DISCLAIMER

The South Carolina Legislative Council is offering access to the unannotated South Carolina Code of Laws on the Internet as a service to the public. The unannotated South Carolina Code on the General Assembly's website is now current through the 2008 session. The unannotated South Carolina Code, consisting only of Code text and numbering, may be copied from this website at the reader's expense and effort without need for permission.

The Legislative Council is unable to assist users of this service with legal questions. Also, legislative staff cannot respond to requests for legal advice or the application of the law to specific facts. Therefore, to understand and protect your legal rights, you should consult your own private lawyer regarding all legal questions.

While every effort was made to ensure the accuracy and completeness of the unannotated South Carolina Code available on the South Carolina General Assembly's website, the unannotated South Carolina Code is not official, and the state agencies preparing this website and the General Assembly are not responsible for any errors or omissions which may occur in these files. Only the current published volumes of the South Carolina Code of Laws Annotated and any pertinent acts and joint resolutions contain the official version.

Please note that the Legislative Council is not able to respond to individual inquiries regarding research or the features, format, or use of this website. However, you may notify Legislative Printing, Information and Technology Systems at [LPITS@scstatehouse.net](mailto:LPITS@scstatehouse.gov) regarding any apparent errors or omissions in content of Code sections on this website, in which case LPITS will relay the information to appropriate staff members of the South Carolina Legislative Council for investigation.

CHAPTER 152.

SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS

**SECTION 59‑152‑10.** First Steps to School Readiness initiative established.

There is established South Carolina First Steps to School Readiness, a comprehensive, results‑oriented initiative for improving early childhood development by providing, through county partnerships, public and private funds and support for high‑quality early childhood development and education services for children by providing support for their families’ efforts toward enabling their children to reach school ready to learn.

**SECTION 59‑152‑20.** Purpose.

The purpose of the First Steps initiative is to develop, promote, and assist efforts of agencies, private providers, and public and private organizations and entities, at the state level and the community level, to collaborate and cooperate in order to focus and intensify services, assure the most efficient use of all available resources, and eliminate duplication of efforts to serve the needs of young children and their families. First Steps funds must not be used to supplant or replace any other funds being spent on services but must be used to expand, extend, improve, or increase access to services or to enable a community to begin to offer new or previously unavailable services in their community. The South Carolina First Steps to School Readiness Board of Trustees, Office of First Steps to School Readiness, and the County First Steps Partnerships shall assure that collaboration, the development of partnerships, and the sharing and maximizing of resources are occurring before funding for the implementation/management grants, as provided for in this chapter, are made available.

**SECTION 59‑152‑30.** Goals.

The goals for South Carolina First Steps to School Readiness are to:

(1) provide parents with access to the support they might seek and want to strengthen their families and to promote the optimal development of their preschool children;

(2) increase comprehensive services so children have reduced risk for major physical, developmental, and learning problems;

(3) promote high quality preschool programs that provide a healthy environment that will promote normal growth and development;

(4) provide services so all children receive the protection, nutrition, and health care needed to thrive in the early years of life so they arrive at school ready to learn; and

(5) mobilize communities to focus efforts on providing enhanced services to support families and their young children so as to enable every child to reach school healthy and ready to learn.

**SECTION 59‑152‑40.** Board of Trustees to oversee initiative.

The South Carolina First Steps to School Readiness Board of Trustees established in Section 63‑11‑1720 shall oversee the South Carolina First Steps to School Readiness initiative.

**SECTION 59‑152‑50.** Office of South Carolina First Steps to School Readiness established; duties.

Within the South Carolina First Steps to School Readiness Board of Trustees, an Office of South Carolina First Steps to School Readiness shall be established. The office shall:

(1) provide to the board information on best practice, successful strategies, model programs, and financing mechanisms;

(2) review the county partnerships’ plans and budgets in order to provide technical assistance and recommendations regarding local grant proposals and improvement in meeting statewide and local goals;

(3) provide technical assistance, consultation, and support to county partnerships to facilitate their success including, but not limited to, model programs, strategic planning, leadership development, best practice, successful strategies, collaboration, financing, and evaluation;

(4) recommend to the board the applicants meeting the criteria for First Steps partnerships and the grants to be awarded;

(5) submit an annual report to the board by December first which includes, but is not limited to, the statewide needs and resources available to meet the goals and purposes of the First Steps to School Readiness initiative, the ongoing progress and results of the First Steps to School Readiness initiative statewide and locally, fiscal information on the expenditure of funds, and recommendations and legislative proposals to further implement the South Carolina First Steps to School Readiness initiative statewide;

(6) provide for on‑going data collection and contract for an in‑depth performance audit due January 1, 2003, and every three years thereafter, to ensure that statewide goals and requirements of the First Steps to School Readiness initiative are being met; and

(7) coordinate the First Steps to School Readiness initiative with all other state, federal, and local public and private efforts to promote good health and school readiness of young children and support for their families.

**SECTION 59‑152‑60.** County First Steps Partnerships; selection of board members; election and term of chairman; records of meetings; abstention from voting.

(A) The Office of First Steps to School Readiness, in collaboration with each county legislative delegation, shall initiate county forums for the purpose of bringing together stakeholders who are actively involved or interested in early childhood development and education so as to initiate a County First Steps Partnership. The times and locations of these forums and county‑wide meetings must be publicized in the local print and broadcast media.

(B) At a countywide meeting the participants shall begin to select, to the extent possible within the area covered by the partnership:

(1) Not more than two members from each of these categories to sit on the First Steps partnership board:

(a) pre‑kindergarten through primary educator;

(b) family education, training, and support provider;

(c) childcare and early childhood development/education provider;

(d) healthcare provider;

(e) transportation provider;

(f) nonprofit organization that provides services to families and children;

(g) faith community; and

(h) business community.

(2) Three parents of pre‑school children. After the first year of the implementation of the First Steps to School Readiness initiative, parents serving on the County First Steps Partnership Board must have pre‑school children being served by First Steps programs; and

(3) Four members from early childhood education.

(C) After the county partnership board has been formed, if necessary to assure that all areas of the county are adequately represented and reflect the diversity of the county, each county legislative delegation may appoint up to four additional members. Of these members, two are appointed by the Senate members and two by the House of Representative members of the delegation from persons with resources, skills, or knowledge that have specific interests in improving the readiness of young children for school.

(D) Each of the following shall designate one member to serve as a member of its County First Steps Partnership Board:

(a) county department of social services;

(b) county department of health and environmental control;

(c) Head Start;

(d) county library; and

(e) each of the school districts in the county.

(E) Members who miss more than three consecutive meetings without excuse or members who resign must be replaced from the same categories as their predecessor. The terms of the members of a County First Steps Partnership Board are for two years; however, membership on the board may not exceed six consecutive years.

(F) The chairman of a County First Steps Partnership Board must be elected by majority vote of the board. The chairman shall serve a one‑year term; however, the chairman may be elected to subsequent terms not to exceed a total of four consecutive years.

(G) County First Steps Partnerships must have policies and procedures for conducting meetings and disclosing records comparable to those provided for in the Freedom of Information Act. Prior to every vote taken by the board, members must abstain from voting if the issue being considered would result in a conflict of interest. The abstention must be noted in the minutes of the meeting.

**SECTION 59‑152‑70.** First Steps Partnership Board; powers and duties.

(A) A First Steps Partnership Board shall, among other powers and duties:

(1) adopt by‑laws as established by the First Steps to School Readiness Board to effectuate the provisions of this chapter which must include the creation of a periodic meeting schedule;

(2) coordinate a collaborative effort at the county or multi‑county level which will bring the community together to identify the area needs related to the goals of First Steps to School Readiness; develop a strategic long‑term plan for meeting those needs; develop specific initiatives to implement the elements of the plan; and integrating service delivery where possible;

(3) coordinate and oversee the implementation of the comprehensive strategic plan including, but not limited to, direct service provision, contracting for service provision, and organization and management of volunteer programs;

(4) create and annually revise a county needs assessment;

(5) implement fiscal policies and procedures as required by the First Steps office and as needed to ensure fiscal accountability of all funds appropriated to the partnership;

(6) keep accurate records of partnership’s meetings, programs, and activities;

(7) collect information and submit an annual report by October 1 to the First Steps to School Readiness Board of Trustees, and otherwise participate in the annual review and the three‑year evaluation of operations and programs. The first annual report must be submitted October 1, 2000. Reports must include but not be limited to:

(a) determination of the current level and effectiveness of services for young children and their families;

(b) strategic goals for increased availability, accessibility, quality, and efficiency of activities and services for young children and their families which will enable children to reach school ready to learn;

(c) monitoring of progress toward strategic goals;

(d) report on implementation activities;

(e) recommendations for changes to the strategic plan which may include new areas of implementation;

(f) evaluation and report of program effectiveness and client satisfaction before, during, and after the implementation of the strategic plan, where available; and

(g) estimation of cost savings attributable to increased efficiency and effectiveness of delivery of services to young children and their families, where available.

(B) Each County First Steps Partnership may, in the performance of its duties, employ or acquire administrative, clerical, stenographic, and other personnel as may be necessary to effectuate the provisions of this section. However, overhead costs of the partnership’s operations may not exceed eight percent of its implementation/management grant allocation unless prior approval is received from the First Steps to School Readiness Board of Trustees.

(C) Each County First Steps Partnership may apply for, receive, and expend federal, state, and local funds, grants, and other funding.

(D) Day care facilities receiving grants must first use a portion of their funds to achieve licensed status and then to achieve the equivalent status to that of enhanced ABC provider.

(E) To be designated a County First Steps Partnership, the county or multi‑county partnership must be a private nonprofit corporation organized under Section 501(c)(3) of the Internal Revenue Code. However, developing partnerships which have not yet received 501(c)(3) status may qualify for grants if they have received a state charter for incorporation and meet other criteria as established by the board.

**SECTION 59‑152‑80.** First Steps grants.

(A) It is the intent of the General Assembly that the First Steps to School Readiness initiative be implemented as soon as county partnerships are ready to utilize the funds efficiently and effectively to improve services.

(B) Two levels of First Steps grants may be awarded as follows:

(1) Level One for the development of the collaborative effort, needs assessment, and strategic planning; and

(2) Level Two for implementation/management of activities and programs.

The level of grant awarded to a county partnership must be based on the readiness of the county partnership to implement the First Steps initiative. The First Steps Board shall establish the criteria for qualifying for each grant level. The allocations for the grants shall take into consideration the quality of the grant proposal.

(C) Implementation/management grants must be funded annually by the First Steps to School Readiness Board and may be awarded for up to three years. Implementation grants are renewable based upon criteria established by the South Carolina First Steps to School Readiness Board of Trustees, including the results of performance audits.

**SECTION 59‑152‑90.** Grant applications; criteria for allocations.

(A) To obtain a grant, a County First Steps Partnership or developing partnership shall submit an application to the Office of First Steps in a format specified by the First Steps to School Readiness Board. The application shall include, as appropriate to the level of grant applied for, the level of funding requested, a description of needs of children and families; assets and resources available; and the proposed strategies to address needs as they relate to the goals of South Carolina First Steps to School Readiness.

(B) To receive a Level One development of the collaborative effort, needs assessment, and strategic planning grant, the County First Steps Partnership must meet the criteria established by the First Steps to School Readiness Board including, but not limited to, total population covered by the partnership and quality of any pre‑exiting needs assessment and/or strategic plans for that geographic area.

(C) To receive a Level Two implementation/management grant for First Steps to School Readiness, a County First Steps Partnership must have completed a needs assessment and review by the First Steps to School Readiness Board and develop a comprehensive, long‑range plan to provide high quality early childhood development and education services. The plan must identify the needs of children and their families in the local area; assets and resources available; explain how supports and services are to be organized and delivered; establish measurable objectives and interim goals for meeting the local and state goals for First Steps; and an evaluation plan.

(D) In developing these plans, the First Steps Partnership must be given sufficient flexibility, but they must be accountable to the First Steps to School Readiness Board for fiscal management, program management, and program results.

(E) The allocations for the grants shall take into consideration the quality of the grant proposal; the population of children birth to age five contained in the area served by the partnership; the percentage of students in grades 1‑3 who are eligible for the free and reduced price lunch program; average per capita income; and the area’s ability to support the strategic plan initiative. The criteria also shall take into account the standing of the geographical area covered by a county partnership in relation to the statewide Kids Count indicators. Priority must be given to strategic plans that incorporate models with demonstrated success.

**SECTION 59‑152‑100.** Focus of activities and services.

(A) All activities and services provided by a First Steps Partnership must be made available to young children and families on a voluntary basis and must focus on the following:

(1) lifelong learning:

(a) school readiness;

(b) parenting skills;

(c) family literacy; and

(d) adult and continuing education.

(2) health care:

(a) nutrition;

(b) affordable access to quality age‑appropriate health care;

(c) early and periodic screenings;

(d) required immunizations;

(e) initiatives to reduce injuries to infants and toddlers; and

(f) technical assistance and consultation for parents and child care providers on health and safety issues.

(3) quality child care:

(a) staff training and professional development incentives;

(b) quality cognitive learning programs;

(c) voluntary accreditation standards;

(d) accessibility to quality child care and development resources; and

(e) affordability.

(4) transportation:

(a) coordinated service;

(b) accessibility;

(c) increased utilization efficiency; and

(d) affordability.

(B) Any part of the initiative within the county strategic plan using local district resources within a school district must be conducted only with approval of the district’s board of trustees.

**SECTION 59‑152‑110.** Use of grant funds.

Implementation/management grants provided to County First Steps Partnerships must be used to address the needs of young children and their families as identified in the partnerships’ comprehensive plans. The funds must be used to expand, extend, or improve the quality of provided services if there is evidence as to existing programs’ effectiveness; offer new or previously unavailable services in the area; or increase access to services. Grant funds may not supplant current expenditures by counties or state agencies on behalf of young children and their families, and may not be used where other state or federal funding sources are available or could be made available.

**SECTION 59‑152‑120.** Use of grant funds for capital expenditures.

Funds received for implementation of a county partnership’s implementation/management grant may not be used for capital expenses for new construction. However, funds may be made available for renovating, refurbishing, or upgrading of existing facilities used to support First Steps to School Readiness activities and services for children, families, and providers from funds made available to the partnerships in Section 59‑152‑150(C) and Section 63‑11‑1750(A). The county partnership must demonstrate to the satisfaction of the First Steps to School Readiness Board that the capital expenditure is:

(1) a priority need for the local initiative and other state or federal funds for such projects are insufficient; and

(2) necessary to provide services to under‑served children and families.

**SECTION 59‑152‑130.** Partnership matches; annual report.

(A) The County First Steps Partnerships shall provide an annual match of fifteen percent. The South Carolina First Steps to School Readiness Board of Trustees may decrease this percentage requirement for a partnership based on their capacity to provide that match. Private individuals and groups must be encouraged to contribute to a partnership’s efforts to meet its match. The match required of individual partnerships by the First Steps Board should take into consideration such factors as:

(1) local wealth, using such indicators as the number and percentage of children eligible for free and reduced lunches in grades 1‑3; and

(2) in‑kind donated resources.

Only in‑kind donations, as defined by the standard fiscal accountability system provided for in Section 59‑152‑140, which meet the criteria established by the South Carolina First Steps to School Readiness Board of Trustees and that are quantifiable may be applied to the in‑kind match requirement. Expenses, including those paid both by cash and through in‑kind contributions, incurred by other nonstate entities participating in county partnerships may be included in determining matching funds.

(B) The Office of the South Carolina First Steps to School Readiness shall establish guidelines and reporting formats for county partnerships to document expenses to ensure they meet matching fund requirements. The office shall compile a report annually on the private cash and in‑kind contributions received by the South Carolina First Steps to School Readiness Board of Trustees and County First Steps Partnerships.

**SECTION 59‑152‑140.** Carrying funds forward into subsequent years.

To ensure effective use of funds, awards under contract for County First Steps Partnerships, with the approval of the Office of First Steps to School Readiness, may be carried forward and used in the following fiscal year. Funds appropriated to South Carolina First Steps to School Readiness may also be carried forward into subsequent years.

**SECTION 59‑152‑150.** Development and adoption of standard fiscal accountability system; private funds to be held separate; disbursements; applicable offenses.

(A) The Office of First Steps to School Readiness shall develop and require partnerships to adopt and implement a standard fiscal accountability system including, but not limited to, a uniform, standardized system of accounting, internal controls, payroll, fidelity bonding, chart of accounts, and contract management and monitoring. Additionally, the accountability system shall require competitive bids for the purchase or procurement of goods and services of ten thousand dollars or more. A bid other than the lowest bid may be accepted by a majority vote of the county partnership board if other considerations outweigh the cost factor; however, written justification must be filed with the Office of First Steps. The Office of First Steps may contract with outside firms to develop and ensure implementation of this standard fiscal accountability system, and the Office of First Steps may inspect fiscal and program records of county partnerships and developing partnerships to ensure their compliance with the required system. The Office of First Steps may contract with a state entity with existing means for developing contracts and disbursing funds in order to make use of the existing infrastructure, if it is efficient and not administratively burdensome to partnerships.

(B) Each County First Steps Partnership shall expend funds through the South Carolina First Steps to School Readiness Board of Trustees or its fiscal designees until the capacity of the County First Steps Partnership to manage its fiscal and administrative responsibilities in compliance with the standard accountability system has been reviewed and certified by the South Carolina First Steps to School Readiness Board of Trustees or its designee.

(C) Private funds received by a County First Steps Partnership must be deposited in a separate fund.

(D) Disbursements may be made only on the written authorization of the individual designated by the county partnership board and only for the purposes specified. A person violating this section is guilty of a misdemeanor and, upon conviction, must be fined five thousand dollars or imprisoned for six months, or both.

(E) The offenses of misuse, misappropriation, and embezzlement of public funds, apply to this chapter.

**SECTION 59‑152‑160.** Evaluation of progress.

(A) The South Carolina First Steps to School Readiness Board of Trustees shall establish internal evaluation policies and procedures for County First Steps Partnerships for an annual review of the functioning of the partnership, implementation of strategies, and progress toward the interim goals and benchmarks. In instances where no progress has been made, the Office of First Steps to School Readiness shall provide targeted assistance and/or the South Carolina First Steps to School Readiness Board of Trustees may terminate the grant. In addition, a program evaluation of the First Steps to School Readiness initiatives at the state and local levels must be conducted every three years by an independent, external evaluator under contract with the South Carolina First Steps to School Readiness Board of Trustees. However, the selected evaluator shall be approved, and the evaluation overseen, by a committee consisting of three members, one appointed by the First Steps Board, one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House. These committee members must be professionally recognized as proficient in child development, early childhood education, or a closely related field. The first report shall be provided no later than January 1, 2003.

(B) County First Steps Partnerships must agree to participate in such an evaluation in order to receive a First Steps grant. Subsequent grant approval and grant allocations must be dependent, in part, on the results of the evaluations. If an evaluation finds no progress has been made in meeting local goals or implementing strategies as agreed to in the First Steps grant, the grant must be terminated.

(C) The purpose of the evaluation is to assess progress toward achieving the First Steps goals and to determine the impact of the initiative on children and families at the state and local levels. The impact assessment shall include, but is not limited to, school readiness measures; benefits from child development services; immunization status; low birth‑weight rates; parent literacy; parenting skills; parental involvement; transportation; and developmental screening results. During the course of the evaluation, if an evaluator determines that any state agency has failed to comply with the coordination and collaboration provisions as required in this chapter, the final report must reflect that information. Program evaluation reports must be reported to the General Assembly no later than three months after conclusion of the evaluation. All County First Steps Partnerships shall cooperate fully in collecting and providing data and information for the evaluation.