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What a difference 'Government Restructuring' hasn't made

Remember that momentous reform of state government in 2014? Neither do we.

By The Nerve

In January of 2014, Gov. Nikki Haley signed S.22 into law, creating the Department of Administration and supposedly moving the Budget and Control Board's functions under the governor's control.

The bill was widely hailed as a "historic" accomplishment, and the governor signed it with much fanfare. Yet somehow it has been almost completely forgotten.

Why? Perhaps because the bill changed so little. It was supposed, of course, to transfer the many executive functions long performed by the legislature back to the executive branch, thus restoring the separation of powers in South Carolina state government. That, and not the reshuffling of agency maintenance, has long been the aim of cherished

by supporters of government restructuring in South Carolina. Yet, with the South Carolina Restructuring Act of 2014 now law, the legislature still runs the show with few checks and little accountability. The legislature still dominates the apparatus of state government through a dizzying array of boards and commissions. Legislative leaders, acting through the renamed Budget and Control Board (now the State Fiscal Accountability Authority), still control the lion's share of procurement – the purchasing of goods and services by state government, properly belonging to the executive branch. Thus powerful lawmakers can still push state contracts to their friends and supporters, and the public still has no real way of stopping it or even find-

ing out about it.

Not only did the bill change very little. It actually made a few things worse. The new law gave the legislature new powers to oversee state agencies, including executive agencies: the House and Senate must conduct "oversight studies and investigations on all agencies within the standing committee's subject matter jurisdiction at least once every seven years." Unsure how such studies and investigations should be done, lawmakers – naturally – appropriated more money for new staffers to do the work for them.

Even worse, perhaps, the bill created a new felony. As Jamie Murguia explained when the bill passed, "The General Assembly will now have the power to subpoena citizens to appear before either chamber of the legislature or any committee. Any person who either ignores the subpoena or gives false or incomplete testimony will be guilty of criminal contempt of the General Assembly. Anyone who refuses to be sworn in, refuses to answer any question, or refuses to produce re-

quested documents will likewise be guilty of criminal contempt of the General Assembly. Any person convicted under this new law will be guilty of a felony and must either be fined or sentenced to up to five years in prison."

It's true that the new Department of Administration now administers 17 state agencies previously under the Budget and Control Board. The new agency has some procurement





responsibilities, and it will oversee parking services.

But this was never the historic change touted by Gov. Haley and lawmakers. The bill was supposed to separate powers, not merely the workaday administration of agencies. It was supposed to end – or at least

change – the legislature's long-standing dominance of state government. It was supposed to put accountability for executive government functions squarely under the governor. It didn't. Which is why you haven't heard anything about it since January of 2014.

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Two new industries coming to Hampton County!

Sarita Chourey
Morris News Service
Guardian Staff

Hampton County and state officials were proud to announce two new industrial announcements last week that will bring millions of dollars of investment and tax revenue to rural Hampton County and scores of jobs.

Company says it's creating 37 jobs in Hampton County

Nupi Americas, Inc., is locating its warehousing and distribution

operations in Hampton County with the help of job-development credits.

The \$4.9 million investment is expected to create 37 new jobs over the next five years. Company officials plan to have the new facility fully operational by the second quarter of 2016.

Meanwhile, Hampton County can use the added employment.

From August to September, Hampton County's unemployment rate dropped from 7.9 to 7.5 percent, while South Carolina as a whole

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dropped from 6 percent to 5.7. Nationally, the rate kept its traditionally better position, unchanged at 5.1 percent.

The company, headquartered in Houston, was established in 2001. Nupi Americas is a subsidiary of Nupi Industrie Italiane, S.p.A., which has been manufacturing and marketing the NIRON product line since 1982. NIRON is a complete polypropylene pipe and fitting system for the distribution of hot and cold water in plumbing and air conditioning systems.

The company's Hampton County operations will focus primarily on its NIRON product line. To house the new facility, Nupi Americas is purchasing an existing 50,000-square-foot spec building, which is located at 314 Commerce Pkwy. in Early Branch.

The Coordinating Council for Economic Development has approved job development credits related to the project.

"Every job created affects a family in our area, and we believe that job creation is critical to improving our quality of life," said Hampton County Council Chairman Shedron Williams.

"The members of Hampton County Council look forward to welcoming this Italian company to our region, and we will assist in any way that we can to ensure the best start up and operation for this manufacturer."

The new facility, located in the Southern Carolina Industrial Campus, will be the hub to manufacture and distribute products to Nupi's oil, plumbing and HVAC customers, said Marco Genoni, president and CEO of Nupi Americas and CEO of Nupi Industrie Italiane SpA, in a statement.

"Our economic development teams at the local, regional and state level worked hard to create the best conditions for manufacturers like Nupi, and we look forward to the economic impact that this fine company will bring to our region," said Hampton County Economic Development Commission Chairman Bill Hager.

SCANA Corporation supported the project with a \$50,000 grant for cul-de-sac improvements.

For more information on Nupi Americas, Inc., visit www.nupiamericas.com/nupi/en.

Marco Genoni, President and CEO Nupi Americas and CEO of Nupi Industrie Italiane SpA, had this to say about the announcement:

"Nupi Americas has chosen South Carolina to develop its future activity in the U.S. The new facility, located in the Southern Carolina Industrial Campus, will be the hub to manufacture and distribute the goods to our oil, plumbing and HVAC customers. We would like to thank all the local and state institutions who helped us to achieve the target in a short time. We were positively surprised by the cooperation between all of the institutions and how they are well disposed to welcome industries in their territory, providing support at all the levels."

Gov. Nikki Haley had this to say about Hampton County's announcement:

"It truly is a reason to celebrate when a company decides

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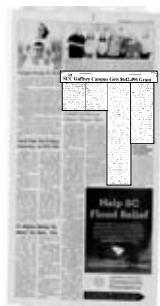


to invest in one of our rural counties. We have always made it a priority to show the world that all of South Carolina is open for business, and Nupi America's investment in Hampton County does exactly that. We're thrilled to welcome Nupi America to the South Carolina family, and look forward to watching its operations in Hampton thrive and grow."

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148 SCC Gaffney Campus Gets \$642,496 Grant

The Cherokee County campus of Spartanburg Community College has received a grant in the amount of \$642,496 from the Southern Appalachian Automotive Workforce Allocation.

On Thursday, October 22, Spartanburg Community College (SCC) hosted a visit by Earl F. Gohl, Federal co-chair of the Appalachian Regional Commission (ARC) and his chief of staff, Guy Land, at the Cherokee County Campus in Gaffney. Accompanying the Washington, DC-based dignitaries was Michael McInerney, South Carolina Governor Nikki Haley's State ARC alternate and director of external affairs for the SC Department of Commerce, and Jill Francisco, South Carolina ARC program manager. They joined other local, state, and federal officials in celebrating the success-

ful funding partnerships that contributed to the new Center for Advanced Manufacturing and Industrial Technologies (CAMIT), which opened at the Cherokee County Campus in September.

Gohl will also present the \$642,496 grant from the Southern Appalachian Automotive Workforce Allocation. This grant will be used to meet critical automotive workforce development needs, meet demands for advanced manufacturing technicians and a highly skilled workforce, and make job training accessible locally for Cherokee County residents by purchasing specialized training equipment and computers.

By expanding the College's degree offerings at the newly opened CAMIT, Cherokee County residents can now complete critical

job training in Automated Manufacturing Technology, Mechatronics and Machine Tool Technology without traveling to other SCC campuses.

Since 2012, SCC has received \$1,892,496 in ARC grant funding and leveraged \$28,376,317 for SCC projects at the College's Downtown Campus, Cherokee County Campus, and Tyger River Campus, Center for Business & Entrepreneurial Development. Additional funding partners at the SCC Cherokee County Campus include the US Department of Commerce, Economic Development Administration, the SC General Assembly, The Timken Foundation of Canton, The Fullerton Foundation, Cherokee County Government and Spartanburg Community College.

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After several years and much effort, an industry is finally locating in the Hampton County Spec Building located inside the county's largest industrial park.

¹⁴⁸ Cypress Creek Renewables investing \$66.8 million in six new Hampton County solar projects

Cypress Creek Renewables, a company that specializes in the ownership and development of long-term solar energy projects, has taken the first step towards investing \$66.8 million in six new solar energy facilities in Hampton County.

With offices in Arizona, Missouri, New York and North Caro-

lina, as well as Los Angeles and San Francisco, Calif., Cypress Creek Renewables strives to make solar power economically attractive to utilities and consumers. Primarily focused on two to 10 megawatt utility scale projects, Cypress is working with regulators, utilities and business development groups throughout the United States to build more than one gigawatt of new solar projects between now and the end of 2016.

The company is working in partnership with Sustainable Energy Solutions, which is assisting Cypress by identifying sites, obtaining necessary permits and coordinating with the utilities. Together, they have received

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approval to build six facilities in and around three different towns within Hampton County, all of which are expected to be fully operational by the end of 2016.

In Brunson, Cypress is constructing a \$10 million, 10-megawatt facility off of Broader Road. In Hampton, the company is investing \$26 million to construct a six-megawatt facility and a 20-megawatt facility on two separate sites off of Augusta Highway. In Estill, Cypress is investing \$30 million to construct three separate operations – a 12-megawatt facility off of Nixville Road, an 8-megawatt facility off of Columbia Highway and a 10-megawatt facility off of Steep Bottom Road.

For more information on Cypress Creek Renewables, visit www.cypresscreekrenewables.com. For more information on Sustainable Energy Solutions, visit www.sccleanenergy.com.

Officials 'thrilled' with announcement

"Hampton County welcomes Cypress Creek Renewables to Hampton County, and we appreciate the investment that they are making in our community in bringing renewable, sustainable energy solutions to our communities." –Hampton County Council Chairman Shedron Williams

"Cypress Creek Renewables will be an asset to our industrial community and a great addition to the array of 'green' industries located in our region. We look forward to working with Cypress Creek Renewables in the coming years." –Southern Carolina Alliance Chairman Buddy Phillips

"Building solar in Hampton County is about investing in the future by providing homes with clean, affordable energy. We are thrilled to be long-term partners in the community and are thankful to county leaders, the State of South Carolina, and Sustainable Energy Solutions for their leadership." –Cypress Creek Renewables CEO Matthew McGovern

"We are very appreciative of the support we've received from the Hampton County economic development officials, county council and all of our partners. This is a very important step in providing more clean energy to the state of South Carolina." –Sustainable Energy Solutions, LLC Owner and Director of Business Development Paul Fleury

"We're excited to see Cypress Creek continue to invest in our state and our people. We have worked extremely hard to build a business environment in South Carolina that is open to all kinds of companies, and we look forward to seeing both Cypress Creek and the renewable energy industry grow here in the future." –Gov. Nikki Haley

"This investment by Cypress Creek Renewables will further strengthen South Carolina's growing reputation in the area of

tation in the area of renewable energy. Providing both positive economic and environmental impacts, I'm proud to welcome Cypress Creek to our state and look forward to growing this terrific partnership in the years ahead." –Secretary of Commerce Bobby Hitt

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148 + 59 Officials can no longer ignore the public

To the editor:

I was greatly disappointed again when I read an article on seismic testing and offshore drilling in the Sun News only to learn that our elected officials are still ignoring the will of their constituents.

I have listened to elected officials and their staffers as they have told us that petitions and resolutions will not affect the decision making process on these issues. That mindset is simply preposterous. Then, again today, I read a quote from Congressman Tom Rice: "My position has been let's do the seismic testing. Let's find out what's out there and then we can make rational decisions."

No, sir. You are wrong. Your position should be commensurate with the position of your constituents. I voted for Mr. Rice to be my representative not a dictator. Tom Rice and his colleagues need to remember who elected them and let those people be heard through their actions.

We are now at a point where the governments of every single coastal town in the state of South Carolina (and the capital city of Columbia) have resolved against seismic testing and offshore drilling. What is it about the word "unanimous" that Mr. Rice and his colleagues don't understand?

Those resolutions should indicate to our elected officials that we

don't care what is out there. We are against seismic testing. We do not need to do it. We do not want to do it. We do not believe oil industry claims that it is harmless.

We have indicated loud and clear and in a unanimous fashion that our "rational decision" has been made. We, the people, don't care what is out there. We believe that every possible benefit to be derived from offshore drilling is not worth the risk to our existing economies and environment.

Congressman Rice, Gov. Haley and all our other elected officials should have a no-brainer to deal with on these issues. Instead, they persist in representing the best interests of the oil companies instead of their constituents.

No, we the people were not responsible for these preposterous ideas of seismic testing and offshore drilling. We were not responsible for massive campaign donations and PAC dollars to benefit our elected officials.

But we the people are responsible for the rational decisions expressed by the governments of every coastal town, village and industrial port city in our state.

Now it is time for our senators, congressmen and governor to do what they were elected to do: represent us, not the oil companies.

Rick Baumann
Murrells Inlet



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Offshore drilling

Storm highlights a bad mix

To the editor:

This month, Hurricane Joaquin, a powerful Category 4 storm, soaked flood-ravaged South Carolina's coast and midlands, adding inches more rain to a 1,000-year rainfall, and leaving death and destruction in its wake. Had Joaquin made landfall, it could have been catastrophic. If offshore oil rigs and coastal infrastructure were added to the equation, it would have been a "perfect storm."

Hurricanes and oil rigs don't mix.

In 2004, Hurricane Ivan triggered an under-

water landslide 10 miles off Louisiana's coast, toppling Taylor Energy's platform and burying 28 wells that continue to leak oil to this day.

In 2005, Category 5 Hurricane Katrina caused the worst U.S. oil spill since the 1989 Exxon Valdez tanker spill in Alaska. The one-two punch of Hurricane Katrina, then Rita a month later, destroyed 113 oil platforms, damaged 52 and set 19 adrift in the Gulf of Mexico. Four hundred and fifty seven supply pipelines were damaged or destroyed and nine onshore facilities were breached, spilling an estimated 8 million gallons of oil throughout the Gulf region. In sum, the two hurricanes caused 540 separate oil spills.

Who would support an enterprise that could cause billions of dollars in damage, put lives at risk, and decimate our pristine coastline on which South Carolina's tourism indus-

try depends?

Gov. Haley took swift, decisive action to protect her citizens from life-threatening floods and storms. Lives were saved by her warning, "Turn around. Don't drown." Our governor must strive to protect the health and wellbeing of citizens and shores from both hurricanes and oil spills. Please ask Gov. Haley to turn around. Don't drown our coast, our state, our way of life and our future in spilled oil.

Hurricanes are inevitable acts of nature. Oil spills are anthropogenic, resulting from acts of human beings on nature. We cannot control the forces of nature. However, our governor can prevent the dark tide of oil from destroying our lives and shores by simply saying, "No. It's not worth the risk."

Alice Morrissey
Sullivan's Island

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PHOTO PROVIDED
Shelly Pyle, left, a volunteer with HOPE Animal-Assisted Crisis Response, and her dog, Cocky, meet Gov. Nikki Haley at the Statehouse.

Dogs comfort flood victims

**BY KONSTANTIN
VENEROWSKY**
konstantin@theitem.com

Shelly Pyle and her Chesapeake Bay retriever, Cocky, have been traveling across

South Carolina comforting victims of the flood that hit the state earlier this month.

Pyle, a resident of Aiken County, is a volunteer with

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HOPE Animal-Assisted Crisis Response, a nonprofit organization of about 170 volunteers from across the U.S. and their dogs who travel to disaster and crisis areas throughout the nation.

Pyle is one of two volunteers from the South Carolina chapter and one of eight from across the Southeast region who are working in the state.

"There's nothing like walking into a building filled with survivors of a disaster and seeing the smile on their faces when they see a dog," she said. "It's amazing what an animal can do to help brighten someone's day."

Pyle said the people she comes

across during volunteering, including flood victims, first responders and FEMA employees, may not remember her name, but they always remember her dog.

"They remember how Cocky made them feel," she said.

Cocky and another of Pyle's dogs have been doing therapy work for about seven years at the Dorn Veterans Affairs Medical Center in Columbia. Dogs are required to undergo at least a year in therapy work before being allowed to participate in crisis response work, said Kay Edwards, the organization's state director.

The organization's certified teams, which consist of a volunteer and his or her dog, are required to go through specialized training, including: crisis

intervention skills, animal behavior and stress management, critical incident stress management, incident command system training, first aid and CPR, pet first aid and more, according to its website, <http://hopeaacr.org/>.

Edwards said results of several university studies show being around a friendly animal lowers a person's blood pressure and calms him or her down.

"For many people, when they see a dog, it triggers a calming feeling," she said. "It redirects their emotion to something positive, especially if they are extremely tense or sad."

Sometimes victims or first responders just sit and talk to the dogs.

"We see dogs as less threatening than other people sometimes," Edwards said. "It may come from the fact that dogs don't have any expectations from their fellow man."

The organization's volunteers are deployed after Federal Emergency Management Agency or the American Red Cross have been deployed to an area.

"We work in such a way that we don't get in the way of first responders," Edwards said.

Volunteers and their dogs have responded to all types of crises, including major hurricanes, wildfires, train derailments and school shootings. Several volunteers worked in New York City after the 9/11 terrorists' attack on the World Trade Center.

For more information, visit the organization's website, <http://hopeaacr.org/>, or its Facebook page, <https://www.facebook.com/HopeAACR>.





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**National Guard will be able
to continue restoration**

COLUMBIA — Gov. Nikki Haley is keeping the National Guard on active duty through Nov. 25 so units can continue helping local governments make emergency repairs.

Haley signed an order Friday allowing National Guardsmen to keep working, primarily in the city of Columbia and Clarendon County.

According to the state Department of Transportation, more than half of the 99 roads still closed nearly a month after a catastrophic storm are in hard-hit Richland and Clarendon counties.

Haley signed a state of emergency declaration in the days leading up to the four-day October rainstorm, which dumped up to two feet of rain in some parts of the state.



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¹⁴⁸ Salvation Army continues helping flood victims

BY JIM HILLEY

jim@theitem.com

The local Salvation Army has been a big part of flood relief for Sumter and Clarendon county communities.

After providing more than 5,000 meals, nearly 2,000 beverages, 339 clean-up boxes, 596 hygiene kits and help for more than 800 people, Salvation Army Maj. Robbie Robbins said the organization is heading into the second phase of helping flood survivors in the area.

"We are going to be giving out cleaning kits and boxes of food for a week or so, then, we will switch to recovery mode," he said. "We will switch to giv-

ing out gift cards with the boxes of food so they can buy meat and stuff like that."

Robbins said in about three weeks, the organization will start distributing other needs such as furniture.

He said the mobile canteen that was at the Emergency Recovery Center on Liberty Street has been "sent home." Salvation Army activities will now

be done at the organization's office, 16 Kendrick St., he said.

Robbins said they will screen applicants for the gift cards "pretty well," he said.

"Not everyone will get the gift cards," he said. "We have to make sure they were in an affected place."

Salvation Army social worker Christy Lamb said they have already given out a few of the gift cards.

Anyone seeking a gift card must have applied to the Federal Emergency Management Agency for disaster aid and have identification, a Department of Social Services print-out and a letter from FEMA, Lamb said.

She said the cards are for perishable food and personal items such as underclothes.

"We give out nonperishable items at the church," she said.

All of the cards are \$20, she said, but eligible applicants can receive from one to three cards.

The Salvation Army Office is open from 9 a.m. to 3 p.m. Mondays through Thursdays and some Fridays from 9 a.m. to 3 p.m.



Salvation Army Maj. Robbie Robbins, right, watches as Gov. Nikki Haley and her staff take down information from a couple visiting The Salvation Army booth at Sumter County Civic Center.

RICK CARPENTER / THE SUMTER ITEM

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Spring Valley Incident Turns Spotlight on Cops in Schools

By Eva Moore

On Oct. 26, several students recorded and posted videos of a sheriff's deputy violently ejecting a defiant student from a classroom at Spring Valley High School.

The episode cast a spotlight on issues that were already under discussion in South Carolina and nationwide: Why are there cops in schools in the first place? What should their role be? And why can students in South Carolina be arrested for "disturbing schools"?

The deputy, school resource officer Ben Fields, was summoned to the classroom after both the teacher and an administrator had unsuccessfully tried to get a 16-year-old girl to leave the class. The deputy toppled the student and her desk, dragged her out of it, then tossed the student several feet across the floor. He then handcuffed her. She and another student, 18-year-old Niya Kenny, who said she'd been defending her classmate, were charged with disturbing schools.

Outrage spread quickly. And though some have been defending the officer, school



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officials and Richland County Sheriff Leon Lott condemned his handling of the incident. Lott has since fired Fields.

Police have been occasionally stationed in American public schools since the 1950s, but it wasn't until the 1990s — after the Columbine shooting and an increase in federal anti-drug funding — that school resource officers, or SROs, became commonplace.

Nationwide, there are now around 20,000 officers working in schools.

There are 87 SROs in Richland County's two school districts, according to the Richland County Sheriff's Department.

There's little qualitative research on whether SROs keep schools safer. But there is some research showing that students at schools with SROs are more likely to be arrested for low-level offenses, according to a 2013 congressional report.

Despite the lack of evidence, after school shootings a clamor often rises for more officers in schools. In South Carolina, lawmakers have periodically proposed requiring every school in the state to have an SRO. Most recently, in 2014, a State House task force recommended placing an officer in every school, in addition to improving mental health services, as a way to keep children safer. Gov. Nikki Haley opposed that recommendation, saying the state shouldn't dictate what individual schools should do. (The task force's report has so far been ignored.)

But according to some critics, officers' role in schools often isn't clear. And that can create troubling situations.

Their roles *should be simple and straightforward*, according to Seth Stoughton, an assistant professor at the University of South Carolina School of Law and a former police officer. Officers should be there to keep students safe, and to establish positive relationships with young people, he says.

"Police should have no role in disciplining students," Stoughton says. "Discipline for garden-variety schoolchild misconduct should be exclusively in the hands of educators and administrators. ... Teachers and school officials need to know not to call officers to deal with that type of situation, and officers need to know that they can and should refuse a request."

"We think of police officers as having a great deal of authority," Stoughton went on. "They really have one authority, one thing

they can do: They can arrest." That becomes a problem when they're called to deal with a behavioral incident, he says: "When all you

have is a hammer, every problem begins to look like a nail."

Victoria Middleton, executive director of the South Carolina chapter of the ACLU, agrees, saying officers' roles have been poorly defined.

"Are they getting enough training in identifying what behaviors are truly threatening or risky, to students themselves or to others?" Middleton asks. "Or are they not responding appropriately?"

But it's not just civil liberties activists who are concerned.

At a news conference following the incident, the sheriff himself spoke to his discomfort with SROs' role.

"I think sometimes our officers are put in very difficult positions — when a teacher can't control a student, is that our responsibility to go in there and remove that student?" Lott said.

"Unfortunately, our legislature passed a law that's called 'disturbing schools,'" Lott said, that covers a wide range of disruptive activities. "Our goal has always been to see what we can do without arresting students. We don't need to arrest these kids; we need to keep them in schools."

There've been many legislative attempts to get rid of the disturbing schools law over the years, or to limit its scope, but they've *lingered in committee*.

Stoughton criticizes the statute, and similar laws in other states, for *blurring the lines between policing and discipline*.

"Essentially what they have done is allowed school officials and officers to make a call about whether a particular act should be dealt with criminally or as a behavioral disciplinary issue, and that's a problem," Stoughton says. "It confuses the role [police officers] should be playing in schools. It blurs a clear line that should demarcate their responsibilities."

In the wake of the incident, Lott says, the department is reviewing its SRO policies.

Meanwhile, a coalition of groups including the League of Women Voters, the ACLU of SC, South Carolina Appleseed Legal Justice Center, the NAACP's Charleston branch and Girls Rock Columbia has called on the state to fix the disturbing schools law

so it does not apply to students in their own schools; to improve SRO training to address "youth development, non-violent conflict resolution, implicit bias and interacting with students with disabilities" and to launch a study of whether police should be in schools at all.