**South Carolina General Assembly**

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**S. 70**

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Summary: School Board Ethics

**HISTORY OF LEGISLATIVE ACTIONS**

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**VERSIONS OF THIS BILL**

[12/11/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/70_20241211.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-710 SO AS TO ENHANCE LOCAL SCHOOL GOVERNANCE; BY ADDING SECTION 59-19-720 SO AS TO PROVIDE DEFINITIONS; BY ADDING SECTION 59-19-730 SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT AND REVISE AS NECESSARY A MODEL CODE OF ETHICS FOR LOCAL SCHOOL BOARD MEMBERS, AND REQUIRE THAT A LOCAL SCHOOL BOARD SHALL ADOPT A LOCAL CODE OF ETHICS AT A REGULARLY SCHEDULED MEETING AND SUBMIT A COPY TO THE DEPARTMENT OF EDUCATION WITHIN THIRTY DAYS OF ADOPTION; AND BY AMENDING SECTION 59-19-45, RELATING TO MANDATORY ORIENTATION FOR SCHOOL DISTRICT BOARDS OF TRUSTEES AND COUNTY BOARDS OF EDUCATION, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT A MODEL TRAINING PROGRAM, WHICH MUST INCLUDE A LOCAL TRAINING PROGRAM.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 19, Title 59 of the S.C. Code is amended by adding:

Article 5

School Board Member Code of Ethics

 Section 59-19-710. The purpose of this article is to enhance local school governance by promoting the highest standards of ethical behavior.

 Section 59-19-720. For the purposes of this article, “board member” means a person holding membership, whether by election or appointment, on a board of education, including a charter school board or the South Carolina Charter School District board, other than the State Board of Education.

 Section 59-19-730. (A) The State Board of Education shall adopt, and revise as necessary, a model code of ethics for local school board members. The code shall include penalties for violations that the State Board of Education determines are reasonable and necessary.

 (B)(1) A local school board shall adopt a local code of ethics applicable to that board within three months after adoption of the model code of ethics by the State Board of Education. A local code must include, at a minimum, the State Board of Education's model code of ethics.

 (2) If the State Board of Education adopts a revision to the model code of ethics, then local school boards shall adopt and incorporate the revision into their local code within three months of the adoption of the revision by the State Board of Education.

 (3) A local school board may only adopt its local code of ethics or any changes to that local code at a regularly scheduled meeting.

 (4) A local school board may not adopt or follow a code of ethics that prevents its members from freely discussing the policies and actions of the board outside of a board meeting. This does not preclude a local school board from adopting a policy in a regularly scheduled meeting that prohibits certain disclosures allowed by law.

 (5) A local school board shall submit a copy of its local code of ethics and subsequent revisions to the Department of Education within thirty days of adoption.

 (6) Nothing contained in this section may be construed to repeal, replace, or preclude application of any other statute.

SECTION 2. Section 59-19-45 of the S.C. Code is amended to read:

 Section 59-19-45. (A)(1) The State Board of Education shall adopt a model training program for training local school board members. Every three years, the State Board of Education shall review the training program as it considers necessary and adopt revisions.

 (2)(a) A local school board shall adopt a local training program applicable to that board within three months after adoption of the model training program by the State Board of Education. A training program must include, at a minimum, the model training program adopted by the State Board of Education.

 (b) If the State Board of Education adopts a revision to its training program, then local school boards shall adopt and incorporate the revision into their local training programs within three months of the adoption of the revision by the State Board of Education.

 (c) A local school board may only adopt its local training program or any changes to that local training program at a regularly scheduled meeting.

 (B) Within one year of taking office, all persons elected, re-elected, or appointed or reappointed as members of a school district board of trustees after July 1, 1997 regardless of the date of their election, re-election, appointment or reappointment, shall complete successfully an orientationa training program in the powers, duties, and responsibilities of a board member including, but not limited to, topics on policy development, personnel, superintendent and board relations, instructional programs, district finance, school law, ethics, nepotism, conflicts of interest, and community relations. This program must be offered by a district or its designee and completed by each board member within one year after his election, re-election, appointment, or reappointment.

 (C)(B) The orientation shall be approved by the State Board of Education and conducted by public or private entities approved by the State Board of Education such as the South Carolina School Boards Association.In addition to meeting other requirements provided by law, a person serving on a local school board shall sign a statement certifying that he understands and is in compliance with the South Carolina ethics law, the applicable local code of ethics, and the training required pursuant to this section.

 (D)(C) The provisions of this section also apply to members of county boards of education appointed or elected after July 1, 1997, in the same manner the provisions of this section apply to members of school district boards of trustees.At the beginning of each calendar year, a local school board shall certify compliance with the provisions of subsection (C) by all board members and publish this certification in the minutes of the next regularly scheduled school board meeting.

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

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

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

SECTION 3. Section 59-19-730(A) and Section 59-19-45(A)(1) takes effect upon approval by the Governor but must be completed by December 31, 2025. The training program pursuant to Section 59-19-45(B) must be offered by a district or its designee and completed by each board member within one year after the effective date of this act.

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