

**SOUTH CAROLINA
SCHOOL BOARDS ASSOCIATION**



**DELEGATE ASSEMBLY
HANDBOOK**





2021 DELEGATE ASSEMBLY HANDBOOK

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The Board of Directors is pleased

to present the 2021 Delegate Assembly Handbook in preparation for the South Carolina School Boards Association's annual business meeting. The meeting will be held from 2 to 5 p.m., Saturday, December 4, 2021, at the Charleston Marriott.

As a school board member and public official in South Carolina, you play a critical role in the decisions of this official Delegate Assembly. Delegates will convene on December 4 to make important decisions on behalf of governing boards and students in all 77 school districts. They will elect the association's leadership and adopt positions on educational issues that reflect the philosophies of the membership.

Take time to read the annual report and financial data. Your boards should review the resolutions in October or November. They are presented again in this booklet for your review. Your discussion will offer valuable guidance to those serving as your delegates at the Delegate Assembly. Finally, plan to attend the annual business meeting from 2 to 5 p.m. on December 4. Even if you are not an official delegate, you are invited to observe the meeting in a special visitor's section. Your involvement enables SCSBA to serve as the leading voice for public education and for public school governance in South Carolina. As a reminder, if you were appointed to serve as a delegate for your district, you will be voting on behalf of your board.

AGENDA

2021 Delegate Assembly Agenda

Saturday, December 4, 2021

2 p.m.

Cheryl Burgess, President, South Carolina School Boards Association, presiding

Call to Order Cheryl Burgess
SCSBA President

Pledge of Allegiance Jamie Devine
SCSBA President-elect

Credentials Report..... Gail Hughes
SCSBA Secretary/Treasurer

Approval of Agenda (page 2) Cheryl Burgess

Approval of 2020 Minutes (pages 4)..... Cheryl Burgess

Approval of Rules of Procedure
(pages 11) Cheryl Burgess

2020-2021 Annual Report (pages 14) Cheryl Burgess

Finance Committee Report Gail Hughes, Chair
(pages 19) SCSBA Finance Committee
SCSBA Secretary/Treasurer

Nominating Committee Report (page 21)... Chuck Saylor, Chair
SCSBA Nominating Committee
SCSBA Immediate Past President

Election of Officers and Directors..... Cheryl Burgess

2022 Resolutions (pages 22-42) Jamie Devine, Chair
Section 1 – Current Legislative Resolutions SCSBA Legislative Committee
Section 2 – Proposed New Resolution SCSBA President-elect
Section 3 – Proposed Resolutions for
Deletion

Proposed Constitution and Charles Govan, Chair
Bylaws Changes (Page 43) SCSBA Policy Committee
SCSBA Region 16 Director

Installation of Officers and Directors Chuck Saylor
SCSBA Immediate Past President

President's Address Jamie Devine
SCSBA President

Adjournment

Executive Committee



Cheryl Burgess
President



Jamie Devine
President-elect



Gail Hughes
Secretary/Treasurer



Chuck Saylor
Immediate Past President

Minutes of the 2020 Delegate Assembly

December 4, 2020

Time and place

The 2020 meeting of the South Carolina School Boards Association Delegate Assembly was held at the Columbia Metropolitan Convention Center in Columbia, South Carolina, on December 4, 2020. President Chuck Saylor called the meeting to order at 11:30 a.m. After welcoming the delegates, President Saylor called on SCSBA President-elect Cheryl Burgess to lead the group in the Pledge of Allegiance.

Credentials report

SCSBA Secretary/Treasurer Jamie Devine announced that there were 58 delegates from 58 school boards present, which represented 73 percent of the 79-member school boards.

Approval of agenda

The agenda was approved by general consent.

Approval of minutes

The minutes from the 2019 Delegate Assembly were approved by general consent.

Rules of Procedure

Melvin Stroble from Lancaster County School District motioned that the words "Proposed resolutions or constitutional changes submitted under these circumstances will only be allowed when written verification is provided that the action is requested by a majority vote of the submitting board" be struck from Item 9 on page 13 of the Delegate Assembly handbook. Cindy Bohn Coats from Charleston County School District asked for clarification on the motion. Danny Owens from Anderson School District Three seconded the motion, which then passed with the amendment.



Patricia Simmons, Region 1
Director - Beaufort, Colleton,
Dorchester 2, 4, Jasper



Cindy Bohn Coats, Region 2
Director - Charleston



Michael Ramsey, Region 3
Director - Berkeley,
Georgetown

The chair appointed Kim Anderson, Melissa Donald, Steve Mann, and Tiffany Richardson to serve as tellers during any voting situation where a tabulated vote is required. The chair also appointed Helen McFadden to serve as parliamentarian for the 2020 Delegate Assembly.

President's Report

President Saylor introduced the members of the Board of Directors. He then called everyone's attention to the Annual Report on pages 14 through 18 in the Delegate Assembly Handbook.

Finance Committee Report

President Saylor called upon SCSBA Secretary/Treasurer Jamie Devine to present the Finance Committee Report. Secretary/Treasurer Devine reported the association's financial situation was in sound condition and indicated that a copy of the association's annual audit conducted by the independent firm of The Brittingham Group, LLP was available to any delegate upon request. He further announced 100 percent membership in SCSBA of the 79 school boards in the state for the 44th year in a row.

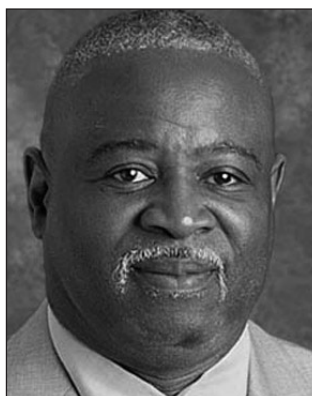
Nominating Committee Report

President Saylor called on Tony Folk, Immediate Past President and chair of the Nominating Committee, to give the Nominating Committee Report. Chairperson Folk introduced the other members of the SCSBA Nominating Committee. Chairperson Folk reminded the delegates that the SCSBA Constitution calls for the president-elect to automatically become the president upon the conclusion of the Delegate Assembly; therefore, Cheryl Burgess was not listed among the individuals on the slate of officers. The slate of officers and directors as found on page 21 of the Delegate Assembly Handbook included:

President-elect.....Jamie Devine (Richland One board)
Secretary/Treasurer Gail Hughes (Dorchester Two board)
Director, Region 8 Amelia McKie (Richland Two board)
Director, Region 12 Billy Blackwell (Cherokee County board)
Director, Region 16 Tom Dobbins (Anderson Four board)



Janet Graham, Region 4
Director - Dillon 4, Horry,
Latta, Marion



Arthur Moyd, Region 5
Director - Clarendon 2, 4;
Florence 1-5; Williamsburg

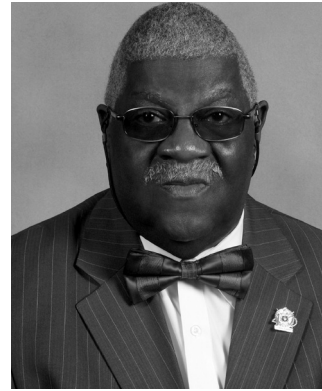
Chairperson Folk moved for adoption of the Nominating Committee Report. The motion to approve the Nominating Committee Report was passed by a voice vote.

Legislative Committee Report

President Saylor called on Cheryl Burgess, President-elect and chair of the Legislative Committee, to give the Legislative Committee Report. Chairperson Burgess introduced the other members of the SCSBA Legislative Committee. President Saylor then stated that the SCSBA board approved changing the set-up from having Priorities and Statements of Belief to having both groups combined into Current Legislative Resolutions. President Saylor stated that there were 35 current legislative resolutions numbered 1 – 35 in Section 1. Section 2 contained one proposed new resolution, numbered 36. Section 3 contained two previously adopted resolutions, numbered 37 and 38, that were recommended for deletion. President Saylor reminded the Delegate Assembly that since the SCSBA Board of Directors submitted the report, no second was needed.

President Saylor called for a block vote on Section 1, which contained 35 Current Legislative Resolutions numbered 1 – 35, four of which were previously listed as Legislative Priorities but were moved into the Legislative Resolutions section. President Saylor noted that the Board of Directors recommended that these priorities be adopted as submitted in the Delegate Assembly handbook.

Melvin Stroble from Lancaster County School District, in regard to Legislative Resolution



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



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



Amelia McKie, Region 8
Director - Richland 1, 2

MINUTES

number 3, asked for examples of specific courses board members would be trained in and how the training would be paid for. President Saylor referred the question to President-elect and chair of the Legislative Committee Cheryl Burgess, who referred the question to SCSBA Director of Governmental Relations and Advocacy Debbie Elmore. After an explanation, Melvin Stroble then asked for Legislative Resolution number 5 to be pulled for further discussion. Rutha Frieson from Florence School District Three asked for Legislative Resolution number 27 to be pulled for further discussion.

President Saylor called for a block vote on the adoption of all Legislative Resolutions in Section 1, with the exceptions of numbers 5 and 27, and the vote passed.

President Saylor then called on Melvin Stroble to speak on Legislative Resolution number 5. After discussion by Melvin Stroble and an explanation by Debbie Elmore, Melvin Stroble expressed his intent to submit an amendment to Legislative Resolution number 5. While Melvin Stroble wrote the amendment, President Saylor called on Rutha Frieson to speak on Legislative Resolution number 27. Discussion was offered by Rutha Frieson, along with further discussion by Debbie Elmore and others. Melvin Stroble then offered his amendment to Legislative Resolution number 5. After further discussion, Melvin Stroble withdrew his amendment. President Saylor called for a vote on Legislative Resolution number 5 as presented with the amendment withdrawn, which passed. President Saylor then called for the discussion to return to Legislative Resolution number 27. After discussion, Danny Owens from Anderson School District Three asked if Rutha Frieson



Daniel Martin, Region 9
Director - Lexington 1-5



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



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

would consider withdrawing the motion. After discussion from Rutha Frieson, Debbie Elmore, and others, a motion was made by Melvin Stroble to table the resolution. Rutha Frieson seconded the motion to table, which failed. After further discussion on Resolution number 27, President Saylor called for a vote on Legislative Resolution number 27 as presented, which passed.

President Saylor then called on Debbie Elmore to give a brief overview of Proposed New Resolution number 36, which was listed in Section 2 and proposed by the Beaufort County School Board. After an overview by Debbie Elmore, President Saylor called for a vote on the adoption of New Resolution number 36, which was approved.

President Saylor called for a vote on the deletion of resolutions numbered 37 and 38 in Section 3. Melvin Stroble asked a procedural question, which was answered by the parliamentarian Helen McFadden. President Saylor called for a vote to delete resolutions numbered 37 and 38, which passed.

Proposed Constitution/Bylaw Changes

President Folk called upon Gail Hughes, Region 1 director and chair of the Policy and Constitution Committee, to give the Policy and Constitution Committee report. Hughes introduced the members of the committee. Hughes noted that the board of directors adopted the committee's report, allowing the recommendations to come before the Delegate Assembly. Hughes discussed that the committee and board of directors recommended several edits, including correcting the name of the Orangeburg district



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



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



*Travis Sloan, Region 14
Director - Spartanburg 1-7*

following its consolidation; removing “with the exception of the immediate past president” so that all voting members of the board must be members of an active member board; taking out the list of years so the document would not have to be updated as often; and in Article 8, Section 2, making editorial changes to make the section clearer by removing Part F “with the exception of the past president.” President Folk explained that a two-thirds vote was needed for adoption of the amendments to the SCSBA Constitution. President Folk called for a vote, which passed by a voice vote.



Lisa Wells, Region 15
Director - Greenville

Installation of Directors and Officers

President Saylor called upon Immediate Past President Tony Folk to conduct the installation of officers. Immediate Past President Folk called the names of the newly elected officers and directors and asked that they come forward to receive the oath of office. Officers and directors installed included:

President.....Cheryl Burgess (Lexington Three board)
President-elect.....Jamie Devine (Richland One board)
Secretary/Treasurer Gail Hughes (Dorchester Two board)
Director, Region 8 Amelia McKie (Richland Two board)
Director, Region 12 Billy Blackwell (Cherokee County board)
Director, Region 16 Tom Dobbins (Anderson Four board)

President Saylor then recognized outgoing Board of Directors members Kim Johnson from Clarendon School District Two (who was not in attendance) and Janice Morreale from Horry County Schools, presenting Janice Morreale with a plaque. President Saylor then recognized Immediate Past President Tony Folk from Dorchester School District Four, who was leaving the Board of Directors. President Saylor presented Folk with a plaque and thanked him for his service to SCSBA.



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

President Saylor then introduced Cheryl

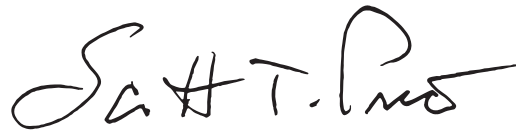
Burgess as the new president of the South Carolina School Boards Association.

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

President Burgess then gave her President's speech.

Adjournment

With no further business, President Burgess declared the 2020 Delegate Assembly of the South Carolina School Boards Association adjourned at 1:03 p.m.

A handwritten signature in black ink, appearing to read "Scott T. Price". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Scott T. Price, Executive Director

Assembly Rules and Procedures

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

1. The latest edition of the Robert's Rules of Order is the official parliamentary authority for all business sessions of the association except where such rules conflict with the constitution or rules adopted by the Delegate Assembly.
2. Any candidate being nominated from the floor at the Delegate Assembly must have notified the association president in writing at least 15 days prior to the Delegate Assembly. In such cases, the presiding officer will announce the names of individuals who have submitted such notification immediately after the chairman of the nominating committee has read the slate of officers and directors being presented by the board of directors. Nominations from the floor require a second from a certified delegate representing a school board other than the board from which the candidate is a member. Before the nomination can be accepted, the presiding officer must receive written endorsement of the nominee from the nominee's board, along with a letter of confirmation that the nominee will serve if elected. After all those wishing to make nominations are recognized, the presiding officer will allow each nominee in a contested race to speak in alphabetical order. The candidate and a supporting speaker may speak for a combined total of no more than three minutes. The presiding officer will strictly enforce the three-minute limit. Association elections are to be conducted by secret ballot. The counting of the ballots will be completed by three impartial and independent individuals excluding SCSBA staff, members of the SCSBA Board, SCSBA delegates, or any school board member in attendance other than delegates. The announcement of the results of the elections will be limited to the name of the successful candidate with no reference to the actual votes tabulated by each candidate. Tabulation records will be maintained by the independent counters until the end of the Delegate Assembly, at which time they will be destroyed. Candidates will be allowed to review the vote tabulations

RULES OF PROCEDURE

prior to them being destroyed. In the event three or more candidates offer for an office and if a majority vote is not received by any candidate for such office, a run-off election will take place between the two candidates receiving the largest number of votes.

3. In speaking to a motion, a delegate will be limited to three minutes. A delegate must come to the microphone to be recognized.
4. A delegate who has once spoken on a question will not be recognized again for the same question until others who wish to speak have spoken. A delegate is limited to speaking twice on a pending motion.
5. All matters except contested elections will be decided by voice vote or a tabulated vote. A tabulated vote may be called for by a single delegate if supported by four other delegates from boards other than the board of the delegate requesting the tabulated vote. A voice vote is a verbal expression of "yea" or "nay" with no recognition to the weighted votes. A tabulated vote is the tabulation of all weighted votes assigned to each school board.
6. Once a resolution, amendment, or constitutional change has been adopted by the Delegate Assembly, consideration of that same subject matter at a subsequent time during the same Delegate Assembly will be out of order unless the Delegate Assembly votes to reconsider the item in question. A motion to reconsider must be made by an individual who voted on the prevailing side of the original motion, and a simple majority vote will be necessary for the item to be reconsidered.
7. All substantive floor amendments to a proposed resolution or constitutional change will be made in writing on the official amendment forms provided at the Assembly and submitted to the president at the time the amendment is proposed. The presiding officer is granted authority to accept minor amendments in verbal form or may require such amendments to be submitted in writing prior to consideration.
8. Proposed resolutions or constitutional changes that are not presented in advance in the Delegate Assembly handbook by the board of directors may be presented to the Delegate Assembly if two-thirds of the delegates vote to allow the presentation of such. Consideration of a resolution or constitutional change presented from the floor will be voted on separately. Such resolutions or constitutional changes must be presented in writing to

RULES OF PROCEDURE

the president when a delegate makes the motion to allow presentation. Proposed resolutions or constitutional changes submitted under these circumstances will only be allowed when written verification is provided that the action is requested by a majority vote of the submitting board.

9. Although informal advice and explanation may be sought of SCSBA staff, only delegates and members of the board of directors who are not delegates may speak at the Delegate Assembly. All rulings concerning assembly or parliamentary procedure will be made exclusively by the presiding officer. The ruling of the presiding officer will be final unless there is an appeal from the decision of the presiding officer by a delegate and there is a second. In this case, the presiding officer will speak first and last and any delegate may speak once. A majority vote is required to sustain or overturn the decision of the presiding officer.
10. Subsequent to initial approval by the Delegate Assembly, any of these rules may be suspended by a two-thirds vote of the Delegate Assembly.

SCSBA mission

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

2020–2021 Annual Report

During the 2020-2021 school year, school board members' main focus was how to safely educate the students in their communities amidst a global pandemic. As we started the new 2021-2022 school year, SCSBA pushed legislative and state leadership to recognize that decisions regarding student and staff safety are best made at the local level by the board/superintendent educational team.

In relation to that, SCSBA's mission was to continue to be the leading voice for public schools, while ensuring that, as local leaders, our members had all the tools they needed to move forward through this unprecedented time. SCSBA provided continuous updates on COVID-19 and ESSER funding related matters using policy and legal updates, legislative briefings and innovative communication strategies.

Using a combination of in-person, online and virtual trainings for our members, we provided ongoing training and professional development, which was vital during these challenging times.

We appreciate all that you are doing to provide strong leadership for your districts during this time of crisis!

Beginning with the August School Law Conference, SCSBA is also bringing focus to newly enacted laws centering on school board accountability that can ultimately result in dissolution of a local board. Our goal is to ensure that school boards are fully aware of how this new law can impact on them and, further, how it could change the way that boards conduct their business.

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*

COMMUNICATIONS —

PROVIDING RESOURCES FOR SCHOOL BOARD MEMBERS

- During the month of January SCSBA organized a "School Board Strong" School Board Recognition campaign, providing each of the state's school districts with materials and resources to celebrate their school board members locally, highlighting the unique role school boards play in championing and advocating for quality education and the ownership they take for governing their local public schools. Governor Henry McMaster also signed a

resolution officially declaring January as School Board Recognition Month in South Carolina.

- School boards across the state signed poster sized copies of the South Carolina School Board Member Ethical Principles during the month of January. This project served as a symbolic gesture by school boards, publicly stating that they will uphold these effective governance principles. This project brought much deserved attention and recognition to school boards by media and in local communities.
- SCSBA kept a designated website for local, state and federal COVID-19 resources updated, 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 "Navigating Schooling Options during COVID-19" webpage was created with information on COVID-19 funding available to districts, including a Question and Answer video with Molly Spearman.
- A new series of newsletters was developed titled, "Following your ESSER Funding," which included timely information, guidance and resources for school board members related to the importance of school boards understanding and paying close attention to their school district's adherence to the funding law.
- SCSBA provided school board members with several ways to show support for their 2021 graduates, including a Facebook frame and signs for printing.



Becky Bean, *Director of Communications*

LEADERSHIP DEVELOPMENT — KEEPING YOU AHEAD OF THE CURVE

- SCSBA recognized school board members throughout the state for achieving one of six levels in the 2020-2021 year with certificates of achievement and a lapel pin designating their level of accomplishment in the Boardmanship Institute.
- SCSBA recognized eight 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 eight school districts across the state, working with school boards to enhance effective board governance practices.



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

LEGISLATIVE REPRESENTATION — #SCHOOLBOARD STRONG

The ongoing COVID-19 pandemic and its impact on the ability of schools to safely reopen fully for in-person, five days a week instruction was a major focus of the 2021 session of the General Assembly. From the debate over designating teachers as priority for receiving the vaccine early to limiting virtual learning options, lawmakers were focused on K12 education, passing more bills than normal. One of those bills revises the state education accountability system to include the dissolution of locally elected school boards



Debbie Elmore, *Director of Governmental Relations*

in districts declared to be in a state of education emergency. The bill was once part of a massive 60-plus page education reform bill that failed to pass over the past several years. Filed as separate legislation, SCSBA fought against its passage that had overwhelming support in the House and Senate. SCSBA will continue to seek other avenues regarding the legislation that was signed into law in May but has an effective date of July 1, 2022.

Lobbying and advocacy efforts at the State House resulted in additional revenue for K12 that includes the following:

- \$65 million in Education Finance Act (EFA) funding that is estimated to increase the base student cost (BSC) from the current year's amount of \$2,489 to \$2,516;
- \$72 million for a \$1,000 teacher pay raise, which is in addition to the state-mandated step increase;
- \$4.1 million for a 5 percent pay raise based on the state pay scale for school bus drivers;
- \$5.5 million for school nurses in every district;
- \$34 million for 4K expansion;
- \$100 million for capital improvements to qualifying school districts;
- \$3 million for school resource officers plus \$4 million to help recruit and hire SROs; and,
- \$7.8 million for the lease, purchase of school buses.

Despite COVID-19, it was another exciting year of Regional Advocacy Meetings, in which a limited number of school board members discussed the growing oversight of the State in K12 education including state takeover of districts including the removal of school boards, mandated consolidation and the growing teacher shortage crisis. Participants were asked to offer their thoughts and ideas on how to ensure the role of school boards remain strong.

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

POLICY AND LEGAL SERVICES — EFFECTIVE GOVERNANCE STARTS HERE

- The Policy and Legal Services department provides training in specialized areas such as the 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 currently include four standard policy manual revisions, two consolidation revisions, policy audits, policy reviews and policy manual re-coding work. Drafts for seven manual revisions were completed in the past year. SCSBA is working with those districts on final review and posting of the approved policies.
- Following some consolidations, we now have 69 districts and special schools currently utilizing online policy manuals.
- SCSBA welcomes Stephanie N. Lawrence, Esq. to the Policy and Legal Services department as the new Director of Policy and Legal Services.



Stephanie Lawrence, Esquire,
*Director of Policy and Legal
Services*

SCSBIT — MEMBERSHIP IS OUR STRENGTH

- The SC School Boards Insurance Trust (SCSBIT) continues to serve the majority of school districts for both property and casualty coverage along with workers' compensation coverage.
- The Property & Casualty Trust currently insures approximately \$16.2 billion in school properties and serves 427,000 students. The drop in students of about 6% is attributed to some students enrolling in private school, charter schools and/or homeschooling. The outbreak of COVID is the main cause of students leaving public schools. The Property & Casualty Trust currently has 50 school district customers representing 65% of districts across the state. Some of the coastal districts remain insured by the State of South Carolina as SCSBIT rates these areas as higher risk for property losses and premiums are generally lower with the State. However, SCSBIT does have some coastal exposure including Georgetown and Beaufort school districts.
- SCSBIT continues to mitigate risk by purchasing reinsurance in the domestic, Bermuda, and London markets. The self-retention of losses retained by SCSBIT is \$300,000 with the reinsurance paying all losses after that. The lat-



Steve Mann, CPA, *Director
of Insurance Services*

est audited financials on June 30, 2020 for the property and casualty trust fund reflect a net position of \$44.6 million with the June 2021 audit yet to be released.

- School districts across the state received \$896,756 for Workers' Compensation Risk Control Grants for the 2020-2021 fiscal year. The grants are used to improve safety and to help control costs by implementing preventive measures for our member school districts that have workers' compensation insurance with SCSBIT.
- SCSBIT continues to keep its entire qualified and professional staff, ensuring that customer service remains second to none. The latest audited financials on June 30, 2020, for the workers' compensation trust fund reflect a net position of \$57.1 million. The investment income earned from both funds helps to offset premiums for member districts. The workers' compensation trust insures 57 school districts which represents 74% of all SC 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.
- On March 18, 2021, the SCSBIT Board voted to allocate \$5 million in loyalty coupons to all members of the workers' compensation trust program. Allocating these funds was contingent on the member school district renewing with SCSBIT in 2021-22.
- SCSBIT welcomes the return of Greenwood County School District 52 and Union County Schools rejoining the Trust for 2021-22. Additionally, Hampton Two transferred its property & casualty coverage from the State to SCSBIT when Hampton One and Hampton Two consolidated to form Hampton County School District.
- 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 rely on for their insurance coverage.



Melissa Donald, *Director of Finance*

Statement of financial position

As of June 30, 2021

Assets	June 30, 2021
Current assets	
Cash and cash equivalents	\$ 1,169,034
Accounts receivable	5,791
Investments	6,917,685
Accrued interest receivable	10,805
Prepaid expenses and other assets	72,317
Total current assets	\$ 8,175,632
Property and equipment	
Land	\$ 215,713
Land improvements	187,779
Building and improvements	3,307,350
Furniture and office equipment	442,345
Vehicles	42,718
Total property and equipment	4,195,905
Less accumulated depreciation	(2,050,027)
Net property and equipment	2,145,878
Total assets	\$10,321,510
Liabilities and Net Assets	
Current liabilities	
Accounts payable	16,697
Other accrued expenses	225,067
Mortgage payable - current portion	117,613
OPEB liability - current portion	5,596
Total current liabilities	\$ 364,973
Mortgage payable - long-term portion	1,542,630
OPEB liability - long-term portion	2,210,355
Total long-term liabilities	3,752,985
Total liabilities	4,117,958
Net assets	
Net assets without donor restrictions	5,546,803
Net assets with donor restrictions	656,749
Total net assets	6,203,552
Total liabilities and net assets	\$10,321,510

Statement of activities

June 30, 2021

June 30, 2021

Revenue

Membership dues	\$ 1,719,714
Conferences and meetings	251,675
Policy services	271,220
Investment income	7,563
Consulting	80,500
Publication sales and advertising	10,925
Administrative fees	3,319,182
Other income	3,804

Total revenue **\$ 5,664,583**

Expenses

Program services:

Member services	\$ 3,220,747
Conferences, meetings and training seminars	443,519
Policy and other services	558,671

Total program services **\$ 4,222,937**

General and administrative expenses 976,223

Total expenses **\$ 5,199,160**

Increase in net assets 465,423

Net assets, beginning of year 5,738,129

Net assets, end of year **\$ 6,203,552**

Proposed slate of officers and directors

The SCSBA Board of Directors presents this slate of officers and directors for 2021-2022. Officers serve one-year terms. Directors serve four-year terms representing regions containing similar numbers of students.



Gail Hughes
President-Elect
Current: Secretary/Treasurer



Patricia Simmons
Region 1 Director
Colleton County School District
Current: Region 1 Director



Ervin Richardson
Region 5 Director
Florence 5 School District



Robin Owens
Region 13 Director
Rock Hill School District

Michele Branning
Secretary/Treasurer
Current: Region 13 Director



Janet Graham
Region 4 Director
Horry County School District
(Three years remaining on term)



Anne Marie Green
Region 9 Director
Lexington County School
District One



Guide to 2022 SCSBA Legislative Resolutions

Section 1: Current Legislative Resolutions

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South Carolina School Boards Association Legislative Resolutions for 2022

Section 1: Current Legislative Resolutions

1. Board hiring of superintendent

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

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

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

2. Board member legal actions

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

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

History: adopted 2011; revised 2017

3. Board training in underachieving school districts

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

Rationale: State law places the governance of schools in the hands of board members chosen directly by the community's voters, who trust these leaders to make decisions in the best interests of

their children. Removing voter control through takeovers should not be considered without technical assistance to school districts to include the school board. Under state law, state-funded board training is one option available to the state superintendent prior to the declaration of emergency in a district not meeting the state accountability standards.

History: adopted 2004; revised 2008, 2011, 2019

4. **Broadband expansion statewide**

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

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

History: adopted 2020

5. **Compulsory attendance**

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

Rationale: South Carolina's public schools have made great strides to improve student achievement since the Education Accountability Act of 1998 (EAA). A contradiction exists, however, between the accountability system's graduation measurement and the state's compulsory attendance law. While the accountability system penalizes high schools for students who do not graduate on time (within four years after entering high school), the compulsory attendance law allows students to leave or drop out of school when they reach the age of 17, which could happen during their junior year of high school.

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

6. **Consolidation**

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

Each district shall have equal voice in the consolidation or deconsolidation question.

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

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

7. **Constitutional amendment**

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

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

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

8. **Economic development tax incentives**

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

Rationale: Almost 100 percent of the local share of school districts' budgets comes from property taxes. School districts, however, are finding it increasingly difficult to preserve school tax millage for use exclusively for school purposes due to the erosion of the local tax base. Economic development incentives such as fee in lieu of taxes and multi-county industrial parks are two examples of the erosion of school districts' tax bases. All revenue generated from taxable property, to include all special taxing districts, represented by assessed valuation of a school district as determined by school tax millage must be used by school districts for school purposes. Finally, no statewide data exists on multi-county industrial park agreements and related incentives such as special source revenue bonds and tax credits. No one is monitoring how economic development incentives are impacting school district tax revenue, and the lack of data makes it impossible to estimate the financial impact at the local district level.

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

9. Education achievement gap and graduation rates

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

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

History: adopted 2007; revised 2016, 2018

10. Education funding reform

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

- expand local district revenue-raising options;
- generate revenue that is adequate, stable, and recurring;
- ensure equitable and timely distribution, to include direct distribution from the state to a district;
- provide adequate funding for other operational needs such as transportation and fringe;
- include state-driven initiatives to ensure that every public school student has the opportunity to learn in permanent school facilities that are safe, structurally sound and conducive to a good learning environment;
- ensure that districts are held harmless from receiving less money through a new funding plan; and,
- grant all elected school boards full fiscal autonomy.

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

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

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

History: adopted prior to 2001; revised 2001, 2002, 2003, 2004, 2005, 2007, 2011, 2012, 2013, 2014, 2016, 2020

11. Elimination of Education Oversight Committee

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

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

History: adopted 2017

12. Fiscal autonomy/affairs (*proposal to delete the removal of the local board fiscal authority language which is no longer applicable with the passage of Senate bill 201 in 2021. The new law dissolves local school boards in districts declared to be in a state of education emergency and the local fiscal authority is delegated to the county council.*)

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

Rationale: Taxing authority is a logical requirement and natural extension of the funding partnership between the state legislature and the local school board. Nationally, nearly all school boards have taxing authority. Twenty-six districts in South Carolina have no taxing authority at all. Following passage of the Property Tax Relief Act of 2006, known as Act 388, no South Carolina school district has full fiscal autonomy. As elected officials, school board members need authority for financial decisions to enable them to bear the accountability for the district's instructional programs. State law currently establishes the powers and duties of local boards of trustees, including the authority to govern fiscal affairs of school districts. Transfer of this authority from a governing school board

~~inherently conflicts with many existing powers and duties of a local board of trustees, including the authority to hire staff, enter into contracts and borrow funds as needed.~~

History: adopted prior to 1993; revised 1998, 2000, 2001, 2002, 2007, 2013, 2021, 2022

13. Full funding of education mandates

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

Rationale: While it is critical for the General Assembly to reform how South Carolina funds its public schools, of equal importance is for the state to fully fund the system it has in place. When state funds are not adequate to meet the true cost of a required program, the fiscal burden falls to local taxpayers to cover the deficit, or districts must sacrifice in other areas such as classroom size and personnel. For example, the Education Finance Act (EFA) requires a funding formula that has not been fully funded in more than 10 years. While the EFA is not the only state funding allocated to public schools, it provides the clearest example of legislators' failure to meet their commitment to K-12 public education. The issue of unfunded and underfunded mandates arises each legislative session as programs and directives are proposed at the state level with the knowledge that state funds are not available and that in most instances local taxpayers will feel the fiscal impact. Cities and counties enjoy statutory protection from unfunded state mandates, with certain exceptions. While a statutory prohibition of unfunded mandates for school districts would be appropriate, such legislative enactments are often subject to political or other power shifts. A constitutional amendment, on the other hand, carries the weight of the state's electorate.

History: adopted 2013; revised 2014, 2015, 2016

14. Health insurance coverage for boards

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

Rationale: Effective governance of local school districts is the cornerstone of sound local government. PEBA Health Insurance coverage, which is granted to all other local elected officials,

including city and county council members, fire and police departments, and various governmental boards, commissions and public service districts, does not extend to members of local school district boards of trustees. Access to health care and retirement benefits would be a fair and appropriate incentive to attract and retain committed, passionate citizens to serve on local school boards, given many school districts' difficulty in providing otherwise just compensation.

History: adopted 2019

15. Impact fees

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

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

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

16. Local district fiscal impact statements

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

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

History: adopted 2006; revised 2009, 2018, 2019

17. Local governance of school districts

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

Rationale: One of the key strengths of high-quality public education is the emphasis on local decision making. The local school board is the body closest to the community and reflects the community's

commitment to its schools. One of the four major roles of a school board is accountability for the mission of the district. When school boards are able to exercise appropriate governance, they become accountable to their community for results. The school board, speaking as one, must reflect the interests of the community in the governance of the district.

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

18. Local legislation

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

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

History: adopted 2002; revised 2004, 2018, 2019

19. Lottery funding for K12

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

Rationale: Over the years, the proportionate share of lottery funds that have been allocated for K-12 education programs and services has declined as lottery funds have grown. An increase of lottery funds should benefit students at all levels of education and be allocated to K-12 education in accordance with state law enacting

the lottery, which states “proceeds of lottery games must be used to support improvements and enhancements for educational purposes and programs as provided by the General Assembly and that the net proceeds must be used to supplement, not supplant, existing resources for educational purposes and programs.”

History: adopted 2019

20. Maximizing potential of high achievers

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

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

History: adopted 2016

21. Nonpartisan election of school board members

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

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

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

22. Public school choice

SCSBA believes in public school choice options, particularly when designed to increase opportunities for all children to learn in ways that best meet their abilities and needs. SCSBA believes in the right of local boards to determine school choice options within their own

districts or between districts. Mandated choice programs must be driven by local flexibility, remain within the public school system and reflect a focus on academic achievement.

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

History: adopted 2007; revised 2009, 2012

23. Retired teacher salary cap

SCSBA supports the elimination of the salary cap for retired classroom teachers.

Rationale: South Carolina, like most states in the country, is facing a major teacher shortage. The group of teachers who are eligible or near eligibility for retirement is quickly becoming the largest group within the state teaching force. As the teacher supply and demand gap continues to widen, school districts will need the option of recruiting retired teachers to return to the classroom, especially in critical need subjects or in high need areas. However, under current law, state retirees are prohibited from earning more than \$10,000 in the state system while continuing to draw their retirement pay. This makes it difficult to hire teacher retirees in districts that do not meet the criteria for exemptions to the salary cap, including a critical academic need area or a geographic need area, as defined by the State Board of Education.

History: adopted 2017; revised 2020

24. School bus privatization

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

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

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

History: adopted 2004; revised 2005, 2007, 2010

25. School bus safety

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

Rationale: Section 56-5-2770 of the South Carolina State Code of Laws sets forth the penalties for unlawfully passing a stopped school bus. However, these penalties only apply to the driver of the vehicle, and the Department of Public Safety has had a difficult time confirming the identity of the vehicle's driver. As a result, there have been few charges and convictions under this law, and drivers continue to pass school buses when the stop arm is engaged despite the risk of death or injury to students loading and unloading the bus. Protecting our students is one of the most important responsibilities of school boards of trustees, and supporting this legislation will help ensure that our students can unload and load our buses safely.

History: adopted 2017, revised 2019

26. School governance takeovers

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

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

problems. In fact, it may disenfranchise the very communities who depend most on strong public schools for their youth.

History: adopted 2018

27. School safety

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

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

History: adopted 2016, revised 2017, 2018, 2019

28. School start date

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

Rationale: Following a lengthy legislative debate, the General Assembly in 2006 enacted a uniform starting date for South Carolina's public schools stating that – with few exceptions – no school could begin classes prior to the third Monday in August annually. One rationale used by proponents was the need for districts to have an equal or near equal amount of instructional days prior to taking high stakes state and federal testing, which was administered to all students on the same dates. However, a 20-day testing window approved in 2016 frees up schools to start earlier or later and still ensure an equal number of instructional days before testing. In addition, over the ensuing years, some districts have found it to be increasingly difficult to complete school

business before the semester break and still meet the requirements of the uniform starting date. For example, schools that operate on a block schedule are unable to complete the semester and exams before the holiday break. This can mean a delay in starting college in January for students who graduate high school early or are enrolled in dual enrollment courses. Community and parent frustration with the holiday break schedule is evident. Determining the local school calendar should be a core function of the locally-elected school board of trustees.

History: adopted 2012; revised 2015, 2016, 2020

29. Tax reform/relief

SCSBA believes the state should conduct an immediate review of the property tax relief plan enacted in 2006 to determine necessary changes that support high quality public schools and preserve local districts' ability to meet their operational and school facility needs. Changes should include, but not be limited to:

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

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

Rationale: With the passage of the Property Tax Relief Act (Act 388) in 2006, the General Assembly significantly impaired the ability of local school boards to raise operational millage. Act 388 removed owner-occupied homes from being taxed for school operations purposes and put in place a hard cap on a local board's ability to raise millage on the remaining classes of property. Locally-funded programs and community-driven school initiatives have suffered. It now becomes the Legislature's responsibility to provide every district the funding necessary to meet the operational and programmatic requirements in state law and at the local level. Districts need more funding tools to address operational and capital needs. The funding of technology,

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

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

30. Teacher salaries

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

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

History: adopted 1999; revised 2002, 2009

31. Threats and assaults on school employees

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

Rationale: Currently, someone who threatens a government official (including school employees) with violence can be charged with a felony and receive a sentence of five years in prison or a \$5,000

fine (S.C. Code of Laws, Section 16-3-1040). However, that same individual could actually walk into a classroom and strike a teacher in front of a classroom of children and face only 30 days in jail and/or a \$500 fine for third degree assault and battery. Changes are needed to ensure penalties for physical attacks on school employees by anyone must be as great as or greater than the penalties for making threats.

History: adopted 2010

32. Tuition tax credits and vouchers

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

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

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

Section 2: Proposed new resolution

33. Mental health services

SCSBA believes the General Assembly should appropriate adequate and sustainable funding necessary for school districts to employ sufficient mental health professionals to include school counselors, social workers and psychologists qualified to address the needs of school-age children.

Rationale: According to the Association for Children's Mental Health, addressing mental health needs in schools is vital because "1 in 5 children and youth have a diagnosable emotional, behavioral or mental health disorder, and 1 in 10 young people have a mental

health challenge that is severe enough to impair how they function at home, school or in the community.” It cites estimates that among children ages 6 to 17, “at least one-half and as many as 80 percent” do not receive the mental health care they require. Mentally healthy children have a positive quality of life and good mental health is a proven prerequisite for consistently high levels of academic achievement and social development, according to research aggregated by the National Association of School Psychologists (NASP). As of 2018, each of the 37,000 school psychologists in the U.S. was responsible for an average 1,200 students, nearly double the recommended number. In some school districts, one psychologist is responsible for as many as 3,000 students, according to the NASP. The nation’s 43,000 school social workers were responsible for, on average, 1,200 students each, in 2018, according to data from the U.S. Bureau of Labor Statistics. That’s nearly five times the recommended ratio of 1-to-250. And millions of students attend schools where there is no social worker or psychologist.

History: 2022

Section 3: Proposed resolutions for deletion

34. ~~Early childhood education (resolution no longer applicable since the General Assembly is fully funding 4K for every at-risk student in the state, allowing them the opportunity to attend)~~

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

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

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

35. **Education innovation (resolution was developed in support of TransformSC, which has disbanded)**

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

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

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

History: adopted 2013; revised 2014, 2016, 2017

36. **Road management for schools (in an effort to reduce number of resolutions, this resolution was passed in 2011, which is more than 10 years ago.)**

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

Rationale: The State Department of Transportation (DOT) is charged with the responsibility of road management including the systematic planning, design, construction, maintenance and operation of the state highway system and roads, including roads located at or near public schools. While SCSBA recognizes that roads located near or at schools are critical for school traffic flow and safety, districts and schools do not receive funds to design and manage these roads. Further, SCSBA believes that school districts are increasingly being required to fund the management of roads that are located near or at schools due to DOT shifting its funding responsibility to the districts. SCSBA believes that road management, including funding, is the state's responsibility.

History: adopted 2011

37. **Statewide turnaround district (*resolution no longer needed with the passage of the schools of innovation legislation this legislative session*)**

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

Rationale: The State Supreme Court's ruling in favor of the plaintiff school districts in a decades-long school funding lawsuit has prompted numerous recommendations for possible solutions. One reform initiative under consideration is the formation of a special state district to take over low performing schools. This effort began nationally with the takeover of New Orleans' schools post hurricane Katrina and is underway in several other states, but has not proven to work. Studies of the programs show the results are mixed at best, and while some schools can point to higher test scores, they still remain behind the state's achievement average. In addition, recovery districts also face complaints that they are not responsive to parents and the schools are not prepared to enroll students with special needs. Turning around low performing schools must be a multi-strategy approach and not a one-size-fits-all solution.

History: adopted 2015; revised 2016, 2019

Proposed Changes to the SCSBA Constitution and Bylaws

Article V Delegate Assembly

Section 4. Certification of delegates

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

Article VI - Board of Directors

Section 2. Composition

The board of directors will be composed of the two elected officers, the president, the immediate past president and a member from each of the 16 regions in South Carolina. The regions will be based on student population. Each single-district region represents approximately ~~40,000~~ 45,000 students. The regions are as follows:

- Region 1: Beaufort, Colleton, Dorchester 2, 4; Jasper
- Region 2: Charleston*
- Region 3: Berkeley, Georgetown
- Region 4: ~~Dillon 3, 4; Horry 2, Marion 10~~
- Region 5: ~~Clarendon 1, 2, 3, 4 ; Dillon 3, 4; Florence 1-5, Marion 10,~~
Williamsburg
- Region 6: Chesterfield, Darlington, Kershaw, Lee, Marlboro
- Region 7: Calhoun, Orangeburg; Sumter
- Region 8: Richland 1, 2
- Region 9: Lexington 1-5
- Region 10: Aiken, Allendale, Bamberg 1, 2; Barnwell 19, 29, 45; Hampton
1, 2
- Region 11: Abbeville, Anderson 1, 2, 3; Edgefield, Greenwood 50, 51, 52;
McCormick, Saluda
- Region 12: Cherokee, Chester, Fairfield, Laurens 55, 56; Newberry, Union
- Region 13: Lancaster, York 1-4
- Region 14: Spartanburg 1-7
- Region 15: Greenville*
- Region 16: Anderson 4, 5; Pickens, Oconee

**Denotes single-district region.*

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

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

Article VIII – Officers

Section 7. Immediate past president

The immediate past president will serve as an advisor to the president and the board of directors on all items deemed appropriate. The immediate past president will serve as a voting member of the executive committee, nominating committee and board of directors. The Immediate past president will serve as the chair for the Nominating Committee.

Article IX - Nominations and Elections

Section 1. Nominating committee

A committee for the nomination of officers and directors of the association will be selected by the president of the association from the board of directors. The nominating committee will not have more than five members and the Immediate Past President will serve as the chair.

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