

2025 K-12 Legislation

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SOUTH CAROLINA SCHOOL BOARDS ASSOCIATION



2025 POLICY & LEGISLATIVE UPDATE



New school board law

SCHOOL BOARD



Livestreaming
school board
meetings

Effective January 1, 2026

All school board meetings (regular, work session, specially called) must be open to the public and livestreamed (exemption for executive session); posted within 2 days

If unable to livestream, must post video, audio of meeting asap, but no later than 7 days after meeting

Local boards must adopt the state board model policy (1st reading in August) that meets or exceeds the SBE model policy and submit it to the state superintendent for approval.

Funding by the State provided to districts without streaming capabilities as of the beginning of the 2024-2025 school year.

Penalties for non-compliance includes withholding up to 1% of state funds

Local board policy impact

- Boards should revise policy BE (Board Meetings) to include a section on livestreaming
- Adopt the new model policy BEA (Livestreaming of Board Meetings), which incorporates the State Board of Education's model policy language
- At a minimum, adopt the State Board of Education's model policy

NEW

Livestreaming of Board Meetings

Code BEA Issued MODEL/25

The board is committed to conducting its business in an open and accessible manner in accordance with state law. Therefore, all regular meetings, work sessions, budget workshops, budget hearings, committee meetings, subcommittee meetings, special called meetings, and public hearing meetings of the board, except for lawfully convened executive sessions, will be live-streamed and recorded for public access. The meeting will be held in a location with sufficient access to quality audio and video equipment.

The meeting will be livestreamed on (*option: district website, YouTube, Vimeo, Facebook Live, or other online streaming platform*) and made available for public viewing. Visible links to the livestreams will be posted on the district's webpage at the same time as the meeting notice and agenda are posted.

All portions of livestreamed meetings must be visible and audible in real-time, and be of sufficient video and audio quality to allow viewers to hear the comments and identify speakers.

Within two business days of the meeting, the district will publicize the availability of the livestreamed meeting on the district's website.

Technical Disruptions

In the event of an interruption of the livestream during a meeting, the board will make reasonable efforts to restore livestream access. If livestream access cannot be restored, the board will make a clear audio and video recording accessible on the district's website within seven days after the meeting, except for executive sessions held in accordance with state law.

Access to Broadband

The district will make every effort to collaborate with technology partners to develop, enhance, or expand their existing livestreaming capabilities.

In the event that the district has limited or no broadband access, it may request a 12-month extension to comply with the livestream requirements. The request must be submitted to the South Carolina Department of Education's Policy & Legislative Committee, along with proof that reasonable efforts were made to meet the requirements.

Special Accommodations

The board will make reasonable accommodations to ensure accessibility in accordance with the Americans with Disabilities Act (ADA).

Adopted ^

Legal References:

- A. United States Code of Laws, as amended:
 - 1. Americans with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, *et seq.*
- B. S.C. Code of Laws, 1976, as amended:
 - 1. Section 30-4-10, *et seq.* - South Carolina Freedom of Information Act
 - 2. Section 59-1-340 - Board meetings
 - 3. Section 59-19-85 - Board meetings livestream mandate

- C. Other:
 - 1. Web Content Accessibility Guidelines (WCAG) 2.1 (2023).



New teacher related laws



Educator Assistance Act

Effective July 1, 2025/May of 2027

Revises teacher contract, salary notification and assignment and process

- Teacher contracts must be issued before May 1 (noncompliance results in \$10,000 penalty per instance beginning May 1, 2027) and include projected salary amount. Final teacher salary schedule must be provided upon budget completion.
- School assignments must be provided salary notification at least 14 days before students' return for the school year and can only be changed if the superintendent can demonstrate need. Requires 5-day advance notice of any reassignment unless there is a critical student need.

Retired educator certificate converts to lifetime educator certificate with no requirements to maintain continuing education credits. Must comply with district professional development requirements.

Educator Assistance Act continued

Redesignates existing 10 days designated as professional development as follows:

- 2 days of unencumbered time to prepare at start of the year.
- 4 days of collegial training focused on academic achievement, content knowledge, teaching strategies, and assessments.
- 4 days for academic planning and parent conferences.

Breach of contract added to existing factors for certification suspension revocation by the State Board of Education (SBE); provides exemption for teachers relocating to other districts in noncontiguous counties.

Requires sick leave bank policy – employees contribute unused sick, annual leave (in excess of 60 days), accessible to all employees. Board policy includes criteria, access limits, and exemptions for districts with existing sick leave bank program policies.

Local board policy impact

- Revise policies GBC (Staff Compensation) and GCB Professional Staff Contracts & Compensation) to include language regarding the contract and notice requirements, including the May 1st deadline
- Revise policy GCK (Professional Staff Assignments & Transfer) to reflect the 14-day notice of tentative school assignment requirement and the 5-day reassignment notice requirement, along with the exceptions
- Revise policy GCOA (Evaluation of Instructional Staff) to include language regarding the awarding of continuing education credits

Local board policy impact

- Update policy IC (School Year) with the new designations
- Revise policy GCQC/GCQD (Resignation of Professional Staff) to include language indicating that the execution of an employment contract without formally being released from the previous contract is considered a breach
- Update GCQF, GCQF-R (Discipline, Suspension, and Dismissal of Professional Staff), to revise the list of actions that constitute a “just cause” basis for suspension or revocation of a teacher certificate, to include breach of contract
- For districts offering payment for unused leave, include language in policies GCC (Professional Staff Leaves and Absences) and GDC (Support Staff Leaves and Absences) indicating the district’s intent to pay staff for leave days in excess of 90 days
- Adopt the new model policy GCCAAA (Sick Leave Bank Program) so as to comply with the new law requiring districts to implement a leave bank policy

SICK LEAVE BANK PROGRAM

Code GCCAAA Issued MODEL/25

The *(insert district name)* has established a sick leave bank program, allowing all staff members who have accrued sick or annual leave in excess of 60 days to contribute their unused leave to a sick leave bank. The purpose of the sick leave bank is to provide additional leave for staff members experiencing a catastrophic situation, resulting from a serious illness or accident, that requires a staff member to be absent from work when all of their sick and vacation leave has been exhausted.

Staff members who have been employed with the district for three consecutive years will be eligible to receive donations of sick leave for medically certified illness, injury, impairment, or pregnancy or related condition *(option: of a staff member or a member of his/her immediate family)* that will cause the staff member to exhaust all accumulated leave earned during his/her employment with the district. The superintendent or his/her designee will have sole discretion to approve or deny all leave donation requests in accordance with this policy.

Any donation of sick leave by one staff member to another is strictly voluntary. No staff member will be coerced, threatened, intimidated, or financially induced into donating sick leave under this policy.

In the implementation of this program, no individual will be discriminated against on the basis of race, religion, sex (including pregnancy, childbirth, or any related medical conditions), color, disability, age, genetic information, national origin, or any other applicable status protected by local, state, or federal law.

Donating Leave

Staff members desiring to donate leave under this program must:

- employed with the district in a leave earning position for a minimum of three consecutive years
- donate to each receiving staff member no less than 10, but no more than 20, days
- donate no more than 40 days per school year
- not allow his/her sick or annual leave balance to drop below 10 days

Staff members must submit a signed, dated form to the human resources department designating the number of days being requested for donation and the name of the individual to receive the donation. Any unused days donated to a staff member at the time of his/her return to work will be returned to the donating staff members in order of donation (last in, first out) and by number of donated days (lowest first).

Receiving Leave

All requests for sick leave donations must be submitted in writing to *(option: the superintendent or his/her designee)*. The request must include the reason for the request and the number of sick leave days requested. The *(option: the superintendent or his/her designee)* will have sole discretion to approve or deny all leave donation requests in accordance with this policy.

To qualify to receive donations under this program, staff members must:

- have been employed with the district for a minimum of three years
- have exhausted all sick leave, vacation, and personal leave days

- must still be out on leave
- *Option: insert additional district-specific requirements*

Staff members who are released to work for any portion of the workday will not be eligible to receive donations. As of the effective date that a staff member is approved for payment under any long-term disability policy, the staff member will no longer qualify to use donated sick days.

During his/her employment with the district, staff members will be limited to receiving 90 donated days per year.

Cf. GCC

Adopted ^

Legal References:

A. United States Code of Laws, as amended:

1. Age Discrimination in Employment Act of 1967, 29 U.S.C.A. Section 621, *et seq.*
2. Age Discrimination Act of 1975, 42 U.S.C.A. Section 6101, *et seq.*
3. Americans with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, *et seq.*
4. Genetic Information Nondiscrimination Act of 2008, 42 U.S.C.A. Section 2000ff, *et seq.*
5. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq.*
6. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d, *et seq.*
7. Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e, *et seq.*
8. Title IX of the Education Amendments of 1972, 20 U.S.C.A. Section 1681, *et seq.*

B. S.C. Code of Laws, 1976, as amended:

1. Section 1-13-10, *et seq.* - Prohibits discrimination on the basis of race, religion, color, sex, age, national origin, or disability.
2. Section 59-25-47(B) - Permits the establishment of a sick leave bank.



Credit for teacher's prior work experience

For salary purposes only

Effective May 12, 2025

For salary purposes only, teachers can use prior work experience for a bump on the schedule under certain conditions as follows:

- One year credit for two years of full-time occupational experience
- Experience must be related to their certification field
- Work experience must have occurred after earning a bachelor's degree
- Must complete prior work experience verification form developed by SCDE

Existing teachers (hired before July 1, 2025) can apply, but the salary adjustment will be applied in the next fiscal year and will not be entitled to retroactive pay for prior teaching years.



Noncertified teacher pilot program

Effective May 1, 2025

5-year pilot program permitting a school, with approval of principal and district superintendent, to hire noncertified teachers in a ratio of up to 10% of its entire teaching staff.

Noncertified teachers must meet the following requirements:

- Bachelor's degree or graduate degree relevant to subject being taught
- 5 years work experience in subject
- Participate in annual teacher evaluation process
- Enroll in certification program within three years of hire

SCDE administers the program including approving noncertified teachers, track their performance and report the data on the school report card, submit annual reports to lawmakers beginning November 1, 2026, including recommendation to extend the program after June 30, 2030.



New student related laws



Excused absences for certain training

Effective April 28, 2025

Local policy allowing up to 10 days of excused absences for participation in certain career and technical student organization activities, including, but not limited to:

- Local and national Future Farmers of America (FFA) and 4-H organized competitions or exhibitions.

Activities must be supervised by a certified teacher and serve as opportunities to assess technical and career-related competencies.

Students responsible for making up missed academic work.

Local board policy impact

- Revise policy JH (Student Absences and Excuses) to include language regarding the 10-day allowance
- Adopt the new model policy JHE (Excused Absences for Career and Technical Student Organization Experiences outlining eligible experiences and guidelines for making up missed class work

EXCUSED ABSENCES FOR CAREER AND TECHNICAL STUDENT ORGANIZATION EXPERIENCES

Code JHE Issued DRAFT/25

The board recognizes the educational value of Career and Technical Student Organizations. Participation in these organizations fosters the development of essential, critical thinking, communication, technology, and interpersonal skills through service-learning projects, competitive events, and leadership development, collectively referred to as "experiences."

To support student involvement in these valuable organizations, students may be granted up to 10 days of excused absences per school year to participate in approved Career and Technical Student Organization (CTSO) experiences. Absences associated with participation in approved CTSO experiences will be considered lawful.

Student absences in excess of 10 school days may be considered as unlawful under policy JH, Student Absences and Excuses.

Eligible Experiences

Excused absences may be granted for participation in CTSO experiences associated with, but not limited to:

- National and state-level Future Farmers of America events
- 4-H programs
- Business Professionals of America (BPA)
- DECA
- Future Business Leaders of America (FBLA)
- Family, Career and Community Leaders of America (FCCLA)
- HOSA - Future Health Professionals
- SkillsUSA
- Technology Student Association (TSA)

The CTSO experience must be supervised by a certified teacher and must include an assessment of competencies. The teacher is responsible for verifying student participation in the CTSO experience.

Make-up work

A student who misses work due to participation in an eligible CTSO experience will be allowed to make up the work missed during the absence as long as the student or their parent/legal guardian makes appropriate arrangements with the teacher(s) within five school days of the student's return to school. The student should complete the make-up work within 10 days after their return to school; however, the teacher may provide additional time to complete the work, to the extent that it is appropriate and reasonable.

Cf. JH

Adopted/Issued ^

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
 1. Section 59-1-462 - Excused absences to participate in a Career and Technical Student Organization experience.
- B. S.C. Department of Education Guidance

1. South Carolina Department of Education - Career and Technical Student Organization Guidelines (January 2023).



Increase student access to meals

Effective May 8, 2025

Annually identify students living in poverty and expand access to free school meals (breakfasts and lunches) for these students identified as:

- Qualifies for Medicaid
- Qualifies for SNAP (Supplemental Nutrition Assistance Program)
- Qualifies for TANF (Temporary Assistance for Needy Families)
- Homeless, transient, or in foster care

Provide applications for them to access free meals and provide assistance to complete the form if requested.

Prohibits identifying, denying, stigmatizing, or penalizing students who are unable to pay for meals.

Student access to meals continued

Annually, school boards in districts in which all schools are eligible for federal Community Eligibility Program (CEP) must adopt a resolution regarding their district's level of CEP.

If a district does not participate in CEP due to financial hardship, the board must adopt an annual resolution documenting the nature of the hardship.

Local board policy impact

- Revise policy EF (Food Services) to include language indicating that students will not be stigmatized or punished due to their inability to pay for a meal
- For districts participating in the CEP, a section regarding the program, including annual review for eligibility requirements, and board resolution requirements
- In the administrative rule EF-R, remove any language that states the district's intent to serve alternative meals, as that practice is now prohibited



Charter school
student
enrollment
preferences

Effective May 12

Adds admissions preference (w/out requiring participation in a lottery) to children of active-duty military personnel under certain conditions. Order of preferences is as follows:

1. Siblings of enrolled students
2. Children of school employees or governing board members
3. Children of active-duty military personnel; however, they may not constitute more than 10% of the school's enrollment

Charter schools in military bases can prioritize enrollment for military children but they may not constitute more than 50% of enrollment.

Students with multiple preferences may be enrolled under one of the preferences;

If a student is denied admission due to enrollment, they may be allowed to participate in the lottery.

Local board policy impact

- Update policy IHBH (Charter Schools) to include the enrollment preferences, capacity limitations, and language regarding how schools will handle those students who qualify for more than one preference or who are denied due to enrollment caps



Other

STATE OF SOUTH CAROLINA

0001

PAY TO THE
ORDER OF

\$ 65,000,000,0

S.C. EDUCATION SCHOLARSHIP TRUST FUND DOLLARS

SIXTY-FIVE MILLION DOLLARS



AUTHORIZED SIGNATURE

Effective May 7, 2025

Revises the Education Scholarship Trust Fund (ESTF) program, provisions ruled unconstitutional in Fall 2024..

Publicly funded scholarships are provided to eligible students for approved educational expenses (services, products, etc.) Funding from State General Fund and/or S.C. Education Lottery. Adds a “Trustee” to oversee the trust fund appointed by the state superintendent with certain qualifications.

A notable change revises the prior requirement that public school students who receive a scholarship must attend another public school outside of their resident school district, to not attend their resident school at all.

ESTF continued

Another notable change is the adoption of the local district interdistrict transfer policy (students transferring from one district to another) within 120 days of the SCDE adopting model guidelines. Policy must include:

- Transfer application requirement, timelines, communication plans, capacity standards (set by the board), denial criteria, priorities for acceptance, and post on website. Annually post capacity information on website.
- Transportation not required.
- Districts with existing interdistrict policy review for compliance within 60 days.

ESTF continued

\$7,500 scholarship per student in 2025-2026 and increased subsequent years based on the percentage increase in the average per-pupil funding from state sources determined by Revenue and Fiscal Affairs Office.

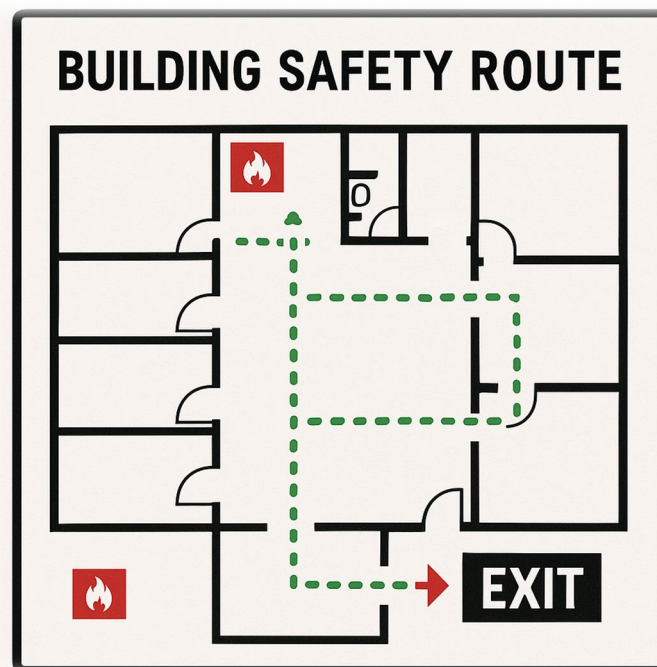
Eligible students in household incomes at 200% federal poverty (2025-2026) increases to 500% by 2026-2027.

Participation capped at 10,000 students in 2025-2026 and 15,000 students in 2026-2027.

Priority admissions window for siblings, military families, low-income students.

Local board policy impact

- The Act requires districts to establish an interdistrict enrollment policy within 120 days of publication of the State Department of Education model guidelines
- Policy JFABC (Transfer Students) will need to be revised to include a section on interdistrict transfers, or districts will need to adopt a model interdistrict transfer policy



District security services

Effective May 12, 2025

Authorizes school districts and charter school authorizers to use personnel who are armed or delegated arrest authority to promote safety and security in schools if they obtain a proprietary security business licensure from SLED. – **This is NOT districts hiring a private security company.**

The school board must designate in writing that the superintendent is the applicant who must complete a lengthy application, including personal information.

These school-based personnel cannot supplant the school resource officer in a school, but can be used in the advisor and teacher roles.

- Personnel must be at least 21 years old and undergo training from SLED.
- District must have a full-time division solely dedicated to security and emergency management; have a written agreement with local law enforcement for shared, consistent joint training and continuous education in firearms defensive tactics, active shooter scenarios, and more.



Unencumbered
time for school
nurses

Effective July 1, 2026 – budget proviso

Adds school nurses to the existing requirements for teachers to provide 30 minutes of unencumbered time during the school day for school nurses, unless there is a medical emergency.

Boards must adopt a policy based on the model policy approved by SBE (first reading was given in August) and include penalties and exceptions.

Local board policy impact

- Revise policy GCLE (Unencumbered Time) to include school nurses
- The changes to the policy language should at a minimum include the State Board of Education's model policy language



Student weightings under study

Effective July 1, 2026 – budget proviso

1.3 State Aid to Classrooms: “The South Carolina Revenue and Fiscal Affairs Office shall review the student weightings used in the State Aid to Classrooms funding formula and examine methods to improve the alignment of State Aid to Classrooms funding with student enrollment while ensuring districts and charter authorizers receive more consistent distributions. The agency must consider input from policymakers and relevant stakeholders as determined by the Revenue and Fiscal Affairs Office. Any recommendations for changes to the formula must be submitted to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, the Governor, and the Superintendent of Education by December 1, 2025.”

Thank you

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