



Frequently Asked Questions

EDUCATIONAL REQUIREMENTS FOR LOCAL GOVERNMENT PLANNING OR ZONING OFFICIALS OR EMPLOYEES

S.C. Code §§ 6-29-1310 – 6-29-1380

Who is required to receive educational training?

- Appointed officials who serve on a planning commission, board of zoning appeals, or board of architectural review
- Professional employees who are employed as a planning professional, zoning administrator, zoning official, or as a deputy or assistant to these positions

What training is required?

- Officials and employees must attend a minimum of six hours of orientation training.
- Thereafter, there is an annual requirement to attend at least three hours of continuing education.
- New officials and/or employees must attend orientation training within 180 days prior to and no later than 365 days after initial appointment or employment.

What is the deadline to comply?

- Municipalities and counties with a population over 35,000 must comply by January 1, 2006.
- Those entities under 35,000 must comply by January 1, 2007.

Who is exempt from the educational requirements?

An appointed official or professional employee who has one or more of the following qualifications is exempt:

- Certification by the American Institute of Certified Planners
- Holds a masters or doctorate degree in planning from an accredited college or university
- Holds a masters or doctorate degree or specialized training or experience in a field related to planning **as determined by the advisory committee**
- Licensed to practice law in South Carolina

The official or employee must file a certification form and documentation of exemption with the clerk by the first anniversary date of appointment or employment.

What are the requirements of the local governing body?

- To identify their appointed officials and professional employees who are required to receive training no later than December 31st of each year and provide a list to the clerk to council and to each planning or zoning entity in the jurisdiction
- To annually inform each planning or zoning entity of the educational requirements
- To sponsor and provide approved education programs or to fund approved education programs provided by another sponsor

What are the clerk to council's responsibilities?

The clerk must keep in the official public records originals of:

- All filed forms and documentation that certify compliance with educational requirements for three years after the calendar year in which each form is filed
- All filed forms and documentation that certify an exemption for the tenure of the appointed official or professional employee

What are the consequences for failure to comply?

An appointed official is subject to removal from office and a professional employee is subject to suspension or dismissal from employment if he/she:

- Fails to complete the requisite number of hours of orientation training and continuing education within the allotted time or
- Fails to file the required certification form and documentation with the clerk.

Failure to comply may also call into question any decision or recommendation made by officials or employees and open the county up to liability.

A local governing body is prohibited from appointing or employing a person who has falsified the certification form or documentation.

What if I can't attend the teleconference training? Can it be taped?

SCAC will be taping all teleconferences and rebroadcasting them over the ETV Public Services Network. **The State Planning Education Advisory Committee has placed restrictions on the use of taping for education credit.**

You must have a LIVE proctor to facilitate discussion when viewing a rebroadcast or tape for ORIENTATION TRAINING. **The proctor must be a person who is exempt under the statute (has AICP certification, holds a masters or doctorate degree in planning, or is a licensed attorney in SC) and has filed an exemption form with the clerk OR who is exempt under the statute and works for a Council of Government (COG).**

You must have a LIVE coordinator to facilitate discussion when viewing a rebroadcast or tape for CONTINUING EDUCATION TRAINING. **All Coordinators must meet the following requirements:**

- **Be in a position of authority**
- **Have a working knowledge of the subject material as it pertains to the jurisdiction**
- **Have knowledge of the jurisdiction(s) attending the presentation**
- **Be able to facilitate discussion**
- **Be able to confirm attendance of participants**
- **Coordinators need not meet the exemption requirements of the State Code**

SCAC does NOT issue participant certificates for any rebroadcasts.