

Bill 3843
#4388

South Carolina High School Athletic Association (SCHAA)

SECTION 59-XX-XX. Association established.

(A) There is established the South Carolina High School Athletic Association, an eleemosynary corporation, the resources of which must be used to promote, facilitate, assist, and govern interscholastic athletic programs and events within and among middle and high schools in the state.

(B) The board of directors for the Association shall carry out activities necessary to ensure that athletic programs and competitions are carried out in a fair, safe, and competitive manner.

SECTION 59-XX-XX. Board of directors; terms; filling vacancies; compensation; reports.

(A) There is created the Board of Directors for the Association composed of eleven individuals who are not current members of the General Assembly as follows:

- (1) One member appointed by the State Superintendent of Education who shall serve as the Chair;
- (2) One member appointed by the Speaker of the House of Representatives;
- (3) One member appointed by the Chair of the House Education and Public Works Committee;
- (4) One member appointed by the Leader of the House Majority Caucus;
- (5) One member appointed by the Leader of the House Minority Caucus;
- (6) One member appointed by the President of the Senate;
- (7) One member appointed by the Chair of the Senate Education Committee;
- (8) One member appointed by the Leader of the Senate Majority Caucus;
- (9) One member appointed by the Leader of the Senate Minority Caucus;
- (10) Two members appointed by the Governor, one of which shall be recommended by the South Carolina Association of School Administrators

(B) No two members shall reside within the boundaries of the same traditional school district.

(C) A member of the board may not be currently employed as an athletics director, coach, principal, superintendent, or other school leader.

(D) Members shall serve for terms of four years and until successors are appointed and qualify. Vacancies for any reason must be filled in the manner of the original appointment for the unexpired term.

Members may be paid per diem, mileage, and subsistence as established by the board not to exceed the amounts provided by law for state boards, committees, and commissions. A complete report of the activities of the Association must be made annually to the General Assembly.

SECTION 59-XX-XX. Creation of the Association.

The board may contract with a third party to assist in the establishment and initial operation of the association. The contract is subject to the requirements of Title 11, Chapter 35 of the South Carolina Code of Laws.

SECTION 59-XX-XX. Powers and duties.

To carry out its assigned functions, the board is required, but not limited to:

- (1) establish rules and bylaws for the operation of the association;
- (2) create rules for the participation in, and conduct of, athletic competitions within the state;
- (3) establish requirements for student participation that do not contradict state law;
- (4) provide technical assistance to member schools regarding athletic participation;
- (5) recognize and sanction sport programs;
- (6) create regions for schools' participation based on geographic and student population factors;
- (7) establish 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;

- (8) establish a playoff system and championship for participating schools;
- (9) establish 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;
- (10) create a process and qualifications for home school students to participate on a member school's team without being subject to a waiting period;
- (11) create a process and qualifications for a student attending a non-member private or public school to participate on a member school's team;
- (12) establish a fee schedule for participating schools. The association shall use these funds in order to operate;
- (13) complete an annual accountability report pursuant to Section 1-1-820 and identify key program area descriptions and expenditures and link these to key financial and performance results measures, and provide this report to the General Assembly to post on its Internet website;
- (14) enter into contracts subject to Title 11, Chapter 35 of the South Carolina Code of Laws;

SECTION 59-XX-XX. Participation of Private and Independent Schools and Home school teams.

- (A) Notwithstanding the duty to recognize and sanction sport programs listed in Section 59-XX-XX (5), the Association shall allow existing private and independent schools that are members of the South Carolina High School league to join and participate in the same manner as public schools. The Association shall establish rules and policies for accepting other private and independent schools into full membership.
- (B) The Association shall guarantee 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;

SECTION 59-XX-XX. Transfer.

Notwithstanding any athlete transfer rules and policies adopted by the Association, students who attend a school outside of their attendance zone may immediately participate in interscholastic competitions if they are otherwise academically eligible and the following conditions are met:

- (A) For students enrolled in middle school, the Association shall allow a one-time transfer after eligibility is established in the seventh grade; and,
- (B) For students enrolled in high school, the Association shall allow a one-time transfer after eligibility is established in the ninth grade.

SECTION 59-XX-XX. Director.

The board of directors shall employ a director and other staff as necessary to carry out the duties and responsibilities assigned by the board. The board shall submit to the Agency Head Salary Commission, pursuant to Sections 8-11-160 and 8-11-165, justification of and recommendations for the salary and any salary increases for the director of the association.

SECTION 59-XX-XX. Appellate Panel.

(A) The Association shall establish a 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.

(1) 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;

(2) 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;

(B) The Association shall establish and ensure a procedure 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

SECTION 59-XX-XX. Prohibition for joining other associations or leagues.

Public schools, to include charter schools, shall not join or affiliate with any other entity within the state for the purpose of governing, sanctioning, or operating interscholastic athletic programs.

SECTION 59-XX-XX.

(A) The association shall be considered a state agency as for the purposes of Title 2, Chapter 15 of the South Carolina Code of Laws and subject to audits by the Legislative Audit Council.

(B) The Association shall be considered an agency for the purposes of Title 2, Chapter 2 of the South Carolina Code of laws and subject to oversight by the House of Representative and Senate.

(C) Beginning December 1, 2025 and every year thereafter, the Association shall provide a report to the respective chairs of the House Education and Public Works Committee and Senate Education Committee containing, but not limited to, the following:

- (1) The results of an annual audit of the Association's finances.
- (2) The number of schools and student athletes who participated in league activities. This information must be listed by classification, charter school, traditional public school, and independent school.
- (3) Sanctions imposed on any teams.
- (4) A summary of any changes to league rules, its constitution, or bylaws.