

**A RESOLUTION OF
THE SOUTH CAROLINA ARTS COMMISSION**

August __, 2026

The South Carolina Arts Commission (the “Commission”), a body corporate and an agency of the State of South Carolina, finds the following to be true, accurate, and correct:

WHEREAS, the Commission was established in 1968 by Act 55 enacted by the General Assembly of the State of South Carolina in that year (the “Act”), such Act constituting the enabling and operating legislation, is now codified as Section 60-15-10 through 90 of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, pursuant to the Act the Commission is charged with cultivating, coordinating, and stimulating the arts in South Carolina, as well as coordinating both state and federal funding therefor; and

WHEREAS, the Act provides that the Commission’s activities shall be “directed toward encouraging and assisting rather than limiting the freedom of artistic expression that is essential for the well-being of the arts”; and

WHEREAS, expression by and through art is not inherently promotional, but rather is depictional, reflective, and aesthetically expressive; and

WHEREAS, in recent years controversies have arisen across the United States regarding public funding of endeavors that promote ideologies; and

WHEREAS, the Commission is mindful of these controversies, which have impacted law and policy at both the state and federal levels, but is also mindful of the requirements and limitations to which the Commission’s grant programs are subject pursuant to the United States Constitution; and

WHEREAS, the Commission believes that the advocacy and promotion of ideologies is not a component of artistic merit, and that its statutory mandate to facilitate and promote the arts in South Carolina does not contemplate funding of the promotion of ideologies; and

WHEREAS, although the Commission is advised that the Commission and its staff in its award of individual grants administered by the Commission may not make distinctions based the content or nature of ideologies actual or perceived in an artistic expression, the Commission may require grant recipients to certify, as a condition of grant funding from the Commission, that no grant funding received from the Commission shall be used to fund expression that promotes an ideology, and that the Commission may direct staff that assessment of the artistic merit of individual potential grant recipients shall disfavor any projects that promote any ideology without distinction as to the content or nature of the promoted ideology; and

WHEREAS, the Commission wishes to reaffirm that grant and other promotional programs are subject to and governed by the Laws of the State of South Carolina with regard to obscenity, as well as community standards of decency, and all state and federal laws and regulations governing the Commission’s grant funding; and that Commission staff should take extra precautions to ensure that an projects funded by

the Commission presented to or involving K-12 schools shall be subject matter and age appropriate.

NOW, THEREFORE, upon motion made, duly seconded and unanimously carried, the Commission resolves as follows:

1. The Commission declares as its policy that no person or entity that receives grant funding from the Commission shall, in any work funded in whole or in part by grant funds administered by or received from the Commission, promote any ideology without regard to what that ideology might be.
2. The Commission reaffirms that all its grant and other promotional programs are and will be subject to and governed by the Laws of the State of South Carolina with regard to obscenity, as well as community standards of decency, as well as all state and federal laws and regulations governing the Commission's grant funding.
3. Commission staff, in consultation with the South Carolina Department of Education and the applicable School District or governing board with respect to the school or schools in question, shall implement and enforce all such regulations as are reasonably required to ensure that an projects funded by the Commission presented to or involving K-12 schools shall be subject matter and age appropriate.
4. Staff is directed to adopt policies and procedures, including without limitation the inclusion in all contracts and other agreements of a certification by the grantee with respect to Section 1 above, consistent with these resolutions and the findings precedent thereto.

_____, Secretary

August ____, 2026