



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
**(803)734-0640 • RFA.SC.GOV/IMPACTS**

---

**Bill Number:** S. 0754 Introduced on April 10, 2019  
**Author:** Hembree  
**Subject:** John De La Howe School  
**Requestor:** Senate Education  
**RFA Analyst(s):** Wren and Gardner  
**Impact Date:** October 10, 2019

---

### **Fiscal Impact Summary**

The revenue and expenditure impact of this bill on the General Fund, Federal Funds, and Other Funds are pending, contingent upon a response from the John De La Howe School.

The revenue impact on local governments is undetermined since data is not available to estimate the number of violations that may occur as a result of Section 7 of the bill. Also, Section 7 of the bill is not expected to have an expenditure impact on local governments since we anticipate that county governments will be able to manage any additional hearings and trials in magistrate court within existing resources.

### **Explanation of Fiscal Impact**

#### **Introduced on April 10, 2019**

#### **State Expenditure**

The following sections will affect state expenditures as follows:

**Section 1.** This section requires all members of the board of trustees to successfully complete a training program on the powers, duties, and responsibilities of a board member. The training must include, but is not limited to, topics on policy development, personnel, school leadership and board relations, at-risk programs, finance, school law, ethics, and community relations, as determined by the board of trustees. Training on how to serve at-risk students must also be included. All members elected to the board of trustees after July 1, 2018, must complete the training within one year of taking office.

**John De La Howe School.** The expenditure impact of this section is pending, contingent upon a response from the John De La Howe School.

**Section 2.** This section allows the use of part-time or full-time faculty members for the agricultural and natural resources instructional program. As an alternative to traditional certification, these faculty members must hold advanced degrees or extensive professional experience in the agricultural and natural resources industry. Also, these faculty members must participate in annual professional development programs that are approved by the superintendent and the board of trustees. Additionally, the board of trustees must adopt policies and regulations governing the development of the agricultural and natural resources instructional program. This section further requires the academic program to be comprised of faculty that hold one or more

degrees in the specific subject to be taught and must have achieved traditional state certification in the area of instruction.

**John De La Howe School.** The expenditure impact of this section is pending, contingent upon a response from the John De La Howe School.

**Section 3.** This section requires the board to establish the standard course of study for the school. The course of study must include instruction in the areas that constitute the usual high school curriculum and must provide in-depth instruction in agriculture, natural resources, and biotechnology.

**John De La Howe School.** The expenditure impact of this section is pending, contingent upon a response from the John De La Howe School.

**Section 4.** This section allows students that earn the required number of credits as specified in the Defined Minimum Program and that meet the school's requirements for graduation to receive a state high school diploma. Additionally, the board, in its discretion, may issue its own high school diploma for students that exceed the state requirements for a high school diploma.

**John De La Howe School.** The expenditure impact of this section is pending, contingent upon a response from the John De La Howe School.

**Section 5.** This section requires the school to admit students in accordance with the admission criteria, standards, and procedures as established and approved by the board.

**John De La Howe School.** The expenditure impact of this section is pending, contingent upon a response from the John De La Howe School.

**Section 6.** This section requires the board to establish a foundation and maintain an endowment fund for the school.

**John De La Howe School.** The expenditure impact of this section is pending, contingent upon a response from the John De La Howe School.

**Section 7.** This section allows the board of trustees to employ campus police to control the buildings and grounds of the school. The campus police must work under the supervision of the South Carolina Law Enforcement Division (SLED) and may not enter into such employment unless and until they have been appointed Governor's constables with general authority as peace officers.

This section also authorizes the board to promulgate regulations relating to vehicle traffic within the grounds of the school. These regulations include, but are not limited to, parking of vehicles and reduced vehicle speeds and to provide penalties for violations of the regulations not to exceed a fine of \$100. Violations are triable in magistrates court. Additionally, the board may charge parking fees, issue parking passes, and erect gates and guard houses to control entry to the campus.

**John De La Howe School.** The expenditure impact of this section is pending, contingent upon a response from the John De La Howe School.

**South Carolina Law Enforcement Division.** SLED indicates that any enforcement of this section of the bill will be handled by the agency's existing personnel and will not result in additional expenditures. Therefore, this section of the bill will have no expenditure impact on SLED.

**Section 8.** This section establishes the Governor's School for Agriculture at John de la Howe to provide training for students that have a career aptitude in agriculture, agribusiness, natural resources, and biotechnology. The residential and day school programs must provide intensive instruction in agriculture that a student may complete to satisfy the requirements for a high school diploma and be prepared for college-level study. The school will also serve as a research and resource center for students and conduct adult education programs for teachers, farmers, and persons involved in the agricultural and natural resources industries.

**John De La Howe School.** The expenditure impact of this section is pending, contingent upon a response from the John De La Howe School.

**Section 9.** This section requires the ex officio members of the board to be comprised of the Dean of the College of Agriculture at Clemson University or his designee, the Dean of the College of Education at Clemson University or his designee, the Dean of the School of Business at South Carolina State University or his designee, the Chair of the Department of Accounting, Agribusiness, and Economics at South Carolina State University or his designee, the State Superintendent of Education or his designee, the Chair of the Agriculture Program at Piedmont Technical College, and the President of Piedmont Technical College.

We anticipate that any expenses associated with serving on the board can be managed within each agency's current appropriations. Therefore, we do not expect that this section of the bill will have an expenditure impact on Clemson University, South Carolina State University, the State Department of Education (SDE), or Piedmont Technical College.

### **State Revenue**

The following sections will affect state revenues as follows:

**Section 15.** This section requires that all income the school receives from the sale of timber or farm products and from programs and events held on campus to be used for the construction, erection, and building of permanent improvements at the school and for the equipping of these improvements.

**John De La Howe School.** The revenue impact of this section is pending, contingent upon a response from the agency.

**Section 16.** This section allows students that are legal residents to attend the school without paying tuition. However, these students must pay fees for maintenance and food services unless they meet the poverty requirements as defined in the will of John de la Howe and by current

rules and regulations of SDE. All out-of-state and international exchange students must pay tuition and fees for maintenance and food services as determined by the board.

**John De La Howe School.** The revenue impact of this section is pending, contingent upon a response from the agency.

### **Local Expenditure**

The following section will affect local expenditures as follows:

**Section 7.** This section authorizes the board to promulgate regulations relating to vehicle traffic within the grounds of the school. These regulations include, but are not limited to, parking of vehicles and reduced vehicle speeds and to provide penalties for violations of the regulations not to exceed a fine of \$100. Violations are triable in magistrates court.

The offenses created by this section may result in additional hearings and trials in magistrate court, which we anticipate county governments will manage within existing resources.

### **Local Revenue**

The following section will affect local revenues as follows:

**Section 7.** This section authorizes the board to promulgate regulations relating to vehicle traffic within the grounds of the school. These regulations include, but are not limited to, parking of vehicles and reduced vehicle speeds and to provide penalties for violations of the regulations not to exceed a fine of \$100. Violations are triable in magistrates court.

Since this section creates a new offense for which there is no historical data, the revenue impact on county governments is undetermined. Existing law provides for the retention of part or all of the revenue generated from fines, assessments, and surcharges by the local jurisdiction processing the case.



---

Frank A. Rainwater, Executive Director