



SOUTH CAROLINA SCHOOL DISTRICT PUBLIC REPORTING REQUIREMENTS

(Working Document 9/24/09)

Numerous federal and state laws require school districts to provide students, parents, and/or the public with notices, many of which must be provided at the beginning of the school year. (Note: this is a working list and may not contain all requirements under federal, state and local laws. Please add to the list as requirements are amended or added.)

State Accountability Reporting Requirements

COMPREHENSIVE SCHOOL AND DISTRICT REPORT CARDS

A comprehensive report card must be in a reader-friendly format, using graphics whenever possible, published on the state, district, and school Web site, and, upon request, printed by the school districts.

(Reference: EAA section 59-18-900(A))

EXECUTIVE SUMMARY SCHOOL AND DISTRICT REPORT CARDS

The S.C. Department of Education (SDE) must issue the executive summary of the report card annually to all schools and districts no later than November 1. The report card summary must be made available to all parents of the school and the school district. The executive summary shall be printed in black and white, be no more than two pages, use graphical displays whenever possible, and contain National Assessment of Educational Progress (NAEP) scores as well as national scores.

(Reference: EAA section 59-18-930)

Note: The publication of the annual school and school district report card may be delayed for the 2008-2009 school year until no later than February 15, 2010.

(Reference: EAA section 59-18-310(B))

NEWSPAPER ADVERTISEMENT SCHOOL AND DISTRICT REPORT CARD RATINGS

The school, in conjunction with the district board, also must inform the community of the school's report card by advertising the results in at least one South Carolina daily newspaper of general circulation in the area. This notice must be published within 45 days of the receipt of report cards issued by the SDE and must be a minimum of two columns by 10 inches (4 ½ X 10 inches) with at least a 24-four point bold headline.

(Reference: EAA section 59-18-930)

The required advertisement is waived if an audited newspaper of general circulation in a school district's geographic area has previously published the entire school report card results as a news item.

(Reference: S696, effective date 6/2/2009)

SCHOOLS AND DISTRICTS RATED AT RISK OR BELOW AVERAGE

When a school receives a rating of below average or school/district at-risk, the following actions must be undertaken by the school, the district, and the board of trustees:

- No later than February 1, the school, in conjunction with the district board, must inform the parents of children attending the school of the ratings received and

must outline the steps in the revised plan to improve performance, including the support which the board of trustees has agreed to give the plan.

- This information also must be advertised in at least one South Carolina daily newspaper of general circulation in the area within 90 days of receipt of the report cards issued by the SDE and must be a minimum of two columns by 10 inches (4 ½ X 10 inches) with at least a 24-point bold headline. The notice must include the following information: name of school district, name of superintendent, district office telephone number, name of school, name of principal, telephone number of school, school's absolute performance rating and growth performance rating on student academic performance, and strategies which must be taken by the district and school to improve student performance.

(Reference: EAA, Section 59-18-1500)

ANNUAL REPORTS TO PARENTS, COMMUNITY

District and school reports to parents and the community must be published no later than April 30. The reports must include district and school five-year plans and annual updates and district programmatic reports and school reports developed in conjunction with the school improvement council to parents and constituents to include recommendations of an Education Accountability Act external review teams and any steps being take to address the recommendations.

Note: the above section consolidates the annual district reports required in the Education Finance Act of 1977, Section 59-20-60 (5) which directs the local school board to develop an annual district programmatic report to the parents and constituents and provide it by November 15. The report shall include the following: the goals and objectives of the school district, the strategies implemented to meet the goals and objectives, and an evaluation of the outcomes.

(Reference: section EAA 59-18-1310 and EFA 59-20-60 (5))

NEW BOARD MEMBER TRAINING NOTIFICATION

Beginning in 2008, school district must post the percentage of new trustees who have completed new board member training on its Web site.

(Reference: EAA, Section 59-18-900(F), effective date 6/5/2008)

State Financial Reporting Requirements

ANNUAL BUDGET HEARING NEWSPAPER ADVERTISEMENT

School districts must advertise the public hearing before the adoption of its budget for the next fiscal year in at least one South Carolina newspaper of general circulation in the area. This notice must be given not less than 15 days in advance of the hearing and must be a minimum of two columns wide with a bold headline. The notice must include the following:

- the governing entity's name;
- the time, date, and location of the public hearing on the budget;
- the total revenues and expenditures from the current operating fiscal year's budget of the governing entity;
- the proposed total projected revenue and operating expenditures for the next fiscal year as estimated in next year's budget for the governing entity;

- the proposed or estimated percentage change in estimated operating budgets between the current fiscal year and the proposed budget;
- the millage for the current fiscal year; and
- the estimated millage in dollars as necessary for the next fiscal year's proposed budget.

(Reference: Title 6, Section 61-80)

CERTIFICATION OF FUNDING FLEXIBILITY USE

Quarterly throughout the 2009-2010 school year, certification of the district's suspension of non-instructional or non-essential programs and the specific funding flexibility actions taken by the district must be presented publicly at a regularly called school board meeting and posted on the school district Web site. The district's school board chairman and the superintendent must certify in writing where non-instructional or non-essential programs have been suspended and the specific flexibility actions taken and delivered electronically to the State Superintendent of Education, to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee.

(Reference: Budget Proviso 1.43., 2009-2010 General Appropriations Act)

FINANCIAL TRANSACTIONS DISCLOSURES

School districts must maintain a transaction register that includes a complete record of all funds expended over \$100, from whatever source, for whatever purpose. The register must be prominently posted on the district's Web site, made available for public viewing and downloading and be searchable and updated at least once a month. For each expenditure, the register must include:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees or any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or expenditure.

Each school district must also maintain on its Web site a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. Statements must be posted no later than 30 days after the first date that any portion of the balance due as shown on the statement is paid. The credit card number on each statement must be redacted prior to posting.

(Reference: Budget Proviso 1.43., 2009-2010 General Appropriations Act)

Note: The comptroller general's office is planning on the transparency requirements going into effect July 1, 2010. In short, the comptroller's office will be taking the current fiscal year to develop/implement a methodology. In doing so, it will be working with districts and seeking input. Districts will not be required to do anything concerning the transparency until the comptroller's office implements its methodology and makes it available to districts.

Other State Reporting Requirements

BOARD MEETING AGENDA AND MINUTES

School districts that have a Web site shall place a notice of a regularly scheduled school board meeting 24 hours in advance of such meeting. The notice shall include the date, time, and agenda for the board meeting. The school district shall place the minutes of the board meeting on their Web site within 10 days of the next regularly scheduled board meeting.

(Reference: Budget Proviso 1.40., 2009-2010 General Appropriations Act)

SEX OFFENDER RESIDENCES NEAR SCHOOL BUS STOP NOTIFICATION

At the beginning of each school year, school districts must provide:

(a) the names and addresses of every sex offender who resides within one thousand feet of a school bus stop within the school district to the parents or guardians of a student who boards or disembarks a school bus at a stop covered by this subsection; or

(b) the hyperlink to the sex offender registry web site on the school district's web site for the purpose of gathering this information.

Local law enforcement agencies must check the school districts' Web sites to determine if each school district has complied with this subsection. If a hyperlink does not appear on a school district Web site, the local law enforcement agency must contact the school district to confirm that the school district has provided the parents or guardians with the names and addresses of every sex offender who resides within 1,000 feet of a school bus stop within the school district. If the local law enforcement agency determines that this information has not been provided, the local law enforcement agency must inform the school district that it is in violation of this subsection. If the school district does not comply within 30 days after notice of its violation, the school district is subject to equitable injunctive relief and, if the plaintiff prevails, the district shall pay the plaintiff's attorney's fees and costs.

(Reference: A333, R410, H3094, effective date 6/16/2008)

Federal Accountability Reporting Requirements

SCHOOL CHOICE NOTIFICATION

When a Title I school has not made adequate yearly progress for two consecutive years or longer and is identified as needing improvement, corrective action or restructuring, the district is required no later than the first day of the school year following the year for which their school has been identified to notify parents that their child is eligible for school choice. Any child attending such a school must be offered the option of transferring to a public school in the district.

(Reference: No Child Left Behind Act)

SUPPLEMENTAL SERVICES NOTIFICATION

School districts are required to notify parents of students from low-income families who remain in Title I schools that fail to meet adequate yearly progress for at least three years that they are eligible to receive supplemental educational services. The notice must include a list of available services and information on the approved providers.

(Reference: No Child Left Behind Act)

HIGHLY QUALIFIED TEACHERS AND STAFF NOTIFICATION

Schools are required provide information pertaining to the professional qualifications of teachers and instructional assistants as follows.

1. Inform parents that they may request and receive information about the professional qualifications of their child's classroom teacher(s) and instructional assistants.
2. Teachers must post certain information about their professional qualifications on their Web sites.

(Reference: No Child Left Behind Act)

Federal Notification Rights Requirements

RIGHT TO REVIEW, AMEND RECORDS

School districts must provide parents/guardians and adult students annual notice of their rights to inspect and review education records, amend education records, consent to disclose personally identifiable information in education records, and file a complaint with the U.S. Department of Education (USDE).

(Reference: Federal Educational Rights and Privacy Act (FERPA))

OPT OUT DIRECTORY INFORMATION

School districts may disclose directory information if they have given public notice to parents/guardians and adult students of what information has been designated as directory information and when and how parents/guardians and adult students may opt-out of allowing the district to disclose directory data

(Reference: Federal Educational Rights and Privacy Act (FERPA))

RELEASE OF STUDENT INFORMATION TO MILITARY AND COLLEGE RECRUITERS

School districts are to provide students' names, addresses and telephone numbers to military and college recruiters upon request. Parents have the right to ask that this information not be released without prior consent. Any parent or legal guardian may request that this information not be disclosed by informing the school principal, in writing, within 15 days of this notification.

(Reference: Federal Educational Rights and Privacy Act (FERPA))

PUPIL PROTECTION POLICY NOTIFICATION

School districts must notify parents at least annually at the beginning of the school year of its policies regarding surveys, instructional materials, physical examinations, personal information used for marketing, etc. Notification must include if districts plan to:

- use students' personal information for selling or marketing purposes;
- administer any survey about any of the eight topics listed in the statute (political beliefs, income, sex behavior or attitudes, etc.); or,
- administer certain non-emergency, invasive physical examinations
- the specific or approximate dates when these activities are scheduled or expected to be scheduled.

(Reference: The Protection of Pupil Rights Amendment (PPRA))

NON-DISCRIMINATION CLAUSE

School districts must notify students, parents, and others that they do not discriminate on the basis of race, color, national origin, sex, disability, and age. Notification may include posting information notices, publishing in local newspapers, and publishing in newspapers and magazines operated by the school or its students, publishing in

alumnae or alumni newspapers or magazines, or distributing memoranda or other written communications to students and employees. In addition, recipients are required to include a statement of nondiscriminatory policy in any bulletins, announcements, publications, catalogs, application forms, or other recruitment materials that are made available to participants, students, applicants, or employees. Schools may meet this requirement either by including appropriate inserts in existing materials and publications or by revising and reprinting the materials and publications.

(Reference: Title VI, Title IX, Section 504, Age Discrimination Act, Title II of the American with Disabilities Act)

CHILD FIND PROGRAM NOTIFICATION

School districts must provide a public awareness effort to identify, locate, and evaluate all children with disabilities, ages birth to 21, who are in need of early intervention or special education services. Information about services and how to access them may be disseminated through the mass media and other communication mechanisms, and throughout the state, on a regular basis to parents, physicians and others who may make referrals.

(Reference: Individuals with Disabilities Education Act)

SPECIAL NEEDS PROCEDURAL SAFEGUARD NOTIFICATION

School districts must annually inform parents of a child with a disability of the district's procedural safeguards. A copy of procedural safeguards must also be given to parents upon initial referral or parental request for an evaluation, upon filing a request for a due process hearing, upon a disciplinary action constituting a change in placement, and upon request of a parent. A school district may post a copy of the procedural safeguards on its Web site. The procedural safeguards notice must fully explain a number of procedural safeguards specified in the statute in the native language of the parents and be written in an easily understandable manner.

(Reference: Individuals with Disabilities Education Act)

HEALTH PRIVACY PRACTICES NOTIFICATION

School districts are required to provide a notice of its privacy practices. The notice describes how the district may use and disclose protected health information, the district's duties to protect privacy, information about the covered entities privacy practices, an individual's rights to complain about privacy violations to the U.S. Department of Health and Human Services, and contact information for complaints.

(Reference: Health Insurance Portability and Accountability Act)

CHILD NUTRITION NOTICES

School districts participating in the National School Lunch Program, the School Breakfast Program, or the Special Milk Program, must provide to parents and the public near the beginning of the school year information about free and reduced price meals and/or free milk. Districts must also provide parents an application form. If districts want to disclose children's free and reduced eligibility status, they may do so in some instances usually only with prior notice and/or consent.

(Reference: Child Nutrition and WIC Reauthorization Act of 2004)

ASBESTOS MANAGEMENT PLAN NOTIFICATION

School districts must annually notify parents, teachers, and employee organizations in writing of the availability of the district's asbestos management plan and planned or in progress inspections, re-inspections, response actions, and post-response actions,

including periodic re-inspection and surveillance activities. School districts are required to inspect their buildings for asbestos-containing building materials and develop, maintain, and update an asbestos management plan.

(Reference: Asbestos Hazard Emergency Response Act (AHERA))

HOMELESS STUDENT SERVICES NOTIFICATION

School district “homeless student liaisons” are required to provide public notice of the education rights of homeless students disseminated in places where homeless students receive services (e.g., family shelters, soup kitchens, hospitals, etc).

(Reference: The McKinney Vento Act)