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Document No. 4695

**STATE BOARD OF EDUCATION**

CHAPTER 43

Statutory Authority: 1976 Code Sections 59-5-60, 59-59-10 et seq., and Pub. L. No. 114-95

43-205. Administrative and Professional Personnel Qualifications, Duties and Workloads.

**Synopsis:**

 Regulation 43-205 defines the qualifications of administrative and professional personnel for the district and school level. The regulation also describes the duties, as well as the workloads of the personnel of the school level personnel.

 The amendments will remove references to No Child Left Behind and “highly qualified.” Additional language will clarify terminology and provide legal citations to professional personnel for qualifications and duties.

 Notice of Drafting for the proposed amendments to the regulation was published in the *State Register* on July 22, 2016.

**Instructions:**

 Entire regulation is to be replaced with the following text.

**Text:**

43-205. Administrative and Professional Personnel Qualifications, Duties, and Workloads.

I. District-Level Administrative Personnel

 Personnel employed as administrative assistants, supervisors, and consultants having responsibilities for supervising instructional programs and student services must hold a master’s degree and be certified in their area of primary responsibility or must earn a minimum of 6 semester hours annually toward appropriate certification. The district superintendent must request from the Office of Educator Services a certification permit for members of the central staff who are not properly certified. (see Reg. 43-53).

II. Pre-kindergarten through Grade Five

 A. Professional Personnel Qualifications and Duties

 1. Principals

 Each school with an enrollment of more than 375 students must be staffed with a full-time properly certified principal. Each school with an enrollment of fewer than 375 students must be staffed with at least a part-time properly certified principal. A principal’s duties and responsibilities are to be prescribed by the district superintendent. The district superintendent must request a certification permit from the Office of Educator Services for each principal who is not properly certified. (see Reg. 43-53).

 2. Assistant Principals or Curriculum Coordinators

 Each school with an enrollment of 600 or more students must be staffed with at least one full-time properly certified assistant principal or curriculum coordinator.

 3. Teachers, School Counselors, and Library Media Specialists

 Each teacher, school counselor, and library media specialist must be properly certified by the State Board of Education. The duties and responsibilities of teachers, school counselors, and library media specialists are to be prescribed by the school principal. The district superintendent must request a certification permit from the Office of Educator Services for each eligible teacher, school counselor, and library media specialist who are not properly certified. (see Reg. 43-53).

 4. School Nurses

 Each school nurse must hold a current license issued by the State Board of Nursing to practice as a professional registered nurse or as a licensed practical nurse who is working under the supervision of a professional registered nurse. The duties and responsibilities of a school nurse are to be prescribed by the principal in accordance with the laws and regulations governing nursing in South Carolina. If a school nurse works in more than one school, his or her duties and responsibilities are to be prescribed by the district superintendent or his or her designee in accordance with the laws and regulations governing nursing in South Carolina.

 B. Professional Personnel Workload

 1. Regular Education Teachers

 a. The average student-teacher ratio in any school must not exceed 28:1 based on the average daily enrollment. The total number of teachers must include all regular, special-area, and resource teachers whose students are counted in the regular enrollment.

 b. Each district must maintain an average student-teacher ratio of 21:1 based on the average daily enrollment in reading and mathematics classes in grades kindergarten through three.

 c. Class sizes must not exceed the following student-teacher ratios:

Grade Level Maximum Student-Teacher Ratio

Pre-kindergarten 20:1

Grades K‑3 30:1

Grades 4‑5, English language arts and 30:1

mathematics

Grades 4‑5, all other subjects 35:1

 d. Paraprofessionals may be counted in computing the student-teacher ratio at the rate of .5 per paraprofessional if they work under the supervision of a teacher and make up no more than 10 percent of the total staff. Excluded from the computation are the following:

 1. teachers of self-contained special education classes, pre-kindergarten and kindergarten classes, principals, assistant principals, library media specialists, school counselors; and

 2. students in self-contained special education classes, pre-kindergarten classes, or kindergarten classes.

 2. School Counselors and Specialists in Art, Music, and Physical Education

 a. Schools having any combination of grades kindergarten through five must employ the full-time equivalent (FTE) of a school counselor and specialists in art, music, and physical education (PE) in the following ratios for each area:

Average Daily Enrollment FTE Minimum Allotted Time Daily

800 or more 1.0 300 minutes

640‑799 .8 240 minutes

480‑639 .6 180 minutes

320‑479 .4 120 minutes

Less than 320 .2 60 minutes

 b. Music teachers may teach a maximum of 40 students per class period. The total teaching load must not exceed 240 students per day. Exceptions: When band, chorus, and orchestra require rehearsals of their entire enrollment, any number is acceptable if adequate space is available.

 c. PE teachers may teach a maximum of 40 students per class period. The total teaching load must not exceed 240 students per day. If PE and health are taught on alternate days by the same teacher to the same class, the 40-student maximum and 240-student totals are also permitted for health. When health is taught as a separate subject, the teaching load is a maximum of 35 students per period and a total of 150 students per day.

 3. Library Media Specialists

 Schools with fewer than 375 students must provide at least half-time services of a certified library media specialist. Schools with 375 or more students must provide the services of a full-time certified library media specialist.

 4. Special Education Teachers

 a. The teaching load for teachers of self-contained special education classes must not exceed the following student-teacher ratios:

Area Maximum Ratio Based on

 Average Daily Enrollment

Mental Disabilities (mild) 15:1

Emotional Disabilities 12:1

Learning Disabilities 15:1

Mental Disabilities (moderate and severe) and 12:1

 Orthopedically Impaired

Visually Impaired 10:1

Deaf and Hard of Hearing 10:1

 b. Cross-categorical self-contained classes must not exceed the following student-teacher ratios:

Area Maximum Ratio Based on

 Average Daily Enrollment

Mental Disabilities (mild) and Learning Disabilities 15:1

Mental Disabilities (mild), Learning Disabilities, and 12:1

 Emotional Disabilities

Mental Disabilities (mild), Learning Disabilities, 12:1

 Emotional Disabilities, and Orthopedically Impaired

 When four or more students identified as emotionally disabled or orthopedically impaired are enrolled in a cross-categorical class, a full-time teaching assistant must be employed.

 c. The maximum teaching load required for resource teachers and itinerant teachers for students with disabilities based on the average daily enrollment is as follows:

Area Maximum Teaching Load

Mental Disabilities (mild) 33 students

Emotional Disabilities 33 students

Learning Disabilities 33 students

Mental Disabilities (moderate and severe) and 20 students

 Orthopedically Impaired

Visually Impaired 15 students

Deaf and Hard of Hearing 15 students

 d. When resource teachers and/or itinerant teachers serve students with differing disabilities, the maximum teaching load must be determined by the majority of the students in enrollment in an area of disability.

 e. The maximum caseload for speech language therapists must not exceed 60 students.

III. Grades Six through Eight

 A. Professional Personnel Qualifications and Duties

 1. Principals

 a. Each school with an enrollment of 250 students or more must employ a full-time properly certified principal. Schools with fewer than 250 students in enrollment must be staffed with at least a half-time properly certified principal. A principal’s duties and responsibilities are to be prescribed by the district superintendent. The district superintendent must request a certification permit from the Office of Educator Services for each principal who is not properly certified (see Reg. 43-53).

 b. Each campus principal of a multicampus school with an enrollment of 250 students or more must comply with certification regulations prescribed for a principal of a single campus school.

 2. Assistant Principals/Assistant Directors or Curriculum Coordinators

 In addition to employing a full-time principal, each school with an enrollment of 500 or more students must be staffed with one full-time properly certified assistant principal or curriculum coordinator. An additional properly certified assistant principal or curriculum coordinator must be employed for a school with an enrollment of 1,000 or more.

 3. Teachers, School Counselors, and Library Media Specialists

 Each teacher, school counselor, and library media specialist must be properly certified by the State Board of Education. The duties and responsibilities of teachers, schoolcounselors, and library media specialists are to be prescribed by the school principal. The district superintendent must request a certification permit from the Office of Educator Services for each eligible teacher, school counselor, and library media specialist who are not properly certified (see Reg. 43-53).

 4. School Nurses

 Each school nurse must hold a current license issued by the State Board of Nursing to practice as a professional registered nurse or as a licensed practical nurse who is working under the supervision of a professional registered nurse. The duties and responsibilities of a school nurse are to be prescribed by the principal in accordance with the laws and regulations governing nursing in South Carolina. If a school nurse works in more than one school, his or her duties and responsibilities are to be prescribed by the district superintendent or his or her designee in accordance with the laws and regulations governing nursing in South Carolina.

 5. Career Specialists

 Each career specialist must work under the supervision of a certified school counselor. The career specialist must hold a bachelor’s degree and must have earned either a Global Career and Development Facilitator (GCDF) certification or Career Development Facilitator (CDF) certification. The school counselor may serve as the career specialist if he or she holds the GCDF or the CDF credential. If this person is to provide classroom instruction, he or she must be certified.

 B. Professional Personnel Workload

 1. School Counselors

 a. Schools with fewer than 600 students must provide the services of a school counselor in the following ratios:

Minimum Allotted Time Enrollment Daily

Up to 200 100 minutes

201 to 300 150 minutes

301 to 400 200 minutes

401 to 500 250 minutes

501 to 600 300 minutes

 b. Schools with an enrollment of 501 or more students must employ one full-time certified school counselor. Schools with more than 600 students must provide school counseling services at the ratio of one 50-minute period for every 100 students or major portion thereof.

 c. A career specialist may be employed to provide career school counseling services.

 d. By the 2011–12 school year, the student-to-school counseling personnel ratio will be reduced to 300 to 1 as funds become available.

 2. Library Media Specialists

 a. Schools with fewer than 400 students must employ a library media specialist who devotes not less than 200 minutes daily to library media services.

 b. Schools with an enrollment of 400 or more students must employ a certified library media specialist devoting full time to library media services.

 c. Schools having an enrollment of 750 or more must employ an additional full-time person (paraprofessional or certified library media specialist) in the library media center.

 3. Classroom Teachers

 a. The teaching load must not exceed 150 students daily. No class may exceed 35 students in enrollment.

Grade Level Maximum Student‑Teacher Ratio

Grade 6, English language arts and mathematics 30:1

Grade 6, all other subjects 35:1

Grades 7‑8 35:1

 b. A maximum of 40 students per class with a total teaching load of 240 students per day is permitted for music and PE teachers. If PE and health are taught on alternate days by the same teacher to the same class, the 40-student maximum and 240-student totals are also permitted for health. When health is taught as a separate subject, the teaching load is a maximum of 35 students per class and a total of 150 students per day. Exceptions: When band, chorus, and orchestra require rehearsals of the entire enrollment, any number is acceptable if adequate space is available.

 c. When a teacher’s daily schedule includes a combination of academic subjects and nonacademic subjects, the maximum daily teaching load must be calculated on the basis of 30 students per academic class and 40 students for each music or PE class. (Example: 3 classes of math with 30 students each = 90 + 2 classes of PE with 40 students each = 80. The teaching load totals 170 students. The teacher is not overloaded but does teach the maximum allowable.)

 d. Maximum teacher load requirements and individual class size limits are the same for minicourses as any other classes.

 4. Special Education Teachers

 a. The teaching load for teachers of self-contained classes must not exceed the following student-teacher ratios:

Area Maximum Ratio Based on

 Average Daily Enrollment

Mental Disabilities (mild) 18:1

Emotional Disabilities 15:1

Learning Disabilities 18:1

Mental Disabilities (moderate and severe) and 15:1

 Orthopedically Impaired

Visually Impaired 12:1

Deaf and Hard of Hearing 12:1

 b. Cross-categorical self-contained classes must not exceed the following student-teacher ratios:

Area Maximum Ratio Based on

 Average Daily Enrollment

Mental Disabilities (mild) and Learning Disabilities 18:1

Mental Disabilities (mild), Learning Disabilities, and 15:1

 Emotional Disabilities

Mental Disabilities (mild), Learning Disabilities, 15:1

 Emotional Disabilities, and Orthopedically Impaired

 When four or more students identified as emotionally disabled or orthopedically impaired are enrolled in a cross-categorical class, a full-time teaching assistant must be employed.

 c. The maximum teaching load for resource teachers and itinerant teachers for students with disabilities based on the average daily enrollment is as follows:

Area Maximum Teaching Load

Mental Disabilities (mild) 33 students

Emotional Disabilities 33 students

Learning Disabilities 33 students

Mental Disabilities (moderate and severe) and 20 students

 Orthopedically Impaired

Visually Impaired 15 students

Deaf and Hard of Hearing 15 students

 d. When resource teachers and/or itinerant teachers serve students with differing disabilities, the maximum caseload must be determined by the majority of the students in enrollment in an area of disability.

 e. The maximum caseload for speech-language therapists must not exceed 60 students.

IV. Grades Nine through Twelve

 A. Professional Personnel Qualifications and Duties

 1. Principals/Directors

 a. Each school must be staffed with a full-time properly certified principal/director whose duties and responsibilities must be prescribed by the district superintendent. The district superintendent must request a certification permit from the Office of Educator Services for each principal/director who is not properly certified (see Reg. 43-53).

 b. Each campus principal of a multicampus school with an enrollment of 250 students or more must comply with certification regulations prescribed for a principal of a single-campus school.

 2. Assistant Principals/Assistant Directors or Curriculum Coordinators

 a. In addition to being staffed with a full-time principal/director, each school with an enrollment of 400 to 499 students must be staffed with at least one half-time properly certified assistant principal or the equivalent.

 b. In addition to being staffed with a full-time principal/director, each school with an enrollment of 500 or more students must be staffed with at least one full-time properly certified assistant principal/assistant director and a properly certified assistant principal or the equivalent for each additional 500 students.

 3. Teachers, School Counselors, and Library Media Specialists

 Each teacher, school counselor, and library media specialist must be properly certified by the State Board of Education. Their duties and responsibilities are to be prescribed by the principal. The district superintendent must request a certification permit from the Office of Educator Services for each eligible teacher, school counselor, and library media specialist who are not properly certified (see Reg. 43-53).

 4. School Nurses

 Each school nurse must hold a current license issued by the State Board of Nursing to practice as a professional registered nurse or as a licensed practical nurse who is working under the supervision of a professional registered nurse. The duties and responsibilities of a school nurse are to be prescribed by the principal in accordance with the laws and regulations governing nursing in South Carolina. If a school nurse works in more than one school, his or her duties and responsibilities are to be prescribed by the district superintendent or his or her designee in accordance with the laws and regulations governing nursing in South Carolina.

 5. School Transition Coordinators

 When a school-to-work transition coordinator is employed, the coordinator must be certified in one or more occupational subjects, have at least a bachelor’s degree, and have two years’ work experience. In lieu of these requirements, a qualified person with an employment background in business or industry may be employed as a school-to-work transition coordinator if the person possesses at least a bachelor’s degree and five years of business/industry work experience in the fields of personnel or administration. If this person is to provide classroom instruction, he or she must be certified.

 6. Career Specialists

 Each career specialist must hold a bachelor’s degree and must have obtained a Global Career and Development Facilitator (GCDF) credentialing after completing the 120 hours Career Development Facilitator (CDF) course. If the career specialist has not obtained the national global career development facilitators credentialing at the time of hire, a period of two years will be granted in order to obtain the required Center for Credentialing and Education (CCE) work experience. A school counselor may serve as the career specialist if he or she holds GCDF or CDF credential.

 B. Professional Personnel Workload

 1. SchoolCounselors

 a. Schools with fewer than 600 students must provide the services of a school counselor in the following ratios:

Enrollment Minimum Allotted Time Daily

Up to 200 100 minutes

201 to 300 150 minutes

301 to 400 300 minutes

401 to 500 250 minutes

501 to 600 300 minutes

 b. Schools with enrollments of 501 or more must employ one full-time certified school counselor. Schools with more than 600 students must provide school counselingservices at the ratio of 50 minutes for each additional 51 to 100 students to the extent that the total school enrollment reflects a minimum of 50 minutes of school counseling services for every 100 students.

 c. A career specialist may be employed to provide career school counseling services.

 d. By the 2011–12 school year, the student-to-school counseling personnel ratio will be reduced to 300 to 1 as funds become available.

 2. Library Media Specialists

 a. Schools having an enrollment of fewer than 400 students must employ a library media specialist who must devote not less than 200 minutes daily to library media services.

 b. Schools with an enrollment of 400 or more students must employ a certified library media specialist devoting full time to library media services.

 c. Schools having an enrollment of 750 or more students must employ an additional full-time person (paraprofessional or certified library media specialist) in the library media center.

 3. Classroom Teachers

 a. The maximum daily teaching load for teachers of academic classes is 150 students. No class may exceed 35 students in enrollment.

 b. A teacher must not be permitted to teach more than 1,500 minutes per week.

 c. A teacher must not be assigned classes requiring more than four preparations per day.

 d. A maximum of 40 students per class with a total teaching load of 240 students per day is permitted for music and PE teachers. If PE and health are taught on alternate days by the same teacher to the same class, the 40-student maximum and 240-student totals are also permitted for health. When health is taught as a separate subject, the maximum teaching load is 35 students per class and a total of 150 students per day. Exception: When band, chorus, and orchestra require rehearsals of the entire enrollment, any number is acceptable if adequate space is available.

 e. When a teacher’s daily schedule includes a combination of academic and nonacademic subjects, the maximum daily teaching load must be calculated on the basis of 30 students per academic class and 40 students per music or PE class. (Example: 3 classes of math with 30 students each = 90 + 2 classes of PE with 40 students each = 80. The teaching load totals 170 students. The teacher is not overloaded but does teach the maximum allowable.)

 f. In calculating teaching load, the number of students supervised in study hall by a regular teacher must be divided by 4 (example: 60 divided by 4 = 15). Study hall students must not be placed in an instructional class.

 4. Special Education Teachers

 a. The teaching load for teachers of self-contained classes must not exceed the following student-teacher ratios:

Area Maximum Ratio Based on

 Average Daily Enrollment

Mental Disabilities (mild) 18:1

Emotional Disabilities 15:1

Learning Disabilities 18:1

Mental Disabilities (moderate and severe) and 15:1

 Orthopedically Impaired

Visually Impaired 12:1

Deaf and Hard of Hearing 12:1

 b. Cross-categorical classes must not exceed the following student-teacher ratios:

Area Maximum Ratio Based on

 Average Daily Enrollment

Mental Disabilities (mild) and Learning Disabilities 18:1

Mental Disabilities (mild), Learning Disabilities, and 17:1

 Emotional Disabilities

Mental Disabilities (mild), Learning Disabilities, 16:1

 Emotional Disabilities, and Orthopedically Impaired

 When four or more students identified as emotionally disabled or orthopedically impaired are enrolled in a cross-categorical class, a full-time teaching assistant must be employed.

 c. The maximum teaching load for resource teachers and itinerant teachers for students with disabilities based on average daily enrollment is as follows:

Area Maximum Teaching Load

Mental Disabilities (mild) 33 students

Emotional Disabilities 33 students

Learning Disabilities 33 students

Mental Disabilities (moderate and severe) and 20 students

 Orthopedically Impaired

Visually Impaired 15 students

Deaf and Hard of Hearing 15 students

 d. When resource room and/or itinerant teachers serve students with differing disabilities, the maximum caseload must be determined by the majority of the students in enrollment in an area of disability.

 e. The maximum caseload for speech-language therapists must not exceed 60 students.

**Fiscal Impact Statement:**

 None.

**Statement of Rationale:**

 State Board of Education Regulation 43-205 outlines districts’ administrative and professional personnel qualifications, duties and workloads. The amendments will remove references to No Child Left Behind and “highly qualified.” Additional language will clarify terminology and provide legal citations to professional personnel for qualifications and duties.