**South Carolina General Assembly**

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**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rivers, Bowen, Herbkersman, Norman, Putnam, G.R. Smith and Stringer

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Currently residing in the House Committee on **Education and Public Works**

Summary: Statewide student learning and performance assessment program

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/20/2014 House Introduced and read first time ([House Journal‑page 46](file:///H:\HJ%20Archive\2014\03-20-14.docx))

3/20/2014 House Referred to Committee on **Education and Public Works** ([House Journal‑page 46](file:///H:\HJ%20Archive\2014\03-20-14.docx))

**VERSIONS OF THIS BILL**

[3/20/2014](file:///p:\pprever\2013-14\4956_20140320.docx)

**A** **BILL**

TO AMEND SECTION 59‑18‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATEWIDE STUDENT LEARNING AND PERFORMANCE ASSESSMENT PROGRAM, SO AS TO PROVIDE THAT BEGINNING WITH THE 2015‑2016 SCHOOL YEAR, EACH ELEMENTARY, MIDDLE, AND HIGH SCHOOL STUDENT MUST DEMONSTRATE PERFORMANCE AT HIS GRADE LEVEL IN ENGLISH/LANGUAGE ARTS AND MATHEMATICS BEFORE PROMOTION TO THE NEXT GRADE, AND THAT A STUDENT MAY SATISFY THIS REQUIREMENT BY SUCCESSFULLY COMPLETING ADDITIONAL COURSEWORK AND TESTING IN SUMMER SCHOOL AT THE EXPENSE OF HIS PARENT OR GUARDIAN, PAYABLE OVER A PERIOD OF TIME AS ESTABLISHED BY THE DISTRICT; TO EXEMPT ELEVENTH AND TWELFTH GRADE STUDENTS FROM OTHER EXIT EXAMINATIONS, TO REQUIRE ELEVENTH GRADE STUDENTS TO TAKE THE WORKKEYS EXAM AND THE ACT EXAM, TO REQUIRE ELEVENTH GRADE STUDENTS TO ACHIEVE A MINIMUM SCORE ONLY ON THE WORKKEYS EXAM AS DETERMINED BY THE DEPARTMENT OF EDUCATION TO ADVANCE TO TWELFTH GRADE, TO REQUIRE TWELFTH GRADE STUDENTS TO TAKE THE ACT EXAM AND THE WORKKEYS EXAM, AND TO REQUIRE TWELFTH GRADE STUDENTS TO ACHIEVE A MINIMUM SCORE ONLY ON THE WORKKEYS EXAM AS DETERMINED BY THE DEPARTMENT TO GRADUATE; TO AMEND SECTION 59‑31‑210, RELATING TO A REQUIREMENT THAT THE STATE BOARD OF EDUCATION PROVIDE TEXTBOOKS TO PUBLIC SCHOOLS BY MEANS OF A RENTAL SYSTEM, SO AS TO PROVIDE THAT A SCHOOL DISTRICT MAY OPT OUT OF THE STATE TEXTBOOK RENTAL SYSTEM BUT INSTEAD MUST PURCHASE THE DIGITAL EQUIVALENT OF A TEXTBOOK AND SUPPORT EQUIPMENT DIRECTLY FROM VENDOR CONTRACTS APPROVED BY THE STATE SUBJECT TO FUNDING, AND TO PROVIDE FUNDING BEGINNING WITH THE 2015‑2016 SCHOOL YEAR; TO AMEND SECTION 59‑26‑30, AS AMENDED, RELATING TO TEACHER CERTIFICATION, SO AS TO ALLOW SPECIAL PART‑TIME CERTIFICATES ALLOWING PROFESSIONALS OR EXPERTS TO TEACH SUBJECTS RELATED TO THEIR PROFESSION OR EXPERTISE; TO AMEND SECTION 59‑18‑900, AS AMENDED, RELATING TO ACADEMIC PERFORMANCE RATINGS, SO AS TO PROVIDE THAT REAL STUDENT PERFORMANCE AND TEST SCORES BUT NOT GRADUATION RATES BE USED FOR THESE RATINGS AND TO DEFINE NECESSARY TERMINOLOGY; TO AMEND SECTION 59‑39‑100, AS AMENDED, RELATING TO UNITS REQUIRED FOR A HIGH SCHOOL DIPLOMA, SO AS TO PROVIDE AN ALTERNATE METHOD FOR OBTAINING A DIPLOMA FOR STUDENTS IN CAREER AND TECHNOLOGY CENTERS; AND TO CREATE TWO STUDY COMMITTEES TO REVIEW THE K‑12 SCIENCE CONTENT EDUCATION STANDARDS AND THE K‑12 LANGUAGE ARTS CONTENT EDUCATION STANDARDS, RESPECTIVELY, AND MAKE RECOMMENDATIONS CONCERNING EACH.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59‑18‑310 of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

“Section 59‑18‑310. (A) Notwithstanding any other provision of law, the State Board of Education, through the Department of Education, is required to develop or adopt a statewide assessment program to promote student learning and to measure student performance on state standards and:

(1) identify areas in which students, schools, or school districts need additional support;

(2) indicate the academic achievement for schools, districts, and the State;

(3) satisfy federal reporting requirements; and

(4) provide professional development to educators.

Assessments required to be developed or adopted pursuant to the provisions of this section or chapter must be objective and reliable.

(B) The statewide assessment program must include the subjects of English/language arts, mathematics, science, and social studies in grades three through eight, as delineated in Section 59‑18‑320(B), to be first administered in 2009, an exit examination in English/language arts and mathematics to be first administered in a student’s second year of high school enrollment beginning with grade nine, and end‑of‑course tests for gateway courses awarded units of credit in English/language arts, mathematics, science, and social studies. Student performance targets must be established following the 2009 administration. The assessment program must be used for school and school district accountability purposes beginning with the 2008‑2009 school year. The publication of the annual school and school district report card may be delayed for the 2008‑2009 school year until no later than February 15, 2010. A student’s score on an end‑of‑year assessment may not be the sole criterion for placing the student on academic probation, ~~retaining the student in his current grade, or~~ requiring the student to attend summer school, or, except as provided in subsection (G)(1), for retaining the student in his current grade. Beginning with the graduating class of 2010, students are required to pass a high school credit course in science and a course in United States history in which end‑of‑course examinations are administered to receive the state high school diploma.

(C) To facilitate the reporting of strand level information and the reporting of student scores prior to the beginning of the next school year, beginning with the 2009 administration, multiple choice items must be administered as close to the end of the school year as possible and the writing assessment must be administered earlier in the school year.

(D) While assessment is called for in the specific areas mentioned above, this should not be construed as lessening the importance of foreign languages, visual and performing arts, health, physical education, and career or occupational programs.

(E) The State Board of Education shall create a statewide adoption list of formative assessments for grades one through nine aligned with the state content standards in English/language arts and mathematics that satisfies professional measurement standards in accordance with criteria jointly determined by the Education Oversight Committee and the State Department of Education. The formative assessments must provide diagnostic information in a timely manner to all school districts for each student during the course of the school year. For use beginning with the 2009‑2010 school year, and subject to appropriations by the General Assembly for the assessments, local districts must be allocated resources to select and administer formative assessments from the statewide adoption list to use to improve student performance in accordance with district improvement plans. However, if a local district already administers formative assessments, the district may continue to use the assessments if they meet the state standards and criteria pursuant to this subsection.

(F) The State Department of Education shall provide on‑going professional development in the development and use of classroom assessments, the use of formative assessments, and the use of the end‑of‑year state assessments so that teaching and learning activities are focused on student needs and lead to higher levels of student performance.

(G) Beginning with the 2015‑2016 school year:

(1) Each elementary, middle, and high school student must demonstrate his ability to perform at his grade level in English/language arts and mathematics before he may advance to the next grade. A student who fails to demonstrate this level of performance during the school year may demonstrate this level of performance by taking remedial coursework during the summer following that school year, successfully completing this coursework, and demonstrating achievement of the requisite level of performance by means of testing required under this chapter or a version of it developed and approved by the State Department of Education for these summer school students. A school district shall require the parent or guardian of a student to pay one hundred twenty‑five dollars for each summer school course taken under this section, payable over an eight‑month period.

(2) Except as provided in item (1), no exit examination provided in subsection (B) is required for an eleventh grade student to advance to the twelfth grade or for a twelfth grade student to graduate. Instead, each eleventh grade student shall take the WorkKeys skills assessment test and achieve a minimum score as determined by the department to advance to the twelfth grade and each eleventh grade student shall take the ACT in the fall, but must not be required to achieve a minimum score on the ACT to advance to the twelfth grade. Each twelfth grade student shall take the ACT and the WorkKeys skills assessment test and achieve a minimum score on the WorkKeys skills assessment test as determined by the department through regulation to graduate. No minimum ACT score may be required to graduate. A WorkKeys score required under this item must be verified by a district employee familiar with the test before it may satisfy the requirements of this item.”

SECTION 2. Section 59‑31‑210 of the 1976 Code is amended to read:

“Section 59‑31‑210. The State Board of Education ~~shall~~ may provide all the textbooks for use in the public schools of the State on a rental system whereby the pupils in the public schools will pay an annual rental in an amount to be fixed by the State Board of Education, in its discretion, graduated as to grades, sufficient to pay all the costs of the administration of this article and the purchase of any books necessary to be acquired by the State Board of Education. But the Board shall not be required to furnish materials which shall be consumed or rendered worthless in any one year, such as pencils, tablets, workbooks, drawing materials and other similar articles. A school district that wishes to purchase digital equivalent textbooks or support digital devices shall opt out of the state rental purchase system and purchase directly from a vendor who has an approved state contract, subject to funding availability. The General Assembly shall provide money to the school for the conversion beginning in the 2015‑2016 school year.”

SECTION 3. Section 59‑26‑30(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“(10) award a special part‑time teaching certificate for professionals licensed by Title 40 or recognized experts in various fields of business and industry to teach four hours each month to bring real‑world knowledge to the classroom, and to provide instruction in medicine, business, technology, real estate, banking, start‑up funding for new businesses, investing, science, or math, based on their expertise.”

SECTION 4. Section 59‑18‑900(B) of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

“(B)(1) The Education Oversight Committee, working with the State Board of Education and a broad‑based group of stakeholders, including, but not limited to, parents, business and industry persons, community leaders, and educators, shall determine the criteria for and establish five academic performance ratings of excellent, good, average, below average, and school/district at‑risk. Schools and districts shall receive a rating for absolute and growth performance. ~~Only the~~ Real performance and test scores of students enrolled in the school at the time of the forty‑five‑day enrollment count shall be used to determine the absolute and growth ratings. Graduation rates ~~must~~, along with real performance test scores and student performance at grade level, shall be used as an additional accountability measure for high schools and school districts. The Oversight Committee, working with the State Board of Education, shall establish three student performance indicators which will be those considered to be useful for assessing a school’s overall performance and appropriate for the grade levels within the school.

(2) The student performance levels are: Not Met, Met, and Exemplary. ~~‘Not Met’ means that the student did not meet the grade level standard. ‘Met’ means the student met the grade level standard. ‘Exemplary’ means the student demonstrated exemplary performance in meeting the grade level standard.~~

(3) For the purposes of this chapter:

(a) ‘Exemplary’ means the student demonstrated outstanding performance in meeting the grade level standard.

(b) ‘Met’ means the student met the grade level standard.

(c) ‘Not met’ means that the student did not meet the grade level standard.

(d) ‘Real performance’ means the actual performance of a student in reading, writing, spelling, and pronunciation.

(4) For purposes of reporting as required by federal statute, ‘proficiency’ shall include students performing at Met or Exemplary.”

SECTION 5. Section 59‑39‑100 of the 1976 Code, as last amended by Act 49 of 2005, is further amended to read:

“Section 59‑39‑100. (A) Diplomas issued to graduates of accredited high schools within this State must be uniform in every respect and particularly as to color, size, lettering, and marking. The number of units required for a state high school diploma is twenty units as prescribed by the State Board of Education. Beginning in the ~~1986‑87 academic~~ 1986‑1987 school year, a minimum of three units must be earned in mathematics and a minimum of two units must be earned in science.

(B) One unit in computer science, if approved by the State Department of Education for this purpose, may be counted toward the mathematics requirement.

(C) Students who earn one unit in science and six or more units in a specific occupational service area will meet the science requirements for a state high school diploma. Career and technology programs operating on a 3‑2‑1 structure may count pre‑career and technology education as one of the six required units.

(D) Beginning with the ninth grade class of school year ~~1997‑98~~ 1997‑1998, the number of units required for a high school diploma is twenty‑four units as prescribed by the State Board of Education by regulation, with one additional unit required in mathematics, science, and computer science to include keyboarding. For students in a college preparatory track, as defined by the state board, one additional unit must be earned in a foreign language; and for students in a track designed to enter the work force, as defined by the state board, one additional career and technology unit must be earned. Beginning with the ninth grade class of school year ~~1997‑98~~ 1997‑1998, if a student counts one unit of computer science toward his mathematics requirement as permitted above, one additional unit of computer science must be earned.

(E) Beginning with the ninth grade class of school year 2015‑2016, an alternate number of units required for a state high school diploma for students in Career and Technology Centers is twenty units as prescribed by the State Board of Education who are Career and Technology Education completers and receive a score of three or higher on the WorkKeys assessment:

(1) four units of English;

(2) three units of math, including Algebra 1, Geometry, and another math unit as the board considers appropriate;

(3) three units of social studies, including government/economics and United States History;

(4) three lab sciences;

(5) three electives outside of Career and Technology Education coursework;

(6) one physical education unit;

(7) one computing proficiency unit, which may be satisfied while in middle school;

(8) one personal finance unit; and

(9) one fine arts unit or foreign language unit.

(~~E~~F) Nothing in this section prohibits local school boards of trustees from awarding recognition to students who complete additional units and credits beyond those required by this section.”

SECTION 6. (A) There is created a study committee to review the science content education standards for kindergarten through twelfth grade in this State and make recommendations to the General Assembly concerning proposed changes.

(B) The study committee must be composed of eleven members as follows:

(1) two members appointed by the President Pro Tempore of the Senate;

(2) two members appointed by the Speaker of the House of Representatives;

(3) two members appointed by the Chairman of the Senate Education Committee;

(4) two members appointed by the Chairman of the House Education and Public Works Committee;

(5) two members appointed by the Superintendent of Education; and

(6) one member appointed by the Governor.

(C) Members of the committee must be science educators in the public school system of this State, but may include faculty who teach science and faculty who teach science education in private or public colleges and universities in this State.

(D) The study committee shall review the existing science content education standards for kindergarten through twelfth grade and recommend changes in those standards. In conducting this review, the study committee shall consider national standards, standards in other states in the Southeastern United States, and any other state that the study committee considers appropriate.

(E) Vacancies in the membership of the study committee must be filled for the remainder of the unexpired term in the manner of original appointment.

(F) The Chairman on the Senate Education Committee and the Chairman of the House Education and Public Works Committee shall provide appropriate staffing for the study committee.

(G) The study committee shall make a report of its recommendations to the General Assembly by January 31, 2016, at which time the study committee must be dissolved.

SECTION 7. (A) There is created a study committee to review the language arts content education standards for kindergarten through twelfth grade in this State and make recommendations to the General Assembly concerning proposed changes.

(B) The study committee must be composed of eleven members as follows:

(1) two members appointed by the President Pro Tempore of the Senate;

(2) two members appointed by the Speaker of the House of Representatives;

(3) two members appointed by the Chairman of the Senate Education Committee;

(4) two members appointed by the Chairman of the House Education and Public Works Committee;

(5) two members appointed by the Superintendent of Education; and

(6) one member appointed by the Governor.

(C) Members of the committee must be language arts educators in the public school system of this State, but may include faculty who teach English and faculty who teach language arts education courses in private or public colleges and universities in this State.

(D) The study committee shall review the existing language arts content education standards for kindergarten through twelfth grade and recommend changes in those standards. In conducting this review, the study committee shall consider national standards, standards in other states in the Southeastern United States, and any other state that the study committee considers appropriate.

(E) Vacancies in the membership of the study committee must be filled for the remainder of the unexpired term in the manner of original appointment.

(F) The Chairman on the Senate Education Committee and the Chairman of the House Education and Public Works Committee shall provide appropriate staffing for the study committee.

(G) The study committee shall make a report of its recommendations to the General Assembly by January 31, 2016, at which time the study committee must be dissolved.

SECTION 8. This act takes effect upon approval by the Governor.

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