

## **FREQUENTLY ASKED QUESTIONS**

- **Where can the requirements for local government planning or zoning officials or employees be found?**
  - South Carolina Code 6-29-1310 – 1380. (<https://www.scstatehouse.gov/code/t06c029.php#6-29-1310>)
- **Who is required to receive educational training?**
  - Appointed officials who serve on a planning commission, board of zoning appeals, or board of architectural review.
  - Professional employees who are employed as a planning professional, zoning administrator, zoning official, or as a deputy or assistant to these positions.
- **What training is required?**
  - Officials and employees must attend a minimum of six (6) hours of orientation training, which must be completed within 180 days prior to and no later than 365 days after the initial appointment or employment.
  - Annually, thereafter, there is a requirement to attend at least three (3) hours of continuing education.
- **Where can I find more information on the state-mandated orientation training?**
  - The Municipal Association of South Carolina (MASC) and the South Carolina Association of Counties (SCAC) are both approved providers of state-mandated orientation training. For more information, please visit their websites.  
  
**MASC:** <https://www.masc.sc/education-events/training-programs/planning-and-zoning>  
**SCAC:** <https://www.sccounties.org/planning-and-zoning-education>
- **Are there subject matter requirements for the three hours of annual continuing education training?**
  - Yes. State Code Section 6-29-1340(c) identifies 17 subject matters that qualify for continuing education training (<https://www.scstatehouse.gov/code/t06c029.php#6-29-1340>). This list is not exhaustive. If you choose a subject matter not on the list, you should be prepared to justify the selection if challenged.
- **Are there limits or restrictions on the types of training or methods of delivery of the training for the orientation or continuing education offerings?**
  - The restrictions on delivery methods for orientation training are contained within the approvals granted to both MASC and SCAC for their offerings. See above for more information and a link to these organizations.
  - For continuing education offerings, the Committee requires that there be a method for the local government to confirm participation or attendance. This can be accomplished in a wide variety of ways. Home study or self-study methods where participation or attendance cannot be independently verified are not permitted.

- **Where can I find information on acceptable continuing education offerings?**
  - Please follow this link on our website for listing of agencies and organizations that have been pre-approved as providers or continuing education: (<https://www.scstatehouse.gov/SCPEAC/ApprovedSponsorsContEd.htm>).
  - If you are considering developing an in-house training program or one in conjunction with other local governments; follow this link for information on submitting an application to the Committee: (<https://www.scstatehouse.gov/SCPEAC/RequestForCertContEd.htm>).
  - If there is a training program offered by an organization that has not been preapproved, a request can be submitted for consideration of adding the organization to the list or an application can be submitted requesting approval of the program for use by your local government: (<https://www.scstatehouse.gov/SCPEAC/GettingApprovalforContEdPrograms.htm>).
- **Who is exempt from the education requirements?**
  - An appointed official or professional employee who has one or more of the following qualifications:
    - Certification by the American Institute of Certified Planners.
    - Holds a master’s or doctorate degree in planning from an accredited college or university.
    - Holds a master’s or doctorate degree or specialized training or experience in a field related to planning as determined by the advisory committee.
    - Licensed to practice law in South Carolina.
  - The official or employee must file a certification form and documentation of exemption with the clerk to council by the first anniversary date of appointment or employment.
  - The official or employee must file a certification form and documentation of exemption with the clerk to council by the first anniversary date of the appointment.
- **I have a master’s or doctorate degree or specialized training or experience in a field related to planning. Am I exempt?**
  - The Committee has interpreted Sec. 6-29-1330(D)(2) as giving it the ability to determine “categories of persons” who are exempt. The Committee does not have the authority to grant individual exemptions. Furthermore, the Committee has previously declined to create any such additional categories of exemptions. The Committee believes that everyone can benefit from the orientation training. With respect to the three hours annually of continuing education, the Committee believes that this is not a significant commitment of time and can be beneficial to all. The Committee has preapproved the continuing education offerings of many organizations and agencies and is open to considering other offerings brought to the Committee.
- **I have been appointed to a local board or commission in my community that is subject to these training and continuing education requirements. I was selected in part because of my professional certifications or credentials which carry with them their own continuing education requirements. Can my professional continuing education courses also count toward my planning education requirements?**
  - Yes, with two caveats. First the training must comply with the requirements of state law (see above or click here: <https://www.scstatehouse.gov/code/t06c029.php#6-29-1340>). Second the training offered must be from an agency or organization that has been approved by the Committee (<https://www.scstatehouse.gov/SCPEAC/ApprovedSponsorsContEd.htm>). If your professional organization, or training provider, is not on our list of approved providers, the Committee will consider adding them to the list.

- **What are the consequences for failure to comply?**

- An appointed official is subject to removal from office for cause as provided in Sections 6-29-350, 6-29-780, or 6-29-870 if he:
  - Fails to complete the requisite number of hours of orientation training and continuing education within the time.
  - Fails to file the certification form and documentation required.
- A professional employee is subject to suspension or dismissal from employment relating to planning or zoning by the local governing body or planning/zoning entity if he:
  - Fails to complete the requisite number of hours of orientation training and continuing education within the time allotted.
  - Fails to file the certification form and documentation required.
- A local governing body must not appoint a person who has falsified the certification form or documentation required to serve in the capacity of an appointed official.
- A local governing body or planning or zoning entity must not employ a person who has falsified the certification form or documentation required to serve in the capacity of a professional employee.