Public Safety has had a difficult time confirming the identity of the vehicle's driver. As a result, there have been few charges and convictions under this law, and drivers continue to pass school buses when the stop arm is engaged despite the risk of death or injury to students loading and unloading the bus. Senate bill 199 adds a section to the Code to allow the Department of Public Safety to obtain a civil penalty against the registered owner

of a vehicle violating Section 56-5-2770 making it easier to charge and convict offenders. Senate bill 199 passed the Senate in 2017 and now resides in the House Judiciary Committee. Protecting our students is one of the most important responsibilities of school boards of trustees, and supporting this legislation will help ensure that our students can unload and load our buses safely.

*History: adopted 2017, revised 2019*

### 29. School safety

SCSBA ~~supports~~ believes the state should ~~allocate~~ allocate of state aid funding for school safety efforts in all South Carolina public school districts.

**Rationale:** Currently, school districts must fund the services of school resource officers (SROs), security cameras and other school security measures at the local level. County governments that have previously shared the cost of financing school resource officers with their local school districts now claim that a provision in Act 388 prohibits them from funding this expense. They state that funding SROs with local property tax revenue violates Act 388 because the law exempts owner-occupied residential property taxes from being used for school operating purposes. SCSBA strongly disagrees with this assertion and believes it is acceptable to finance SROs from the municipality and/or county general fund. SROs, as law enforcement officers, are not used solely for school operating purposes, and the safety of the community is a joint function administered by the municipality and/or county and school districts. A safe learning environment is essential for all students to focus on learning the skills necessary for success. With adequate funding, districts could provide training for educators and law enforcement, employ safety personnel in schools and purchase safety equipment for district facilities, ensuring a safe school climate.

*History: adopted 2016, revised 2017, 2018, 2019*

### 30. Statewide turnaround district

SCSBA opposes the state takeover of low performing schools by mandating that they become part of a statewide ~~reform, recovery or turnaround~~ school district.

**Rationale:** The State Supreme Court's ruling in favor of the plaintiff school districts in a decades-long school funding lawsuit has prompted numerous recommendations for possible solutions. One reform initiative under consideration is the formation of a special state district to take over low performing schools. This effort began nationally with the takeover of New Orleans' schools post hurricane Katrina and is underway in several other states, but has not proven to work. Studies of the programs show the results are mixed at best,

and while some schools can point to higher test scores, they still remain behind the state's achievement average. In addition, recovery districts also face complaints that they are not responsive to parents and the schools are not prepared to enroll students with special needs. Turning around low performing schools must be a multi-strategy approach and not a one-size-fits-all solution.

*History: adopted 2015; revised 2016, 2019*

### 31. Tax reform/relief

SCSBA believes the state should conduct an immediate review of the property tax relief plan enacted in 2006 to determine necessary changes that support high quality public schools and preserve local districts' ability to meet their operational and school facility needs.

Changes should include, but not be limited to:

- ensuring that local district funds are held harmless or replaced with a stable, predictable, funding source that will fully and equitably fund the public schools;
- amending the state constitution to increase the general obligation debt limit from eight to at least 12 percent; and,
- authorizing all boards of education to raise local revenue, to include levying a one percent sales and use tax for certain non-recurring educational purposes.

SCSBA opposes state-driven sales, residential and personal property tax relief without adequate study of, or provision for, replacement of locally-collected property taxes and consideration of implications at the local school district level. SCSBA supports sales tax exempt status for all local school districts. SCSBA believes that a review of components of the State's tax structure, as well as any new tax relief measures, must be done in conjunction with comprehensive tax reform in South Carolina.

**Rationale:** With the passage of the Property Tax Relief Act (Act 388) in 2006, the General Assembly significantly impaired the ability of local school boards to raise operational millage. Act 388 removed owner-occupied homes from being taxed for school operations purposes and put in place a hard cap on a local board's ability to raise millage on the remaining classes of property. Locally-funded programs and community-driven school initiatives have suffered. It now becomes the Legislature's responsibility to provide every district the funding necessary to meet the operational and programmatic requirements in state law and at the local level. Districts need more funding tools to address operational and capital needs. The funding of technology, school construction or other special non-recurring needs for school districts is a continuing concern. Current funding options, i.e. referenda or budgeted operations costs, do not lend

themselves to addressing this concern. Special legislation is needed to assist willing school communities in funding special needs. Article X of the South Carolina Constitution limits school districts' bonded debt to eight percent of the assessed valuation of property subject to taxation in the school district. In order to exceed the eight percent limit, a school district must hold a referendum. The eight percent limit became effective in 1982 and significantly affected a district's ability to sell bonds. SCSBA believes that at least 12 percent would give districts increased flexibility and reduce the need for many to go to referendum, which can be costly and time consuming. South Carolina's tax code over the years has become a disjointed, unbalanced structure that caters to special interests and is not supportive of local governments, including school districts. Comprehensive tax reform is long overdue.

*History: adopted 2006; revised 2007, 2008, 2009, 2010, 2012, 2013, 2016*

### 32. Teacher salaries

SCSBA believes in raising teacher pay to the national average for teacher salaries and establishing a salary structure that would be appropriate considering differentiated responsibilities so as to compensate teacher leaders in relation to skills and performance.

**Rationale:** In the state's quest to improve student achievement, we must not overlook the importance of qualified, effective teachers in every classroom. If South Carolina is serious about raising student achievement, then a salary structure must be developed that is competitive with neighboring states and will allow us to hire and retain qualified teachers. A plan to compensate teachers on a differentiated scale according to responsibilities, skills and performance will allow districts to keep master teachers and teacher leaders in the classroom.

*History: adopted 1999; revised 2002, 2009*

### 33. Threats and assaults on school employees

SCSBA supports changing criminal laws so that anyone who commits assault and battery on a school employee faces penalties that are consistent with or greater than the penalties that apply for making threats to school employees.

**Rationale:** Currently, someone who threatens a government official (including school employees) with violence can be charged with a felony and receive a sentence of five years in prison or a \$5,000 fine (S.C. Code of Laws, Section 16-3-1040). However, that same individual could actually walk into a classroom and strike a teacher in front of a classroom of children and face only 30 days in jail and/or a \$500 fine for third degree assault and battery. ~~A third law, which applies~~



only to students enrolled in school (S.C. Code of Laws, Section 16-3-612), creates a third set of penalties for assaults on school employees that include one year in jail or a \$1,000 fine. It is obvious these laws are inconsistent, and Changes in law are needed to ensure penalties for physical attacks on school employees by anyone must be as great as or greater than the penalties for making threats.

*History: adopted 2010*

### 34. Title I funding formula

SCSBA believes that Congress should take steps to ensure that federal Title I funds are distributed to school districts so that all eligible students receive an appropriate share of per pupil funding.

**Rationale:** Title I, as part of the Elementary and Secondary Education Act first passed in 1965, is the federal program that provides funding to local school districts to improve the academic achievement of disadvantaged students. SCSBA believes that there are unintended inequities in the formula used to distribute federal funds under Title I. For nearly a decade, some of the federal funds provided to local school districts under Title I have been distributed through “weighted” formulas.

*History: adopted 2012*

### 35. Tuition tax credits and vouchers

SCSBA strongly opposes state or federally-mandated efforts to directly or indirectly subsidize elementary or secondary private, religious or home schools with public funds.

**Rationale:** SCSBA believes that a strong public school system is the very bedrock of democracy and must not become viewed as a mere public service. Tuition tax credits, tax deductions or vouchers for private schools undermine the principles of public education by encouraging the enrollment of children in private schools and raise constitutional problems. The original tuition tax credit proposal Put Parents in Charge Act and various subsequent proposals represent a complete abandonment of South Carolina’s public schools. Studies by SCSBA and the State Budget and Control Board prove schools are negatively impacted financially by the loss of state funds due to declining enrollment of students transferring to private schools. Tuition tax credits or vouchers divert public funds to private entities with absolutely no accountability. Over the past decade, several studies have recommended a state increase in funds for public schools. South Carolina cannot afford further erosion of the funds available for public schools.

*History: adopted 1996; revised 1998, 1999, 2002, 2005, 2006, 2012, 2014*

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## Section 3: Recommended New Statements of Belief

### **36. Health insurance coverage for boards**

SCSBA believes the General Assembly should enact legislation to allow local school districts to opt in to the state Public Employee Benefits Authority (PEBA) Health Insurance coverage for school board members, ensuring equal benefits across the board for all local government leaders in South Carolina.

**Rationale:** Effective governance of local school districts is the cornerstone of sound local government. PEBA Health Insurance coverage, which is granted to all other local elected officials, including city and county council members, fire and police departments, and various governmental boards, commissions and public service districts, does not extend to members of local school district boards of trustees. Access to health care and retirement benefits would be a fair and appropriate incentive to attract and retain committed, passionate citizens to serve on local school boards, given many school districts' difficulty in providing otherwise just compensation.

### **37. Lottery funding for K12**

SCSBA believes the General Assembly should increase funding from the South Carolina Education Lottery Program for K12 education.

**Rationale:** Over the years, the proportionate share of lottery funds that have been allocated for K-12 education programs and services has declined as lottery funds have grown. An increase of lottery funds should benefit students at all levels of education and allocated to K-12 education in accordance with state law enacting the lottery, which states "proceeds of lottery games must be used to support improvements and enhancements for educational purposes and programs as provided by the General Assembly and that the net proceeds must be used to supplement, not supplant, existing resources for educational purposes and programs."

## Section 4: Resolutions Recommended for Deletion

### 38. Advocacy efforts

SCSBA strongly encourages local school boards to take a leadership role in developing support for public education at all levels of government. When local boards participate in SCSBA advocacy efforts, they strengthen SCSBA's efforts to represent public school governance at the state and federal levels.

**Rationale:** When local school boards exercise an active advocacy role, they can positively affect legislation for elementary and secondary education. School boards are encouraged to develop and maintain a working relationship with local legislators. School board members must stay up-to-date on pertinent legislation, regulations and judicial rulings that affect their districts. Board members must also mobilize the pressure necessary for effective education policy changes. The Fourth Circuit Court of Appeals, in *Page v. Lexington County School District One*, upheld a school board's right to be an advocate for public schools in the legislative arena, stating, "It is therefore appropriate for the school district to defend public education in the face of pending legislation that it views as potentially threatening of public education."

*History: adopted 1993; revised 1994, 1996, 1998, 2002, 2003, 2009*

### 39. Freedom of information

SCSBA believes the South Carolina Freedom of Information Act (FOIA) should be amended to further protect from public disclosure private materials relating to an applicant for a public position.

**Rationale:** Under the FOIA, information on the final three candidates for any public employment position must be disclosed to the public. SCSBA believes this provision is having detrimental effects on school districts seeking qualified candidates for positions ranging from superintendents to teachers. SCSBA believes that, although those choosing to devote themselves to public service enter a certain realm of openness, information on job applicants must be protected from disclosure.

*History: adopted 1998; revised 1999, 2002, 2003, 2009*

### 40. Mandatory kindergarten participation

SCSBA believes that all children who are five years of age on or before the first day of September must attend a kindergarten program.

**Rationale:** Currently, state law allows a parent to "opt out" of enrolling their child in a K5 program if they are not six years old by September 1 of the school year. Students that do not attend structured

K5 programs often begin the first grade severely delayed in their cognitive and social development. While many students do get what they need from their homes, there are many that do not. Once this gap in learning is created, it becomes harder to overcome. All students attending a structured K5 program will certainly help level the playing field of student preparation for the first grade.

*History: adopted 2009*

#### **41. Tobacco, alcohol and drug-free school districts and school property**

SCSBA believes school districts, schools, school property and school-related activities should be free from tobacco, electronic cigarettes, alcohol, anabolic/androgenic steroids, mind or behavior altering substances and all unauthorized drugs.

**Rationale:** SCSBA believes that students must have safe and supportive climates and learning environments that support their opportunities to learn and that are free of harmful substances including alcohol, tobacco, and other drugs including synthetic marijuana products and other herbal substitutes for marijuana. SCSBA believes school districts should ban synthetic marijuana products and other herbal substitutes for marijuana from district and school property. The General Assembly should take action to ban the sale and possession of synthetic marijuana products in South Carolina. Tobacco and smoking/second-hand smoke are hazardous to the health and well-being of our students, teachers and families.

*History: adopted 2006; revised 2009, 2010, 2011, 2014*

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## Constitution and Bylaws of The South Carolina School Boards Association

### Article I - Name

The name of the organization will be The South Carolina School Boards Association, Incorporated.

### Article II - Purposes

The purposes of this association will be the following:

1. to promote the general advancement of public education in South Carolina
2. to promote and strengthen the effectiveness of school boards
3. to encourage the most efficient and effective organization and administration of the public schools
4. to work for the adequate and equitable financial support of the public schools
5. to promote public understanding of the role of the school boards and school board members in the improvement of public education
6. to provide services to the management of school districts
7. to conduct, independently or in cooperation with others, conferences, courses and research projects in the various programs of education
8. to study and interpret legislation proposed in the State and the Congress that may affect education and to disseminate such knowledge and information
9. to propose and encourage the enactment of legislation that is in the best interest of public education
10. to follow the direction that the delegate assembly, executive committee or board of directors may deem appropriate for the accomplishment of these and other purposes to improve public education

### Article III - Members and Affiliates/Associates

#### Section 1. Active members

The active members of the association will be district school boards of the regularly constituted public school districts of South Carolina that pay their assessed annual dues to the association. Active membership in the association is based on district school board membership and not on an individual board member basis. All individual board members of member boards will be participating members of the association, except as may be hereinafter provided.

#### Section 2. Affiliate/Associate members

- A. Affiliate members will be the boards of directors or similar organizational bodies of other South Carolina publicly supported educational institutions including, but not limited to, the following:

1. county boards of education which are not regularly constituted district school boards
  2. boards of trustees of all state or public supported colleges and universities in South Carolina which are approved by the board of directors
  3. boards of trustees of all other state supported schools created by acts of the General Assembly of South Carolina
  4. boards of trustees of the career and technology centers or schools in South Carolina
  5. state boards and commissions related to or created in connection with public education in South Carolina
- B. Associate members will be public and/or private businesses, organizations and/or individuals with an interest in promoting the advancement of public education in South Carolina. Determination of eligibility of an associate membership will be the responsibility of the executive director.
- C. Affiliate members/associate members do not have all rights and privileges of active members. Affiliate/associate membership does not grant the affiliate/associate member the right to participate in association programs or receive services with the following exceptions:
1. Affiliate members/associate members may send representatives to meetings of the association, but have no right to vote or to hold association offices.
  2. Affiliate members/associate members are entitled to receive association publications on the same basis as active members.
  3. The executive director determines services available to affiliate members.

### **Section 3. Suspension**

- A. Any active member or affiliate/associate member whose dues are 120 days past due will be suspended except as authorized by the executive director and consistent with policies of the board of directors. Members suspended for nonpayment of dues may be reinstated by the executive director at any time upon payment of the current year's dues.
- B. The membership of any active member or affiliate/associate member may be suspended by the board of directors for lack of payment of any fees for professional services due to the association when such fees are 120 calendar days past due. Members suspended for nonpayment of fees may be reinstated by the executive director at any time payment of said fees are received. Members not fulfilling financial obligations owed to the association for fee-based services by the end of the fiscal year will not be extended the privilege of membership in a subsequent fiscal year unless approved by the executive director.

### **Section 4. Termination**

- A. An active membership may be terminated upon a majority vote of the board of directors at a meeting at which reasons for termination are considered.
- B. The associate or affiliate status of any individual or organization may be withdrawn for such reasons as the board of directors may deem appropriate.

## **Article IV - Dues and Fees Section**

### **Section 1. Annual dues of active membership**

Active members will pay annual dues calculated and billed according to a formula approved by the board of directors.

### **Section 2. Charges to affiliates/associates**

Each affiliate/associate member will be assessed annual dues or charges and meet such other conditions as may be determined by the executive director.

## **Article V - Delegate Assembly**

### **Section 1. Governing body**

The delegate assembly will serve as the legislative body of the association. The board of directors will serve as the governing body of the association.

### **Section 2. Powers of the delegate assembly**

The delegate assembly is empowered to do the following:

- A. Elect the officers and the directors of the association.
- B. Adopt rules of procedure for the conduct of meetings of the delegate assembly.
- C. Request to hear reports of committees of the association.
- D. Adopt policies and resolutions pertinent to the purposes and objectives of the association.
- E. Adopt amendments to the constitution and bylaws as herein provided.
- F. Delegate to the board of directors any of its powers except those of the election of officers and directors, the adoption of amendments to this constitution and bylaws, and the adoption of resolutions of the association.

### **Section 3. Composition**

- A. The delegate assembly will be composed of the certified voting delegates from the active member boards of the association.
- B. A voting delegate will be a member of a member board.
- C. The number of votes of each member board will be determined on the basis of the following formula:

Pupils enrolled in public elementary and secondary schools as per the *Average Daily Membership* of the previous year.

1 vote for 0-2,000 student population

1 additional vote for every 3,000 students thereafter or majority part thereof

- D. Each member board will assign its vote or votes to one or more of its board members for a term of one year who will be certified as voting delegate(s) to the delegate assembly. No voting delegate will have less than one vote but member boards with more than one vote may assign or apportion its votes, in multiples of one, to as many of its members as it chooses.
- E. Each member board may designate for each voting delegate an alternate delegate who may serve in the absence of such voting delegate, but who will otherwise have no voice or vote.



- F. Members of the board of directors who are not serving as voting delegates from their member boards will be non-voting delegates ex-officio.

#### **Section 4. Certification of delegates**

The executive director will notify each active member board of the designated deadline date for certification of the board's voting delegates. Each active member board will certify its voting delegate to the executive director before the designated deadline for such certification. An alternate delegate for each voting delegate will also be named and certified. In no case will a member of a member board be allowed to serve as an official delegate unless certified by the member board as a delegate or alternate prior to the designated deadline for certification.

#### **Section 5. Meetings**

- A. The delegate assembly will hold at least one meeting annually. The delegate assembly may hold additional meetings on reasonable notice, upon call of the president or by a majority of the board of directors, at such places as the president or the board of directors may designate.
- B. The agenda for meetings of the delegate assembly will be prepared by the executive director and president with approval of the executive committee.
- C. All materials necessary for the conduct of the delegate assembly will be mailed by the executive director to each voting delegate and alternate delegate, no later than 45 days in advance of the meeting.
- D. A quorum consists of a majority of the active member boards.
- E. Each voting delegate has the right to cast the number of votes for which he/she is certified on any issue which is before the meeting of the delegate assembly. No delegate may vote by proxy or by absentee ballot.

#### **Section 6. Officers of the delegate assembly**

The president of the association will serve as the chairman of the delegate assembly and the executive director will serve as the secretary. The chairman may appoint such other officers of the delegate assembly as may be needed.

#### **Section 7. Constitution and bylaws**

- A. Proposed amendments to the constitution and bylaws will be submitted in writing to the policy and constitution committee prior to the delegate assembly meeting at a time designated by the executive director. Proposed amendments to the constitution and bylaws may be submitted by active member boards or the board of directors of the association.
- B. The policy and constitution committee will study all proposals received and will prepare a report of its recommendations. The recommendations will be submitted to the board of directors for approval. All recommendations approved will be distributed to certified members of the delegate assembly no later than 45 days in advance of the meeting.
- C. Proposed amendments to the constitution and bylaws which are not submitted as provided for in this section or approved by the board of directors will not be considered by the delegate assembly unless two-thirds of the voting strength of the delegate assembly present and voting elect to suspend these rules to consider such late proposals. The vote to

suspend the rules must be taken separately for each late proposal.

- D. The adoption of any amendments to the constitution and bylaws will require a two-thirds vote of the voting strength of the delegate assembly present and voting.

### **Section 8. Resolutions**

- A. Proposed resolutions will be submitted to the legislation committee prior to the delegate assembly meeting at a time designated by the executive director. Resolutions may be submitted by the active member boards or by the board of directors of the association.
- B. The legislative committee will study all proposals received and will prepare a report of its recommendations. The recommendations will be submitted to the board of directors for approval. The resolutions approved by the board will be submitted to the delegate assembly no later than 45 days in advance of the meeting.
- C. Proposed resolutions which are not submitted as provided for in this section or approved by the board of directors will not be considered by the delegate assembly unless two-thirds of the voting strength of the delegate assembly present and voting elect to suspend these rules to consider such late proposals. The vote to suspend the rules must be taken separately for each late resolution.

## **Article VI - Board of Directors**

### **Section 1. Election and duties**

The delegate assembly will elect the membership of the board of directors who will supervise, control and direct the affairs of the association, within the limits of and consistent with the policies promulgated by the delegate assembly and this constitution and bylaws. The board of directors will actively promote the purposes of the association, adopt the association's budget, and exercise discretion in the disbursement of the association's funds. The board of directors may adopt such rules and regulations for the conduct of its business as it will deem advisable, and may in the execution of its powers appoint an executive director as it may consider necessary.

### **Section 2. Composition**

The board of directors will be composed of the two elected officers, the president, the immediate past president and a member from each of the 16 regions in South Carolina. The regions will be based on student population. Each region represents approximately 40,000 students. The regions are as follows:

Region 1 - Beaufort, Colleton, Dorchester 2, 4; Jasper

Region 2 - Charleston\*

Region 3 - Berkeley, Georgetown

Region 4 - Dillon 3, 4; Horry, Marion 10

Region 5 - Clarendon 1, 2, 3; Florence 1-5, Williamsburg

Region 6 - Chesterfield, Darlington, Kershaw, Lee, Marlboro

Region 7 - Calhoun, Orangeburg Consolidated 3, 4, 5; Sumter

Region 8 - Richland 1, 2

Region 9 - Lexington 1-5

Region 10 - Aiken, Allendale, Bamberg 1, 2; Barnwell 19, 29, 45; Hampton 1, 2

Region 11 - Abbeville, Anderson 1, 2, 3; Edgefield, Greenwood 50, 51, 52; McCormick, Saluda

Region 12 - Cherokee, Chester, Fairfield, Laurens 55, 56; Newberry, Union

Region 13 - Lancaster, York 1-4

Region 14 - Spartanburg 1-7

Region 15 - Greenville\*

Region 16 - Anderson 4, 5; Pickens, Oconee

*\*Denotes single-district region.*

The executive director will serve as an ex-officio member of the board of directors without voting rights.

A South Carolina school board member serving on the governing board of the National School Boards Association may also serve as an ex-officio, non-voting member of the board of directors. The board member may serve until the end of his/her tenure on the national board.

### **Section 3. Membership requirements**

Each voting member of the board of directors will be a member of an active member board, with the exception of the immediate past president, and will not be employed as a staff member of the South Carolina School Boards Association.

### **Section 4. Duration of office**

A. Each director will be elected for a term of four years and will serve until his/her successor has been elected, except as provided in Article VI, Section 7 (A). A director from a single-district region is nominated by the board of trustees from his/her school district and serves a term of four years and is subject to the same procedures and guidelines as every other director. Each director will assume office at the delegate assembly in which he/she was elected.

B. Effective, beginning in 1996, directors will be elected for four-year terms as follows:

1996, 2000, 2004, 2008, 2012, 2016 - Regions 4, 8, 12, 16

1997, 2001, 2005, 2009, 2013, 2017 - Regions 1, 5, 9 and 13

1998, 2002, 2006, 2010, 2014, 2018 - Regions 2, 6, 10 and 14

1999, 2003, 2007, 2011, 2015, 2019 - Regions 3, 7, 11 and 15

In the year 2000 and every year thereafter, this cycle will be repeated, as indicated above.

Directors may not serve more than two consecutive four-year terms.

C. A member of the board of directors may resign upon presenting his/her written resignation to the president of the association and the resignation will become effective upon receipt by the president.

## **Section 5. Meetings**

The board of directors will hold at least four meetings annually at such time and place as determined by the president and the executive director. Additional meetings of the board of directors may be called by the president or by written request of a majority of the members of the board of directors, provided that a reasonable notice is sent to each member of the board of directors. Meetings of the board of directors may be electronically conducted including by conference call providing all notification and other requirements for a meeting of the board are satisfied.

## **Section 6. Quorum and voting**

- A. A quorum will consist of a majority of the full voting membership of the board of directors.
- B. A majority vote will govern unless otherwise specified by the board of directors. No member will vote by proxy or absentee ballot.
- C. The president may request action by the board between meetings of the board by mail ballot, electronic ballot, or a roll call vote taken by conference call. Action taken by mail ballot, electronic ballot, or a roll call vote taken by conference call, by a majority of all voting members of the board of directors will constitute a valid action and will be reported at the next meeting of the board.

## **Section 7. Vacancies**

- A. Vacancies in any region will be filled by appointment of the president with the approval of the board of directors. The appointee will serve in that position until the next delegate assembly. If at that time the normal term of that region expires, the delegate assembly will fill the seat in the normal manner. If the original term has not expired, the delegate assembly will elect a director to complete the un-expired term. If the vacancy occurs after the nominating committee has made its annual report to the board, then the vacancy will be filled by election at the delegate assembly.
- B. Any member of the board of directors who does not attend two consecutive regular meetings may be terminated by the board of directors and a vacancy may be declared by the board of directors.

## **Article VII - Executive Committee**

### **Section 1. Composition**

The executive committee will be composed of the association's president, president-elect, secretary/treasurer and immediate past president. The executive director will be an ex-officio member without voting rights.

### **Section 2. Powers**

The executive committee will be vested with power to perform all acts and transact all necessary business which the board of directors might do during the interim between meetings of the board. It will also have the responsibility of administering the affairs of the association in accordance with the constitution and bylaws approved by the delegate assembly, and preparing and presenting periodic reports to both the board of directors and the delegate

assembly. All actions taken by the executive committee must be reported to the board of directors.

### **Section 3. Responsibility**

- A. The executive committee will have the powers of the board of directors between board meetings, with the exception of termination of the executive director.
- B. The executive committee will recommend the appointment and compensation of the executive director to the board of directors.

### **Section 4. Chairman**

The president of the association will serve as chairman of the executive committee.

### **Section 5. Meetings**

The executive committee will meet at such times as may be called by the president or any two members thereof and upon reasonable notice of the time and place of the meeting.

## **Article VIII - Officers**

### **Section 1. Titles**

Officers of the association will be a president, president-elect, secretary/treasurer and the immediate past-president.

### **Section 2. Election, qualifications and term of office**

- A. The delegate assembly will elect a president-elect and secretary/treasurer of the association.
- B. The president-elect of the preceding year will assume the presidency if he/she is still a member of an active member board.
- C. The president of the preceding year will assume the office of immediate past president if he/she is still a member of an active board.
- ~~B. The one-year term of office of each officer will begin at the delegate assembly at which they were selected and will end at the next annual delegate assembly.~~
- ~~C.D.~~
- ~~D. The president-elect of the preceding year will assume the presidency if he/she is still a member of an active member board. At any time the president-elect is no longer a member of an active member board, the office will be declared vacant. The president of the preceding year will assume the office of immediate past president.~~
- E. No officer will serve consecutively for more than one full term in the same office.
- F. An officer, at the time of his/her election, will be a member of an active member board, ~~with the exception of the past president~~, and will not be employed as a staff member of the South Carolina School Boards Association.  ~~All~~ officers will not be allowed to serve their entire term if they are no longer members of an active member board.

### **Section 3. Vacancies**

- A. If there is a vacancy for any reason in the office of president, the president-elect will succeed to the office immediately and will have all powers and perform all the duties of the office. If the vacancy occurs within 45 days of the delegate assembly, the president-elect will immediately succeed to the office of president and will serve in that position through delegate assembly and for the duration of the next full term of office.
- B. If there is a vacancy for any reason in the office of the president-elect, the secretary/treasurer will succeed to the office immediately and will have all the powers and perform all the duties of the office. If the vacancy occurs within 45 days of the delegate assembly, the secretary/treasurer will immediately succeed to the office of president-elect, and will be eligible for election to the position of president-elect for the following term of office.
- C. If there is a vacancy for any reason in the office of the secretary/treasurer, the board of directors will appoint a member from the board of directors to serve as secretary/treasurer pro-tempore until the office can be filled at the next delegate assembly.
- D. If there is a vacancy for any reason in the office of the immediate past president, the position will remain vacant until the next delegate assembly.
- E. If there is any vacancy for any reason in any office which cannot be filled by these provisions, the board will appoint from the membership of the board of directors an officer pro-tempore to perform the duties of the vacated office until the office is filled by the delegate assembly at its next annual meeting.
- F. Nothing in these bylaws prohibits an individual from being a candidate for an officer's position when the individual serves in the position by virtue of the rule of succession outlined in these bylaws.

### **Section 4. President**

The president will preside at all meetings of the delegate assembly, the executive committee and the board of directors. The president will serve as an ex-officio non-voting member of all committees. The president will perform such duties as may be elsewhere provided or as may be required by the board of directors or delegate assembly.

### **Section 5. President-elect**

The president-elect will participate in the functions of the board of directors and will follow closely the duties of the president. The president-elect will perform all duties related to the office of president-elect including that of serving as chairman of the legislation committee and the training and convention committee.

### **Section 6. Secretary/Treasurer**

The secretary/treasurer will perform all duties related to the office of secretary/treasurer including serving as the chairman of the finance and audit committees.

### **Section 7. Immediate past president**

The immediate past president will serve as an advisor to the president and

the board of directors on all items deemed appropriate. The immediate past president will serve as a voting member of the executive committee, nominating committee and board of directors.

## **Article IX - Nominations and Elections**

### **Section 1. Nominating committee**

A committee for the nomination of officers and directors of the association will be selected by the president of the association from the board of directors. The nominating committee will not have more than five members and will select its own chairman.

### **Section 2. Duties of nominating committee**

The nominating committee will meet prior to the delegate assembly to name one nominee for each office to be filled. This slate of nominees will be submitted to the board of directors for their consideration and adoption.

### **Section 3. Preparation of the slate of nominees**

- A. Member boards may nominate a candidate for an officer or director's position within the appropriate region. Each board must send the official nomination form including a letter of endorsement adopted by the board to the president of the association. A signed letter from each nominee indicating his/her willingness to serve must also be included. Such material will be received by the chairman of the nominating committee prior to the meeting of the delegate assembly at a time designated by the executive director. One nominee for each office will be selected. No candidate will be a candidate for more than one office.
- B. These nominations will be sent to the board of directors for adoption. If any nominee is rejected, the board must substitute another by majority vote subject to approval by the nominee's local board. Should any nominee proposed for the slate by the nominating committee be unable to serve before the nominating committee makes its final report to the board, the chairman of the nominating committee will be notified by the executive director and the committee will solicit additional nominations. The nominating committee will re-convene and select another nominee. Should any nominee be unable to serve after the board has acted to accept the nomination, the vacancy will be filled by election at the delegate assembly.
- C. The executive director will send to the chairman and superintendent of the member boards the slate of nominees for officers and directors to be filled, as adopted by the board of directors, 45 days prior to the annual meeting of the delegate assembly.
- D. Nominations can be made from the floor. A candidate running from the floor must notify the association president in writing at least 15 days prior to the delegate assembly meeting. Nominees who run from the floor must have written endorsement from their own boards as well as a letter indicating their willingness to serve.

### **Section 4. Election procedure**

- A. The delegate assembly will elect the officers and directors at the annual meeting of the assembly.



- B. If there are two candidates for an office, the person receiving the largest number of votes will be elected to such office. In the event three or more candidates offer for an office and if a majority vote is not received by any candidate for such office, a run-off election will take place between the two candidates receiving the largest number of votes.

## **Article X - Committees**

### **Section 1. Standing committees**

The president will appoint members from the board of directors to the following standing committees: legislation committee, finance committee, audit committee, awards committee, nominating committee, training and convention committee, and policy and constitution committee.

### **Section 2. Special committees**

The president may appoint such special committees as deemed advisable with approval of the board of directors.

## **Article XI - Executive Staff**

### **Section 1. Employment**

Employment of the executive director will be the responsibility of the board of directors. The board of directors will establish a selection process for appointment of an executive director. Utilizing the selection process, the executive committee will recommend appointment of an executive director with approval of the board of directors.

### **Section 2. Duties**

- A. The executive director will manage, supervise and direct the operations of the association within the authority delegated to him/her by the executive committee and the board of directors. The executive director will serve as an ex-officio member of the delegate assembly, board of directors and executive committee without vote. The executive director may sign all contracts on behalf of the association as may be authorized in writing by the board of directors.
- B. The secretary/treasurer of the association, with the approval of the executive committee, may delegate any part or all of his/her duties, except the right to vote, to the executive director, provided that the secretary/treasurer will continue to be responsible for the supervision and proper performance thereof.

## **Article XII - Fiscal and Legal Procedures**

### **Section 1. Fiscal and dues year**

The fiscal and dues year of the association will be July 1 to June 30.

### **Section 2. Annual budget**

The executive committee will work with the finance committee to prepare a budget to be recommended to the board of directors for approval each fiscal year.

### **Section 3. Non-compensation**

No member of the board of directors acting in his/her capacity as an officer or director will receive compensation for services rendered.

### **Section 4. Deposits**

All funds of the association will be deposited to the credit of the association in such depositories covered by the Federal Deposit Insurance Corporation or its equivalent as determined by the board of directors

### **Section 5. Checks - drafts and withdrawals**

All checks, drafts or withdrawals of funds on accounts of the association will be in accordance with procedures specified by the finance committee and the board of directors.

### **Section 6. Income**

The executive director will collect all income for the association.

### **Section 7. Disposition of surplus funds**

Any surplus in excess of normal operating requirements and in excess of a reasonable reserve to be determined by the executive committee will be used to further the purposes of the association.

### **Section 8. Financial report**

The executive director and the secretary/treasurer will prepare a monthly financial statement showing the actual cash position of the association. The financial statement will be kept on file in the association's offices and a copy mailed to the executive committee. A quarterly statement will be mailed to each officer and director five days prior to the quarterly scheduled meeting.

### **Section 9. Bonding responsible personnel**

The executive director will be responsible for obtaining adequate bond for personnel handling funds, equipment and supplies for the association. The cost of said bond will be paid by the association.

### **Section 10. Audit**

The executive committee and the executive director will select a certified public accountant to audit the financial records of the association and submit an annual report each fiscal year to the board of directors.

## **Article XIII - Amendments of Constitution and Bylaws**

### **Section 1. Submitting proposed amendments**

Proposals for amendments to the constitution and bylaws will be submitted in writing in accordance with Article V, Section 7.

### **Section 2. Procedures for consideration**

- A. Any and all proposals for amendments will be submitted to the policy and constitution committee for its consideration and recommendation to the board of directors for approval in the same manner as authorized for submission of changes in bylaws in Article V, Section 7.
- B. If the policy and constitution committee recommends modification of a proposal to amend the constitution, the sponsoring group will be notified by the committee outlining to them the proposed alterations.

Should the group find the proposals and alterations unacceptable, the original proposal, together with the committee's recommendations, will be submitted to the delegate assembly for action.

### **Section 3. Action on proposed amendments**

- A. The delegate assembly will consider all proposals that meet the requirements for amendment to the constitution and bylaws.
- B. A written notice of the proposed change will be sent to each delegate no later than 45 days in advance of the meeting at which the amendment will be considered.

### **Section 4. Voting on proposals**

The constitution and bylaws of the association may be amended by a two-thirds vote of the voting strength of the delegate assembly present and voting.

## **Article XIV - Miscellaneous**

### **Section 1. Office**

The executive office of the association will be maintained at such address as the board of directors may determine.

### **Section 2. Interpretation of constitution**

The board of directors will be the final authority on the interpretation of the constitution and bylaws.

### **Section 3. Previous constitution and bylaws superseded**

All provisions of the previous constitution and bylaws of the South Carolina School Boards Association, Incorporated, are hereby replaced by these provisions.

### **Section 4. Parliamentary guide**

The latest published and released edition of the Robert's Rules of Order will be the official parliamentary guide for all business sessions of the association except where such rules conflict with this constitution and bylaws or rules adopted by the delegate assembly.

### **Section 5. Indemnification**

"The association will have the power and authority to indemnify and hold harmless to the full extent permitted by law any person who is or was a director, officer, employee or agent of the association or who is or was serving at the request of the association as a director, officer, employee, or agent of another corporation, partnership, joint venture, trust or other enterprise. In addition, the association may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the association, or who is or was serving at the request of the association as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against any liability asserted against him and incurred by him in any such capacity, or arising out of his status as such, regardless of whether the association would have the power to indemnify him against such liability."

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Revised and adopted by the delegate assembly: 10/15/87, 12/02/90, 10/17/91, 12/5/98, 12/1/00, 12/7/02, 12/5/09, 12/7/13, 12/5/15, 12/2/17

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## TEMPORARY ADDENDUM

This Temporary Addendum (hereinafter “addendum”) is designed for use as a supplement to the Constitution and Bylaws of The South Carolina School Boards Association (hereinafter “association”) and is effective only for the three (3) year terms 2017-2018 through 2019-2020 to accommodate the transition from a six (6) member executive committee to a four (4) member executive committee.

### **Section 1. Expiration of addendum.**

This addendum will expire at the conclusion of the delegate assembly meeting held in conjunction with the association’s 2019 Legislative Advocacy Conference.

### **Section 2. Provisions of Constitution and Bylaws superseded.**

During the effective period of this addendum, the provisions contained herein will supersede any conflicting provisions in the Constitution and Bylaws.

### **Section 3. Interpretation of addendum.**

The Board of Directors will be the final authority on the interpretation of the effect of this addendum on the Constitution and Bylaws.

### **Section 4. Article VI - Board of Directors.**

In 2017-2018, the Board of Directors will be composed of the four (4) elected officers, the president, immediate past president and a member from each of the sixteen (16) regions in South Carolina. In 2018-2019, there will be three (3) elected officers, and in 2019-2020, there will be two (2) elected officers as reflected in the Constitution and Bylaws. (Section 2. Composition)

### **Section 5. Article VII - Executive Committee.**

- A. In 2017-2018, the executive committee will be composed of the association’s president, president-elect, vice president, treasurer, secretary and immediate past president. For 2018-2019, the offices of treasurer and secretary will be combined into the office of secretary/treasurer. In 2019-2020, the office of vice president will be eliminated.

Thus, beginning in 2019-2020, and continuing thereafter, the executive committee will be composed of the association’s president, president-elect, secretary/treasurer and immediate past president as reflected in the Constitution and Bylaws. (Section 1. Composition)

- B. The executive committee will meet at such times as may be called by the president or, during the 2017-2018 and 2018-2019 terms, any three (3) members thereof, and upon reasonable notice of the time and place of the meeting. Beginning in 2019-2020, the president or any two (2) members of the executive committee may call a meeting as reflected in the Constitution and Bylaws. (Section 5. Meetings)

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## **Section 6. Article VIII - Officers (Vacancies).**

- A. In 2017-2018, officers of the association will be a president, president-elect, vice president, treasurer, secretary and immediate past president. For 2018-2019, the offices of treasurer and secretary will be combined into the office of secretary/treasurer. In 2019-2020, the office of vice president will be eliminated. Thus, beginning in 2019-2020, and continuing thereafter, officers of the association will be a president, president-elect, secretary/treasurer and immediate past president as reflected in the Constitution and Bylaws. (Section 1. Titles)
- B. In 2017, the delegate assembly will elect a president-elect, vice president, treasurer, and secretary of the association. In 2018, no election will occur for the offices of treasurer or secretary at the delegate assembly. Instead, a secretary/treasurer will be elected. In 2019, no election will occur for the office of vice president at the delegate assembly as the office will be eliminated for the 2019-2020 term. Thus, beginning in 2019, and thereafter, the delegate assembly will elect a president-elect and secretary/treasurer as reflected in the Constitution and Bylaws. (Section 2. Election, qualifications and term of office, A)
- C. In 2017-2018 and 2018-2019, if there is a vacancy for any reason in the office of the president-elect, the vice president will succeed to the office immediately and will have all the powers and perform all the duties of the office. In 2019-2020, and thereafter, if there is a vacancy in the office of president-elect, the secretary/treasurer will succeed to the office immediately and will have all the powers and perform all the duties of the office as reflected in the Constitution and Bylaws. (Section 3. Vacancies, B)
- D. In 2017-2018, if there is a vacancy for any reason in the office of the vice president, the treasurer will succeed to the office immediately and will have all the powers and perform all the duties of the office. In 2018-2019, if there is a vacancy for any reason in the office of the vice president, the secretary/treasurer will succeed to the office immediately and will have all the powers and perform all the duties of the office. The office of vice president will be eliminated for 2019-2020.
- E. In 2017-2018, if there is a vacancy for any reason in the office of the treasurer, the secretary will succeed to the office immediately and will have all the powers and perform all the duties of the office. The office of treasurer will be eliminated for 2018-2019.
- F. In 2017-2018, if there is a vacancy for any reason in the office of the secretary, the Board of Directors will appoint a member from the Board of Directors to serve as secretary pro-tempore until the office can be filled at the next delegate assembly. The office of secretary will be eliminated for 2018-2019.
- G. In 2018-2019, and thereafter, if there is a vacancy for any reason in the office of the secretary/treasurer, the Board of Directors will appoint a member from the Board of Directors to serve as secretary/treasurer pro-tempore until the office can be filled at the next delegate assembly as reflected in the Constitution and Bylaws. (Section 3. Vacancies, C)

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## **Section 7. Article VIII - Officers (Duties).**

- A. In 2017-2018 and 2018-2019, the vice president will follow closely the duties of the president and president-elect. The vice president will perform any duty as from time to time may be assigned to him/her by the president or Board of Directors including that of serving as chairman of the training and convention committee. The office of vice president will be eliminated for 2019-2020.
- B. In 2019-2020, and thereafter, the president-elect will serve as chairman of the training and convention committee, in addition to his/her service as chairman of the legislation committee.
- C. In 2017-2018, the treasurer will perform all duties related to the office of treasurer including that of serving as chairman of the finance and audit committees. The office of treasurer will be eliminated for 2018-2019.
- D. In 2017-2018, the secretary will perform all duties related to the office of secretary. This office of secretary will be eliminated for 2018-2019.
- E. In 2018-2019, and thereafter, the secretary/treasurer will perform all duties related to the office of secretary/treasurer including that of serving as the chairman of the finance and audit committees as reflected in the Constitution and Bylaws. (Section 6. Secretary/Treasurer)

## **Section 8. Article XI - Executive Staff.**

- A. In 2017-2018, the secretary and/or treasurer of the association, with the approval of the executive committee, may delegate any part or all of their duties, except the right to vote, to the executive director, provided that the secretary and/or treasurer will continue to be responsible for the supervision and proper performance thereof. In 2018-2019, the offices of secretary and treasurer will be eliminated.
- B. In 2018-2019, and thereafter, the secretary/treasurer of the association, with the approval of the executive committee, may delegate any part or all of his/her duties, except the right to vote, to the executive director, provided that the secretary/treasurer will continue to be responsible for the supervision and proper performance thereof as reflected in the Constitution and Bylaws. (Section 2. Duties, B)

## **Section 9. Article XII - Fiscal and Legal Procedures.**

- A. In 2017-2018, the executive director and the treasurer will prepare a monthly financial statement showing the actual cash position of the association. In 2019-2020, and thereafter, the executive director and the secretary/treasurer will prepare this monthly financial statement. (Section 8, Financial Report).











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