



# 2020 DELEGATE ASSEMBLY HANDBOOK

**ANNUAL BUSINESS MEETING**

**DECEMBER 4, 2020-11:30 A.M. COLUMBIA METROPOLITAN CONVENTION CENTER**

# 2020 DELEGATE ASSEMBLY HANDBOOK

## what's inside

Introduction .....	1
2020 Delegate Assembly agenda .....	2
Minutes of the 2019 Delegate Assembly .....	4
Rules of procedure .....	11
Annual report.....	14
Financial report.....	19
Proposed slate of officers and directors .....	21
Guide to resolutions (index) .....	22
Resolutions .....	23
Notes pages .....	43

## The Board of Directors is pleased

to present the 2020 Delegate Assembly Handbook in preparation for the South Carolina School Boards Association’s annual business meeting. The meeting will be held from 11:30 a.m. – 1:30 p.m., Friday, December 4, 2020, at the Columbia Metropolitan Convention Center in Columbia, South Carolina. In the event that we are unable to hold a face-to-face meeting, the Delegate Assembly will be held as a virtual meeting. Because of the unusual circumstances this year with COVID-19, the health and safety of our members prompts us to ask districts to limit the number of delegates they select to one per board.

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 4 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 review the materials in this handbook during your September, October or November board meetings. Your discussion will offer valuable guidance to those serving as your delegate at the Delegate Assembly. Finally, plan to “attend” the annual business meeting at 11:30 a.m. on December 4, via live stream even if you are not your board’s official delegate. Your involvement enables SCSBA to serve as the leading voice for public education and public school governance in South Carolina. As a reminder, if you were appointed to serve as the delegate for your district, you will be voting on behalf of your board.

# AGENDA

## 2020 Delegate Assembly Agenda

Friday, December 4, 2020  
11:30 a.m.

**Chuck Saylor**, President, South Carolina School Boards Association, presiding

**Call to Order** ..... Chuck Saylor  
SCSBA President

**Pledge of Allegiance** ..... Cheryl Burgess  
SCSBA President-elect

**Credentials Report**..... Jamie Devine  
SCSBA Secretary/Treasurer

**Approval of Agenda** (page 2) ..... Chuck Saylor

**Approval of 2019 Minutes** (pages 4-10) ..... Chuck Saylor

**Approval of Rules of Procedure**  
(pages 11-13)..... Chuck Saylor

**2019-20 Annual Report** (pages 14-18) ..... Chuck Saylor

**Finance Committee Report** ..... Jamie Devine, Chair  
(pages 19-20) SCSBA Finance Committee  
SCSBA Secretary/Treasurer

**Nominating Committee Report** (page 21)... Tony Folk, Chair  
SCSBA Nominating Committee  
SCSBA Immediate Past President

**Election of Officers and Directors**..... Chuck Saylor

**2021 Resolutions** (pages 22-42)..... Cheryl Burgess, Chair  
Section 1 – Current Legislative Resolutions SCSBA Legislative Committee  
Section 2 – Proposed New Resolution SCSBA President-elect  
Section 3 – Proposed Resolutions for  
Deletion

**Installation of Officers and Directors** ..... Tony Folk  
SCSBA Immediate Past President

**President's Address** ..... Cheryl Burgess  
SCSBA President

**Adjournment**

## Executive Committee



**Chuck Saylor**  
*President*



**Cheryl Burgess**  
*President-elect*



**Jamie Devine**  
*Secretary/Treasurer*



**Tony Folk**  
*Immediate Past President*

## Minutes of the 2019 Delegate Assembly

December 7, 2019

### Time and place

The 2019 meeting of the South Carolina School Boards Association Delegate Assembly was held at the Marriott Hotel in Charleston, South Carolina, on December 7, 2019. President Tony Folk called the meeting to order at 2:09 p.m. After welcoming the delegates, President Folk called on SCSBA Vice President Cheryl Burgess to lead the group in the Pledge of Allegiance.

### Credentials report

SCSBA Secretary/Treasurer Jamie Devine announced that there were 124 delegates from 68 school boards present, which represented 86 percent of the 79-member school boards.

### Approval of agenda

The agenda was approved by general consent.

### Approval of minutes

The minutes from the 2018 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 2019 Delegate Assembly.

### President's Report

President Folk introduced the members of the Board of Directors. He then called everyone's attention to the Annual Report on pages 12 through 15 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 Folk called upon SCSBA Secretary/Treasurer Jamie Devine to present the Finance Committee Report. Secretary/Treasurer Devine 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. He further announced 100 percent membership in SCSBA of the 79 school boards in the state for the 43rd year in a row.



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

## Nominating Committee Report

President Folk called on Wesley Hightower, Immediate Past President and chair of the Nominating Committee, to give the Nominating Committee Report. Chairperson Hightower introduced the other members of the SCSBA Nominating Committee. Chairperson Hightower 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, Chuck Saylor was not listed among the individuals on the slate of officers. The slate of officers and directors as found on page 18 of the Delegate Assembly Handbook included:



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

**President-elect**..... Cheryl Burgess (Lexington Three board)  
**Secretary/Treasurer** ..... Jamie Devine (Richland One board)  
**Director, Region 3** ..... Michael Ramsey (Berkeley County board)  
**Director, Region 7** ..... Mary Ulmer (Orangeburg County board)  
**Director, Region 11** ..... Tim Rhodes (Abbeville County board)  
**Director, Region 12** ..... Billy Blackwell (Cherokee County board)  
**Director, Region 15** ..... Lisa Wells (Greenville County board)

Chairperson Hightower moved for adoption of the Nominating Committee Report.

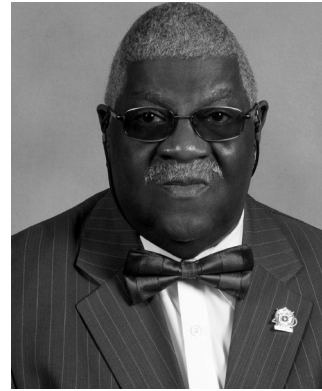
President Folk informed the Delegate Assembly that Brian Alston, Sumter School District, had submitted a nomination packet to run for the Region 7 seat and noted that the election for Region 7 would be held as a separate election.

The motion to approve the Nominating Committee Report, with the exception of the Region 7 seat, was passed by a voice vote.

President Folk directed the Delegate Assembly's attention to the biographical information for Brian Alston and Mary Ulmer. President Folk noted that since Mary Ulmer 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. Rick Bradshaw from Anderson School District Five seconded the nomination of Brian Alston. Each candidate was given three minutes to address the Delegate Assembly. After both candidates had spoken, President Folk directed the Delegate Assembly to cast their votes. Rachel Anderson, Joanne Avery, and King Laurence 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 Folk called on Chuck Saylor, president-elect and chair of the Legislative Committee, to give the Legislative Committee Report. Chairperson Saylor introduced the other members of the SCSBA Legislative Committee. Chairperson Saylor moved that the Legislative Committee Report be adopted.



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

President Folk then stated that there were four current legislative priorities numbered 1 - 4 as found in Section 1 of the report. Section 2 contained 31 current statements of belief numbered 5 - 35. Section 3 contained two recommended new statements of belief, numbered 36 and 37. Section 4 contained four previously adopted resolutions, numbered 38 - 41, that were recommended for deletion. President Folk reminded the Delegate Assembly that in that the SCSBA Board of Directors submitted the report, no second was needed.

President Folk called for a block vote on Section 1, which contained four current legislative priorities numbered 1 – 4, three of which had previously been before the Delegate Assembly and one of which (number 2) was moved from the Statements of Belief section. President Folk noted that the Board of Directors recommended that these priorities be adopted as submitted in the Delegate Assembly handbook. Lindsay Agostini from Richland School District Two asked that Legislative Priority number 2 be pulled for further discussion. President Folk called for a block vote on the adoption of all Legislative Priorities in Section 1, with the exception of number 2, and the vote passed by a voice vote. President Folk then called on Lindsay Agostini to speak on Legislative Priority number 2. After discussion by Lindsay Agostini, President Folk called for a voice vote on whether to adopt Legislative Priority number 2, the result of which was unclear. President Folk then called for a tabulated vote.

President Folk announced the results of the Region 7 Director election, declaring Mary Ulmer the winner.



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

# MINUTES

The Delegate Assembly stood at ease while the tabulated votes on whether to adopt Legislative Priority number 2 were cast and collected.

President Folk noted that Section 2 contained current Statements of Belief numbered 5 – 35 and that most of these statements of belief had been before the assembly in previous years and were offered up for re-adoption with minor editorial changes. Statements of Belief numbers 20 and 22 were moved from the current legislative priorities and revised. President Folk called for a block vote on Section 2. Lindsay Agostini from Richland School District Two asked that Statement of Belief number 30 be pulled for further discussion. President Folk called for a block vote on the adoption of all statements of belief in Section 2, with the exception of number 30, and the vote passed by a voice vote. President Folk called on Lindsay Agostini to discuss Statement of Belief number 30. After discussion by Lindsay Agostini and Lisa Wells from Greenville County Schools, President Folk called for a vote on whether to adopt Statement of Belief number 30, which passed by a voice vote.

President Folk then announced the results of the tabulated vote for Legislative Priority number 2 from Section 1 and declared that the motion passed by a vote of 203 to 37.

President Folk noted that Section 3 contained two recommended new statements of belief numbered 36 and 37. President Folk called on SCSBA Director of Governmental Relations and Communications Debbie Elmore to give a brief explanation of both recommended new statements of belief. President Folk called for a block vote on Section 3. Todd McDonald from Kershaw County School District asked to pull recommended New Statement of Belief number 36. President Folk called for a vote on the adoption of recommended New Statement of Belief number 37, which passed by a voice vote. President Folk called on Todd McDonald



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

to discuss recommended New Statement of Belief number 36. After some discussion, Lynda Leventis-Wells from Greenville County Schools made a motion to close debate, and Glenda Morrison-Fair from Greenville County Schools seconded the motion. President Folk called for a vote on closing debate, noting that two-thirds of the Delegate Assembly must agree. The vote passed by a voice vote. President Folk then called for a vote on the adoption of recommended New Statement of Belief number 36, which passed by a voice vote.

President Folk called for a vote on the deletion of resolutions numbered 38 - 41 in Section 4. The vote to delete resolutions numbered 38 - 41 passed by a voice vote.

## **Proposed Constitution/Bylaw Changes**

President Folk called upon Gail Hughes, Region 1 director and chair of the Policy and Constitution Committee, to give the Policy and Constitution Committee report. Hughes introduced the members of the committee. Hughes noted that the board of directors adopted the committee's report, allowing the recommendations to come before the Delegate Assembly. Hughes discussed that the committee and board of directors recommended several edits, including correcting the name of the Orangeburg district following its consolidation; removing "with the exception of the immediate past president" so that all voting members of the board must be members of an active member board; taking out the list of years so the document would not have to be updated as often; and in Article 8, Section 2, making editorial changes to make the section clearer by removing Part F "with the exception of the past president." President Folk



Travis Sloan, Region 14  
Director - Spartanburg 1-7



Lisa Wells, Region 15  
Director - Greenville



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

explained that a two-thirds vote was needed for adoption of the amendments to the SCSBA Constitution. President Folk called for a vote, which passed by a voice vote.

## Installation of Directors and Officers

President Folk called upon Immediate Past President Wesley Hightower to conduct the installation of officers. Hightower called on Beth Branham, NSBA President and member of the Lexington School District Two board, to assist with the installation of officers. Immediate Past President Hightower 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:



Beth Branham, *Ex-officio*

**President**..... Chuck Saylor (Greenville County board)  
**President-elect**..... Cheryl Burgess (Lexington Three board)  
**Secretary/Treasurer** ..... Jamie Devine (Richland One board)  
**Director, Region 3** ..... Michael Ramsey (Berkeley County board)  
**Director, Region 7** ..... Mary Ulmer (Orangeburg County board)  
**Director, Region 11** ..... Tim Rhodes (Abbeville County board)  
**Director, Region 12** ..... Billy Blackwell (Cherokee County board)  
**Director, Region 15** ..... Lisa Wells (Greenville County board)

President Folk then recognized Immediate Past President Wesley Hightower, from Aiken County, who was leaving the Board of Directors. President Folk presented Hightower with a plaque and thanked him for his service to SCSBA.

President Folk then introduced Chuck Saylor as the new president of the South Carolina School Boards Association.

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

## Adjournment

With no further business, President Saylor declared the 2019 Delegate Assembly of the South Carolina School Boards Association adjourned at 3:02 p.m.

Scott T. Price, Executive Director

## Assembly Rules and Procedures

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. Delegates will go to the microphone to be recognized by the presiding officer. If the meeting takes place using a virtual platform, the presiding officer will inform the delegates of the method to be recognized (e.g. "raising a virtual hand," posting in the chat box, etc.) at the start of the meeting.
3. Any candidate being nominated from the floor at the Delegate Assembly must have notified the association president in writing at least fifteen (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. The presiding officer will ask for a second and recognize any delegate that is at the microphone or, if the meeting is being held virtually, has requested to be recognized.

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.

# RULES OF PROCEDURE

Association elections will be conducted by secret ballot for an in-person meeting. The counting of the ballots will be completed by two (2) impartial and independent individuals excluding SCSBA staff, members of the SCSBA Board, SCSBA delegates, or any school board member in attendance other than delegates.

For a virtual meeting, voting will be done electronically. Delegates will receive information on the electronic voting platform that will be used prior to the meeting.

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 obtained by each candidate. 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.

Candidates will be allowed to review the results of the vote after the meeting has ended. After the conclusion of the meeting, and if a request is not made to review the results, they will be deleted.

4. In speaking to a motion, a delegate will be limited to three (3) minutes.
5. 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.
6. 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.

If the meeting is conducted virtually, the tabulated vote will be done electronically. Delegates will receive information on the electronic voting platform that will be used prior to the meeting

7. Once a resolution, amendment, or constitutional change has been adopted by the Delegate Assembly, reconsideration 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

# RULES OF PROCEDURE

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.

8. All substantive floor amendments to a proposed resolution or constitutional change that were not submitted by the deadline, 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.

If the meeting is conducted virtually, amendments from the floor that were not submitted by the deadline must be emailed no later than noon (12 p.m.) the day before the meeting.

9. 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. 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.
10. 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.
11. Once these rules of procedures have been adopted by the Delegate Assembly, any of the rules may be suspended by a two-thirds vote of the delegates.

## SCSBA mission

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

## 2019–2020 Annual Report

Who could have ever foreseen what the 2019–2020 year would mean for public schools in South Carolina and in our nation?

#SchoolBoardStrong, SCSBA's focus for this past year, has never been more important than it is now, when public schools are hard at work mapping out the upcoming school year amidst a worldwide pandemic of historical proportions. The school board/superintendent educational team in every district in South Carolina is moving forward responsibly to reopen schools this fall even as the landscape continuously shifts under our very feet. These data-driven decisions are - and must be - focused on ensuring the utmost safety for students and staff.

But, the pandemic is not the only galvanizing matter confronting public schools and the nation: social and racial injustice highlighted so tragically with the death of George Floyd earlier this summer only deepens our resolve to bring students back into the classroom so that public schools – through education – can be part of the solution.

Through all of this, local school boards play a vital role in providing the leadership necessary to meet the challenges ahead. SCSBA's critical mission - now more than ever - is to be the leading voice for public schools, ensuring that, as local leaders, our members have all the tools they need to move forward, whether it's through our continuous updates on COVID-19-related matters – policy and legal, legislative and communications – or working to ensure that local districts have the necessary state and federal resources to safely teach our children.

Ongoing training and professional development are vitally important during these challenging times. The issues confronting public schools are unprecedented. SCSBA appreciates all that our members do to ensure South Carolina's children get the best education possible, particularly in the face of great adversity.

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.



Scott Price, *Executive Director*

## **LEADERSHIP DEVELOPMENT — KEEPING YOU AHEAD OF THE CURVE**

- SCSBA recognized school board members throughout the state for achieving one of six levels in the 2019-2020 year with certificates of achievement and a lapel pin designating their level of accomplishment in the Boardmanship Institute.
- SCSBA recognized three 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 participation in training sessions over the past five years or less and pass a written exam.
- SCSBA staff visited six school districts across the state, working with school boards to enhance effective board governance practices.



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

## **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 other topics by request.
- SCSBA continues to contract with school districts for specialized, fee-based policy projects. These include 16 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.
- SCSBA welcomes Rasheeda Cleveland to the policy and legal services department as the new staff attorney.



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

## **LEGISLATIVE REPRESENTATION — #SCHOOLBOARDSTRONG**

The 2020 South Carolina legislative session will be one for the history books as an “unprecedented situation.” As a global pandemic swept into the state in early March, its reach would shut down the state for weeks and instantly change



Debbie Elmore, *Director of  
Governmental Relations*

the focus of lawmakers to crisis intervention. Prior to the virus' arrival, the Senate had just passed and sent to the House its massive 60-plus page education reform bill that had taken three months of debate. SCSBA spent much of its efforts reviewing and working for changes to this bill and ultimately opposed its passage. The House by a 120-2 vote passed a record-breaking \$10 billion spending plan that included a \$3,000 pay increase for teachers and a \$10 million increase in Education Finance Act (EFA) funding that would increase the Base Student Cost (BSC) by \$11 per student from the current year's \$2,489 to \$2,500. But all these efforts dissipated when the virus began to quickly spread throughout the state and nation.

The session, which had to be extended into the fall, resulted in the freezing of revenues for state agencies, local governments and school districts to ensure continued operations and the allocation of federal emergency aid for the state and local school districts to respond to the virus. SCSBA advanced the voices of locally-elected and appointed school board members through our legislative advocacy services at the state and federal levels to ensure the effective operations of school districts. At the federal level, SCSBA worked with the National School Boards Association to advocate for passage of federal stimulus funding for K12 and waivers for testing and other regulations. In addition, the association worked with the S.C. Department of Employment and Workforce (DEW) for the successful passage of the federal Protecting Nonprofits from Catastrophic Cash Flow Strain Act that allows non-profit organizations, local governments and school districts to pay half of their unemployment costs, which for many were double or triple their normal costs as a result of furloughs or layoffs from the virus.

SCSBA remains committed to ensuring that the local school board voice is heard in every public policy forum in which education decisions are made or influenced.

## **COMMUNICATIONS — PROVIDING RESOURCES FOR SCHOOL BOARD MEMBERS**

- SCSBA organized a "School Board Strong" School Board Recognition campaign, providing each of the state's 79 school districts with materials and resources to celebrate their school board members locally. 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



*Becky Bean, Director of  
Communications*

uphold these effective governance principles. This project brought much deserved attention and recognition to school boards by media and in local communities.

- As part of a statewide effort, SCSBA provided local boards with a 2020 Census toolkit, including sample board resolutions, op-eds, press releases and parent letters, to help ensure that all board members and their communities were aware of how the census directly impacts federal funding for schools and communities, including funding for special education, teacher training, school meals assistance, technology and after-school programs.
- SCSBA provided a designated website for local, state and federal COVID-19 resources, where information was continually updated to support school boards and school leaders. Coronavirus information was shared through SCSBA communication channels and direct messages to members as SCSBA continued to serve its members throughout an unprecedented time.
- A “School Board Member Return-to-School” survey was conducted, followed by a press conference to release the results of the survey, that gauged how local boards believed school districts should proceed to safely and effectively resume normal operations and how their schools fared during months of e-learning and other methods used to instruct students at home as a result of COVID-19 closures. This survey and resulting statistics garnered statewide media attention.
- SCSBA provided school board members with several ways to show support for their 2020 graduates, including a Facebook frame for school board members and “Proud School Board Member” yard signs.

## **SCSBIT — MEMBERSHIP IS OUR STRENGTH**

- The South Carolina 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 \$15.7 billion in school properties and serves 453,000 students. The Property and Casualty Trust currently has 51 school district customers representing 65 percent 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 the 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



Steve Mann, CPA, *Director of Insurance Services*

SCSBIT is \$150,000, with the reinsurance paying all losses after that. The latest audited financials on June 30, 2019, for the property and casualty trust fund reflect a net position of \$36.2 million with the June 2020 audit yet to be released.

- School districts across the state received \$997,844 for Workers' Compensation Risk Control Grants for the 2019-2020 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 employs qualified and professional staff, ensuring that our customer service remains second to none. The latest audited financials on June 30, 2019, for the workers' compensation trust fund reflect a net position of \$43.8 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 percent of all S.C. Districts.
- SCSBIT rolled out a new product in July 2019 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.
- 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.



Melissa Donald, *Director of Finance*

## Statement of financial position

As of June 30, 2020

<b>Assets</b>	<b>June 30, 2020</b>
Current assets	
Cash and cash equivalents	\$ 2,256,440
Accounts receivable	30,933
Investments	5,151,558
Accrued interest receivable	16,878
Prepaid expenses and other assets	128,173
<b>Total current assets</b>	<b>\$ 7,583,982</b>
Property and equipment	
Land	\$ 215,713
Land improvements	187,779
Building and improvements	3,307,350
Furniture and office equipment	563,084
Vehicles	42,717
Total property and equipment	4,316,643
Less accumulated depreciation	(1,950,429)
<b>Net property and equipment</b>	<b>2,366,214</b>
<b>Total assets</b>	<b>\$ 9,950,196</b>
<b>Liabilities and Net Assets</b>	
Current liabilities	
Accounts payable	18,182
Other accrued expenses	227,780
Mortgage payable - current portion	112,663
OPEB liability - current portion	4,153
<b>Total current liabilities</b>	<b>\$ 362,778</b>
Mortgage payable - long-term portion	1,660,242
OPEB liability - long-term portion	2,189,047
<b>Total long-term liabilities</b>	<b>3,849,289</b>
<b>Total liabilities</b>	<b>4,212,067</b>
Net assets	
Net assets without donor restrictions	5,256,390
Net assets with donor restrictions	481,739
<b>Total net assets</b>	<b>5,738,129</b>
<b>Total liabilities and net assets</b>	<b>\$9,950,196</b>

## Statement of activities

June 30, 2020

June 30, 2020

### Revenue

Membership dues	\$ 1,561,224
Conferences and meetings	473,172
Policy services	251,583
Investment income	236,219
Consulting	55,800
Publication sales and advertising	11,600
Administrative fees	3,292,724
Other income	12,128

**Total revenue** **\$ 5,894,450**

### Expenses

Program services:

Member services	\$ 3,751,255
Conferences, meetings and training seminars	593,319
Policy and other services	569,239

**Total program services** **\$ 4,913,813**

General and administrative expenses 1,089,840

**Total expenses** **\$ 6,003,653**

Increase in net assets (109,203)

Net assets, beginning of year 5,847,332

**Net assets, end of year** **\$ 5,738,129**

## Proposed slate of officers and directors

The SCSBA Board of Directors presents this slate of officers and directors for 2020-2021. Officers serve one-year terms. Directors serve four-year terms representing regions containing similar numbers of students.



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



Gail Hughes  
**Secretary/Treasurer**  
Dorchester School District Two  
Current: Region 1 Director



Amelia McKie  
**Region 8 Director**  
Richland School District Two  
Current: Region 8 Director



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



Tom Dobbins  
**Region 16 Director**  
Anderson School District Four  
Current: Region 16 Director

## Guide to 2021 SCSBA Legislative Resolutions

### Section 1: Current Legislative Resolutions

1. Board hiring of superintendent .....	23
2. Board member legal actions .....	24
3. Board training in underachieving school districts.....	24
4. Compulsory attendance.....	25
5. Consolidation.....	25
6. Constitutional amendment.....	26
7. Early childhood education.....	26
8. Economic development tax incentives.....	26
9. Education achievement gap and graduation rates .....	27
10. Education funding reform ( <b><i>moved from current Legislative Priorities to alphabetical order and changed text for formatting</i></b> ).....	28
11. Education innovation .....	29
12. Elimination of Education Oversight Committee.....	29
13. Fiscal autonomy/affairs .....	30
14. Full funding of education mandates.....	30
15. Health insurance coverage for boards.....	31
16. Impact fees.....	31
17. Local district fiscal impact statements .....	31
18. Local governance of school districts.....	32
19. Local legislation .....	32
20. Lottery funding for K12 .....	33
21. Maximizing potential of high achievers.....	33
22. Nonpartisan election of school board members .....	33
23. Public school choice.....	34
24. Retired teacher salary cap ( <b><i>moved from current Legislative Priorities to alphabetical order and changed text for formatting</i></b> ).....	34
25. Road management for schools .....	35
26. School bus privatization .....	35
27. School bus safety.....	36
28. School governance takeovers ( <b><i>moved from current Legislative Priorities to alphabetical order</i></b> ) .....	36
29. School safety .....	37
30. School start date ( <b><i>moved from current Legislative Priorities to alphabetical order and changed text for formatting</i></b> ).....	37
31. Statewide turnaround district .....	38

## Guide to resolutions (continued)

32. Tax reform/relief.....	38
33. Teacher salaries.....	39
34. Threats and assaults on school employees.....	40
35. Tuition tax credits and vouchers.....	40

### Section 2: Proposed new resolution

36. Broadband expansion statewide (submitted by the Beaufort County School Board) .....	41
---	----

### Section 3: Proposed resolutions for deletion

37. Charter schools (recommend deletion: statement reflects current process) .....	41
38. Title I funding formula (recommend deletion: change has not negatively impacted districts).....	42

## South Carolina School Boards Association Legislative Resolutions for 2021

### Section 1: Current Legislative Resolutions

#### 1. 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*

## 2. 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*

## 3. Board training in underachieving school districts

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.

*History: adopted 2004; revised 2008, 2011, 2019*

#### 4. **Compulsory attendance**

SCSBA believes that state accountability and reporting measures and the state's compulsory attendance laws should be consistent.

**Rationale:** South Carolina's public schools have made great strides to improve student achievement since the Education Accountability Act of 1998 (EAA). A contradiction exists, however, between the accountability system's graduation measurement and the state's compulsory attendance law. While the 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.

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

#### 5. **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 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*

## 6. 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*

## 7. 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*

## 8. 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*

## 9. 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*

## 10. Education funding reform (*moved from current Legislative Priorities to alphabetical order and changed text for formatting*)

SCSBA supports legislation to ~~believes that reform~~ the state's education funding structure ~~must be reformed~~. 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, 2020*

## 11. 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*

## 12. 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*

## 13. 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*

## 14. 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) requires a funding formula that has not been fully funded in more than 10 years. While the EFA 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 excep-

tions. 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*

## 15. 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.

*History: adopted 2019*

## 16. Impact fees

SCSBA believes 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*

## 17. Local district fiscal impact statements

SCSBA believes the General Assembly 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 un-

equally 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*

## 18. 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, speaking 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*

## 19. Local legislation

SCSBA 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*

## 20. 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 be 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."

*History: adopted 2019*

## 21. 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*

## 22. 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 ap-

pointed. 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*

## 23. 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*

## 24. Retired teacher salary cap (moved from current Legislative Priorities to alphabetical order and changed text for formatting)

SCSBA supports legislation to the eliminate ion of 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. 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 aca-

demographic need area or a geographic need area, as defined by the State Board of Education.

*History: adopted 2017; revised 2020*

## 25. 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*

## 26. 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*

## 27. School bus safety

SCSBA 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*

## 28. School governance takeovers (moved from current Legislative Priorities to alphabetical order)

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.

*History: adopted 2018*

## 29. School safety

SCSBA believes the state should allocate 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 SROs 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. School start date *(moved from current Legislative Priorities to alphabetical order and changed text for formatting)*

SCSBA ~~supports~~ believes in 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, 2020*

## 31. Statewide turnaround district

SCSBA opposes the state takeover of low performing schools by mandating that they become part of a statewide 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*

## 32. 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*

### 33. 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 com-

petitive 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*

## 34. 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. Changes 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*

## 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*

## Section 2: Proposed new resolution

### 36. **Broadband expansion statewide (proposed by the Beaufort County School Board)**

SCSBA supports legislation allocating state funding for the expansion of broadband statewide to ensure every student has access to the internet at sufficient speed and affordability for remote learning.

**Rationale:** The unfortunate need to teach and learn remotely as a result of the coronavirus exposed a substantial lack of broadband capability in many school districts. Internet service is absolutely essential, particularly in rural areas, to ensure all students have the opportunity to learn and progress when remote learning is necessary. Broadband expansion is not only needed to address issues regarding remote learning due school closures, but as an essential tool to expand student achievement opportunities in every school district.

History:

## Section 3: Proposed resolutions for deletion

### 37. **Charter schools (recommend deletion – statement reflects current process)**

~~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~~

## **38. Title I funding formula (*recommend deletion: change has not negatively impacted districts*)**

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*

[illegible]

[illegible]

[illegible]

[illegible]



SCSBA

SCSBA.ORG

FACEBOOK.COM/SCSBA

TWITTER.COM/SCSBA

**SOUTH CAROLINA SCHOOL BOARDS ASSOCIATION | 111 RESEARCH DRIVE | COLUMBIA, SC 29203**

The background features a complex network of thin, dark grey lines and dots, resembling a circuit board or a digital map. These lines and dots are scattered across the entire page, with a higher density in the upper half. The overall color palette is a gradient of yellow and olive green, with the text and background elements in shades of yellow and dark grey.

2020

2020

2020

2020

**SOUTH CAROLINA SCHOOL BOARDS ASSOCIATION**