

CHAPTER 11  
Children's Services Agencies

ARTICLE 17  
First Steps to School Readiness Board of Trustees

DERIVATION TABLE

Showing the sections in former Chapter 7, Title 20 from which the sections in this article were derived.

New Section	Former Section
63-11-1710	20-7-9700
63-11-1720	20-7-9710
63-11-1730	20-7-9720
63-11-1740	20-7-9730
63-11-1750	20-7-9740

**SECTION 63-11-1710.** Board established; administrative responsibilities.

(A) There is established the South Carolina First Steps to School Readiness Board of Trustees, an eleemosynary corporation, which shall oversee the South Carolina First Steps to School Readiness initiative, a broad range of innovative early childhood development and education, family support, health services, and prevention efforts to meet critical needs of South Carolina's children through the awarding of grants to partnerships at the county level as provided for in Section 59-152-90.

(B) The board may accept gifts, bequests, and grants from any person or foundation. The fund and grants from the fund shall supplement and augment, but not take the place of, services provided by local, state, or federal agencies. The board of trustees shall carry out activities necessary to administer the fund, including assessing service needs and gaps, soliciting proposals to address identified service needs, and establishing criteria for the awarding of grants.

(C) The board must ensure the fiscal and programmatic accountability of the administration of the State Office of First Steps through the submission of annual reports as required by a state agency including, but not limited to, required reports to the Office of the Governor, General Assembly, State Department of Administration, State Fiscal Accountability Authority, Comptroller General, Inspector General, and State Auditor, which includes the annual accountability report, debt collection report, composite bank account report, sole source reportings, annual budget request beginning with the Governor's annual deadline, recovery audits, Inspector General's fraud, waste, and abuse report, and agency head salary commission reports. Required reporting is to be made public on the recipient's website in the same manner in which state agency reports are made public.

HISTORY: 2008 Act No. 361, Section 2; 2018 Act No. 152 (H.3591), Section 5, eff April 12, 2018.

Editor's Note

2006 Act No. 412, Section 2, provides in part as follows:

"Act 99 of 1999, South Carolina First Steps to School Readiness Act, is reauthorized until July 1, 2013."

2013 Act No. 101, Section 117.114, provides as follows:

"117.114. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2013-2014."

2014 Act No. 286, Section 117.108, provides as follows:

"117.108. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2014-2015."

2018 Act No. 152, Section 8, provides as follows:

"SECTION 8. Section 20B. of Act 287 of 2014 [reauthorizing the South Carolina First Steps to School Readiness Act until July 1, 2016] is repealed. Act 99 of 1999, South Carolina First Steps to School Readiness Act, as amended by this act, is reauthorized until June 30, 2025."

Effect of Amendment

2018 Act No. 152, Section 5, added (C) and made a nonsubstantive change.

**SECTION 63-11-1720.** Board of trustees; composition; oversight.

(A) There is created the South Carolina First Steps to School Readiness Board of Trustees which must be chaired by the Governor, or his designee, and must include the State Superintendent of Education, or his designee, who shall serve as ex officio voting members of the board.

(B) In making the appointments specified in subsection (C)(1), (2), and (3) of this section, the Governor, President of the Senate, and the Speaker of the House of Representatives shall seek to ensure diverse geographical representation on the board by appointing individuals from each congressional district as possible.

(C) The board shall include members appointed in the following manner:

(1) the Governor shall appoint one member from each of the following sectors:

- (a) parents of young children;
- (b) business community;
- (c) early childhood educators;
- (d) medical providers;
- (e) child care and development providers; and

(f) the General Assembly, one member from the Senate and one member from the House of Representatives;

(2) the President of the Senate shall appoint one member from each of the following sectors:

- (a) parents of young children;
- (b) business community;
- (c) early childhood educators; and
- (d) medical or child care and development providers;

(3) the Speaker of the House of Representatives shall appoint one member from each of the following sectors:

- (a) parents of young children;
  - (b) business community;
  - (c) early childhood educators; and
  - (d) medical or child care and development;
- (4) the Chairman of the Senate Education Committee or his designee;
- (5) the Chairman of the House Education and Public Works Committee or his designee; and
- (6) the chief executive officer of each of the following shall serve as an ex officio voting member:
- (a) Department of Social Services;
  - (b) Department of Health and Environmental Control;
  - (c) Department of Health and Human Services;
  - (d) Department of Disabilities and Special Needs;
  - (e) State Head Start Collaboration Officer;
  - (f) Children's Trust of South Carolina; and
  - (g) Department of Mental Health.

(D) The terms of the members are for four years and until their successors are appointed and qualify. The appointments of the members from the General Assembly shall be coterminous with their terms of office.

(E) Vacancies for any reason must be filled in the manner of the original appointment for the unexpired term. A member may not serve more than two terms or eight years, whichever is longer. A member who misses more than three consecutive meetings without excuse or a member who resigns must be replaced in the same manner as his predecessor. Members may be paid per diem, mileage, and subsistence as

established by the board not to exceed standards provided by law for boards, committees, and commissions. A complete report of the activities of the First Steps to School Readiness Board of Trustees must be made annually to the General Assembly.

(F) In the event South Carolina First Steps to School Readiness is not reviewed by the House and Senate Legislative Oversight Committees within the period prescribed by Section 2-2-20, a joint House and Senate committee shall conduct a review. The joint committee shall consist of five members appointed by the Chairman of the House Education and Public Works Committee and five members appointed by the Chairman of the Senate Education Committee. The committee must be co-chaired by one member of the House and one member of the Senate. A report must be provided to the Speaker of the House and President Pro Tempore of the Senate within one hundred eighty days after the first meeting of the joint committee.

HISTORY: 2008 Act No. 361, Section 2; 2014 Act No. 287 (H.3428), Section 20.A, eff June 18, 2014; 2018 Act No. 152 (H.3591), Section 6, eff April 12, 2018; 2019 Act No. 1 (S.2), Section 77, eff January 31, 2019; 2023 Act No. 81 (H.4023), Section 5, eff June 19, 2023.

Editor's Note

2013 Act No. 101, Section 117.114, provides as follows:

"117.114. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2013-2014."

2014 Act No. 286, Section 117.108, provides as follows:

"117.108. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2014-2015."

2015 Act No. 130, eff June 1, 2015, Section 1, provides as follows:

"SECTION 1. The deadline in Section 63-11-1720(F)(4) of the 1976 Code requiring the Office of First Steps Study Committee to complete its review and present its recommendations to the General Assembly, as provided in Section 20 of Act 287 of 2014, is extended from March 15, 2015, to January 1, 2016."

2018 Act No. 152, Section 8, provides as follows:

"SECTION 8. Section 20B. of Act 287 of 2014 [reauthorizing the South Carolina First Steps to School Readiness Act until July 1, 2016] is repealed. Act 99 of 1999, South Carolina First Steps to School Readiness Act, as amended by this act, is reauthorized until June 30, 2025."

Effect of Amendment

2014 Act No. 287, Section 20.A, rewrote the section.

2018 Act No. 152, Section 6, in (C), made nonsubstantive changes in (4) and (5); and rewrote (F), deleting provisions concerning the Office of First Steps Study Committee and providing for legislative review of the State Office of First Steps to School Readiness under certain circumstances.

2019 Act No. 1, Section 77, in (B), substituted "President of the Senate" for "President Pro Tempore of the Senate"; and in (C), in (2), substituted "President of the Senate" for "President Pro Tempore of the Senate".

2023 Act No. 81, Section 5, in (C)(6), added (g), and made nonsubstantive changes.

#### **SECTION 63-11-1725. Advisory council.**

(A) For the purposes of this article, "advisory council" means the South Carolina Advisory Council established by Executive Order Number 2010-06 in compliance with the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. Section 9837b, et seq.

(B) The membership of the advisory council is composed of the membership of the Board of Trustees of the South Carolina First Steps to School Readiness Initiative. Each voting and nonvoting member shall serve as a voting member of the South Carolina Advisory Council, concurrent with his service on the board. In addition, two executive directors from local First Steps Partnerships must serve as voting members on the advisory council with one appointed by the House Education and Public Works Committee and one appointed by the Senate Education Committee.

(C) The advisory council is an entity distinct from the Board of Trustees and must act accordingly to fulfill its responsibilities under 42 U.S.C. Section 9837b(b)(1)(D)(i) of the Improving Head Start for School Readiness Act of 2007. The advisory council shall keep separate minutes that explicitly distinguish its

actions and votes from those made when acting in the capacity of the board of trustees. The advisory council must officially adjourn before acting as the board of trustees, and the board of trustees shall adjourn before acting as the advisory council.

(D) The State Director of First Steps shall coordinate the activities of the advisory council. Pursuant to 42 U.S.C. Section 9837(b)(1)(D)(i), the advisory council shall:

(1) conduct a periodic statewide needs assessment concerning the quality and availability of early childhood education and development programs and services for children from birth to the age of school entry, including an assessment of the availability of high-quality prekindergarten services for low income children in the State;

(2) identify opportunities for, and barriers to, collaboration and coordination among federally funded and state-funded child development, child care, and early childhood education programs and services, including collaboration and coordination among state agencies responsible for administering these programs;

(3) develop recommendations for increasing the overall participation of children in existing federal, state, and local child care and early childhood education programs, including outreach to underrepresented and special populations;

(4) develop, maintain, and serve as the governing body for a unified and integrated data collection system, implement sound data governance policies that protect privacy, and maintain a comprehensive infrastructure for integrated, and when applicable, longitudinal data for public early childhood education and development programs, and services, and state, local, and federal funding sources throughout the State;

(5) develop and maintain parent knowledge-building activities, including web-based portals to inform parents of all publicly funded early childhood programs and services which include, but are not limited to, an eligibility screener and common application;

(6) develop recommendations regarding statewide professional development and career advancement plans for early childhood educators in the State;

(7) assess the capacity and effectiveness of two-year and four-year public and private institutions of higher education in the State for supporting the development of early childhood educators, including the extent to which these institutions have in place articulation agreements, professional development and career advancement plans, and practice or internships for students to spend time in a Head Start or prekindergarten program;

(8) prepare an overall strategic plan at least once every five years that establishes clearly defined goals, objectives, strategies, and key measures of progress for optimizing the state's early childhood system. Following creation of such plan, the council shall periodically review the implementation of the plan and review any changes in the state's needs;

(9) make recommendations for improvements in state early learning standards and undertake efforts to develop high-quality comprehensive early learning standards, as appropriate;

(10) develop and publish, using available demographic data, an indicators-based measure of school readiness at the state and community level;

(11) incorporate, within the periodic statewide needs assessments required in 42 U.S.C. Section 9837b, any data related to the capacity and efforts of private sector providers, Head Start providers, and local school districts to serve children from birth to age five, including fiscal, enrollment, and capacity data; and

(12) perform all other functions, as permitted under federal and state law, to improve coordination and delivery of early childhood education and development to children in this State.

(E) The advisory council shall designate a meeting as its annual meeting. All of the chief executive officers of the state agencies represented on the Early Childhood Advisory Council must attend the annual meeting in person.

(F) The advisory council shall prepare an annual report of its activities for presentation to the Governor and General Assembly.

HISTORY: 2014 Act No. 287 (H.3428), Section 4, eff June 18, 2014; 2023 Act No. 81 (H.4023), Sections 6, 7, eff June 19, 2023.

Editor's Note

2018 Act No. 152, Section 8, provides as follows:

"SECTION 8. Section 20B. of Act 287 of 2014 [reauthorizing the South Carolina First Steps to School Readiness Act until July 1, 2016] is repealed. Act 99 of 1999, South Carolina First Steps to School Readiness Act, as amended by this act, is reauthorized until June 30, 2025."

Effect of Amendment

2023 Act No. 81, Section 6, in (B), in the first sentence, deleted "exclusively" following "advisory council is", and added the third sentence.

2023 Act No. 81, Section 7, rewrote (D).

**SECTION 63-11-1726.** Data-sharing initiatives.

All publicly funded early childhood-serving agencies and entities shall participate in data-sharing initiatives supported by the advisory council in furtherance of the requirements listed in Section 63-11-1725.

HISTORY: 2023 Act No. 81 (H.4023), Section 4, eff June 19, 2023.

**SECTION 63-11-1730.** Board of trustees; promulgation of comprehensive long-term initiative; regulations; policies.

To oversee and be accountable for the South Carolina First Steps to School Readiness Initiative, in accordance with the APA, the board shall:

(1) develop and promulgate a comprehensive long-range initiative for improving early childhood development and increasing school readiness and literacy, which shall include the specific requirements of Chapter 152, Title 59;

(2) in accordance with the APA, promulgate regulations and establish guidelines, policies, and procedures for the continued implementation of the South Carolina First Steps to School Readiness initiative;

(3) provide oversight on the continued implementation and evaluation of the South Carolina First Steps to School Readiness initiative at the state and local levels;

(4) establish and promulgate grant qualification requirements and a formula by which allocations for qualifying partnership grants shall be calculated;

(5) ensure the provision of technical assistance, consultation services and support to First Steps Partnerships including: the creation and annual revision of county needs assessments; the prioritization, implementation, and evaluation of each First Steps Partnership's strategic plans based on needs assessments; and the identification of assets from other funding sources;

(6) assess and develop recommendations for ensuring coordination and collaboration among service providers at both the state and county level, for increasing the efficiency and effectiveness of state programs and funding and other programs and funding sources, as allowable, as necessary to carry out the First Steps to School Readiness initiative, including additional fiscal strategies, redeployment of state resources, and development of new programs;

(7) establish and promulgate results-oriented measures and objectives and assess whether services provided by First Steps Partnerships to children and families are meeting the goals and achieving the results established for the First Steps initiative pursuant to Chapter 152, Title 59;

(8) receive gifts, bequests, and devises for deposit for awarding grants to First Steps Partnerships;

(9) report annually to the General Assembly by January first on activities and progress to include recommendations for changes and legislative initiatives and results of program evaluations;

(10) establish and promulgate internal policies and procedures to allow the board to operate optimally, which shall include, but not be limited to, an established and consistent process for decision making;

(11) develop, implement, and document an annual performance process for the Director of the Office of South Carolina First Steps;

(12) establish and promulgate bylaws for adoption by local First Steps Partnerships;

- (13) establish core personnel policies and procedures for adoption by local First Steps Partnerships;
- (14) develop a standard process by July 1, 2024, for reviewing submissions made by local partnerships as it relates to the hiring, salaries, and annual performance evaluations of local partnership executive directors pursuant to Chapter 152, Title 59;
- (15) establish and promulgate internal evaluation policies and procedures for local partnerships for annual review pursuant to Chapter 152, Title 59; and
- (16) arrange for the conduction of an independent external program evaluation pursuant to Chapter 152, Title 59.

HISTORY: 2008 Act No. 361, Section 2; 2014 Act No. 287 (H.3428), Section 21, eff June 18, 2014; 2023 Act No. 81 (H.4023), Section 8, eff June 19, 2023.

Editor's Note

2013 Act No. 101, Section 117.114, provides as follows:

"117.114. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2013-2014."

2014 Act No. 286, Section 117.108, provides as follows:

"117.108. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2014-2015."

2018 Act No. 152, Section 8, provides as follows:

"SECTION 8. Section 20B. of Act 287 of 2014 [reauthorizing the South Carolina First Steps to School Readiness Act until July 1, 2016] is repealed. Act 99 of 1999, South Carolina First Steps to School Readiness Act, as amended by this act, is reauthorized until June 30, 2025."

Effect of Amendment

2014 Act No. 287, Section 21, rewrote the section.

2023 Act No. 81, Section 8, inserted (13) and (14) and redesignated former (13) and (14) as (15) and (16).

### **SECTION 63-11-1735.** Repealed.

HISTORY: Former Section, titled BabyNet; definitions; compliance with federal law, had the following history: 2014 Act No. 287 (H.3428), Section 5. Repealed by 2018 Act No. 152, Section 9, eff April 12, 2018.

### **SECTION 63-11-1740.** Director and staff; salary duties.

The South Carolina First Steps to School Readiness Board of Trustees shall employ, by a majority vote, a director of the Office of South Carolina First Steps to School Readiness and other staff as necessary to carry out the South Carolina First Steps to School Readiness initiative, established in Title 59, Chapter 152, and other duties and responsibilities as assigned by the board. The director, with the approval of the board, shall hire such staff as is considered necessary to carry out the provisions of the initiative. The South Carolina First Steps to School Readiness Board of Trustees 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 Executive Director of the South Carolina Office of First Steps to School Readiness.

HISTORY: 2008 Act No. 361, Section 2; 2018 Act No. 152 (H.3591), Section 7, eff April 12, 2018.

Editor's Note

2013 Act No. 101, Section 117.114, provides as follows:

"117.114. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2013-2014."

2014 Act No. 286, Section 117.108, provides as follows:

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Effect of Amendment

2018 Act No. 152, Section 7, added the third sentence.

**SECTION 63-11-1750. Funding.**

(A) A separate fund must be established to accept nongovernmental grants, gifts, and donations from any public or private source for the South Carolina First Steps to School Readiness initiative. Each donor may designate up to one-half of their contribution to specific counties or a county. Both the designated and undesignated funds may be used to meet the local match required in Section 59-152-130. All funds may be carried forward from fiscal year to fiscal year. The State Treasurer shall invest the monies in this fund in the same manner as other funds under his control are invested and all interest derived from the investment of these funds shall remain in the fund. The South Carolina First Steps to School Readiness Board of Trustees shall administer and authorize any disbursements from the fund. Private individuals and groups must be encouraged to contribute to this endeavor.

(B) In addition, a separate fund within the state general fund must be established for monies that may be appropriated by the General Assembly for the South Carolina First Steps to School Readiness initiative. These funds may be carried forward from fiscal year to fiscal year. The State Treasurer shall invest the monies in this fund in the same manner as other funds under his control are invested. The South Carolina First Steps to School Readiness Board of Trustees shall administer and authorize any disbursements from the fund.

(C) All interest derived from the investment of the funds in subsections (A) and (B) shall remain a part of each respective fund.

HISTORY: 2008 Act No. 361, Section 2.

Editor's Note

2013 Act No. 101, Section 117.114, provides as follows:

"117.114. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2013-2014."

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