

November 28, 2023

The Honorable Shannon S. Erickson  
Chair, House Education and Public Works  
429 Blatt Building  
Columbia, SC 29201

Dear Chairlady Erickson:

Thank you for your service to the public on behalf of the countless students in South Carolina schools. I am writing to provide feedback to you and the Ad Hoc Committee on High School Athletics from the Public Charter School Alliance of South Carolina (PCSASC) concerning the recent actions taken by the South Carolina High School League (SCHSL).

The PCSASC formed a High School League Working Group (HSLWG) this fall. We met multiple times to discuss high school athletics issues and concerns from the charter school community. Other charter school representatives and I have also presented public testimony during Ad Hoc Committee meetings, and we appreciate the opportunity to submit additional commentary.

### 3.0 Student Multiplier

On November 15, 2023, the SCHSL Executive Committee met and considered several proposals from its Competitive Balance Subcommittee to incorporate into its biennial realignment process. After much deliberation and amendments offered, by a vote of 12-4 (12 Ayes, 4 Nays), the Executive Committee adopted a weighting policy for students who attend a SCHSL member school that they are not zoned to attend (out-of-zone attendance). Each of those students would be weighted at 3.0 to determine a school's enrollment, which is then used to determine which SCHSL classification the school will be placed.

**The PCSASC does not support a 3.0 multiplier.** An amendment was offered by the lone charter school representative and supported by the lone private school representative on the Executive Committee to set an out-of-zone weighting at 2.0, but that amendment was rejected on a vote of 2-14 (2 Ayes, 14 Nays).

The effect of the 3.0 multiplier is that many charter schools with the smallest enrollment - Class A - will move up two classifications after the realignment process is complete. There was a proposal to mandate every charter school be moved up two classifications, but the SCHSL's Competitive Balance Committee did not support it. Thus, the 3.0 multiplier seems to go against the recommendation of the SCHSL's own subcommittee.

Additionally, there are significant safety concerns with moving Class A schools to Class AAA and, in other cases, Class AA to Class AAAA. For example, a Class AA football team may have 30-40 players, but a Class AAAA football team may have 50-65 players. With 11 players on the field for each team on each play, the team with the smaller roster will have more players playing multiple times on offense, defense, and special teams. Naturally, the players playing more will expend more energy, which creates a competitive disadvantage. And because a two-way or three-way player will be on the field more often, the chances of an injury increase as they compete against players who haven't expended nearly as much energy.

The Executive Committee was not presented with data justifying a 3.0 multiplier or which schools would be affected, as this applies to all SCHSL member schools. The only reason given was that Georgia had implemented it. The Georgia High School Association (GHSA) enacted a 3.0 multiplier in 2021 for implementation in Fall 2022. However, there are significant differences between Georgia and South Carolina schools. Georgia has more than twice as many students and individual school districts, and the state itself is more than 27,000 square miles larger than South Carolina. While it's worthwhile to consider other states' practices, it shouldn't be done in a vacuum and not without data analysis.

### Forfeitures

The SCHSL Executive Committee has taken no steps to address the unsubstantiated forfeitures by some traditional schools against charter schools when in the same region. These forfeitures clearly violate the SCHSL Bylaws, Section 3(C): "No school will be forced to compete in any activity of the League, but a school fielding a team shall play the teams required by the region." This has occurred in team and individual sports in Spring 2023 and Fall 2023.

The forfeitures have several negative impacts. First, it denies student-athletes the opportunity to compete and improve their athletic performance. The charter schools that have region games forfeited must attempt, often with little notice, to find replacement opponents. Second, in some instances, the forfeited games are home matches, which deprives the host school of ticket and concession revenue used to support the athletics program.

Finally, it sends a damaging message to students that if someone doesn't like something, simply don't show up, and there will be no consequences. Many students don't like exams - what would happen to their student learning if they were allowed to not participate with no consequences? Many adults don't like paying their income taxes - what essential services, such as public education, would be cut if there were no consequences for not paying taxes? Fundamentally, these forfeitures were for political showmanship and not a constructive manner to address concerns regarding competitive balance within a region. It was the wrong message to send students.

**The PCSASC supports efforts by SCHSL member schools to impose penalties on schools that commit an unsubstantiated forfeiture.** According to the SCHSL Constitution, such proposals must be submitted to the SCHSL by January 1 and then considered by the SCHSL Legislative Assembly, usually held in March. While we will work to effect this change through the SCHSL process, given the inherent governance issues of the SCHSL, our community may request the General Assembly consider legislation to address forfeitures since the SCHSL member schools, except for private schools, receive billions of taxpayer dollars in state funding.

Thank you for considering our comments as the Ad Hoc Committee considers legislation for the 2024 session that is in the best interests of students.

Sincerely,