



SOUTH CAROLINA HIGH SCHOOL LEAGUE

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TO: Superintendents, Principals and Athletics Directors

FROM: Dr. Jerome Singleton, Commissioner *J.S.*
SC High School League

SUBJECT: State Department of Education Approved Budget Provisos for the
2025-2026 School Year

DATE: June 18, 2025

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Greetings,

This correspondence comes to you as information. Below are the State Department of Education 2025-2026 Budget Provisos interpretations that were approved by the SC High School League Executive Committee.

These interpretations will be placed in the SC High School League By-Laws and will be enforced for the 2025-2026 school year.

Please take the opportunity to review this information.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

2025–2026 S.C. Department of Education Budget Proviso Update

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:

Proviso #1

SECTION 1 – H630 - DEPARTMENT OF EDUCATION

(5) a uniform system applicable to all member schools at the varsity, sub-varsity, junior varsity, and middle school levels, establishing fines for the cancellation of a scheduled contest regardless of if the contest is in or out of region, including a member school refusing to schedule a mandatory region contest with another member school within the same region. At a minimum, the school canceling the scheduled contest must be fined an amount equal to the cost incurred for officials, tickets, and concessions or \$1,000, whichever is greater. If the contest is rescheduled or cancelled for a documented health or safety reason, the school shall not be fined;

The Bylaw below that was passed and adopted by the membership at the 2024-2025 Legislative Assembly meeting this past March addresses the above Proviso. This Bylaw (with a few exceptions) places the SCHSL in compliance with the Proviso. Mandatory contests are those that are in region varsity contest(s) and/or any level (varsity and/or sub varsity) contests agreed upon and placed on the schedules of the competing schools. Additionally, the penalty minimum for all levels shall be \$1000 (note added).

ARTICLE IV - SCHOOL REGULATIONS

Section 8 Contracts for Contests

Member schools should establish contracts for all scheduled contests. Forfeiture clauses for scheduled varsity contests must include a monetary consideration not to exceed \$10,000. Competing schools, with agreement may choose to waive the forfeiture clause. In absence of a contract, and schools not agreeing to waive the forfeiture clause, the League will determine the monetary consideration for cancellation of a scheduled varsity contest (not to exceed \$5000 for varsity football, \$2000 for varsity basketball, \$1000 for all other varsity sports). Sub varsity contract shall not exceed one-half of varsity contest monetary consideration for cancellation of scheduled contest.

NOTE: Minimum fine for all levels (varsity and/or sub varsity) that cancel an applicable scheduled contest shall be \$1000.

Proviso #2

(6) does not permit, allow, or authorize students to earn compensation from the use of their name, image, and likeness (NIL);

The Bylaw below that was passed and adopted by the membership at the 2024-2025 Legislative Assembly meeting this past March addresses the above Proviso. This Bylaw places the SCHSL in compliance with the Proviso. The Bylaw prohibits student athletes from using the intellectual property of the school and/or League to earn compensation

ARTICLE III - STUDENT ELIGIBILITY

Section 14 Amateur Status

A student may not have competed for money or valuable consideration other than prizes with symbolic value. No participants may accept material awards in excess of actual expenses, including hotel bills and transportation.

A student may not earn compensation from the use of their name, image, and likeness (NIL) in compliance with Article III, Section 14 (Amateur Status) of the SCHSL bylaws to include, but not limited to:

- Compensation is not contingent on specific athletic performance or achievement.
 - Compensation is not provided as an incentive to enroll or remain enrolled at a specific school.
 - Compensation is not provided by the school or any person acting as an agent for the school.
 - In seeking compensation for name, image, and likeness:
 - No “marks” may be used, including but not limited to school logos, school name, school mascot, or any SCHSL logo or acronyms.
 - No school apparel or equipment shall be worn which includes school name, school logo, school mascot, or any apparel displaying SCHSL logos or acronyms.
 - No member school facility may be used for the purpose of name, image, and likeness compensation.
 - No activities in conflict with a member school’s local school district policy may be endorsed. Examples include but are not limited to tobacco or alcohol products.
- A student who violates any portion of the Amateur Rule shall be penalized according to the sanctions below:

- *First Violation:* The student shall receive a formal warning and return any award(s) or money received in violation of this rule. The SCHSL shall direct the student in violation to immediately remove any endorsement, advertisement, sponsorship, or other promotional activity that is in violation of the Amateur Status Rule.
- *Second Violation:* The student shall be ineligible to participate in SCHSL interscholastic athletics at any level of competition for a period of one (1) year from the date of SCHSL's determination of the second violation.
- *Third Violation:* The penalty and any additional period of ineligibility will be determined based on a consideration of the nature of the violation(s) and the extent to which the violation(s) may have been knowing, deliberate, or in reckless disregard of the provisions of this rule.

It is not a violation of this rule for a student athlete to accept a standard fee or salary for instructing, supervising, or officiating in an organized youth sports program not operated by a member school or the South Carolina High School League.

Proviso # 3

1.112. (SDE: Interscholastic Athletics) (A) No funds appropriated or authorized in this act that are distributed to a school district may be used to deny individual students who attend independent schools in this State the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

- (1) student resides within the attendance zone boundaries of the public school;
- (2) independent school that the student attends is not a member of the South Carolina High School League;
- (3) independent school attended by the student does not offer the particular sport for the student's gender;
- (4) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;
- (5) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;
- (6) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport;
- (7) student meets all public school district eligibility requirements with the exception of the:
 - (a) school district's school or class attendance requirements; and
 - (b) class and enrollment requirements of the association administering the interscholastic sports;
- (8) student and the student's parent or guardian agree for the student to be subject to the

code of conduct of the public school; and

(9) student was not expelled from the same public school during the same academic year.

(B) Additionally, a public school district may not expend funds to contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of independent school students in interscholastic athletic programs supervised by the entity.

The above Proviso allows students at South Carolina independent schools (with a few exceptions) the same privileges as home schools, charter schools, and/or Governor schools students. Additionally, the independent schools cannot be a member of the South Carolina High School League.