

# NEW BOARD ORIENTATION

## LEADING THROUGH CHANGE

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## New board orientation meeting materials

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Newly elected board members are **required by law** to successfully complete an orientation program. This training **must** be completed within one year from the date of election or appointment. The South Carolina Department of Education has approved this orientation as meeting the mandated requirement

# NEW BOARD ORIENTATION

## LEADING THROUGH CHANGE

Virtual Workshop

## Agenda

**Thursday, June 3, 2021**

8:30 - 9 a.m. **Sign-in/test your audio and video connection/get handouts ready**

9- 9:30 a.m. **Welcome and about SCSBA**

Scott T. Price, *SCSBA Executive Director*

Cheryl Burgess, *SCSBA President, Lexington School District Three*

9:30 – 10:30 a.m. **Understanding roles and responsibilities**

- Setting the vision
- Establishing the structure and environment
- Identifying accountability measures and monitoring progress
- Being an advocate for schools and students
- Fostering positive board/superintendent relationships
- Adhering to a code of ethics

ElizaBeth “Beth” Branham, *2019-20 NSBA President, SCSBA Past President, Lexington School District Two*

10:30 - 10:45 a.m. **Beverage break**

10:45 a.m. - 11:45 p.m. **Avoiding the \$10,000 fine: What you need to know about South Carolina Ethics**

In this session, you will get an overview of the Ethics Reform Act with an emphasis on the rules of conduct for new school board members.

Meghan Walker, *Executive Director, S.C. State Ethics Commission*

11:45 a.m. – 12:15 p.m. **Lunch**

12:15 – 1:15 p.m. **The South Carolina Freedom of Information Act: Government in the sunshine or in a fishbowl?**

This session will review the basic requirements of South Carolina’s FOIA, focusing on school boards obligations regarding board meetings and the disclosure of public records.

Andrea White, Esquire, *White & Story, LLC*

1:15 p.m. – 1:30 p.m.

**Stand up break**

1:30 p.m. – 2:30 p.m.

**School finance 101**

A review of the revenue sources available to school districts with an emphasis on local and state funding. We will discuss property taxes, the Education Finance Act and other issues currently impacting the funding of education in South Carolina.

Lyde Graham, *Director of Operations, Clarendon School District 2*

2:30 p.m.

**Workshop closing and door prizes**

Cheryl Burgess, *SCSBA President, Lexington School District Three*

# NEW BOARD ORIENTATION

LEADING THROUGH CHANGE

## Speaker Contact Information

Name	Organization	Title	Email address
Beth Branham	Lexington School District Two	2019-20 NSBA President, SCSBA Past President, Lexington School District Two	beth@bethbranhamlaw.com
Meghan Walker	S.C. State Ethics Commission	Executive Director	mwalker@ethics.sc.gov
Andrea White	White & Story, LLC	Esquire	awhite@sodacitylaw.com
Lyde Graham	Clarendon School District 2	Director of Operations	lgraham@csd2.org



**The toughest job  
you will ever have**

**It's up to you  
to make it work**

**South Carolina School Boards Association  
New Board Orientation  
June 3, 2021**

1

**If you haven't ever felt this  
way...you will!**



2

## Let's talk about ...

1. Major roles and responsibilities of boards
2. Effective board/superintendent relationships
3. Building and maintaining a unified board
4. Excellent school board ethics
5. Confidentiality and liability

3

## Boards in conflict

If any of these actions are happening, you are (or you will) have problems:

1. Members not “staying on their page”
2. Members acting as individuals
3. Members thinking they have authority
4. Individuals forgetting their success as a member is tied to the success of the board
5. Members breaking the promise of confidentiality leading to a lack of trust

4

**Board members not  
“staying on their page”**

**News Flash #1...**

**As a school board member,  
it is not your job to  
run the schools!!!!**

5

**Board members acting  
as individuals**

**News Flash 2**

**Finding the balance between  
being an “individual” board  
member versus being a “team”  
board member**

6

**Board members thinking they have  
authority**

**News Flash 3**

**You have none!**

7

**Forgetting to emphasize the success  
of the entire board**

**News Flash 4**

**There is no “I”  
in the word “team”**

8



**Lack of trust among  
members**

**News Flash 5**

**Nothing breaks down the  
board quicker than  
breaking confidentiality**

9

**The reasons may vary,  
but many times...:**

**We have met the enemy  
and he is us!!**

Pogo Comic Strip  
Walter Kelly, 1971

10

**Let's talk about these  
conflict “flash points”**

11

**Your School District's  
Education Leadership Team**

**The board and the superintendent**

**To be effective, we start with agreeing on  
the work of the board  
versus  
the work of the superintendent.**

12

## **Governing and managing:**

- **Policy adoption is the function of the board**
- **Policy implementation is the function of the superintendent**
- **Stay on your page and remember lessons learned!!**

13

## **Board Powers and Duties**

**(Spartanburg 3 Policy BBA)**

- **Policymaking...adoption of policy**
- **Executive...hold the supt. accountable**
- **Quasi-judicial...a court of appeals**
- **Appraisal...evaluate policy effective**
- **Planning...continuous improvement**
- **Interpretation...being the link to citizens**
- **Operational...effective board meetings**
- **Budget...providing necessary resources**
- **Reviewing action...the final authority**
- **Visits to schools...use proper protocol**

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## BOARD–SUPERINTENDENT RELATIONSHIP

- There is nothing more important than both parties dealing with each other in an *ethical, honest, straight-forward, open-and-above-board manner*
- The superintendent is the CEO of the board and

In a sense, the superintendent is a “member” of the board ... with limits

15

## BOARD–SUPERINTENDENT RELATIONSHIP Sample Policy Language

- The relationship that exists between a board and its superintendent is an intrinsic part of the educational process within a community.
- A knowledge of what each can reasonably expect of the other can help substantially in promoting sound working relationships.

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**School board's job versus Superintendent's job**  
Sample Policy BDD

**School Board**

**Superintendent**

Select Superintendent	Select Staff
Set policy	Recommends and implements
Adopts budget	Proposes and administers
Approves organization	Proposes organization
Approves personnel matters	Recommends personnel matters
Functions as a board only	Deals with the board as a whole
Staff matters through Supt.	Staff matters through Supt.
Acts as a court of appeals	Actions based on policy
Adopts curriculum	Recommends curriculum

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**In short ...**  
**Boards govern**  
**and**  
**Superintendents manage**

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## What about Individual board members....

19

## BOARD MEMBER AUTHORITY Sample Policy BBAA

### *Simply stated ...*

- All powers of the board lie in its action as a body. Board members acting as individuals have no authority over personnel or school affairs
- Individual members of the board, including the chair, only have individual authority when given to them by the board

20

## **BOARD MEMBER AUTHORITY**

### **Sample Policy BBAA**

- The power of individual board members exists exclusively in their action as a group.
- Individual board members, including the chair, have only such authority as delegated by Board vote or policy provision
- The board and its members deal with administrative services through the superintendent and should not give orders to any subordinates (of the superintendent) either publicly or privately.

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## **BOARD MEMBER AUTHORITY**

### **Sample Policy BBAA**

- The board will not be bound in any way by actions or statements of an individual
- Individual board members making information requests to the superintendent
- The board officers may, when appropriate, counsel individual members who are acting outside his/her authority and responsibilities or abusing his/her privileges

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**It is not your job  
to “fix” things**

**You have to follow the proper chain of  
command**

23

**The problem is....**

**Your “public” doesn’t  
know that**

24



## **Memorize this statement**

This problem could end up requiring board action, and if I am involved in it at this level, I will be unable to act on it as a member of the board because it could be a violation of due process.

You really need to go through the proper channels.

25

**Nothing breaks apart a board and the relationship between the board and their superintendent than the loss of trust**

**... and breaking confidentiality and being less than truthful are the two biggest reasons**

26

## The FUN PART:

- Be an **ADVOCATE** for your schools and your students



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## Some discussion points –

- Do you vote for what is best for your specific “electors” or for the school district as a whole?
- How do you handle those situations where you are on the minority side of a vote?
- If the board is over-involved in personnel matters, you can’t hold the superintendent accountable for the outcomes

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## Some discussion points –

- Individual board member directives or requests to the superintendent...should there be any?
- Individual board members involvement in the day-to-day operations: how far is too far?
- How do you as a board member handle such situations when you see it happen?
- How do you want the superintendent to handle such situations when felt?

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## Some discussion points –

- Are surprises common at board meetings and how do you prevent them?
- Board unity: its importance, consequences of not having it, and the image/perception of not having it creates in the community and among the staff

30

**Now the hard work begins**

**We are ready to go and  
nothing can go wrong**

**Right?**

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**Think Again!**



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# AVOIDING THE \$10,000.00 FINE

MEGHAN WALKER  
EXECUTIVE DIRECTOR  
SC STATE ETHICS COMMISSION  
SC SCHOOL BOARD ASSOCIATION  
MARCH 2020

1

## SOUTH CAROLINA ETHICS COMMISSION

### PRIOR TO APRIL, 2017

Nine commissioners appointed by the governor.

The commission had no authority over members of the General Assembly.

### CURRENT COMPOSITION

8 commissioners appointed; 4 by the Governor, 1 by House Democrats, 1 by Senate Democrats, 1 by House Republicans and 1 by Senate Republicans.

The commission has the authority to investigate complaints against members of the General Assembly.

2

## Who Does the Act Cover?

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- Public Officials
  - Any elected or appointed official of the state (excluding judges) and any candidate for such office.
- Public Members
  - An individual appointed to a noncompensated, part-time position on a board, commission or council.
- Public Employees
  - Any person employed by the state.

3

## STATEMENTS OF ECONOMIC INTERESTS

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Every school board member  
*must* file an SEI every year.

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## WHEN TO FILE YOUR SEI

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- WHEN FIRST ELECTED: FILE BEFORE ASSUMING YOUR RESPONSIBILITIES.
- EVERY YEAR THAT YOU'RE ON THE BOARD: FILE BY MARCH 30<sup>TH</sup>.

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## Information Required On Your SEI

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- The source, type, and amount or value of income, not to include tax refunds, of substantial monetary value received from a governmental entity by the filer or the filer's immediate family.
- Description, value and location of real property owned/options to purchase real property by filer or immediate family if:
  - Public improvements were made in excess of \$200.00
  - OR
  - The interest can reasonably be expected to be the subject of a conflict of interest.
  - If a sale, lease, or rental of personal property is to a state, county or municipal instrumentality of government, a copy of the contract, lease or rental agreement must be attached to the SEI.

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## Information Required On Your SEI

The name of each organization which paid for or reimbursed actual expenses of the filer for speaking before a public or private group, the amount of such payment or reimbursement, and the purpose, date and location of the speaking engagement.

7

The screenshot displays the SC State Ethics Commission's public disclosure page for a Statement of Economic Interests (SEI) report. The page is titled "Individual Reports" and "Statement of Economic Interests". It shows the filer's name as Nikki R. Haley, the year as 2012, the filing date as 4/16/2012, and the version as Original. The report is categorized under "Income & Benefits". The table below lists the sources of income and benefits, including the State of South Carolina and Penguin Group USA.

Source	Type	Amount / Value	Miscellaneous
State of South Carolina	Income State or Local Government	\$94,147.51	Personal Income
State of South Carolina	use of state car State or Local Government	\$1.00	Personal Income
State of South Carolina	use of state plane State or Local Government	\$1.00	Personal Income
State of South Carolina	use of state residence State or Local Government	\$1.00	Personal Income
Penguin Group USA	book advance State or Local Government	\$200,000.00	Personal Income

At the bottom of the page, there are links for "Home", "SC State Ethics Commission", and "Contact".

8



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## QUARTERLY CAMPAIGN DISCLOSURES

9

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## REQUIRED INFORMATION ON CAMPAIGN DISCLOSURES

- Total amount of contributions accepted.
  - Date and amount of each contribution.
  - Name, address and occupation of each person making a contribution.
- Total amount of expenditures made.
  - Name and address of each person/entity to whom an expenditure is made.
  - The date, amount and purpose of each beneficiary of an expenditure.

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## Campaign Expenditures and Cash

8-13-1348

A campaign expenditure more than \$25 must be made by (1) written instrument, (b) debit card, or (c) an online transfer.

A campaign expenditure of less than \$25 must be account for “by a written receipt or written record.”

A candidate may not withdraw more than \$100 from a campaign account to establish or replenish a petty cash fund. At no time may a petty cash fund exceed \$100.

Expenditures from a petty cash fund may only be used for office supplies, food, transportation expenses, and “other necessities” and may not exceed \$25 for each expenditure.

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## WHEN TO FILE A CAMPAIGN DISCLOSURE

- When you raise and/or expend five hundred dollars or more, you must file an initial certified campaign report.
- After filing an initial report, campaign reports must be filed within ten days following the end of each calendar quarter.
- Campaign reports must be filed for each quarter in which contributions are received or expenditures are made until a campaign account undergoes final disbursement.
- At least fifteen days, but not more that twenty days, before an election a candidate must file a campaign report showing contributions of more than one hundred dollars and expenditures for the period ending twenty days before the election.

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**SOUTH CAROLINA State Ethics Commission**  
Public Disclosure and Accountability Reporting System

Public Disclosure > Individual Reports > Candidates

**Public Disclosure**

- Individual Reports
  - Candidates
  - Committees
  - Statement of Economic Interests
- Contributions
- Expenditures
- Lobbying Activity

**Electronic Filing**

SC State Ethics Commission

**Contact Us**

**Individual Reports**  
Candidate Campaign Disclosure

**2017, January 10th Report**

**Candidate:** Haley, Nikki  
**Position Sought:** Governor  
**Election Type:** General  
**Election Date:** 06/10/2014  
**Filing Type:** Original  
**Filing Date:** 01/17/2017

Select a tab to view more.

Summary **Contributions** Expenditures Loans Loan Payments More »

\*\*\* No Contributions Reported. \*\*\*

[Back](#) [Open Full Report >](#)

[Home](#) | [SC State Ethics Commission](#) | [Contact](#)

## Quarterly Campaign Disclosure

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## CLOSING YOUR CAMPAIGN ACCOUNT

- You must file quarterly campaign disclosures until you close down your campaign account.
- You can close down your campaign account when you have a zero balance in your account. You can achieve a zero balance in the following ways:
  - Contribute to the Children's Trust Fund or another 501(c)(3).
  - Returned pro rata to all contributors
  - Contributed to the state's general fund

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## NONCOMPLIANCE

- Remember that this covers information from the previous year.
- Due upon assumption of official duties and then by March 30<sup>th</sup> of each calendar year.

### PENALTIES

- Initial \$100.00 penalty.
- After certified letter is delivered: \$10.00 dollars a day after ten days.
- After ten days: \$100.00 day until maximum penalty of \$5,000.00 is reached.
- There may also be a complaint filed which means possible additional fines and fees.

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## NONDISCLOSURE

- Must disclose all information required in your SEI.
- If you fail to disclose the required information, you may be given a chance to correct the omission.

### PENALTIES

- Maximum fine of \$2,000.00
- Complaint can be filed which may mean additional fees.

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## INFLUENCING THE OUTCOME OF AN ELECTION

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No person may use government funds, property or time to influence the outcome of an election.

This includes using government time and resources to influence the outcome of an election or ballot measure. For purposes of this statute, ballot measure means:

Referendum, proposition, or measure submitted to voters for their approval.

This is not a prohibition against a governmental entity preparing informational materials, conducting public meetings or responding to news media or citizens' inquiries concerning a ballot measure affecting the governmental entity.

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## CONFLICTS OF INTEREST

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## SELF DEALING AND NEPOTISM

- Section 8-13-700(A)
  - "No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated."
  - Exception for incidental use not resulting in additional public expense.
- Section 8-13-700(B)
  - "No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest."

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### **FAMILY MEMBERS**

Your spouse, parent, brother, sister, child, mother-in-law, son-in-law, brother-in-law, sister-in-law, grandparent or grandchild.

Dictionary defines brother-in-law as:

- a - the husband of one's sibling
- b - the husband of one's spouse's sibling

### **ECONOMIC INTEREST**

An interest distinct from that of the general public in a purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a public official, public member, or public employee may gain an economic benefit of fifty dollars or more.

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### PERSON WITH WHOM YOU ARE ASSOCIATED

An individual with whom the person or a member of his immediate family mutually has an interest in any business of which the person or a member of his immediate family is a director, officer, owner, employee, compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

### BUSINESS WITH WHICH YOU ARE ASSOCIATED

A business of which the person, or a member of his immediate family, is a director, an officer, owner, employee, a compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

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## Violations of 740

- Representing a person before any agency, unit or subunit of your board for which the public official has official responsibility except as required by law.
  - Applies unless representation occurs in the normal course of business, is ministerial or is personal in nature.

### PENALTIES

- Maximum fine of \$2,000.00

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## WHEN IN DOUBT...

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If you are unsure of your duties under  
the South Carolina Ethics Act...

DO NOT ACT

Take the following steps:

23

## EVALUATE WHAT, IF ANY, CONFLICT YOU HAVE

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- 1) Is there an economic interest for you?
- 2) Is there an economic interest for a family member of yours?
- 3) Is there an economic interest for a person with whom you are associated?
- 4) Is there an economic interest for a business with which you are associated?

IF YOU ARE NOT SURE OF THE ANSWER TO ANY OF THESE QUESTIONS,  
CONTACT US AND REQUEST A FORMAL OR INFORMAL OPINION

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IF YOU HAVE A  
CONFLICT THEN  
YOU **MUST**  
RECUSE  
YOURSELF!

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## HOW TO RECUSE YOURSELF

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- 1) Prepare a written statement describing the matter requiring action or decision and the nature of your potential conflict of interest with respect to the action or decision.
- 2) Public Officials: Furnish a copy to the presiding officer of your board, who shall cause the statement to be printed in the minutes and shall require that you be excused from any votes, deliberation and other actions on the matter in question.

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## REQUESTING AN OPINION

As a public official, you can request either an informal or formal opinion from the State Ethics Commission.

A formal opinion is issued by the Commission and is binding.

An informal opinion is issued by Commission staff is not binding,

For sensitive matters, you may request a confidential formal or informal opinion. Requests must be made in writing.

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## Opinions You Need to Know

SEC AO 92-071: The State Ethics Commission would advise that public employees or officials weigh the impact on a case by case basis of offers by vendors who have contracts with a school district to provide meals, golf outings, etc. Vendors may sponsor conference activities in accordance with sponsor solicitation guidelines established in Advisory Opinion SEC AO92-061.

SEC AO 92-134: A family member of a school board member may continue as an employee of the school district without violating the Ethics Reform Act. A family member of a school board member may be hired by the school district provided the member does not cause the employment or participate in the employment of the family member. School board members who have family members employed within the school district may vote on general salary increases for school employees but may not participate in salary raises for the family member which are not general salary increases.

SEC AO 93-072: The spouse of a school board chairman may be hired as a principal within the chairman's district, provided the chairman takes no action regarding the hiring and has no supervisory or management authority over his spouse.

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## EX OFFICIO BOARD APPOINTMENTS

When you are serving on a board ex-officio, that board **does not** become a “business with which you are associated.”

If you are not serving ex-officio, meaning that you are not serving as part of your official duties as a member of your school board, then the board **is** a “business with which you are associated” and you must recuse yourself from any actions affecting that board.

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South Carolina State Ethics Commission  
201 Executive Center Drive, Suite 150  
Columbia, South Carolina 29210

(803) 253-4192 (office)

(803) 253-7539 (fax)

Office Hours: 8:30 a.m. - 5:00 p.m., Monday through Friday, excluding State Holidays

For questions about Statement of Economic Interests, please contact [lessie@ethics.sc.gov](mailto:lessie@ethics.sc.gov).

For questions about Campaign Disclosures, please contact [sandra@ethics.sc.gov](mailto:sandra@ethics.sc.gov).

For questions about the complaint process or the law, please contact [ami@ethics.sc.gov](mailto:ami@ethics.sc.gov).

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# **NEW BOARD MEMBER ORIENTATION**

## **SC Freedom of Information Act (“FOIA”)**

**ANDREA E. WHITE, ESQ.  
WHITE & STORY, LLC  
COLUMBIA, SC**

1

### **PURPOSE**

**Maximize citizen  
participation in government  
process and decision-making**

**Simple in abstract; more difficult in  
application**

**FOIA is continually changing as courts  
decide cases and school officials increase  
technology use**

2

**PREMISE**

With limited exceptions, all meetings of public bodies are open

- FOIA's intent is to for public bodies, such as school boards, to operate 'in the sunshine'

3

**APPLIES TO:**

Meetings of boards as well as board committees and subcommittees—does it apply to meetings of Board Officers to set agenda?

It does not matter if a committee or subcommittee is composed of a quorum of the board or if there are other individuals on the committee/subcommittee

4

### **WHAT IS A MEETING?**

- Any convening of a quorum (majority of members) of a public body to discuss or act upon the business of the public body
- Applies to both in-person and electronic gatherings

Includes Board work sessions, email conversations and texts between a quorum of members. Does not matter if personal technology is used.

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### **NOTICE**

#### **Regular meetings:**

- Written notice given at the beginning of the year; notice with agenda posted 24 hours prior; notify local media of all meetings

#### **Called or special meetings:**

- Notice and agenda posted at least 24 hours prior; written notice to local media

#### **Emergency meetings:**

- Make reasonable effort to give notice

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## AGENDA

- The final agenda must be posted at least 24 hours before any regular, called, special or rescheduled meeting SC Code Section 30-4-80(a)
- Items may be added only if the amended agenda is posted at least 24 additional hours before meeting
- Amendments at the meeting: Discouraged and require specific process to be followed

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## AMENDING AGENDA AT THE MEETING

1. If amendment would add an item upon which action can be taken (example: first reading/approval of a policy), 2/3 of the members present must vote to add the item.
2. If the amendment would add an item for final action, or if the item is one where there has not been and will not be an opportunity for public comment with prior public notice, the item may only be added if two things occur: 2/3 favorable vote AND upon a finding that an "emergency or an exigent circumstance exists" if the item is not added to the agenda.
3. An agenda for a special called meeting may not be amended at that meeting to add an item for action that was not on the original agenda for that meeting. (example: the agenda posted for the special meeting indicated only an Executive Session to discuss the employment of personnel, but, following the Executive Session, a motion is made to add for action "approval of a contract to purchase property.")

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## MINUTES

- **Must be written and available to public**
  - Include
    - ✦ Date, time and place of meeting
    - ✦ Members present and absent
    - ✦ Substance of all matters proposed, discussed or decided
    - ✦ Request for recording individual member votes
  - Available for review during regular hours
    - ✦ Copies immediately available for preceding six-month period
- Executive session minutes not required, but skeletal minutes may be useful

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## EXECUTIVE SESSION

Must vote in open session to enter executive session

Motion must state specific reason as permitted by law

Can take no action in executive session

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**EXECUTIVE SESSION****When may a meeting be closed?**

- Receipt of legal advice if that advice pertains to a pending, threatened or possible legal action
- Hiring, firing, discipline of an employee (except at employee's option, if an adversarial hearing is involved)
- Discipline of a student

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**EXECUTIVE SESSION****When can a meeting be closed?**

- Discussion of contractual negotiations and proposed sale or purchase of property
- Discussion of development of security personnel or devices
- Investigations of criminal misconduct

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**PUBLIC RECORDS**

FOIA also permits the public to obtain copies or review “public records”

While certain records used, maintained or possessed by a public body are not “public records,” the law is murky as to other records.

Are personnel files of school employees subject to disclosure under FOIA?

May the public obtain emails sent between board members or between the board and the administration?

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**PUBLIC RECORDS**

What about videos captured by cameras on school buses or on school grounds?

Can parents view and/or obtain a copy?

Can the media view and/or obtain a copy?

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### **COMMON FOIA VIOLATIONS**

Having a board “dinner” before or after the meeting and talking business

Calling a meeting a “work session”

Discussing general personnel matters in executive session

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### **COMMON FOIA VIOLATIONS**

Closing a meeting to receive “legal advice” just because your lawyer is present

Abuse of executive session – topic “drift”

Failure to state specific reason for closing a meeting; i.e., not permitted to merely state “personnel matters” or “contractual matters”

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## RESPONDING TO FOIA REQUESTS

Must respond within 10 working days

Can charge a fee if the District has a posted fee schedule

The fee must not be higher than the hourly rate of the lowest compensated employee who has the necessary skills to respond to the request

Can charge for gathering, copying and redacting records

FOIA does not require a public body to create a record where one does not exist

Disclosable records must be produced within 30 calendar days

# Financing Education in South Carolina

SCSBA New Board Members  
June 3, 2021



1


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## High Level Overview

- **General Fund** – The principal operating fund of the District
- **Special Revenue & EIA Funds** – account for State and Federal funds which are allocated for specific programs or initiatives.
- **Debt Service** – accounts for the payment of interest and principal on long-term general obligation debt.
- **School Building Fund** – accounts for the construction, repair, renovation, and acquisition of school facilities. Can include capital equipment.
- **Food Service Fund** – accounts for the USDA's approved school breakfast and lunch programs.

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## What is a Budget

- “Simple Definition”: a school budget describes a district’s **plan** for the upcoming year as related to anticipated revenues and expenditures.
- Should convey your values and priorities
- A tool for monitoring actual results
- Provides a foundation for the next year

3

3




## Where does the \$ come from?

### The Basic Building Blocks

- Local Revenue
- State Revenue
- Federal Revenue
- Other Financing Sources

4

4



## Local Revenue

- Outside the issuance of General Obligation Bonds, this is the **major** source of revenue that the District has the ability to raise.
- Major Source: Property Taxes

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## State Revenue

- Education Finance Act (EFA) \*
- Fringe Benefit Employer Contributions \*
- Teacher Salary \*
- \* State Aid to Classrooms (FY 20)

6

6




## State Revenue - Cont'd

- Education Improvement Act (EIA)
- Education Accountability Act (EAA)
- Education Lottery Act
- ACT 388 (Reimbursement for Local Property Tax Relief)

7

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## Education Finance Act (EFA)

- Passed in 1977
- Cornerstone of State Funding
- A National Model for Funding Education
- Has served us well for four decades

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8





## EFA

In 2014 the Governor's Education plan added additional weighting factors for:


- High Achieving Students
- Limited English Proficiency
- Academic Assistance
- Pupils in Poverty
- Dual Enrollment

These weighting are directed for individualized instruction based on the needs of the student.

All students are weighted at 1.0 except special needs students.

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## Education Improvement Act (EIA)

- The Education Improvement Act of 1984 was South Carolina's original blueprint for enacting a quality program of public instruction for current and future generations. A one cent state sales tax increase provides additional funds.

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## EIA

- Raise student performance by increasing academic standards;
- Strengthen the teaching and testing of basic skills;
- Elevate the teaching profession;
- Improve leadership, management and fiscal efficiency;
- Implement quality controls and reward productivity;
- Create more effective partnerships among schools, parents, community and business; and
- Provide school buildings conducive to improved student learning.

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## Education Lottery Act

- Higher Education receives the largest share
- In 2015 -16, these funds were included in the EFA Funding

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## ACT 388

- Applicable to General Fund
- Residential owner/occupied exemption from taxes on school operations
- Funded from:
  - Tier I: The 1995 \$100,000 Exemption
  - Tier II: The \$50,000 Homestead Exemption
  - Tier III: The additional penny sales tax
- For 2007-08, Districts to receive \$ for \$ reimbursement from the State
- For any subsequent year, Districts will receive the “base” established in 2007-08 plus a portion of the total additional funding available that will grow by the statewide inflation rate and population growth

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## ACT 388 - PROPERTY TAX REFORM

### MILLAGE CAP

- Millage caps are in place for all local governing bodies.
- Millage may be increased only by CPI plus the population growth of the entity from the prior year.
- The cap may only be exceeded with 2/3 vote of the local governing body and only for the following reasons:
  - ~ Deficiency from previous year
  - ~ National disaster/act of terrorism
  - ~ Court order
  - ~ Close of a business that decreases tax revenues by more than 10%
  - ~ Un-funded state or federal mandate.

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## ACT 388 PROPERTY TAX REFORM

### CONCERNS

- Growing school districts
  - ~ Revenues per student
  - ~ New school start-up costs
- Index of Taxpaying Ability
- Funding inequities among similar size districts
- The real concerns are the limitation imposed on local funding and the volatility of sales tax revenues.

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15




## Federal Revenue

### Major Sources

- School Food Service Programs
- Title I
- Individuals with Disabilities Education Act (IDEA)

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## Proceeds from General Obligation Bonds

- Applicable to School Building Fund
- Used to construct, renovate, repair, and equip school facilities
- Types
  - Referendum
  - 8% Debt

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## General Fund

- **Revenue**
  - Local
    - Property Taxes
  - State
    - EFA
    - Fringe
    - ACT 388
    - Bus Driver
  - Other
    - Interest
    - Rentals
    - Tuition

18

18




## General Fund

- **Expenditures**
  - Salaries and Benefits      85 – 90 %
  - Fixed Cost                      3 – 5 %
    - Utilities
    - Contracts
  - Other                              5 – 12 %
    - Instructional Supplies
    - Staff Development
    - Other Supplies

19

19




## Salary FOIA

- A common FOIA request from the newspapers is for a list of employees who make over \$50,000. This request applies to all employees including teachers, coaches and administrators

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## District Comparisons


As a Board member you will hear that your District spends **X** per pupil and that District A spends **Y** per pupil. When making comparisons...

**There are many factors to consider:**

- Size of schools
- Pupil teacher ratio
- Poverty
- Handicapped student population
- Salary schedules
- Programmatic Initiatives
- Geographic size

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## District Comparisons

Again.... Your District's budget and per pupil expenditure reflect the choices of your community.

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## Questions



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# NEW BOARD ORIENTATION

## LEADING THROUGH CHANGE

THURSDAY

JUNE 3, 2021

9 a.m. – 3:15 p.m.

### WELCOME



**Scott T. Price, SCSBA Executive Director**

Prior to joining the association in October 1996, Price was an associate with the Columbia law firm of Tompkins and McMaster.

Price received a law degree from the University of South Carolina School of Law in 1994, and a Bachelor of Arts degree from USC's College of

Journalism in 1986. He is a former newspaper reporter who worked at daily and weekly newspapers in South Carolina and North Carolina.

### ABOUT SCSBA



**Cheryl Burgess, SCSBA President, Lexington School District Three**

Cheryl Burgess was elected to the Lexington Three School Board in 2002. She has served as Secretary, Vice-Chair and Chair, as well as Advocacy Chair and Legislative Delegate to SCSBA. She has been a member of the SCSBA board since 2010. She currently serves on the

National School Boards Association (NSBA) National Nominating Committee and previously served on the NSBA Policies and Resolutions Committee. Burgess has served as President of the Twin City Rotary Club, Ambassador for the Batesburg-Leesville Chamber of Commerce and as a mentor in the Lexington Three Mentoring program. She is currently serving on the Midlands Technical College Advisory Board for the Batesburg-Leesville campus. She has achieved Level 6 in the SCSBA Boardmanship Institute Program.

## SPEAKER BIOGRAPHIES

### UNDERSTANDING ROLES AND RESPONSIBILITIES

**ElizaBeth Branham, 2019-20 NSBA President, SCSBA Past President, Lexington School District Two**



Branham was elected to the Lexington Two board in 2000. She is a former English teacher and is currently an attorney in West Columbia. Branham was the 2019-20 NSBA President. She is also an Ex-Officio member of the SCSBA Board of Directors. Branham received a juris doctorate degree from the University of South Carolina School of Law and a bachelor's degree in English from Boston University. She is a member of the West Metro Chamber of Commerce and a charter member of the West Metro Rotary Club.

### AVOIDING THE \$10,000 FINE: WHAT YOU NEED TO KNOW ABOUT SOUTH CAROLINA ETHICS

**Meghan Walker, Executive Director, S.C. State Ethics Commission**

In February of 2018, Meghan Walker was named Executive Director of the South Carolina State Ethics Commission. As Executive Director, Walker hopes to aid all South Carolinians in understanding the Ethics Act while fairly enforcing the Act. She graduated from Irmo High School and continued her education at the University of South Carolina. She double majored in Marketing and Management with a minor in Political Science. While at the University of South Carolina, Walker developed an interest in law and decided to continue her education at the University of South Carolina School of Law.

No  
Photo  
Available

# SPEAKER BIOGRAPHIES

## THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT: GOVERNMENT IN THE SUNSHINE OR IN A FISH BOWL?



**Andrea White, Esquire, *White & Story, LLC***

Andrea White has a Bachelor of Arts in English from Clemson University (1984) and a J.D. from the University of South Carolina School of Law (1988). She is a member of the Richland County Bar and the South Carolina Bar. Representing a number of school districts around South Carolina,

White practices in all areas of school law, with an emphasis on providing advice and counsel on issues relating to personnel matters, student discipline, the education of students with special needs, policy development, and board/executive officer relations. Her practice also focuses on representation at administrative hearings and at all levels of litigation, particularly in the areas of employment discrimination and tort liability.

## SCHOOL FINANCE 101

**Lyde Graham, III, CPM, *Director of Operations, Clarendon School District 2***



Lyde Graham has over 24 years of experience in public service. Previously, Graham was an Officer in the U.S. Air Force culminating as a Captain and Section Commander in a Fighter Squadron. Subsequently to his service, he served as a Center Administrator for Pee Dee Mental Health Center (SCDMH) for seven years. For 12 years Graham has been the Chief Financial Officer and Chief Operations Officer for Williamsburg County School District, Clarendon County School District One, Darlington County School District, Lee County School District, and Lexington School District 4. He has served as President of the South Carolina Association of School Business Officials. He received a Bachelor's of Science in Business Administration with a concentration in Accounting from The Citadel. He is a Certified Public Manager and has completed all coursework for the GFOA Government Finance Officer Program at the University of South Carolina.

# Who to call

# 800.326.3679

**We welcome your calls and e-mails.** Call toll-free. After hours, dial the extension to leave a voice mail.

## SCSBA

### **Scott Price, Executive Director**

Extension 0259, [sprice@scsba.org](mailto:sprice@scsba.org)

chief executive officer, individualized district studies (curriculum, organizational, salary, etc.), superintendent search

### **Judy LeGrand, Executive Assistant and Superintendent Search Coordinator**

Extension 0226, [jlegrand@scsba.org](mailto:jlegrand@scsba.org)

liaison to SCSBA board of directors

### **Rodney Nixon, IT Manager**

Extension 0241, [rnixon@scsba.org](mailto:rnixon@scsba.org)

### **Ranae Mack, Receptionist**

Extension 0220, [rmack@scsba.org](mailto:rmack@scsba.org)

### **Melissa Donald, Director of Finance**

Extension 0238, [mdonald@scsba.org](mailto:mdonald@scsba.org)

### **Susan Hagedorn, Office Operations and Accounting Manager**

Extension 0234, [shagedorn@scsba.org](mailto:shagedorn@scsba.org)

### **Gwen J. Hampton, MSW, CMP, Director of Leadership Development**

Extension 0251, [ghampton@scsba.org](mailto:ghampton@scsba.org)

annual convention, association workshops/conferences, board assessments, Boardmanship Institute, on-site training

### **Blair Warren, Conference Service Associate**

Extension 0260, [bwarren@scsba.org](mailto:bwarren@scsba.org)

### **Debbie Elmore, Director of Governmental Relations**

Extension 0224, [delmore@scsba.org](mailto:delmore@scsba.org)

advocacy services, legislative services, referendum information

### **Becky Bean, Director of Communications**

Extension 0227, [rbean@scsba.org](mailto:rbean@scsba.org)

awards and recognition, board data, media relations, publications, website ([scsba.org](http://scsba.org))

### **Erin Hughes, Administrative Assistant for Communications and Governmental Relations**

Extension 0261, [ehughes@scsba.org](mailto:ehughes@scsba.org)

## Policy and Legal Services

legal services, policy manual services, policy and legal updates, policies online

### **Rasheeda Cleveland, Staff Attorney**

Extension 0247, [rcleveland@scsba.org](mailto:rcleveland@scsba.org)

### **Rachael O'Bryan, Administrative Assistant**

Extension 0233, [robryan@scsba.org](mailto:robryan@scsba.org)

### **Emma Brody, Paralegal**

Extension 0237, [ebrody@scsba.org](mailto:ebrody@scsba.org)

## SCSBIT

### **Steve Mann, CPA, Director of Insurance Services**

Extension 0254, [smann@scsba.org](mailto:smann@scsba.org)

risk control services, self-insured property & casualty program, self-insured workers' compensation program

### **Jennifer Ayers, Administrative Assistant**

Extension 0256, [jayers@scsba.org](mailto:jayers@scsba.org)

## Property & Casualty

### **Nicky Shova, Administrative Assistant**

Extension 0222, [nshova@scsba.org](mailto:nshova@scsba.org)

## Risk Control

### **Tim Hinson, CPSI, Risk Control Manager**

Extension 0248, [thinson@scsba.org](mailto:thinson@scsba.org)

## Workers' Compensation

### **Danny Deal, Assist. Dir., Workers Comp.**

Extension 0240, [ddeal@scsba.org](mailto:ddeal@scsba.org)

**SECTION 59-19-45.** Orientation for school district boards of trustees and county boards of education.

(A) Within one year of taking office, all persons elected or appointed as members of a school district board of trustees after July 1, 1997, shall complete successfully an orientation program in the powers, duties, and responsibilities of a board member including, but not limited to, topics on policy development, personnel, superintendent and board relations, instructional programs, district finance, school law, ethics, and community relations.

(B) The orientation shall be approved by the State Board of Education and conducted by public or private entities approved by the State Board of Education such as the South Carolina School Boards Association.

(C) The provisions of this section also apply to members of county boards of education appointed or elected after July 1, 1997, in the same manner the provisions of this section apply to members of school district boards of trustees.

(D) The provisions of this section do not apply to a school board trustee or county board of education member who was serving in such office on July 1, 1997, and who is continuously reelected or reappointed to office thereafter.

(E) The State Department of Education shall reimburse a school district or county board of education conducting an orientation for a new board member as required by this section at the rate of eighty dollars for a member, provided that the total reimbursements by the department in one fiscal year must not exceed ten thousand dollars. If the total projected cost of these reimbursements for a year as determined by the department exceeds ten thousand dollars, the eighty-dollar reimbursement for each new member must be reduced proportionately. If funds are not available for these reimbursements, the board member orientation is not required but may be conducted at the option of a school district or county board of education. The State Board of Education shall establish guidelines and procedures for these reimbursements.

(F) The State Department of Education must keep a record of the school board trustees who complete the orientation program.



## 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*

# *At your service.*

## **What does my board get for its SCSBA dues?**

### **Membership Services**

Your board as a member of the South Carolina School Boards Association receives the representation, consultation, information and assistance described on this page as part of your membership dues.

As a member board, you also have access to the Boardmanship Institute's statewide workshops and to a variety of services customized for your district's particular needs. These usually are fee-based services, such as superintendent searches and board retreats.

Membership also gives each board member a \$100,000 accidental death and dismemberment policy.

Your SCSBA membership enables you to participate in all of the National School Boards Association activities and in the self-insured workers' compensation and property and casualty programs administered by the South Carolina School Boards Insurance Trust.

### **Legislative representation:**

#### **Federal, state & local**

- Daily representation at the State House and updates during the session
- Testimony on proposed legislation affecting public education
- Assistance with drafting legislation
- Representation at key legislative committees: Education, Ways and Means, Finance
- Legislative Update, a bi-weekly paper newsletter, January through June
- Alerts on important legislation
- Statewide network of school board legislative contacts
- Grassroots advocacy initiative
- Federal Relations Network of South Carolina school board members
- Friends of Education Coalition representation
- Monitoring of state policymaking meetings

### **Legal services**

- Ethics questions
- Freedom of Information Act issues
- Legal first aid
- Legal workshops

### **Access to self-insured risk management services**

- Property & Casualty insurance
- Workers' Compensation insurance
- Risk control services

### **Training for boards**

- The Basics of Boardmanship on-site training
- New board orientation

### **Communications**

- e-Clippings, a daily electronic newsletter featuring educational & political stories across the state
- Focus, a biweekly paper newsletter
- e-Focus, a weekly electronic newsletter
- SCSBA Web site, [www.scsba.org](http://www.scsba.org)

### **Other membership services**

- Information on school boards and educational issues
- Policy services
- Special reports and studies
- Teleconferences
- Telephone consultation
- Awards & recognition programs

Let the SCSBA staff work with your board and your district on board assessments and retreats, policy, communications, school law, referenda campaigns, superintendent evaluations and searches.

Please give us a call at  
**800.326.3679** or visit us  
online at  
**[www.scsba.org](http://www.scsba.org)**



# Board and Board Member Standards

## for effective school board governance

### Board Standards:

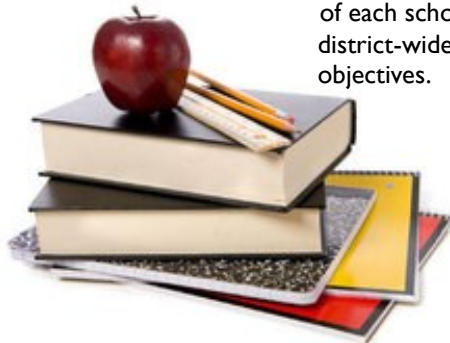
#### The board will:

##### Serve as an Advocate for Children and Public Education

- ◆ Place children's needs ahead of personal or political gain.
- ◆ Demonstrate a sincere and unselfish interest in public education.
- ◆ Promote a positive image of schools in local media.
- ◆ Make decisions based on what is good for all children in the district.

##### Communicate a Clear Vision

- ◆ Establish a district-wide vision for education with board community involvement.
- ◆ Set clear priorities among district goals consistent with the district's mission and values.
- ◆ Ensure that the rules, roles and responsibilities needed to realize the district's vision are in place.
- ◆ Monitor regularly progress toward achieving the district's vision, making adjustments as needed.



##### Act with Fiscal Responsibility

- ◆ Work to ensure adequate resources are distributed equitably to schools, staff and students.
- ◆ Ensure written policies for efficient administration of purchasing, accounting and payroll procedures.
- ◆ Monitor budget expenditures regularly.
- ◆ Keep the community informed about the financial needs of the district and invite public input during the budget process.

##### Monitor Student Achievement

- ◆ Ensure that the district sets standards and measures achievement relative to those standards.
- ◆ Make achievement of stated academic, social and behavioral goals a clear priority.
- ◆ Understand the instructional program and its relation to the laws and regulations established by the legislature and the State Board of Education.
- ◆ Obtain evidence of progress of each school toward district-wide goals and objectives.

##### Understand and Respond to Community Needs

- ◆ Maintain open and constructive relations with the community at large.
- ◆ Ensure a comprehensive community relations policy and an authorized spokesperson.
- ◆ Seek input of parents, community groups, service organizations and local governing bodies on important matters.
- ◆ Maintain visibility, participating actively in school and community affairs.

##### Conduct Professional Meetings

- ◆ Conduct meetings in a businesslike manner, following acceptable parliamentary procedures.
- ◆ Consider both information and action items at its board meetings and allow sufficient time for discussion.
- ◆ Insist that its members are polite and treat each other, school personnel and the public with respect during board meetings.
- ◆ Ensure that time spent on each agenda item is appropriate in terms of its importance.

##### Support the Superintendent and Administrative Staff

- ◆ Provide the superintendent a clear statement of its expectations for his/her performance that is used in his/her evaluation.
- ◆ Work with the superintendent to achieve a climate of good faith and good will through team work and clear communication.
- ◆ Display confidence in the superintendent by making decisions concerning the district after considering the superintendent's recommendations.
- ◆ Discuss immediately matters likely to alienate either board members or the superintendent.

##### Avoid Micromanagement

- ◆ Operate according to written policies that it updates as necessary.
- ◆ Avoid using its authority outside of board meetings.
- ◆ Concentrate on developing policies and allow the superintendent to administer them.
- ◆ Follow its prescribed role as a policy body and not become involved in making administrative decisions.

# Board Member Standards

As individual school board members, we will:

## Act Ethically

- ♦ Exhibit good character and self-discipline.
- ♦ Avoid conflict of interest between our public position, our professional career and our private life.
- ♦ Avoid using board membership or any particular issue for personal gain.
- ♦ Understand that, under law, the school board acts as a board and that individual board members have no authority except when the board meets.

## Demonstrate Courage

- ♦ When needed, engage in open, frank discussions with other board members.
- ♦ Avoid making decisions on the basis of single-issue pressures.
- ♦ Speak and vote our conscience, but support majority decisions.
- ♦ Work with special interest groups in a way that is fair both to these groups and to the public at large.

## Work as A Team Player

- ♦ Avoid committing the board to a position with our public comments except when board policy is already clearly established.
- ♦ Work willingly through defined channels of authority and responsibility.
- ♦ Not let disagreement with other board members on an issue affect our vote on other issues.
- ♦ Pay attention to the ideas and opinions of other board members.

## Communicate Effectively

- ♦ Communicate with our constituency on a regular basis.
- ♦ Use effective and appropriate channels of communication with the superintendent and his/her administrative staff.
- ♦ See that public is informed of significant educational issues.
- ♦ Display good listening skills.

## Make Sound Decisions

- ♦ If new issues surface at a board meeting, give the superintendent sufficient time to study those issues so the board is not forced to make a decision on the spot.
- ♦ Realize that priorities must be established and used to make sound and defensible decisions.
- ♦ Think independently, gain knowledge and rely on fact rather than hearsay in making decisions.

## Stay Informed

- ♦ Become knowledgeable of new and ongoing educational programs in the district's schools.
- ♦ Have sufficient knowledge and skills to review and suggest revisions in board policy.
- ♦ Attend meetings, workshops and seminars that contribute to knowledge and understanding of education.
- ♦ Know and follow district and state regulations and policies concerning education.

## Devote Sufficient Time to Duties

- ♦ Come to board meetings prepared.
- ♦ When appropriate, work closely with other governmental agencies and bodies.
- ♦ Devote the time necessary to be an effective board member.
- ♦ Attend all board meetings unless emergency situations arise.



# **Board Work**

## **How to stay focused: Foundational principles**

As the corporate entity charged by law with governing a school district, each school board sits in trust for its entire community. The obligation to govern effectively imposes some fundamental duties on the board.

### **1. The board clarifies the district purpose**

As its primary task, the board continually defines, redefines and articulates district goals to answer the recurring question – who gets what benefits for how much?

- Goals express the school board's vision for the school district – its purpose – and provide the entire organization with clear direction. School boards rarely “create” district purpose; rather, they most often “detect” it through listening and observing.
- In effective school districts, each and every part of the organization is aligned with the ends specified by the school board.
- Well-crafted ends permit the school board to monitor district performance and hold the organization accountable.

### **2. The board connects with the community**

The school board engages in an ongoing two-way conversation with the entire community. The purpose of the conversation is to enable the board to hear and understand the community's educational aspirations and desires, to serve effectively as an advocate for district improvement and to inform the community of the district's performance.

- Communications should create the trust and support among community, board, superintendent and staff, which are essential for an effective educational system.
- The school board typically must be aggressive in reaching out to the community to engage people in conversations about education. In contrast, people with customer complaints will seek out board members.
- A board in touch with community-wide concerns and values will serve the broad public interest and be less influenced by narrow special interests.

### **3. The board employs a superintendent**

The board employs and evaluates one person – the superintendent – and holds that person accountable for the performance of the school district. The board delegates authority for employing and evaluating district staff to the superintendent.

- The employment relationship between a school board and superintendent consists of trust, mutual respect and a clear understanding of respective roles and expectations. The basics of

this relationship are reflected in a thoughtfully crafted employment contract, a job description and procedures for communications and assessment.

- The superintendent is held responsible for hiring and supervising all other staff, subject to limits established by the board.
- Hiring a new superintendent is one of the most important and challenging tasks that can ever face a school board. Just as important and just as challenging is maintaining a productive relationship with the incumbent superintendent. Both tasks call for the school board's best efforts.

#### **4. The board delegates authority**

The board delegates authority to the superintendent to manage the district and provide leadership for the staff. Such authority is communicated through written policies that define operating limits.

- Ultimately the school board is responsible for everything, yet must recognize that everything depends upon a capable and competent staff.
- Delegating authority to the superintendent empowers the staff to pursue board goals with focus. Boards that do (or re-do) staff work, leads to their disempowerment.
- Delegation is difficult for anyone accustomed to direct action. However, to adequately see the big picture and avoid disorienting the staff, members of the school board must discipline themselves to trust their staff and stay away from day-to-day matters.

#### **5. The board monitors performance**

The board constantly monitors progress toward district ends and compliance with written board policies.

- A school board that pursues its ends through the delegation of authority has a moral obligation to itself and the community to determine whether that authority is being used as intended.
- Unless the board is clear about what it wants, no valid way exists to measure progress.
- The constructive use of data is a skill that must be learned. The board should have some understanding of data but will typically require guidance from the staff.
- A distinction can be made between monitoring data (for board accountability) and management data (of more use to the staff than the board).

#### **6. The board takes responsibility for itself**

The board, collectively and individually, takes full responsibility for board activity and behavior. Board deliberations and actions are limited to board work, not staff work.

- The school board's role as trustee for the community cannot be filled by any other person or group.
- While the board operates within restrictive legal parameters, the board is responsible for itself. Avoidance of staff work, for example, depends upon its own discipline.
- Quality boards seek continuity of leadership, even as they experience turnover in membership. Such boards depend upon written rules and standards, thorough orientation and training for all board members and the creation of opportunities for new school leaders to develop in the community.

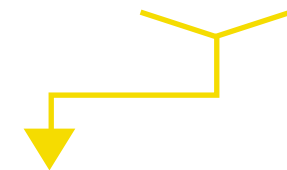


south carolina school boards association

# boardmanship institute

## levels of achievement

Established in 1982, SCSBA's Boardmanship Institute offers a year-round training curriculum focused on leadership skills for board members on state and national educational issues. Board members are recognized for reaching each of six levels.



level	points	time	award
1	25	1 year	Certificate
2	40	1 year	Certificate, silver pin
3	100	2 consecutive years or less	Certificate, gold pin
4	200	4 consecutive years or less	Certificate, pin (blue stone)
5	300	5 consecutive years or less	Certificate, pin (red stone)
6	300	Receive Level 5 recognition previous year and pass online test	Plaque, pin (clear stone)



Boardmanship Institute Levels 1-5 are presented to board members at the district during a board meeting. Level 6, the highest level of recognition, is awarded during SCSBA's Annual Convention.

Board members who have a break in service will start over in the Boardmanship Institute.