**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3164**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. McCravy, V.S. Moss, Haddon, Long, McCabe, Trantham, Oremus, McGarry, Burns and Jones

Document Path: l:\council\bills\rt\17868wab21.docx

Introduced in the House on January 12, 2021

Introduced in the Senate on April 8, 2021

Last Amended on April 7, 2021

Currently residing in the Senate Committee on **Education**

Summary: AP testing

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled ([House Journal‑page 3](file:///h:\hj\20201209.docx))

12/9/2020 House Referred to Committee on **Education and Public Works**

1/12/2021 House Introduced and read first time ([House Journal‑page 97](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Education and Public Works** ([House Journal‑page 97](file:///h:\hj\20210112.docx))

1/13/2021 House Member(s) request name added as sponsor: Trantham, Oremus

1/26/2021 House Member(s) request name added as sponsor: McGarry

2/2/2021 House Member(s) request name added as sponsor: Burns

3/18/2021 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 3](file:///h:\hj\20210318.docx))

4/6/2021 House Requests for debate‑Rep(s).  Bamberg, Pendarvis, King, McKnight, Matthews, Robinson, Gilliard, Murray, McDaniel, Henderson‑Myers, Hosey, Govan, S Williams, KO Johnson, Jefferson, McCravy ([House Journal‑page 47](file:///h:\hj\20210406.docx))

4/6/2021 House Member(s) request name added as sponsor: Jones

4/7/2021 House Amended ([House Journal‑page 56](file:///h:\hj\20210407.docx))

4/7/2021 House Read second time ([House Journal‑page 56](file:///h:\hj\20210407.docx))

4/7/2021 House Roll call Yeas‑105 Nays‑1 ([House Journal‑page 57](file:///h:\hj\20210407.docx))

4/8/2021 House Read third time and sent to Senate ([House Journal‑page 14](file:///h:\hj\20210408.docx))

4/8/2021 Senate Introduced and read first time ([Senate Journal‑page 8](file:///h:\sj\20210408.docx))

4/8/2021 Senate Referred to Committee on **Education** ([Senate Journal‑page 8](file:///h:\sj\20210408.docx))

4/8/2021 Scrivener's error corrected

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3164&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3164_20201209.docx)

[3/18/2021](file:///p:\pprever\2021-22\3164_20210318.docx)

[4/7/2021](file:///p:\pprever\2021-22\3164_20210407.docx)

[4/8/2021](file:///p:\pprever\2021-22\3164_20210408.docx)

AMENDED

April 7, 2021

**H. 3164**

Introduced by Reps. McCravy, V.S. Moss, Haddon, Long, McCabe, Trantham, Oremus, McGarry, Burns and Jones

S. Printed 4/7/21--H. [SEC 4/8/21 2:42 PM]

Read the first time January 12, 2021.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Updated for Additional Agency Response on March 23, 2021**

**State Expenditure**

This bill requires each public school district to make certain tests available to students receiving home instruction if the tests are made available to students attending public schools in the district. Public school districts must also adopt written policies that specify the date by which these students must register to participate in the testing and must notify parents of students receiving home instruction within their school districts of the registration deadlines and the availability of financial assistance to low-income and needy students. Public school districts must charge students receiving home instruction the same fees as those charged to public school students for the same service. SDE must create a Homeschool Identification Code for use in differentiating students receiving home instruction from the public school students for the testing pursuant to this bill.

**State Department of Education.** The expenditure impact of this bill on SDE is undetermined and will vary annually based upon the number of home school students that are administered certain tests. SDE indicates that the cost for assessments (Advanced Placement exams, PSAT, PreACT, SAT, ACT, SC Ready, SCPASS, End-of-Course, Aspire for grade 10, and Ready to Work) range from $6 to $134 per student.

**State Agency Schools.** This bill is not expected to have an expenditure impact on the state agency schools. The Governor’s School for Science and Mathematics and the Wil Lou Gray Opportunity indicate that the schools do not have home school students. The Governor’s School for the Arts and Humanities indicates that the bill will have no expenditure impact on the agency. Also, the Governor’s School for Agriculture at John de la Howe indicates that any expenses pursuant to the provisions of the bill can be managed within current appropriations. Since we anticipate a similar response from the School for the Deaf and Blind, we do not anticipate that this bill will have an expenditure impact on the state agency schools.

**Local Expenditure**

This bill requires each public school district to make certain tests available to students receiving home instruction if the tests are made available to students attending public schools in the district. Public school districts must also adopt written policies that specify the date by which these students must register to participate in the testing and must notify parents of students receiving home instruction within their school districts of the registration deadlines and the availability of financial assistance to low-income and needy students. Public school districts must charge students receiving home instruction the same fees as those charged to public school students for the same service.

SDE surveyed the seventy-nine regular school districts and the two charter districts and received responses from twenty-one districts. Fourteen of the responding districts indicate that the bill will have no expenditure impact since they currently offer home school students who are zoned for the district the opportunity to participate in testing in the school building. Three districts indicate that the bill would increase expenses by a range of $10,000 to $100,000 for test proctors, expenses for testing rooms, and travel costs for the home school students. The remaining four responding districts indicate that the bill could increase expenses but could not quantify the costs at this time, but did indicate that expenses would depend upon the number of home school students, the cost of the test, and who pays for the test. While we anticipate that the state will cover the cost of the tests, other expenses such as test proctors, testing room costs, and travel costs for the home school students will vary by district. Therefore, the expenditure impact of this bill on local school districts is undetermined.

**Introduced on January 12, 2021**

**State Expenditure**

This bill requires each public school district to make certain tests available to students receiving home instruction if the tests are made available to students attending public schools in the district. Public school districts must also adopt written policies that specify the date by which these students must register to participate in the testing and must notify parents of students receiving home instruction within their school districts of the registration deadlines and the availability of financial assistance to low-income and needy students. Public school districts must charge students receiving home instruction the same fees as those charged to public school students for the same service. SDE must create a Homeschool Identification Code for use in differentiating students receiving home instruction from the public school students for the testing pursuant to this bill.

**State Department of Education.** The expenditure impact of this bill on SDE is pending, contingent upon a response from the agency.

**State Agency Schools.** This bill is not expected to have an expenditure impact on the state agency schools. The Governor’s School for Science and Mathematics and the Wil Lou Gray Opportunity indicate that the schools do not have home school students. The Governor’s School for the Arts and Humanities indicates that the bill will have no expenditure impact on the agency. Also, the Governor’s School for Agriculture at John de la Howe indicates that any expenses pursuant to the provisions of the bill can be managed within current appropriations. Since we anticipate a similar response from the School for the Deaf and Blind, we do not anticipate that this bill will have an expenditure impact on the state agency schools.

**Local Expenditure**

This bill requires each public school district to make certain tests available to students receiving home instruction if the tests are made available to students attending public schools in the district. Public school districts must also adopt written policies that specify the date by which these students must register to participate in the testing and must notify parents of students receiving home instruction within their school districts of the registration deadlines and the availability of financial assistance to low-income and needy students. Public school districts must charge students receiving home instruction the same fees as those charged to public school students for the same service.

The expenditure impact of this bill on local school districts is pending, contingent upon a response from SDE.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑63‑105 SO AS TO PROVIDE THAT BEGINNING WITH THE 2022‑2023 SCHOOL YEAR, PUBLIC SCHOOL DISTRICTS SHALL MAKE ADVANCED PLACEMENT TESTING AND CERTAIN OTHER TESTING AVAILABLE TO HOME SCHOOL STUDENTS RESIDING IN THE DISTRICT IF THE TESTS ARE MADE AVAILABLE TO STUDENTS ATTENDING PUBLIC SCHOOLS IN THE DISTRICTS, AND TO PROVIDE RELATED DUTIES OF SCHOOL BOARDS AND THE STATE DEPARTMENT OF EDUCATION.

Amend Title To Conform

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

SECTION 1. Article 1, Chapter 63, Title 59 of the 1976 Code is amended by adding:

“Section 59‑63‑105. (A) Beginning with the 2022‑2023 School Year, each public school district shall make the following tests available to students receiving home instruction pursuant to Sections 59‑65‑40, 59‑65‑45, and 59‑65‑47 if the test is made available to students attending public schools in the district:

(1) Advanced Placement testing;

(2) Preliminary Scholastic Aptitude Test/National Merit Scholarship Qualifying test;

(3) Pre‑ACT test; and

(4) College and career readiness assessments and summative assessments as administered pursuant to Section 59‑18‑325.

(B) Public school districts also shall:

(1) adopt written policies that specify the date by which these students shall register to participate in testing provided in subsection (A); and

(2) notify parents of students receiving home instruction within their school districts of the registration deadlines in item (1) and the availability of financial assistance to low‑income and needy students to make the examinations publicly and easily accessible to students receiving home instruction who may qualify to take these exams and assessments.

(C) Public school districts shall charge students receiving home instruction the same fees, if any, charged to public school students for the same service.

(D) The South Carolina Department of Education shall create a Homeschool Identification Code to be used for testing provided in subsection (A) for use in differentiating students receiving home instruction from the public school students.”

SECTION 2. This act takes effect upon approval by the Governor.

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