

MINUTES
State Board of Education Meeting

Date

Tuesday, November 14, 2023

Time

1:00 p.m.

Location

Rutledge Conference Center
1429 Senate Street
Columbia, SC 29201

Dr. Crystal Stapleton, Chair
Dr. David O'Shields, Chair-Elect
Ellen E. Weaver, State Superintendent of Education,
Secretary and Administrative Officer to the Board

If you require Section 504 or ADA accommodations to attend or participate in this public meeting, please contact Tracy Moore.

Notice: Due to allergies of staff and visitors, we ask that visitors refrain from wearing scented products when attending the State Board of Education meetings in SCDE facilities.

SBE Mission: The State Board of Education's mission is to provide a leadership role in helping South Carolina set policy and direction to transform teaching and learning so that students are prepared with the necessary knowledge and skills, including innovation, to compete globally and live a productive life.

The following State Board of Education (SBE) members attended: Chair Crystal Stapleton, Second Judicial Circuit; Chair-Elect David O'Shields, Eighth Judicial Circuit; Maya Slaughter, First Judicial Circuit; Delaney Frierson, Third Judicial Circuit; Jacqueline "Jackie" Lynn, Fourth Judicial Circuit; Beverly Frierson, Fifth Judicial Circuit; Joyce Crimminger, Sixth Judicial Circuit; Dr. Joette Johnson, Seventh Judicial Circuit; Dr. Christian T. Hanley, Jr., Ninth Judicial Circuit; Tammie Shore, Eleventh Judicial Circuit; Richard Harrington, Twelfth Judicial Circuit; Cheryl Collier, Thirteenth Judicial Circuit; Mary Cordray, Fourteenth Judicial Circuit ; Alan Walters, Fifteenth Judicial Circuit; Jackie Terribile, Sixteenth Judicial Circuit; and Rita Allison, Governor's Appointee. Sallie Lee, Tenth Judicial Circuit, was absent.

The following South Carolina Department of Education (SCDE) staff attended: John Tyler, Deputy Superintendent, Parliamentarian, General Counsel, Division of Legal Affairs; Barbara Drayton, Deputy General Counsel, Office of General Counsel, Division of Legal Affairs; Holly Hadden, Assistant General Counsel, Office of General Counsel, Division of Legal Affairs; Rebecca Gunnlaugsson, Chief of Staff; Office of Superintendent; Ian Headley, Deputy Superintendent, Senior Advisor Strategic Projects; Laura Bayne, Deputy Superintendent, Division of Strategic Engagement; James Rawl, Director, Division of Strategic Engagement;

Stephanie DiStasio, Interim Director, Personalized Learning, Division of College and Career Readiness; Tracy Moore, SBE Administrative Coordinator, Office of General Counsel, Division of Legal Affairs; Frances “Cricket” Katsos, Administrative Coordinator, Office of General Counsel, Division of Legal Affairs; Travis Huggins, Information Technology Manager I, Chief Information Office, Division of Data, Technology and Agency Operations; Quinn Murphy, IT Specialist III, Chief Information Office, Division of Data, Technology and Agency Operations; Rashard Huntley, IT Specialist III, Chief Information Office, Division of Data, Technology and Agency Operations; Brando Butler, IT Specialist III, Chief Information Office, Division of Data, Technology and Agency Operations; and Raymond Dues, IT Specialist II, Chief Information Office, Division of Data, Technology and Agency Operations.

I. WELCOME/PLEDGE OF ALLEGIANCE

The SBE meeting convened at 1:31 p.m. Chair Stapleton called the meeting to order and welcomed everyone who attended.

Chair-Elect O’Shields led everyone in the Pledge of Allegiance.

II. APPROVAL OF STATE BOARD OF EDUCATION MINUTES FOR OCTOBER 10, 2023

Chair Stapleton asked if there were any objections to approving the minutes as presented for the SBE meeting on October 10, 2023. Hearing no objections, the minutes were approved.

III. APPROVAL OF STATE BOARD OF EDUCATION AGENDA FOR NOVEMBER 14, 2023

Chair Stapleton asked if there were any objections to approving the agenda as presented for the November 14, 2023, SBE meeting.

IV. RECOGNITION OF VISITORS AND NEWS MEDIA

Chair Stapleton welcomed any media and asked if any visitors had signed in. Chair Stapleton recognized visitors.

Visitors: Sheila Reiland, Kathleen Klein (SCASA), Tracy Williams and Deirdre McCullough (TeachRisht USA), Whitnie Hendrix, Jay Bagley (AdvocatesUSA), Sabernia Myles (YCEA-R), Jennifer Reinville (SC Appleseed Legal Justice). Theresa and James Muldrow, and Corrie Boyce (RCEA-R), Glynnis Hagins (NAACP), and Kelly Neal.

New media: Cassidy Bayer (WLTX, Henry Shuster (CBS), Marshana Adams (WACH FOX), Alexa Jurado (The State Newspaper), James Johnson (RSN), and Brenda Murphy (NAACP SC).

(Note: Names and organizations are listed as written on sign-up sheets. Misspellings are not intentional.)

V. STATE BOARD CHAIR REPORT

Chair Stapleton welcomed everyone and thanked all participants for their interest in education.

Chair Stapleton reported on the Joint Education Oversight Committee and State Board Retreat held on November 8, 2023. She shared that there were successes to share but that this is a journey. All of the members participated in the meeting, working together for the common purpose of what is best for the students in South Carolina. Dr. Stapleton reported that there were break out sessions for strategic planning and the steps to turn the plan to action. Dr. Stapleton thanked everyone who was able to attend the meeting.

This concluded the Chair's report.

VI. STATE SUPERINTENDENT OF EDUCATION REPORT

Chair Stapleton recognized Superintendent Weaver.

Superintendent Weaver reported, "It is officially November, and we had a wonderful opportunity to celebrate the service of our South Carolina Department of Education employees who have hit service milestones of 10, 20, 30 years, and two 40-year service awards. It was a wonderful opportunity to celebrate them, to celebrate their commitment to the state of South Carolina, to our educators and students. At that celebration ceremony, we actually inaugurated a new award that we are calling the Spirit of South Carolina. It is built on the duality of our twin mottos hope that propels hard work here in South Carolina. We recognized Mike Bullman, who is the leader of our Office of Transportation.

Mike is an amazing story. He actually started driving the school bus as a high school student. He has literally done every job there is to do in our transportation shop and through just years of dedication, hard work, faithful service. He has one of the most incredibly positive attitudes I have ever experienced. If there is something you want to know about school buses and transportation South Carolina, Mike Bowman is the man to ask. He will gladly share with you everything that he knows. He is just a joy to work with, and it was it was a privilege to be able to honor him.

Speaking of honoring people, we are so honored to be able to here at the Department of Education, invest every single day in elevating and celebrating the voice of our teachers. I have mentioned to you all previously an initiative that we are looking to roll out here that we are calling CARE. Character and resilience education and you may think of that in the context of students, but it also certainly applies to how we support our educators. Last month, we were able to roll out a partnership with former Superintendent Spearman and the Maxwell leadership foundation. We invited every educator in the state of South Carolina to participate in

an online activity that we call the transformation table. These transformation tables are all about shared value that we can bring to the work that we do every day. The first value we spoke about was hope. I feel like that is so integral to our DNA as South Carolinians and really, to education in general, because what is education if not hope for the future? For those of you who may be interested, I have brought a few copies of the lesson that we did together. I just wanted to share very briefly some of the comments that we got back from teachers who participated in this. They said "it was a wonderful experience sharing with colleagues. This is a truly effective way to make a difference in our profession that needs hopeful people to instill positivity in our students." Another said, "Awesome, it is hard to do evening zooms. I didn't know what to expect, but I am so thankful that I attended. I gained a lot in an hour. A little bit of refreshment works wonders." Another teacher said, "I felt heard and valued. Greatly appreciated the superintendents' acknowledgement of problems we are facing, teacher exhaustion and working with us to solve these problems. I felt like I am part of a statewide team who wants to create positive change in our state's education system." The last one that I'll share, it was awesome. "I am hopeful that this will make a difference and become contagious." Those are just a few comments that we got from the hundreds of teachers who participated. We actually have our next transformation table that is happening tonight. Dr. Julie Fowler who the superintendent of Spartanburg 3 will be our special guest speaker. And she will be speaking on the topic of integrity. We have a number of these coming up values purpose, commitment, passion, empathy, attitude, and courage that will run through the end of May.

Following up on what the Chairlady spoke about with the State Board and Education Oversight joint meeting that we were privileged to have last week, I just wanted to share a few of my reflections from what I heard that day. I think what was so powerful about the day was that there was a shared goal, developing a shared vision and a sense of urgency for moving academic outcomes towards that 2030 moonshot that we talked about; 75% proficiency in English and Math. We know we can get there, and that it's going to take a lot of work and alignment to do it. One of the things I was so encouraged about is that we spent our morning hearing from a nationally recognized expert Dr. Kimyana Burke about literacy, and the science of reading. They engage in that work to really moves the needle to students in Mississippi. We then heard from Sal Khan, who many of you all are familiar with, with Khan Academy, and the incredible work that they're doing to catch children up in math, as well as some the transformative ways that they are harnessing technology, and the power of AI in a way that safeguards and builds guardrails around the technology, but still makes it usable and accessible to students and teachers.

But then, it was the breakout sessions that really, I think, spoke most to me. What was so amazing was that even though we were all in different small groups, there were scenes that emerged across each of those groups. This is my best effort at synthesizing some of those themes that I heard. We did an exercise that's called start and stop, as you all will recall. In order to hit that 2030 moonshot, what do we have to stop and what do we have to start? The first thing we said to stop was doing things just because we've always done them that way, if

they aren't supported by data or positively impacting student outcomes. The corollary to that was better evaluating programs with quality data to demonstrate return on investment. Focus future funding decisions and address the greatest points of need, especially with a strong focus on the fundamentals. Our second stop was stop couching education conversations in negative terms, using doom and gloom language, and making excuses. The second start that goes with that was creating a culture of positivity and encouragement, focusing on a common vision, collaboration, and a growth mindset, especially in how we speak about the teaching profession. The next stop was stop treating career readiness as less than college readiness. The start for that was expanding experiential hands on and applied learning that is relevant and provides multiple pathways to success. The final stop is stop working in silos, we heard that loud and clear. The corollary start to that is expanding partnerships between K 12 educators, business leaders, and higher education. Again, the theme that I heard over and over throughout all of that was an intensive need for good and better communication. I think our meeting was a first step towards establishing that communication and dialogue. Something that, as you said, Chair Stapleton, we'll be working to continue in the future.

The last thing that I will mention today is that we have a very, very, very special guest with us today, and you want to talk about hope for the future. I truly believe that hope for the future is found in the incredible educators of this state. We are honored to be joined today, and I told her the crowd was here for her, our State Teacher of the year, Renee Atkinson. Let me read a little bit about her, and then we will welcome her. She has served in education for 21 years, 17 of which have been in Horry County. Where she has taught English to students in 10th to 12th grade at Aynor high school. Teaching is her calling, and while she has held various positions in her education career, her heart is in the classroom where she can directly impact students' lives every day. She considers her greatest contribution to education to be her ability to build positive relationships with students. I will just say, at a personal level, what an honor and privilege has been in the conversations that I have had with her to experience her kindness. Her humility, and her sense of purpose, and drive towards excellence on behalf of not only her students, but her fellow teachers to whom she serves as a mentor and a coach. So please join me in welcoming Renee Atkinson, our South Carolina Teacher of the Year.

Ms. Atkinson thanked the Superintendent. She opined, "I'm honored to be here, and to have been selected South Carolina Teacher of the Year. It is a great privilege to represent over 50,000 educators, and most importantly the students that they serve. This year as an ambassador to education in our state, I've had the honor to work with students of all ages across the state and visit schools from the Lowcountry to the Upstate. My CERRA residency this year has allowed me to work with a variety of programs from protein students, and teacher cadets who are interested in education, to teaching fellows and other pre-service teachers who will become future educators in our state, as well as current teachers, administrators, and district personnel. In the past few months, I've had a chance to meet or work with education professionals from representing every district across our state. Participating in events like Leadership South Carolina or South Carolina Education Policy

Fellows has given me a chance to work with leaders in business, government, and education across the state. This role has granted me so many new experiences. But the greatest gift is the opportunity to represent my colleagues and our students. Thank you so much for having me today.”

This concluded the Superintendent’s report.

VII. PARLIAMENTARIAN COMMENT

Parliamentarian, John Tyler, General Counsel, Deputy Superintendent, Division of Legal Affairs, had no report.

VIII. PUBLIC COMMENT

Chair Stapleton welcomed those signed up for public comment. She then suggested that because of the large number of participants, the board take a vote on amending the procedures to allow for 10 speakers with a time limit of 3 minutes instead of the standard 6 speakers with a time limit of 5 minutes in order to allow as many comments as possible within the 30 minutes allotted for public comment. Mr. Walters made the motion. Dr. Hanley seconded the motion. Chair Stapleton asked for a vote by hand to ensure that a 2/3 majority vote was reached. The motion carried. She then announced that public comments are taken as information and the board would not respond. From the sign in sheets for public comment, the first 5 speakers signed up in favor and the first 5 speakers signed up in opposition to the proposed regulation were called up to speak, on an alternating basis.

Jamie Sires, Paul Bowers (ACLU), Linda Fisher, Patrick Kelly (SC Palmetto Teacher’s Association-PSTA), Mark Herring, Melindra Henrickson, Sheila Reiland, Mary Foster, Kay Mein, and Delaine Frierson (SCEA-retired).

Chair Stapleton thanked everyone who came to make public comments.

IX. STATE BOARD ITEMS

PL POLICY AND LEGISLATIVE—COMMITTEE REPORT

Chair Stapleton reported, “The Policy and Legislation Committee met and heard one item for action, the proposed state board of regulation, 43 170, uniform procedure for selection of reconsideration of instructional materials. During that time our committee did hear from various individuals for public comment, and also had discussion and a presentation from Mr. Coleman regarding that. We did vote for that to come to full board today. It will not be on a consent agenda. This actually will serve as a motion from the Policy and Legislative Committee just for that information as our report.

FOR APPROVAL (VOTED UPON TO MOVE TO THE FULL BOARD MEETING)

- 01.** Proposed State Board of Education (SBE) Regulation S.C. Code Ann. Regs 43-170 (R.43-170), Uniform Procedure for Selection or Reconsideration of Instructional Materials

FOR INFORMATION

No items.

EP EDUCATOR PROFESSIONS—COMMITTEE REPORT

Did not meet.

FOR APPROVAL

FOR INFORMATION

SLA STANDARDS, LEARNING AND ACCOUNTABILITY—COMMITTEE REPORT

Did not meet.

FOR APPROVAL

FOR INFORMATION

ELC EDUCATOR LICENSURE—COMMITTEE REPORT

Chair Stapleton recognized Mr. Walters who reported that the sub-committee met and took action upon the following 13 cases; one public reprimand and 12 suspensions. Mr. Walters also stated, "I'd also like to commend the Office of General Counsel. We're definitely seeing that the cases are getting to us quicker while they're still being very careful to protect the safeguards and the due process rights of the parties involved".

FB-ELC FULL BOARD EDUCATOR LICENSURE—COMMITTEE REPORT

Chair Stapleton reported that the Full Board ELC committee met and took action upon the following 4 cases; one approval for initial certification; one denial for initial certification and one permanent revocation. Chair Stapleton also reported that the actions of ELC were ratified during the FB ELC meeting. Chair Stapleton commented, "We are so appreciative to the Office of General Counsel for all of the information they provide to prepare us for those ahead of time and to guide us through that process."

NC NOMINATION COMMITTEE

1. **State Board of Education (SBE) Rules of Governance (Rules) Policy BBAA, Method of Election of Officers, for the 2024 Chair-Elect**— Dr. Crystal Stapleton, Chair, South Carolina State Board of Education

Chair Stapleton reported, “In accordance with state board rule BVAA, the chair of the State Board of Education must appoint a nominating committee of no more than three board members at the November board meeting to name a nominee for the State Board of Education chair-elect for the upcoming year. The nominating committee will then present its nominee to the state board during our December meeting. On October 10, 2023, I did appoint Alan Walters, Delaney Frierson and Sally Lee to the nominating committee, and on October 27th, Mr. Walters agreed to chair that committee for us. So we are very appreciative of that. Mr. Walters will report the committee's nomination at our December 13th state board meeting”

IX. CONSENT AGENDA

All Committee Items presented to the State Board for approval by motion make up the Consent Agenda.

No items were placed on the Consent Agenda for approval.

X. SOUTH CAROLINA BOARD OF EDUCATION REPORT

FOR APPROVAL

- 01. Proposed State Board of Education (SBE) Regulation S.C. Code Ann. Regs 43-170 (R.43-170), Uniform Procedure for Selection or Reconsideration of Instructional Materials (First Reading)**

Chair Stapleton recognized Deputy General Counsel, John Tyler. Mr. Tyler reported, “Thank you Madam Chair and honorable members of the State Board of Education. It is my privilege this morning to present to you, or this afternoon I should say, present to you two things. One is to introduce the law under which this regulation will reside pending approval. And number two is to introduce the presenter, who is outside counsel for the South Carolina Department of Education. Let's start with the law. First South Carolina Code, section 59-5-60, sub-items one and seven, this is the general powers of the State Board of Education. The State Board of Education has the power to adopt policies, rules and regulations not inconsistent with the laws of the state, for its own government and for the government of the free public schools. And item seven, the State Board of Education has the power to prescribe and enforce the use of textbooks and other instructional materials for the various subjects taught or used in conjunction within the free public schools of the state. Now, as for our presenter, Mr. Miles Coleman is a partner at Nelson Mullins and has significant experience with representing state agencies as well as school districts, and, first Amendment litigation”.

The Chair recognized Miles Coleman. Mr. Coleman reported on the proposed regulation, recounting the presentation from the Policy and Legislation meeting. (For a full recap of the presentation, the video of the board meeting may be found on the SCDE's website at <https://ed.sc.gov/state-board/state-board-of-education/about-state-board/state-board-of-education-video/>, November 14, 2023.) This concluded Mr. Coleman's report.

Chair Stapleton asked if any board members had questions for Mr. Coleman on his presentation of the proposed regulation.

Chair Stapleton recognized Beverly Frierson who asked what process was used to select the representatives utilized in the drafting, was that process advertised and how many librarians were included. Mr. Coleman responded that there was no formal process of seeking or soliciting comment, and that the conversations were informal.

Chair Stapleton asked for clarification on the process of first reading. Mr. Coleman responded that once approved by the Board, the regulation would be placed in the State Register. The required comment period would begin and last for 30 days, once published, where members of the public can submit comments.

Chair Stapleton recognized Ms. Allison, who asked about how the proposed legislation titled, The Transparency and Integrity Education Act, would affect the proposed regulation. Mr. Coleman responded that the legislature, when considering the regulation, would have the opportunity to compare it to the proposed legislation and could notify the SCDE if there was anything that did not align with the legislation at the time of the passing of the regulation.

Chair Stapleton recognized Beverly Frierson again, who asked for clarification on whether there is a requirement to have a conversation with a principal prior to filing a complaint. Mr. Coleman responded that while it is not precluded, there was no obligation to do so.

Chair Stapleton recognized Mr. Walters, who asked if the appeal to the state board was a de novo review. Mr. Coleman responded and reviewed the elements of what the state board's responsibility was throughout the process.

Chair Stapleton recognized Ms. Allison, who asked about a hypothetical library club situation. Mr. Coleman responded with the language from the proposed regulation that spoke to whether the activity was school-sponsored or supported extracurricular activities in determining how the proposed regulation affected them.

Chair Stapleton recognized Jackee Lynn, who asked if, when using a current book purchased for instruction by the state that is challenged, would educators have to abandon the entire book or just refrain from teaching the challenged portion. Mr. Coleman responded that that the

scenario was too specific to determine until the regulation was in place.

There being no further questions, Chair Stapleton called for a motion. Mr. Walters made the motion. Dr. Hanley seconded the motion. The motion carried.

02. Safe Schools Facility Grant — Laura Bayne, Deputy Superintendent, Division of Strategic Engagement

Ms. Bayne reported that the recommended allocations for the Safe Schools Facility Grant from Proviso 1.81 was provided to the members for approval. She further reported that the SCDE partnered with local law enforcement agencies to review the applications.

Chair Stapleton asked if there were any questions.

Chair Stapleton recognized Mr. Walters, who commended the agency for getting this out there, finding the needs, and putting this in place.

Chair Stapleton recognized Chair-Elect O'Shields, who commended the agency on being able to accommodate every district. He further recused himself from voting because of his position his district applied and was part of the vote.

Hearing no further questions, Chair Stapleton called for a vote. Dr. Hanley made the motion. Ms. Allison seconded the motion. The motion carried.

FOR INFORMATION

01. State Board of Education (SBE) Meeting Dates for 2023—Dr. David O'Shields, Chair-Elect, South Carolina State Board of Education

Chair-Elect, Dr. O'Shields reported on the meeting dates for 2024, noting that while the Boar is not scheduled to meet in July, certain emergency and other educational issues could arise necessitating the scheduling of a special called meeting.

02. Literacy Update — Matthew Ferguson, Deputy Superintendent, Division of College and Career Readiness

03. Allendale County School District (ASCD) Update— Matthew Ferguson, Deputy Superintendent, Division of College and Career Readiness

04. Williamsburg County School District (WCSD) Update— Matthew Ferguson, Deputy Superintendent, Division of College and Career Readiness.

Chair Stapleton recognized Stephanie DiStasio, reporting for Matthew Ferguson on literacy and the two school districts.

Ms. DiStasio reported that the public is invited to review textbooks and instructional materials that have been proposed for use in South Carolina public schools. And those materials are

currently on display at eight locations, from November 3rd to December 4th, with instructions for submitting comments from the public available at each of those sites. In addition to those eight display sites, digital access from all of the publishers. They have provided links; those are posted online on the State Department of Education website under 2023 virtual public review.”

Ms. DiStasio then gave a joint report on Allendale and Williamsburg Schools, stating, “Regarding Allendale and Williamsburg, we have been convening a Cross office teams that are meeting and working with the teams from both Allendale and Williamsburg. Office directors and offices represented on that team include, the office of school transformation, early learning and literacy, educator effectiveness and leadership, along with many others. The work has been focused on ensuring that any plans and approaches are designed and developed with, not for, those district teams. It has been a collaborative and cooperative effort and we are excited about the work that's happening there. And as a result of the work coming from those teams, we are learning lessons that will serve as a model for improving the collaboration and the community-centered approaches of the offices here at the department”.

This concluded Ms. DiStasio’s report.

XI. OTHER BUSINESS

Chair Stapleton reminded all members to turn in their travel forms prior to their departure.

XII. ADJOURNMENT

There being no further business, the SBE adjourned at 3:39 p.m.