SPECIAL CALLED
MEETING MINUTES
State Board of Education Meeting

DATE
Tuesday, March 30, 2021

TIME
2:30 p.m.

LOCATION
Teleconference

Kristi Woodall, Ed.D., Chair
Alan Walters, Chair-Elect
Molly M. Spearman, State Superintendent of Education,
Secretary and Administrative Officer to the Board

In addition to Chair Woodall, the following State Board of Education (SBE) members were in attendance virtually: Chair-Elect Alan Walters, Fifteenth Judicial Circuit; Jon Butzon, First Judicial Circuit; Crystal Stapleton, Second Judicial Circuit; Delaney K. Frierson, Third Judicial Circuit; Cathy D. Chapman, Fourth Judicial Circuit; Dr. Tracy West, Fifth Judicial Circuit; Dr. J.R. Green, Sixth Judicial Circuit; Cynthia A. Downs, Ed.D., Eighth Judicial Circuit; Larry Kobrovsky, Ninth Judicial Circuit; Jean W. Pearson, Twelfth Judicial Circuit; David Whittemore, Thirteenth Judicial Circuit; and Michael Brenan, the Governor's Appointee.

Member not in attendance, Sallie R. Lee, Tenth Judicial Circuit.

South Carolina Department of Education (SCDE) staff attending were Cathy Hazelwood, Deputy Superintendent, Division for Legal Affairs; Noelle Redd, SBE Minutes Taker, Division for Legal Affairs; and Tracy Moore, SBE Minutes Taker; Division for Legal Affairs;

I. MEETING

The SBE Special Called Meeting convened at 2:30 p.m. Chair Woodall called the meeting to order and stated that a quorum was present.

II. STATE BOARD ITEMS

SBE SOUTH CAROLINA BOARD OF EDUCATION—REPORT

FOR APPROVAL

01. Athletic Waiver Request of Student Athlete for the Clover School District—Cathy L. Hazelwood, Deputy Superintendent, Division for Legal Affairs

Ms. Hazelwood thanked Chair Woodall and the SBE and reported that the Clover School District had contacted the SCDE and requested this special called meeting to request approval on an Athletic Waiver Request, pursuant to S.C. Code Ann. § 59-39-160(C)(1)(a) (Supp. 2020). Ms. Hazelwood explained that the special called meeting request was necessary because over half the sport season would pass if not heard until the SBE's next regularly scheduled meeting on April 13, 2021. Ms. Hazelwood reminded the Board of its authority to "waive a student's ineligibility to participate in interscholastic activities due to misinformation concerning eligibility requirements being provided by district personnel" and, that a "waiver may be granted when a written statement from a school district superintendent and athletic director has been received stating circumstances, including, but not limited to: (a) student's ineligibility to participate in interscholastic activities is due to misinformation concerning eligibility requirements being provided by district personnel". Ms. Hazelwood introduced Superintendent Shelia Quinn, Superintendent of the Clover School District to provide the SBE with details of the request.

Dr. Quinn thanked the Chair and the SBE for their time and commitment to the student, their family and the District in hearing this request on such short notice. Dr. Quinn explained she would give a brief overview of the situation and introduced Dr. Ruth, Clover High School Principal, in attendance with her, to provide the primary facts surrounding the student, COVID-19 protocols, and the error Clover High School made that created the need for requesting the waiver. Dr. Quinn also introduced Mr. Bailey Jackson, Athletic Director, to provide any information about athletic eligibility that she or Dr. Ruth may not be able to provide to the SBE.

Dr. Quinn reported that on March 1, 2021, the student submitted documentation to the athletic department for approval to play baseball. The Athletic Director was required to confirm grades as part of the eligibility review. He determined the student was not enrolled in enough courses during the first semester and informed the coach that the student was ineligible to play. Between March 6 and March 11, the Principal and the Athletic Director looked into how this occurred as it has never happened at Clover High School. Dr. Quinn relayed that Dr. Ruth would explain the protocols put in place for COVID-19 and how they were directly related to the issue. On March 12, 2021, the Athletic Director and the Principal submitted a hardship request to the South Carolina High School League (SCHSL). SCHSL Commissioner, Jerome Singleton, received the request on March 20th and responded that he had little flexibility in approving waivers because of SCDE regulations. The Commissioner denied the hardship request on March 29th. Dr. Quinn briefly reported on the District's steps in contacting the SCDE for guidance in submitting the waiver request and requesting this special called meeting. Dr. Quinn then introduced Dr. Ruth, Principal of Clover High School.

Dr. Ruth thanked Superintendent, the Chair and the Board. Dr. Ruth reported on the student's athletic background, including injuries and recovery, which caused him to miss a large portion of

the baseball season during his freshman and sophomore years. In March of 2020, COVID-19 ultimately caused the close of all schools including activities such as sports. The District and School worked together to make preparations for virtual learning, made the decision to exclude any and all student activities including sports, and preparing for an eventual return to in-person learning. Developing protocols to prevent COVID-19 and returning to in-person learning caused the School make the unprecedented decision to reduce availability of classes to certain students in order to facilitate the return to in-person learning. The District used the SCDE's graduation requirements as a factor in developing their return to in person learning and reduced the number of students in the building where it could. The student who the waiver request pertains to, while normally required to take a minimum of six classes his final year, had entered into his senior year with 26 ½ credits, and a 3.8 GPA. His first semester class load was reduced to one Economics class, and his second semester class load was increased to provide the final required classes for graduation. The School nor the counselor considered athletic eligibility when contemplating the schedule change. Dr. Ruth also relayed to the Board that because of the reduced class load, the student was available to assist his family in saving their small business, which had been heavily affected by the pandemic. Dr. Ruth concluded by reiterating the request for waiver for the student due to the extraordinary circumstances surrounding the decision to change student schedules.

Dr. Woodall thanked the speakers and asked if any Board members had questions.

Mr. Brenan had no questions, but made a motion to approve the athletic waiver request presented by the Clover School District. Mr. Kobrovsky seconded the motion.

Dr. Woodall thanked Mr. Brenan and Mr. Kobrovsky and asked for further questions or comments. Dr. Woodall asked that the members vote on the motion. The motion carried unanimously.

III. OTHER BUSINESS

None.

IV. ADJOURNMENT

The meeting adjourned at 2:56 p.m.