

**SOUTH CAROLINA SCHOOL BOARDS ASSOCIATION  
2021 ANNUAL CONVENTION**

# **WHAT'S NEW AND WHAT'S NEXT**



**UPDATING POLICIES IN COMPLIANCE WITH  
STATUTORY AND REGULATORY MANDATES**

**DR. TIFFANY N. RICHARDSON**  
**GENERAL COUNSEL AND DIRECTOR OF POLICY AND LEGAL SERVICES, SCSBA**

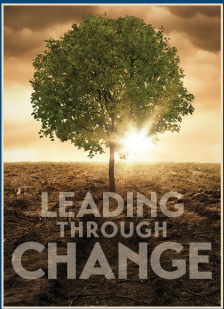




NEW AND NEXT



COVID-19



# NEW AND NEXT

2021





STATE OF SOUTH CAROLINA  
DEPARTMENT OF EDUCATION

MOLLY M. SPEARMAN  
STATE SUPERINTENDENT OF EDUCATION

MEMORANDUM

**TO:** District Superintendents  
District Personnel Administrators  
Chief Financial Officers

**FROM:** Molly M. Spearman  
State Superintendent of Education

**DATE:** January 8, 2021

**RE:** Emergency COVID-19 Leave

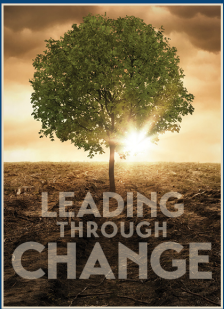
On December 31, 2020 the [Families First Coronavirus Response Act](#) (FFCRA) and the federally required paid sick leave requirements expired as a result of Congress failing to reauthorize the Act. While school districts are no longer federally required to provide these COVID-19 related leave rights, there is adequate federal funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act's Elementary and Secondary School Emergency Relief (ESSER) fund to cover leave for school district employees in 2021.

The ESSER includes a provision which enables districts to use the funds for activities necessary to maintain the operation and continuity of services by continuing to employ existing staff of the local educational agency. This allowable provision will ensure that districts can cover costs associated with personnel pay and leave should there be a deficit in other existing funds. Similarly, an additional emergency relief bill recently passed by Congress and signed by the President provides further funding to states and school districts to address the ongoing impact of the COVID-19 pandemic on public education. This funding, which amounts to over \$940 million for South Carolina K-12 schools, too contains a provision for the use of funds for continuity of services.

To this end, the South Carolina Department of Education (SCDE) **strongly recommends** each district create an emergency leave plan using their ESSER funds to ensure those who need to take paid leave for a COVID-19 related issue may do so.

More information regarding the new relief law will soon be available on the SCDE's website. Information about the CARES Act, ESSER funds may be found at <https://ed.sc.gov/policy/federal-education-programs/esser-funding-information/>





# NEW AND NEXT

2021



Vaccine  
Policy

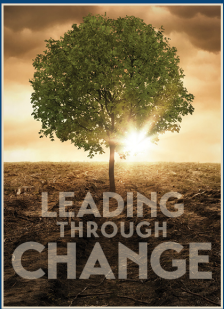


NEW AND NEXT

A decorative graphic consisting of approximately 18 circles of various sizes and colors (brown, tan, black, green, and grey) arranged in a loose, circular pattern around the central text.

## State Department Updates

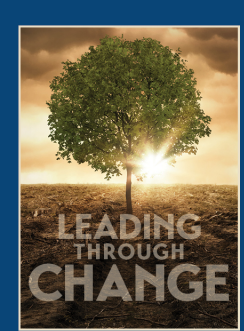




# NEW AND NEXT

2021



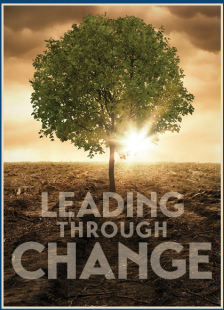


## Policy GBEBB

### Staff Conduct With Students

- All employees, contractors, and agents are prohibited from providing recommendations of employment for a school employee, contractor, or agent that the district or school knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law. (ESSA, Section 8546)

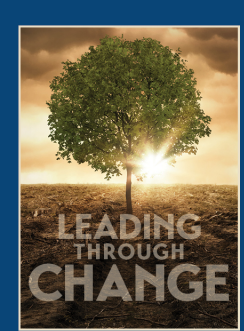




**NEW AND NEXT**

**2021**



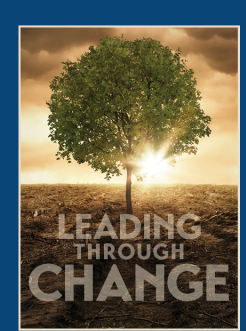


## Policy ADF

### District Wellness

- Every three (3) years, the district will assess its compliance with the policy, how it compares to model wellness policies published by state and federal agencies, and the district's progress in attaining the goals of the policy. The results of this assessment will be made available to the public to showcase the wellness efforts being made by the district and how each school is in compliance with the wellness policy. Following this assessment, the district will update or modify the policy as necessary and share these changes with the public.

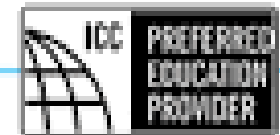


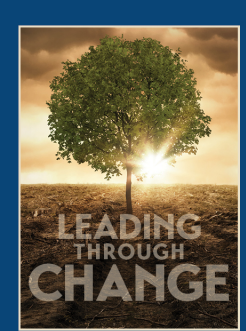


# **Fire Marshal Quarterly - Q1 2020**

## **Back to School**

EDUCATIONAL OCCUPANCIES AND THE 2018 ACT 256  
FOR MODEL FIRE AND SAFETY POLICIES FOR SCHOOL  
DISTRICTS AND CHARTER SCHOOLS





**NEW AND NEXT**

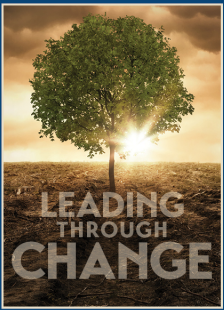
**2021**

# EBCB - Safety Drills



A decorative graphic consisting of approximately 15 circles of various sizes and colors (brown, tan, black, green, and grey) arranged in a loose circular pattern around the central text.

## Ethics Reminders



# Filing Campaign Disclosures

NEW AND NEXT

2021

## Quarterly Reports

### January 10

- October 1 – December 31

### April 10

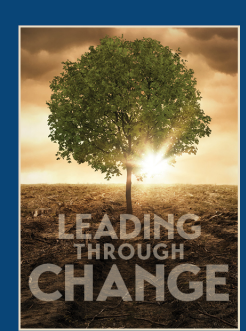
- January 1 – March 31

### July 10

- April 1 - June 30

### October 10

- July 1 – September 30

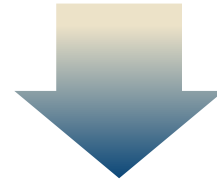


The quarterly report is required of all candidates once they have begun to file, whether there has been any financial activity or not.

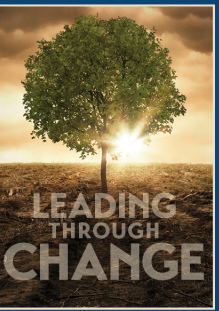


# Filing Statement of Economic Interest

*Due* at noon on  
March 30

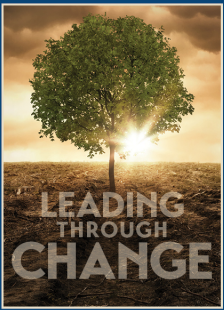


Newly elected:  
*Due* prior to  
beginning official  
responsibilities



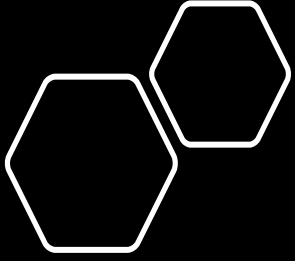
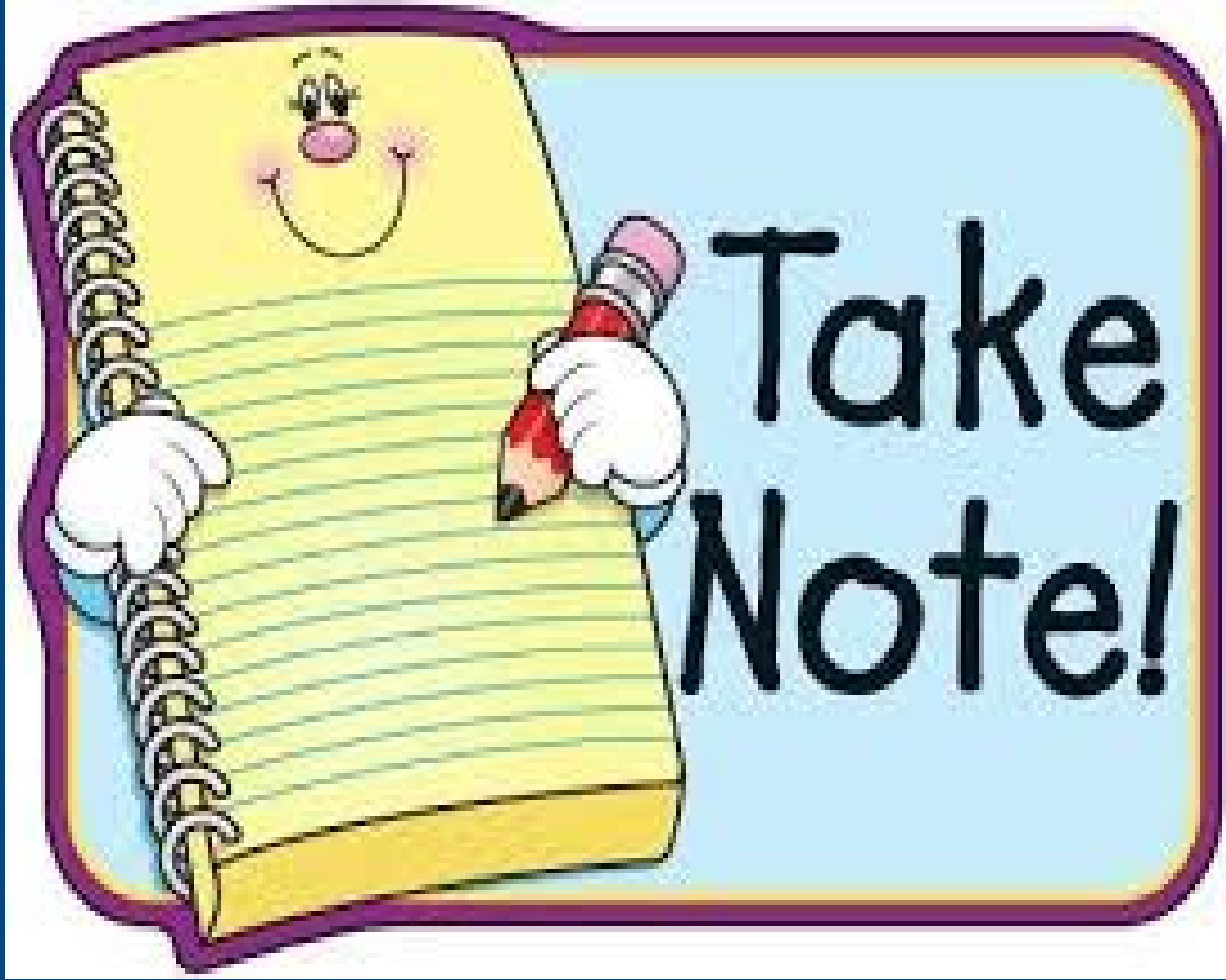
NEW AND NEXT

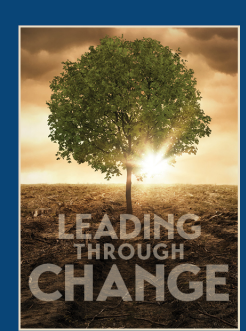
2021



NEW AND NEXT

2021



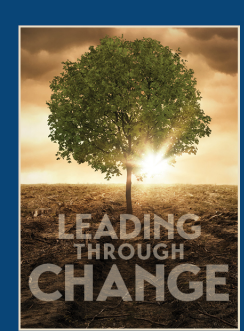


## SC Ethics Advisory Opinion 2020-001

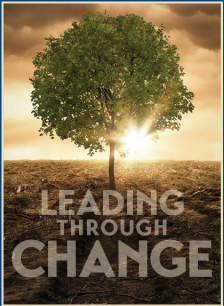
Individuals reporting government income should report the amount of gross income received.

Gross income means the amount of wages earned prior to any deductions or withholdings.





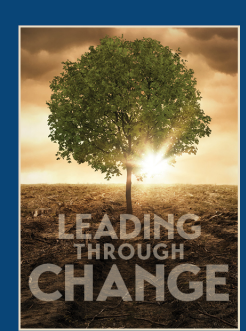
Section 8-13-1120(A)(2) requires individuals filing SEIs to report the source, type, and amount or value of income received from a governmental entity by the filer or a member of the filer's immediate family. In the past, the Commission has informally advised filers to use Box 1 on their W-2 to determine the amount of income received. The Commission hereby clarifies that individuals filing a SEI should report the amount of wages received prior to any deductions or withholdings. In many instances, Box 1 may still be a good indicator of gross income. However, Box 1 will not be an accurate indicator of gross income for those individuals who divert or withhold large portions of their wages to retirement and/or other investments. It is incumbent upon each filer to accurately report the amount of gross income received from a governmental entity in their SEI.



# NEW AND NEXT

2021

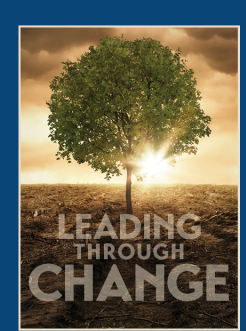




SC Ethics  
Advisory  
Opinion 2021-  
001

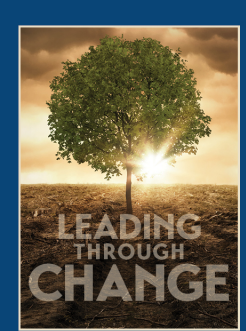
Digital cryptographic  
currencies, including  
bitcoin, cannot be used  
to make campaign  
contributions.





In 2014, the Federal Election Commission found that campaign contribution could be made in the form of bitcoin. The FEC reasoned that bitcoin was similar to stocks or other securities so could be accepted and reported as in-kind contributions.

In 2018, the SC House of Representatives Ethics Commission found that House members could NOT accept campaign contributions in the form of bitcoin because the definitions of “contributions” and “things of value” in the Ethics Act did not include bitcoin.



Legislative action is required before campaign contributions can be accepted in the form of cryptographic currencies, or bitcoin.

# State of South Carolina State Ethics Commission

CHILDS C. THRASHER, CHAIR  
DONALD GIST, VICE CHAIR  
BRIAN M. BARNWELL



AJ HOLLOWAY  
DON JACKSON  
BRANDOLYN THOMAS PINKSTON

201 EXECUTIVE CENTER DRIVE, SUITE 150  
COLUMBIA, S.C. 29210

MEGHAN L. WALKER  
EXECUTIVE DIRECTOR

**SEC AO2021-001**

**January 21, 2021**

**SUBJECT:** CAMPAIGN CONTRIBUTIONS AND DIGITAL CRYPTOGRAPHIC CURRENCY

**SUMMARY:** Candidates may not accept contributions in the form of digital cryptographic currency, to include Bitcoin.

**APPLICABLE LAW:**

Section 8-13-1300(7) states, in relevant part:

“Contribution” means a gift, subscription, loan, guarantee upon which collection is made, forgiveness of a loan, an advance, in-kind contribution or expenditure, a deposit of money or anything of value made to a candidate or committee to influence an election; or payment or compensation for the personal service of another person which is rendered for any purpose to a candidate or committee without charge, whether any of the above are made or offered directly or indirectly.

Section 8-13-100(1) provides:

(a) “Anything of value” or “thing of value” means: (i) a pecuniary item, including money, a bank bill, or bank note; (ii) a promissory note, bill of exchange, an order, a draft, warrant, check, or bond given for the payment of money; (iii) a contract, agreement, promise, or other obligation for an advance, a conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money; (iv) a stock, bond, note, or other investment interest in an entity; (v) a receipt given for the payment of money or other property; (vi) a chose-in-action; (vii) a gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel; (viii) a loan or forgiveness of indebtedness; (ix) a work of art, an antique, or collectible; (x) an automobile or other means of personal transportation; (xi) real property or an interest in real property, including title to realty, a fee simple or partial interest in realty including present, future, contingent, or vested interests in realty, a leasehold interest, or other beneficial interest in realty; (xii) an honorarium or



compensation for services; (xiii) a promise or offer of employment; (xiv) any other item that is of pecuniary or compensatory worth to a person.

(b) “Anything of value” or “thing of value” does not mean: (i) printed informational or promotional material, not to exceed ten dollars in monetary value; (ii) items of nominal value, not to exceed ten dollars, containing or displaying promotional material; (iii) a personalized plaque or trophy with a value that does not exceed one hundred fifty dollars; (iv) educational material of a nominal value directly related to the public official’s, public member’s, or public employee’s official responsibilities; (v) an honorary degree bestowed upon a public official, public member, or public employee by a public or private university or college; (vi) promotional or marketing items offered to the general public on the same terms and conditions without regard to status as a public official or public employee; (vii) a campaign contribution properly received and reported under the provisions of this chapter.

#### DISCUSSION:

Palmetto Chain, Inc. has asked the Commission to issue an Advisory Opinion as to whether candidates for public office may accept contributions in the form of digital cryptographic currencies, specifically Bitcoin. This is matter of first impression for the Commission.

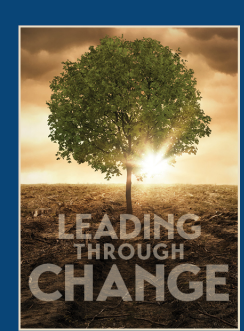
Bitcoin is a privately-issued digital currency. Unlike U.S. dollars, Bitcoin is not government issued and does not have a physical coin or bill associated with its circulation, such as a Federal Reserve Note. Bitcoin can be used to buy merchandise anonymously – a bitcoin user’s real-life identity, IP address, and even country of operation “cannot be reliably traced to a real human by an auditor of ordinary technical skill.” U.S. Gov’t Accountability Office, GAO-13-516, *Virtual Economies and Currencies* 5 (2013), *available at* <http://www.gao.gov/assets/660/654620.pdf>.

In 2014, the Federal Election Commission issued AO2014-02, finding candidates for federal public office could accept campaign contributions in the form of bitcoin. The FEC reasoned that bitcoin were akin to stocks or other securities and therefore could be accepted and reported as in-kind contributions. In 2018, the South Carolina House of Representatives Ethics Committee (HEC) issued AO2018-03, finding candidates for the House of Representatives could not accept campaign contributions in the form of bitcoin. The HEC reasoned that because the Ethics Act’s definitions of “contribution” and “a thing of value” did not include cryptographic currency, such contributions were not permissible. The HEC further opined that “should this practice be permitted in South Carolina, it should be done through legislation rather than through an HEC advisory opinion.”

The Commission holds that digital cryptographic currencies may not be used to make campaign contributions to candidates for public office. The Commission adopts the reasoning of the HEC and believes that allowing such contributions should be done through legislation rather than through this Commission’s Advisory Opinions.

NEW AND NEXT



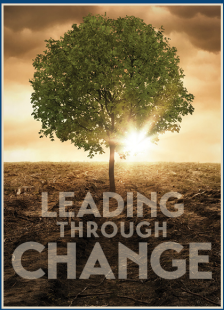


# Should We Have a Meeting?

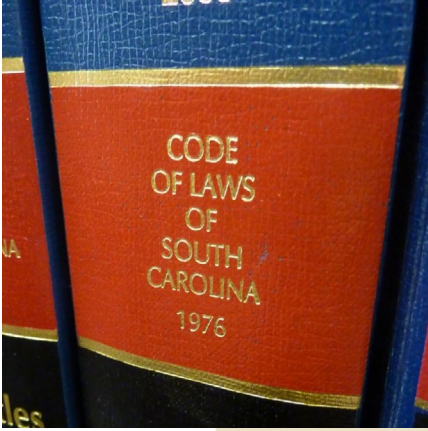
---



**MEETING  
CANCELLED**

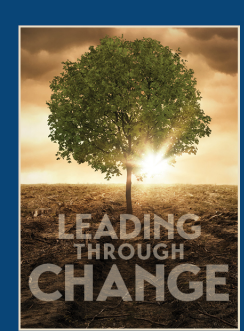


Section 59-1-340



- Each county board of education or board of trustees...Any board may hold a special meeting when it is considered necessary either by the **chairman** or a **majority of the board members**.

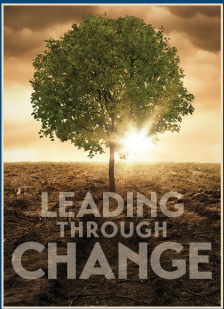




# Please Silence All Electronic Devices



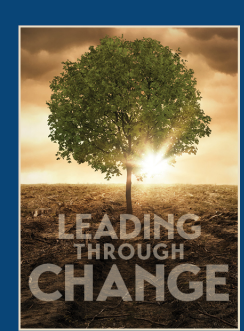
BTIBKE 2015



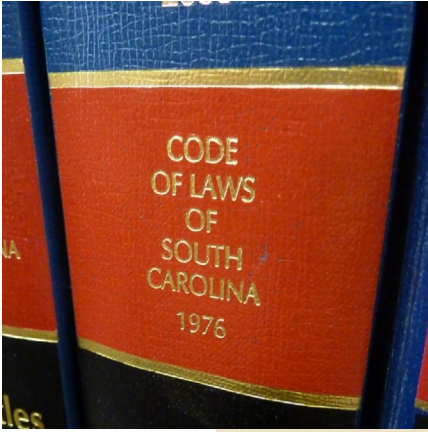
**NEW AND NEXT**

**2021**

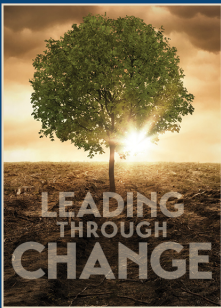
# Board Evaluation



Section 59-1-340

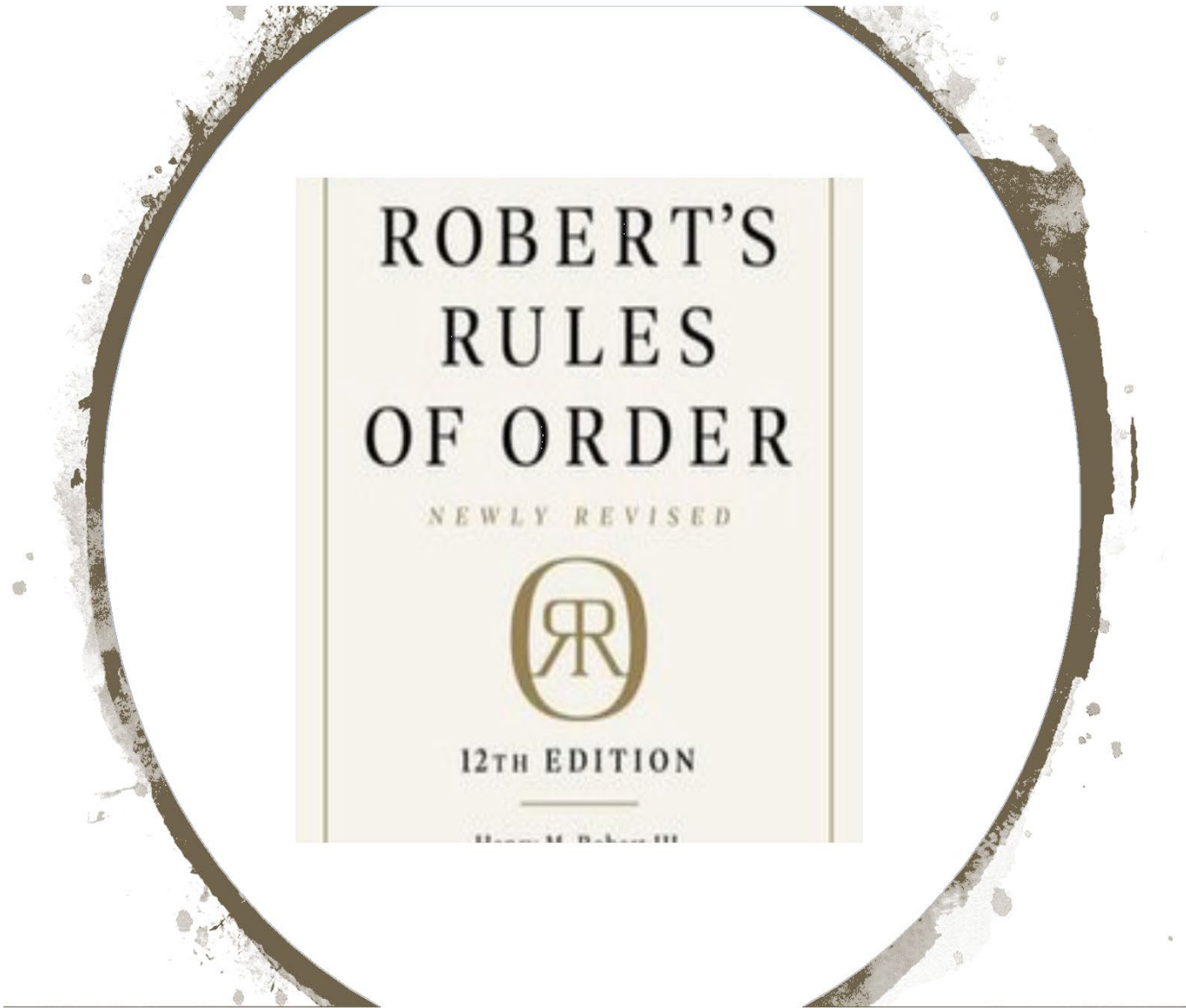


- All meetings, whether regular or special, shall be held at the school district office or at such other place **within the district** that the board deems convenient and suitable.



NEW AND NEXT

2021





NEW AND NEXT

Questions?

