

# Amendment: D19

## Representative Hayes proposes the following amendment:

### Section 1 – H630 – Department of Education

Amend further:

**1.49.** (SDE: Interscholastic Athletic Association Dues) (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of sanctions that may be applied to a student, coach, team, or program and that takes into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

(2)(a) guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics including, but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would apply;

(3)(a) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel which consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional district;

(b) a member of the panel serves until his successor is appointed and qualifies. A

vacancy on the panel is filled in the manner of the original appointment;

(c) members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling of the association, body, or entity to the panel. The appellate panel also must provide the final ruling in any appeal brought against a decision of the association, body, or entity;

(4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices; and

(5) a multiplier system for the purpose of classification that takes into account a school's geographic location, student population, and performance in each sport in which it participates;

(6) a process and qualifications for a student attending a non-member private or public school to participate on a member school's team;

(7) a process for the completion of an annual accountability report that identifies key program area descriptions and expenditures and links those to key financial and performance results measures. This report must be posted on the entity's website by September 1 of each year;

~~(8) a process ensuring that all committees created or consulted by the entity for recommendation and voting purposes must be made available to the member schools prior to the discovery process beginning. All official recommendations made by any committee, subcommittee, or executive committee member must be made available to the member schools within ten business days of official recommendations. When a committee is created or consulted by the entity to study aspects that directly pertain to a specific sport and the sport has a professional ancillary organization, the organization shall have the opportunity to appoint representatives to the committee. This includes, but is not limited to, issues such as realignment, calendars, and athletes' health and safety. Ancillary sport organizations must be offered an opportunity to collectively engage with the directors of the entity and any committees created or consulted by the entity as part of the discovery processes when the ancillary organization is working to develop proposals for the attention of the entity.~~

~~(9) Ensure that notice of an upcoming vote to add, delete, or amend the constitution, bylaws, rules and regulations, calendars, venues, and fees of the entity by the executive committee, all subcommittees within the executive committee, appellate panel, medical adversity committee, rules and regulations committees, and all other committees created by or partnered with by the entity, and/or commissioner is given to the member schools prior to a vote or entity decision.~~

~~(10) Ensure that minutes of all meetings which include a vote by the executive committee or appellate panel of the entity must be available to the member schools within ten business days of the meeting's conclusion. These minutes must include the roll call vote cast by each member including votes to table a proposal. All formal recommendations regardless of approval that are presented at the time of these votes must also be made available along with the body making the recommendation. Minutes may be electronic if the entire meeting is recorded with both audio and video. Roll call votes may be recorded with electronic means.~~

## Ways and Means Committee Amendment

~~(8) (11)~~ provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State.

(B) In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

(D) For the 2024-2025 School Year, the one-year waiting period for home school students to participate on a member school's team is waived as long as the home school student is academically qualified to participate in athletic events sponsored, approved, or authorized by the entity.