

**PROVISO REVIEW SUBCOMMITTEE
K-12 EDUCATION RECOMMENDATIONS
FOR FY 2010-11**

SECTION 1 - H63-DEPARTMENT OF EDUCATION

- 1.3 REINSERT/AMEND TO CONFORM TO FUNDING** (EFA Formula/Base Student Cost Inflation Factor) States General Assembly intent to fully implement the EFA including an inflation factor projected by the Division of Budget and Analyses to match the inflation wages of public school employees in the southeast; states the base student cost has been determined to be \$2,034 in Part IA and \$300 in Part III for a total of \$2,334; states that the per pupil count for FY 09-10 is projected to be 691,816 and projects the average per pupil funding. Directs that for FY 09-10 the SC Public Charter School District shall receive and distribute state funds to the charter school as determined by the current year's base student cost, as funded by the General Assembly, plus an additional \$700, multiplied by the weighted students enrolled in the charter school, which must be subject to adjustment for student attendance and state budget allocations. **WMC:** DELETE proviso. Fiscal Impact: No Impact on the General Fund.
HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso and amend to update fiscal year and dollars. CONFORM TO FUNDING

1.3. (SDE: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for 100 percent of full implementation of the Education Finance Act to include an inflation factor projected by the Division of Budget and Analyses to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year ~~for Part IA~~ has been determined to be ~~\$2,034~~ \$2,044 and the base student cost for Part III has been determined to be ~~\$300~~ for a total base student cost of ~~\$2,334~~. In Fiscal Year ~~2009-10~~ 2010-11, the total pupil count is projected to be ~~691,816~~ 694,303. The average per pupil funding is projected to be ~~\$4,153~~ \$4,485 state, ~~\$1,296~~ \$1,633 federal, and ~~\$5,792~~ \$5,254 local. This is an average total funding level of ~~\$11,242~~ \$11,372 excluding revenues of local bond issues. For Fiscal Year ~~2009-10~~ 2010-11 the South Carolina Public Charter School District shall receive and distribute state funds to the charter school as determined by the current year's base student cost, as funded by the General Assembly, plus an additional \$700, multiplied by the weighted students enrolled in the charter school, which must be subject to adjustment for student attendance and state budget allocations.

In Fiscal Year ~~2009-10~~ 2010-11, the Abbeville School District total pupil count is projected to be ~~2,911~~ 2,963. The per pupil funding is projected to be ~~\$6,059~~ \$5,892 state, ~~\$1,616~~ \$1,878 federal, and ~~\$3,604~~ \$3,286 local. This is a total projected funding level of ~~\$11,279~~ \$11,057 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Aiken School District total pupil count is projected to be ~~23,640~~ 23,756. The per pupil funding is projected to be ~~\$4,084~~ \$4,237 state, ~~\$1,225~~ \$1,578 federal, and ~~\$3,673~~ \$3,177 local. This is a total projected funding level of ~~\$8,982~~ \$8,992 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Allendale School District total pupil count is projected to be ~~1,454~~ 1,590. The per pupil funding is projected to be ~~\$7,310~~ \$5,388 state, ~~\$1,764~~ \$2,736 federal, and ~~\$3,978~~ \$3,452 local. This is a total projected funding level of ~~\$13,053~~ \$11,576 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Anderson School District 1 total pupil count is projected to be ~~9,168~~ 9,042. The per pupil funding is projected to be ~~\$4,053~~ \$4,267 state, ~~\$656~~ \$922 federal, and ~~\$3,485~~ \$3,060 local. This is a total projected funding level of ~~\$8,194~~ \$8,249 excluding revenues of local bond issues.

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In Fiscal Year ~~2009-10~~ 2010-11, the Anderson School District 2 total pupil count is projected to be ~~3,694~~ 3,600. The per pupil funding is projected to be ~~\$4,573~~ \$4,440 state, ~~\$609~~ \$1,432 federal, and ~~\$3,780~~ \$3,368 local. This is a total projected funding level of ~~\$8,962~~ \$9,240 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Anderson School District 3 total pupil count is projected to be ~~2,558~~ 2,588. The per pupil funding is projected to be ~~\$4,919~~ \$4,534 state, ~~\$1,370~~ \$1,578 federal, and ~~\$3,857~~ \$3,571 local. This is a total projected funding level of ~~\$10,146~~ \$9,683 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Anderson School District 4 total pupil count is projected to be ~~2,901~~ 2,726. The per pupil funding is projected to be ~~\$3,850~~ \$4,557 state, ~~\$1,231~~ \$1,326 federal, and ~~\$7,007~~ \$6,584 local. This is a total projected funding level of ~~\$12,087~~ \$12,467 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Anderson School District 5 total pupil count is projected to be ~~11,985~~ 12,010. The per pupil funding is projected to be ~~\$4,277~~ \$4,546 state, ~~\$1,488~~ \$1,635 federal, and ~~\$4,675~~ \$4,032 local. This is a total projected funding level of ~~\$10,440~~ \$10,213 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Bamberg School District 1 total pupil count is projected to be ~~1,377~~ 1,387. The per pupil funding is projected to be ~~\$5,491~~ \$5,491 state, ~~\$1,675~~ \$2,166 federal, and ~~\$3,723~~ \$3,299 local. This is a total projected funding level of ~~\$10,889~~ \$10,956 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Bamberg School District 2 total pupil count is projected to be ~~872~~ 846. The per pupil funding is projected to be ~~\$6,126~~ \$6,283 state, ~~\$2,011~~ \$2,477 federal, and ~~\$4,334~~ \$3,768 local. This is a total projected funding level of ~~\$12,471~~ \$12,529 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Barnwell School District 19 total pupil count is projected to be ~~747~~ 829. The per pupil funding is projected to be ~~\$5,256~~ \$5,252 state, ~~\$2,578~~ \$2,775 federal, and ~~\$3,900~~ \$3,212 local. This is a total projected funding level of ~~\$11,734~~ \$11,238 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Barnwell School District 29 total pupil count is projected to be ~~972~~ 1,075. The per pupil funding is projected to be ~~\$4,544~~ \$4,356 state, ~~\$1,466~~ \$1,453 federal, and ~~\$3,305~~ \$2,675 local. This is a total projected funding level of ~~\$9,315~~ \$8,484 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Barnwell School District 45 total pupil count is projected to be ~~2,445~~ 2,261. The per pupil funding is projected to be ~~\$4,898~~ \$5,398 state, ~~\$1,177~~ \$1,663 federal, and ~~\$2,970~~ \$3,030 local. This is a total projected funding level of ~~\$9,045~~ \$10,091 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Beaufort School District total pupil count is projected to be ~~18,425~~ 19,776. The per pupil funding is projected to be ~~\$1,379~~ \$3,518 state, ~~\$1,703~~ \$1,608 federal, and ~~\$12,157~~ \$10,018 local. This is a total projected funding level of ~~\$15,240~~ \$15,144 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Berkeley School District total pupil count is projected to be ~~28,058~~ 28,797. The per pupil funding is projected to be ~~\$4,119~~ \$4,177 state, ~~\$959~~ \$1,528 federal, and ~~\$5,655~~ \$4,768 local. This is a total projected funding level of ~~\$10,733~~ \$10,473 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Calhoun School District total pupil count is projected to be ~~1,569~~ 1,712. The per pupil funding is projected to be ~~\$5,309~~ \$5,207 state, ~~\$1,495~~ \$2,479 federal, and ~~\$6,632~~ \$6,031 local. This is a total projected funding level of ~~\$13,436~~ \$13,717 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Charleston School District total pupil count is projected to be ~~40,639~~ 41,754. The per pupil funding is projected to be ~~\$2,703~~ \$3,539 state,

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~~\$1,593~~ \$1,825 federal, and ~~\$9,874~~ \$8,330 local. This is a total projected funding level of ~~\$14,169~~ \$13,694 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Cherokee School District total pupil count is projected to be ~~8,868~~ 8,654. The per pupil funding is projected to be ~~\$4,696~~ \$4,584 state, ~~\$1,558~~ \$2,050 federal, and ~~\$4,804~~ \$4,723 local. This is a total projected funding level of ~~\$11,055~~ \$11,357 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Chester School District total pupil count is projected to be ~~5,503~~ 5,204. The per pupil funding is projected to be ~~\$4,761~~ \$4,954 state, ~~\$1,970~~ \$2,072 federal, and ~~\$5,050~~ \$4,522 local. This is a total projected funding level of ~~\$11,781~~ \$11,548 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Chesterfield School District total pupil count is projected to be ~~7,730~~ 7,271. The per pupil funding is projected to be ~~\$4,700~~ \$4,858 state, ~~\$1,453~~ \$1,854 federal, and ~~\$3,303~~ \$3,477 local. This is a total projected funding level of ~~\$9,457~~ \$10,189 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Clarendon School District 1 total pupil count is projected to be ~~840~~ 835. The per pupil funding is projected to be ~~\$5,935~~ \$5,741 state, ~~\$1,629~~ \$4,127 federal, and ~~\$6,690~~ \$5,947 local. This is a total projected funding level of ~~\$14,254~~ \$15,815 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Clarendon School District 2 total pupil count is projected to be ~~2,974~~ 3,063. The per pupil funding is projected to be ~~\$5,239~~ \$4,683 state, ~~\$1,897~~ \$2,714 federal, and ~~\$2,517~~ \$2,138 local. This is a total projected funding level of ~~\$9,653~~ \$9,535 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Clarendon School District 3 total pupil count is projected to be 1,207. The per pupil funding is projected to be ~~\$5,095~~ \$4,767 state, ~~\$1,013~~ \$1,327 federal, and ~~\$2,570~~ \$2,984 local. This is a total projected funding level of ~~\$8,678~~ \$9,079 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Colleton School District total pupil count is projected to be ~~5,918~~ 6,107. The per pupil funding is projected to be ~~\$4,822~~ \$4,230 state, ~~\$2,250~~ \$2,511 federal, and ~~\$4,576~~ \$5,011 local. This is a total projected funding level of ~~\$11,648~~ \$11,752 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Darlington School District total pupil count is projected to be ~~10,522~~ 10,461. The per pupil funding is projected to be ~~\$4,772~~ \$4,560 state, ~~\$1,642~~ \$2,077 federal, and ~~\$5,340~~ \$4,729 local. This is a total projected funding level of ~~\$11,754~~ \$11,365 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Dillon School District 1 total pupil count is projected to be ~~794~~ 835. The per pupil funding is projected to be ~~\$5,326~~ \$4,555 state, ~~\$1,824~~ \$2,323 federal, and ~~\$2,183~~ \$1,730 local. This is a total projected funding level of ~~\$9,333~~ \$8,608 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Dillon School District 2 total pupil count is projected to be ~~3,380~~ 3,330. The per pupil funding is projected to be ~~\$4,771~~ \$4,447 state, ~~\$1,738~~ \$2,552 federal, and ~~\$1,733~~ \$1,593 local. This is a total projected funding level of ~~\$8,243~~ \$8,592 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Dillon School District 3 total pupil count is projected to be ~~1,616~~ 1,731. The per pupil funding is projected to be ~~\$4,457~~ \$3,781 state, ~~\$1,209~~ \$1,537 federal, and ~~\$2,199~~ \$1,913 local. This is a total projected funding level of ~~\$7,865~~ \$7,231 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Dorchester School District 2 total pupil count is projected to be ~~21,969~~ 23,163. The per pupil funding is projected to be ~~\$3,790~~ \$4,281 state, ~~\$641~~ \$840 federal, and ~~\$4,399~~ \$3,133 local. This is a total projected funding level of ~~\$8,830~~ \$8,255 excluding revenues of local bond issues.

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In Fiscal Year ~~2009-10~~ 2010-11, the Dorchester School District 4 total pupil count is projected to be ~~2,190~~ 2,079. The per pupil funding is projected to be ~~\$4,807~~ \$5,069 state, ~~\$1,918~~ \$2,557 federal, and ~~\$6,918~~ \$7,710 local. This is a total projected funding level of ~~\$13,643~~ \$15,336 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Edgefield School District total pupil count is projected to be ~~3,795~~ 3,727. The per pupil funding is projected to be ~~\$5,158~~ \$5,029 state, ~~\$972~~ \$1,632 federal, and ~~\$3,879~~ \$3,408 local. This is a total projected funding level of ~~\$10,010~~ \$10,069 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Fairfield School District total pupil count is projected to be ~~2,940~~ 2,715. The per pupil funding is projected to be ~~\$5,175~~ \$6,049 state, ~~\$2,003~~ \$2,644 federal, and ~~\$8,343~~ \$7,916 local. This is a total projected funding level of ~~\$15,520~~ \$16,609 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Florence School District 1 total pupil count is projected to be ~~15,203~~ 15,598. The per pupil funding is projected to be ~~\$4,228~~ \$4,441 state, ~~\$1,408~~ \$1,670 federal, and ~~\$4,867~~ \$3,854 local. This is a total projected funding level of ~~\$10,503~~ \$9,965 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Florence School District 2 total pupil count is projected to be ~~1,230~~ 1,299. The per pupil funding is projected to be ~~\$4,848~~ \$4,210 state, ~~\$1,099~~ \$1,501 federal, and ~~\$4,008~~ \$3,286 local. This is a total projected funding level of ~~\$9,956~~ \$8,998 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Florence School District 3 total pupil count is projected to be ~~3,485~~ 3,335. The per pupil funding is projected to be ~~\$5,106~~ \$5,061 state, ~~\$3,087~~ \$4,100 federal, and ~~\$2,584~~ \$2,349 local. This is a total projected funding level of ~~\$10,777~~ \$11,511 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Florence School District 4 total pupil count is projected to be ~~814~~ 822. The per pupil funding is projected to be ~~\$7,302~~ \$6,881 state, ~~\$1,950~~ \$3,205 federal, and ~~\$4,728~~ \$5,021 local. This is a total projected funding level of ~~\$13,980~~ \$15,107 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Florence School District 5 total pupil count is projected to be ~~1,395~~ 1,405. The per pupil funding is projected to be ~~\$5,314~~ \$4,777 state, ~~\$1,213~~ \$1,522 federal, and ~~\$3,867~~ \$4,263 local. This is a total projected funding level of ~~\$10,394~~ \$10,563 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Georgetown School District total pupil count is projected to be ~~9,467~~ 9,345. The per pupil funding is projected to be ~~\$3,604~~ \$4,202 state, ~~\$1,411~~ \$1,935 federal, and ~~\$7,484~~ \$6,614 local. This is a total projected funding level of ~~\$12,499~~ \$12,751 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Greenville School District total pupil count is projected to be ~~69,784~~ 70,951. The per pupil funding is projected to be ~~\$3,898~~ \$4,312 state, ~~\$1,040~~ \$1,355 federal, and ~~\$4,969~~ \$4,365 local. This is a total projected funding level of ~~\$9,908~~ \$10,032 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Greenwood School District 50 total pupil count is projected to be ~~8,922~~ 8,435. The per pupil funding is projected to be ~~\$4,412~~ \$4,431 state, ~~\$1,143~~ \$1,671 federal, and ~~\$6,156~~ \$6,114 local. This is a total projected funding level of ~~\$11,712~~ \$12,216 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Greenwood School District 51 total pupil count is projected to be ~~1,053~~ 1,069. The per pupil funding is projected to be ~~\$5,397~~ \$4,607 state, ~~\$1,143~~ \$1,635 federal, and ~~\$4,229~~ \$3,675 local. This is a total projected funding level of ~~\$10,770~~ \$9,917 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Greenwood School District 52 total pupil count is projected to be ~~1,593~~ 1,550. The per pupil funding is projected to be ~~\$3,152~~ \$3,175 state, ~~\$867~~

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\$1,056 federal, and ~~\$6,296~~ \$7,027 local. This is a total projected funding level of ~~\$10,314~~ \$11,258 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Hampton School District 1 total pupil count is projected to be ~~2,607~~ 2,291. The per pupil funding is projected to be ~~\$5,135~~ \$5,723 state, ~~\$1,516~~ \$2,292 federal, and ~~\$2,876~~ \$2,981 local. This is a total projected funding level of ~~\$9,526~~ \$10,995 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Hampton School District 2 total pupil count is projected to be ~~1,047~~ 973. The per pupil funding is projected to be ~~\$7,510~~ \$6,484 state, ~~\$2,148~~ \$3,320 federal, and ~~\$4,070~~ \$4,160 local. This is a total projected funding level of ~~\$13,728~~ \$13,965 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Horry School District total pupil count is projected to be ~~37,225~~ 36,702. The per pupil funding is projected to be ~~\$3,391~~ \$3,691 state, ~~\$1,336~~ \$1,555 federal, and ~~\$7,836~~ \$8,142 local. This is a total projected funding level of ~~\$12,563~~ \$13,388 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Jasper School District total pupil count is projected to be ~~3,274~~ 3,164. The per pupil funding is projected to be ~~\$4,373~~ \$4,742 state, ~~\$1,793~~ \$2,278 federal, and ~~\$6,546~~ \$4,891 local. This is a total projected funding level of ~~\$12,713~~ \$11,912 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Kershaw School District total pupil count is projected to be ~~10,267~~ 9,956. The per pupil funding is projected to be ~~\$4,588~~ \$4,766 state, ~~\$1,183~~ \$1,441 federal, and ~~\$4,653~~ \$4,438 local. This is a total projected funding level of ~~\$10,424~~ \$10,645 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Lancaster School District total pupil count is projected to be ~~11,786~~ 11,220. The per pupil funding is projected to be ~~\$4,200~~ \$4,394 state, ~~\$1,641~~ \$2,176 federal, and ~~\$4,597~~ \$3,937 local. This is a total projected funding level of ~~\$10,437~~ \$10,507 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Laurens School District 55 total pupil count is projected to be ~~5,559~~ 5,700. The per pupil funding is projected to be ~~\$4,855~~ \$4,369 state, ~~\$1,382~~ \$1,755 federal, and ~~\$3,520~~ \$3,037 local. This is a total projected funding level of ~~\$9,757~~ \$9,161 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Laurens School District 56 total pupil count is projected to be ~~3,058~~ 2,830. The per pupil funding is projected to be ~~\$5,020~~ \$5,150 state, ~~\$2,023~~ \$3,271 federal, and ~~\$3,725~~ \$3,343 local. This is a total projected funding level of ~~\$10,768~~ \$11,764 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Lee School District total pupil count is projected to be ~~2,367~~ 2,304. The per pupil funding is projected to be ~~\$6,796~~ \$7,386 state, ~~\$2,105~~ \$2,611 federal, and ~~\$3,295~~ \$3,289 local. This is a total projected funding level of ~~\$12,196~~ \$13,286 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Lexington School District 1 total pupil count is projected to be ~~22,013~~ 23,348. The per pupil funding is projected to be ~~\$4,174~~ \$4,786 state, ~~\$605~~ \$826 federal, and ~~\$6,914~~ \$5,441 local. This is a total projected funding level of ~~\$11,693~~ \$11,054 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Lexington School District 2 total pupil count is projected to be ~~8,419~~ 8,884. The per pupil funding is projected to be ~~\$4,639~~ \$4,282 state, ~~\$1,270~~ \$1,508 federal, and ~~\$4,827~~ \$4,092 local. This is a total projected funding level of ~~\$10,736~~ \$9,882 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Lexington School District 3 total pupil count is projected to be ~~1,987~~ 1,804. The per pupil funding is projected to be ~~\$4,959~~ \$5,608 state, ~~\$1,571~~ \$2,049 federal, and ~~\$6,565~~ \$6,765 local. This is a total projected funding level of ~~\$13,095~~ \$14,422 excluding revenues of local bond issues.

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In Fiscal Year ~~2009-10~~ 2010-11, the Lexington School District 4 total pupil count is projected to be ~~3,072~~ 3,100. The per pupil funding is projected to be ~~\$6,247~~ \$5,553 state, ~~\$2,329~~ \$2,555 federal, and ~~\$3,847~~ \$3,535 local. This is a total projected funding level of ~~\$12,423~~ \$11,643 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Lexington School District 5 total pupil count is projected to be ~~16,235~~ 16,333. The per pupil funding is projected to be ~~\$4,650~~ \$5,785 state, ~~\$672~~ \$914 federal, and ~~\$7,042~~ \$5,611 local. This is a total projected funding level of ~~\$12,363~~ \$12,310 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Marion School District 1 total pupil count is projected to be ~~2,653~~ 2,615. The per pupil funding is projected to be ~~\$5,025~~ \$4,771 state, ~~\$2,221~~ \$2,531 federal, and ~~\$2,712~~ \$2,473 local. This is a total projected funding level of ~~\$9,959~~ \$9,775 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Marion School District 2 total pupil count is projected to be ~~1,857~~ 1,607. The per pupil funding is projected to be ~~\$4,838~~ \$5,184 state, ~~\$2,792~~ \$3,774 federal, and ~~\$2,864~~ \$3,044 local. This is a total projected funding level of ~~\$10,495~~ \$12,002 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Marion School District 7 total pupil count is projected to be ~~694~~ 562. The per pupil funding is projected to be ~~\$7,773~~ \$9,241 state, ~~\$1,892~~ \$4,601 federal, and ~~\$2,989~~ \$2,789 local. This is a total projected funding level of ~~\$12,654~~ \$16,631 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Marlboro School District total pupil count is projected to be ~~4,274~~ 4,275. The per pupil funding is projected to be ~~\$5,702~~ \$5,422 state, ~~\$2,037~~ \$3,399 federal, and ~~\$2,881~~ \$2,742 local. This is a total projected funding level of ~~\$10,620~~ \$11,564 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the McCormick School District total pupil count is projected to be ~~831~~ 782. The per pupil funding is projected to be ~~\$4,428~~ \$7,504 state, ~~\$2,322~~ \$3,324 federal, and ~~\$8,688~~ \$8,710 local. This is a total projected funding level of ~~\$15,439~~ \$19,539 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Newberry School District total pupil count is projected to be ~~5,762~~ 5,460. The per pupil funding is projected to be ~~\$4,910~~ \$5,294 state, ~~\$1,596~~ \$2,288 federal, and ~~\$6,399~~ \$5,755 local. This is a total projected funding level of ~~\$12,905~~ \$13,338 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Oconee School District total pupil count is projected to be ~~10,274~~ 10,490. The per pupil funding is projected to be ~~\$3,852~~ \$4,016 state, ~~\$1,291~~ \$1,559 federal, and ~~\$7,284~~ \$6,519 local. This is a total projected funding level of ~~\$12,427~~ \$12,095 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Orangeburg School District 3 total pupil count is projected to be ~~2,878~~ 2,789. The per pupil funding is projected to be ~~\$5,560~~ \$4,922 state, ~~\$2,075~~ \$2,719 federal, and ~~\$6,098~~ \$6,513 local. This is a total projected funding level of ~~\$13,733~~ \$14,155 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Orangeburg School District 4 total pupil count is projected to be ~~3,836~~ 3,778. The per pupil funding is projected to be ~~\$5,002~~ \$4,871 state, ~~\$1,614~~ \$1,909 federal, and ~~\$4,917~~ \$4,836 local. This is a total projected funding level of ~~\$11,533~~ \$11,615 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Orangeburg School District 5 total pupil count is projected to be ~~6,392~~ 6,214. The per pupil funding is projected to be ~~\$5,139~~ \$4,954 state, ~~\$1,900~~ \$2,438 federal, and ~~\$5,795~~ \$5,636 local. This is a total projected funding level of ~~\$12,834~~ \$13,029 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Pickens School District total pupil count is projected to be ~~16,210~~ 16,106. The per pupil funding is projected to be ~~\$4,040~~ \$4,136 state, ~~\$1,034~~

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\$1,228 federal, and \$4,727 \$5,497 local. This is a total projected funding level of \$9,801 \$10,861 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Richland School District 1 total pupil count is projected to be ~~23,060~~ 23,453. The per pupil funding is projected to be \$4,542 \$4,043 state, \$2,072 \$2,524 federal, and \$7,897 \$9,980 local. This is a total projected funding level of \$14,511 \$16,548 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Richland School District 2 total pupil count is projected to be ~~24,669~~ 25,023. The per pupil funding is projected to be \$4,028 \$4,884 state, \$903 \$967 federal, and \$6,326 \$5,259 local. This is a total projected funding level of \$11,256 \$11,109 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Saluda School District total pupil count is projected to be ~~2,047~~ 2,105. The per pupil funding is projected to be \$4,971 \$4,810 state, \$1,228 \$1,552 federal, and \$3,936 \$3,252 local. This is a total projected funding level of \$10,135 \$9,615 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Spartanburg School District 1 total pupil count is projected to be ~~5,009~~ 4,801. The per pupil funding is projected to be \$4,538 \$5,684 state, \$1,054 \$1,194 federal, and \$4,840 \$3,884 local. This is a total projected funding level of \$10,432 \$10,763 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Spartanburg School District 2 total pupil count is projected to be ~~9,656~~ 9,512. The per pupil funding is projected to be \$4,212 \$4,958 state, \$939 \$1,169 federal, and \$3,747 \$3,264 local. This is a total projected funding level of \$8,898 \$9,391 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Spartanburg School District 3 total pupil count is projected to be ~~2,929~~ 2,808. The per pupil funding is projected to be \$4,791 \$4,654 state, \$1,190 \$1,517 federal, and \$5,288 \$5,114 local. This is a total projected funding level of \$11,269 \$11,285 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Spartanburg School District 4 total pupil count is projected to be ~~2,881~~ 2,912. The per pupil funding is projected to be \$4,465 \$4,295 state, \$850 \$990 federal, and \$4,388 \$2,848 local. This is a total projected funding level of \$9,702 \$8,133 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Spartanburg School District 5 total pupil count is projected to be ~~7,679~~ 7,530. The per pupil funding is projected to be \$3,847 \$4,467 state, \$760 \$1,049 federal, and \$6,675 \$5,720 local. This is a total projected funding level of \$11,282 \$11,236 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Spartanburg School District 6 total pupil count is projected to be ~~10,132~~ 10,032. The per pupil funding is projected to be \$4,180 4,582 state, \$960 \$1,173 federal, and \$4,943 \$4,388 local. This is a total projected funding level of \$10,082 \$10,144 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Spartanburg School District 7 total pupil count is projected to be ~~7,261~~ 6,729. The per pupil funding is projected to be \$4,999 \$5,523 state, \$1,899 \$2,842 federal, and \$7,071 \$6,425 local. This is a total projected funding level of \$13,969 \$14,791 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Sumter School District 2 total pupil count is projected to be ~~8,354~~ 8,216. The per pupil funding is projected to be \$4,629 \$4,378 state, \$1,784 \$2,007 federal, and \$3,393 \$3,317 local. This is a total projected funding level of \$9,805 \$9,702 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Sumter School District 17 total pupil count is projected to be ~~8,385~~ 7,847. The per pupil funding is projected to be \$4,607 \$4,636 state, \$1,947 \$2,246 federal, and \$3,164 \$3,102 local. This is a total projected funding level of \$9,718 \$9,984 excluding revenues of local bond issues.

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In Fiscal Year ~~2009-10~~ 2010-11, the Union School District total pupil count is projected to be ~~4,403~~ 4,234. The per pupil funding is projected to be ~~\$5,204~~ \$5,349 state, ~~\$1,246~~ \$1,793 federal, and ~~\$2,788~~ \$2,843 local. This is a total projected funding level of ~~\$9,238~~ \$9,984 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the Williamsburg School District total pupil count is projected to be ~~4,980~~ 4,800. The per pupil funding is projected to be ~~\$5,085~~ \$5,122 state, ~~\$3,005~~ \$3,469 federal, and ~~\$3,277~~ \$4,910 local. This is a total projected funding level of ~~\$11,367~~ \$13,500 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the York School District 1 total pupil count is projected to be ~~5,187~~ 5,021. The per pupil funding is projected to be ~~\$4,303~~ \$4,728 state, ~~\$1,065~~ \$1,691 federal, and ~~\$4,189~~ \$4,244 local. This is a total projected funding level of ~~\$9,557~~ \$10,663 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the York School District 2 total pupil count is projected to be ~~6,353~~ 6,520. The per pupil funding is projected to be ~~\$3,125~~ \$5,000 state, ~~\$527~~ \$852 federal, and ~~\$8,218~~ \$7,546 local. This is a total projected funding level of ~~\$11,870~~ \$13,398 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the York School District 3 total pupil count is projected to be ~~17,459~~ 17,569. The per pupil funding is projected to be ~~\$4,377~~ \$4,892 state, ~~\$770~~ \$1,151 federal, and ~~\$6,085~~ \$4,564 local. This is a total projected funding level of ~~\$11,232~~ \$10,607 excluding revenues of local bond issues.

In Fiscal Year ~~2009-10~~ 2010-11, the York School District 4 total pupil count is projected to be ~~10,187~~ 11,004. The per pupil funding is projected to be ~~\$3,666~~ \$4,652 state, ~~\$404~~ \$552 federal, and ~~\$6,771~~ \$5,398 local. This is a total projected funding level of ~~\$10,840~~ \$10,602 excluding revenues of local bond issues.

- 1.11** **AMEND** (Revenue Authorization) Authorizes the department to collect, expend, and carry forward various sources of revenue.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND proviso to authorize the department to lease or sell virtual courses to other states.

1.11. (SDE: Revenue Authorization) The State Department of Education is hereby authorized to collect, expend, and carry forward revenues in the following areas to offset the cost of providing such services: the sale of publications, manuals and forms, the sale of Apple Tags, royalties, contributions, donations, foundation funds, special grants and contracts, brochures, photo copies, listings and labels, Directory of South Carolina Schools, student health record cards, items to be recycled, and high school diplomas and certificates; the collection of out-of-state and in-state investigation fees, registration fees for non-SDE employees, recurring facility inspection fees, teacher certification fees; the handling of audio-visual film; the provision of contract computer services to school districts and other state agencies, joint broadcast service to school districts, and education-related statistics through agreement with the National Center for Education Statistics; the lease or sale of programs of television, audio or microcomputer software; the lease or sale of virtual courses to other states; the collection of damage fees for instructional materials and the sale of unusable instructional materials; sale of fuel; use and repair of transportation equipment; fees for Medicaid reimbursable transportation; the receipt of insurance and warranty payments on Department of Education equipment and the sale of used school buses and support equipment. The Department of Education is authorized to collect revenue for deposit into the State General Fund for testing material purchases and test rescoring fees. The Department of Education is authorized to expend revenue collected for lost and damaged instructional materials and the sale of unusable instructional materials for the

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purpose of contracting for the purchase and maintenance of a statewide textbook inventory management system, provided that schools' newly-adopted instructional materials needs are met first.

- 1.23 CONFORM TO FUNDING** (Adult Education/Literacy) Requires the General Assembly to appropriate an amount equal to \$175 per pupil for adult education and to adjust the amount annually by the same percentage as the base student cost inflation factor. Require overall State funding levels to meet the federal requirement of State maintenance of effort. Direct that \$150,000 of adult education funds be used to provide for rural literacy development pilot projects. Direct that additionally, each county receive \$50,000 for school districts to use for adult literacy service delivery to adult nonreaders and those reading at or below the 8th grade level.
- WMC:** DELETE proviso. *Conform to line item being moved from General Fund to EIA and consolidated with all other line item appropriations for adult and young adult education.* Fiscal Impact: OSB states no impact on the General Fund. Requested by Education Oversight Committee. See new proviso 1A.42.
- HOU:** ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING

~~**1.23.** (SDE: Adult Education/Literacy) The General Assembly must appropriate for adult education an amount equal to \$175 per pupil. The per pupil amount shall be adjusted annually by the same percentage as the inflation factor used to adjust the base student cost of the Education Finance Act. The number of pupils shall be determined by counting the number of persons sixteen years or older who attended a minimum of twelve hours in an approved adult education program in the prior fiscal year. Funds may decrease with a decrease in enrollment; however, overall levels of State funding must meet the federal requirement of State maintenance of effort.~~

~~From the funds appropriated for adult education, \$150,000 must be used to provide for pilot projects for rural literacy development. In addition, each county shall receive \$50,000 for use by the school districts for adult literacy for service delivery to adult nonreaders and those reading at or below the eighth grade level. The school districts may provide this service or may contract to have this service provided. In multi-district counties, the districts must agree on the method of service delivery for the entire county and select one district to serve as the fiscal agent.~~

- 1.27 RESTORE ORIGINAL PROVISO** (PSAT/PLAN Reimbursement) Directs that assessment appropriations be used to pay for administering PSAT or PLAN tests to 10th grade students to include the testing and report fees. Authorizes the department to carry forward prior year assessment funds to pay for state assessment activities not completed by the end of the fiscal year including scoring the spring statewide accountability assessment.
- WMC:** AMEND proviso to also allow administration of WorkKeys to be paid from assessment funds. Direct that the test selection for each student should be informed by the student's individual graduation plan cluster selection, guidance counselor advisement and parent/legal guardian consent. *Would expand the number of assessments and give school districts greater flexibility in determining the appropriate assessment for 10th grade students.* Fiscal Impact: The EOC indicates no impact on the General Fund. Requested by Education Oversight Committee. See 1A.26 for EIA companion proviso.
- HOU:** ADOPT proviso as amended.

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PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: RESTORE original proviso.

1.27. (SDE: PSAT/PLAN Reimbursement) Funds appropriated for assessment shall be used to pay for the administration of the PSAT_® or PLAN_®, ~~or WorkKeys~~ test to tenth grade students to include the testing fee and report fee. ~~The selection of the test for each student should be informed by the student's individual graduation plan (IGP) cluster selection, guidance counselor advisement and parent/legal guardian consent.~~ SDE is authorized to carry forward into the current fiscal year, prior year state assessment funds for the purpose of paying for state assessment activities not completed by the end of the fiscal year including the scoring of the spring statewide accountability assessment.

- 1.28** **AMEND** (Basic Skill Exam) Requires a person seeking candidacy in a n undergraduate teacher education program to take and pass the Basic Skill Exam pursuant to Sections 59-26-20 and 59-26-40 [TRAINING, CERTIFICATION AND EVALUATION OF PUBLIC EDUCATORS], and directs that if any section is failed, the exam or portion may be retaken. Requires all sections of the Basic Skill Exam to be passed before a person is formally admitted into any undergraduate teacher prep program. Directs that any person who has attained 1650 or better on the SAT or a comparable ACT score is exempted from this requirement.
WMC: AMEND proviso to change “Basic Skill Examination” references to “teacher candidate basic skill examination.” *Updates terminology.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.28. (SDE: Basic Skill Exam) Any person seeking candidacy in an undergraduate teacher education program is required to take and pass the ~~Basic Skill Examination~~ teacher candidate basic skill examination pursuant to Sections 59-26-20 and 59-26-40. Any person who fails to achieve a passing score on all sections shall be allowed to retake the test or a portion thereof. All sections of the ~~Basic Skill Examination~~ teacher candidate basic skill examination must be passed before any person is formally admitted into any undergraduate teacher preparation program in South Carolina. However, any person having attained 1650 or better on the SAT or a comparable ACT score shall be exempt from this requirement.

- 1.32** **AMEND** (Buses, Parts, and/or Fuel) Authorizes the department to use other operating funds in the Bus Shops and Buses programs to purchase buses, fuel, parts or other school bus related items. Authorizes bus fuel, parts/supplies, maintenance, and bus purchase funds to be carried forward and used to support bus transportation services.
WMC: AMEND proviso to update fiscal year carry forward authority from “2009-10” to “2010-11.” *Continue to allow carry forward funds to be used to support bus transportation services.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

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1.32. (SDE: Buses, Parts, and/or Fuel) Funds appropriated for other operating in program IX.B. - Bus Shops and funds appropriated in IX.C. - Buses may be used to purchase buses, fuel, parts, or other school bus related items. All funds appropriated for bus fuel, parts/supplies, maintenance, and bus purchases may be carried forward from the prior fiscal year and expended in FY ~~2009-10~~ 2010-11 to support bus transportation services.

- 1.36** **DELETE** (Part-time Benefits) Directs that teachers working less than 30 hours, but not less than 15 hours a week, qualify for state health and dental insurance and directs the B&C Board to amend its 'Plan of Benefits' to conform to this provision. Directs employers to pay a pro rata share based on the hours worked by the teacher with the teacher paying the remaining costs, however, directs the employer's contribution be no less than half the normal cost.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**1.36.** (SDE: Part-time Benefits) Teachers working less than thirty hours a week, but no less than fifteen hours a week, shall qualify for state health and dental insurance. The Budget and Control Board is directed to amend its "Plan of Benefits" regarding fringe benefits to conform to the provisions of this section. Teachers and employers shall each contribute toward the cost of these benefits with the employer paying only that portion of the employer's normal cost which is attributable to the time the teacher is working, and the teacher shall pay all remaining costs. However, the employer's contribution shall be no less than half the normal cost.~~

- 1.42** **AMEND** (Proviso Allocations) Authorizes the department to reduce any allocation designated by proviso in Section 1 by up to 10%, but prohibits allocations for teacher salaries from being reduced.
WMC: AMEND proviso to direct that if the BEA officially declares an EIA revenue shortfall, the department may reduce any Section 1 allocation designated by proviso in accordance with the lower estimate as directed by the Office of State Budget. Direct that the reduction may not be greater than the total appropriation percentage of reduction of Section 1 appropriations. Direct that if the department holds back funds in excess of the total percentage reduction they must allocate those funds per the proviso. *Mirrors the EIA companion proviso 1A.22 amended last year.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

~~**1.42.** (SDE: Proviso Allocations) The State Department of Education may reduce by up to 10%, any allocation in Section 1 specifically designated by proviso. In the event an official General Fund revenue shortfall is declared by the Board of Economic Advisors, the Department of Education may reduce any allocation in Section 1 specifically designated by proviso in accordance with the lower Board of Economic Advisors revenue estimate as directed by the Office of State Budget. The reduction may not be greater than the total percentage of reduction of the Section 1 appropriation. Should the department hold back funds in excess of~~

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the total percentage reduction those funds must be allocated per the proviso. No allocation for teacher salaries shall be reduced as a result of this proviso.

- 1.43** **AMEND FURTHER** (School Districts and Special Schools Flexibility) Provides guidelines and requirements for school districts and special schools to have the ability to transfer and expend funds among general fund revenues, EIA funds, Lottery funds, and Children's Education Endowment Fund for school facilities and fixed equipment assistance to ensure the delivery of academic and arts instruction. Prohibits school districts from transferring debt service or bonded indebtedness funds. Authorizes school districts and the department to purchase the most economical type of bus fuel.

WMC: AMEND proviso to change fiscal year references from "2009-10" to "2010-11." Specify that in addition to the assessments already suspended by this provision, Section 59-20-50(4)(a) [EFA: SALARY SCHEDULE] and state mandated assessments not required by No Child Left Behind and financial literacy must be suspended. Suspend textbook purchases except for replacement of instructional material currently on the state's adopted textbook list. Suspend printing of school and district report cards. Direct the district or school to email parents a link to the report cards if they maintain the email addresses in their student information system database. Direct the district or school to notify the parents about the report cards through newsletters and other regular communication channels. Direct that if a parent requests a printed copy, it must be provided at no charge. Direct that for FY 2010-11, savings generated from suspending the state mandated assessments, new textbooks adoptions, and report card printing must be redirected to the EFA for teacher salary purposes. Fiscal Impact: OSB states that the department indicates no fiscal impact since savings from suspension of mandated assessments would be reallocated/transferred to EFA. Requested by Department of Education.

HOU: AMEND FURTHER to change from "sixty-five" to "seventy" the percentage of school district's per pupil expenditures which must be used within certain InSite categories. Sponsor: Rep. Haley.

AMEND FURTHER to require that salaries of on-site principals be included in the calculation of the district's per pupil expenditures. Sponsors: Reps. Ott and Merrill.

AMEND FURTHER to direct that school districts shall not be required to advertise the report card results in a newspaper of general circulation in their area, but that the results must be provided to the Editor of such a circulation. Sponsors: Rep. Wiley.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete the requirement that assessments required by Section 59-20-50(4)(a) [EFA: SALARY SCHEDULE] and state mandated assessments not required by No Child Left Behind must be suspended. Direct that writing assessments in grades 3, 4, 6, and 7 must be suspended. Delete the suspension of printing school and district report cards; the requirement that the district or school email parents a link to the report cards; that they notify parents about the report cards through newsletters and other regular communication channels; that a printed copy of the report card be provided to parents free of charge if they request a copy; and that report card results be provided to the Editor of a newspaper of general circulation in their area instead of advertising the results in such a circulation. Direct that savings generated from suspending the writing assessments and adoption of new textbooks must be allocated to school districts based on the EFA formula rather than be redirected to the EFA for teacher salary increases.

1.43. (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed

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equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs.

In order for a school district to take advantage of the flexibility provisions, at least ~~sixty-five~~ seventy percent of the school district's per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and non-instruction pupil services. No portion of the ~~sixty-five~~ seventy percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and non-instruction pupil services for the school year ending June 30, ~~2010~~ 2011. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the ~~2009-10~~ 2010-11 fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or non-essential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be posted on the internet website maintained by the school district.

For Fiscal Year ~~2009-10~~ 2010-11, ~~Section~~ Sections 59-21-1030 ~~and 59-20-50(4)(a) is~~ are suspended. ~~Formative State mandated assessments not required by No Child Left Behind. Writing assessments in grades three, four, six, and seven, formative assessments for grades one, two, and nine, the foreign language program assessment, financial literacy, and the physical education assessment must be suspended. New textbook adoptions may be suspended. Nothing in this provision suspends, amends, modifies, or otherwise authorizes changes in the manner in which textbooks are purchased. Textbook purchases beyond that required for replacement of instructional material currently on the state adopted textbook list must be suspended. Printing of school and district report cards shall be suspended. The district or school shall email parents a link to the report cards if the school maintains parent email addresses in its student information system database. The district or school shall notify parents about the report cards through its newsletters and other regular communication channels. If a parent requests from the district or school a printed copy of the report card, the district or school will provide that printed copy without cost to the parent. Additionally, school districts shall not be required to advertise the report card results in a newspaper of general circulation~~

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~~in their area. The results must be provided to the Editor of a newspaper of general circulation in their area.~~ School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

~~For Fiscal Year 2010-11, savings generated from the suspension of the state mandated writing assessments, and the suspension of new textbooks adoptions, and the suspension of report card printing enumerated above must be redirected to the Education Finance Act for teacher salary purposes allocated to school districts based on the Education Finance Act formula.~~

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The Comptroller General shall distribute to the districts a methodology and resources for compliance. If a district complies with the methodology, it shall be reimbursed for any documented expenses incurred as a result of compliance. Reimbursement must be from the budget of the Comptroller General.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.

- 1.48 CARRIED OVER** (National Board Certification Incentive) Provides guidelines for an annual \$7,500 salary supplement to be paid to public school classroom teachers or classroom teachers who work with classroom teachers who are certified by the State Board of Education and by the National Board for Professional Teaching Standards for the length of the national certificate and to teachers employed at the special schools. Directs that up to 1,100 loan applications shall be processed annually. Authorizes funds collected from educators who are in default of the loan to be retained and carried forward for National Board purposes. Directs CERRA to develop guidelines and administer a loan program for teachers who are U.S. citizens or permanent resident aliens applying for National Board certification. Directs that teachers who begin the application process after 7/1/07 are eligible for full loan forgiveness if at the time the

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teacher applies to the National Board they are teaching in a school with a below average or unsatisfactory rating. Directs that forgiveness be at the rate of 33% for each year of full time teaching in the same school regardless of whether the school exceeds a below average or unsatisfactory rating during the forgiveness period or for each year teaching full time in another school with a below average or unsatisfactory rating.

WMC: AMEND proviso to direct that effective July 1, 2010, the state will not award loans to teachers seeking National Board certification and will not pay a \$7,500 salary supplement to any teacher who receives such certification unless they received certification before July 1, 2010 or completed application for certification prior to July 1, 2010 and subsequently received the certification. Prohibit state funds from being paid to any teacher beyond the first ten years of receiving National Board certification except for individuals who have applied for or subsequently received their second ten year certification prior to July 1, 2010. Direct the department and the EOC to develop a pilot program to be administered by the department to determine the effectiveness of using the Salary Incentives for Teacher Excellence (SITE). Direct the department, during FY 2010-11, to establish program guidelines, conduct an application process which requires at least 2/3 of the school's teachers to endorse the application, and select schools to participate in the pilot. Direct the department to provide a report on SITE to the General Assembly, the State Board of Education, and the EOC by January 15, 2011 and to include the names of schools participating in the pilot for the following fiscal year. Specify that the department retain funds collected from educators who are in default of National Board loans. Authorize that up to 10% of the funds collected may be used by the department to offset loan collection administrative costs and the remainder of the funds be used for National Board loan purposes. *Phases out National Board supplements after all existing commitments are made.* Fiscal Impact: OSB indicates that discontinuing the NBC loan application of \$2,500 would reduce the overall need within the program by \$2,750,000. The number of teachers eligible to receive the \$7,500 salary supplement in FY 09-10 is 6,385 which is approximately 740 more than the prior fiscal year. If the same growth rate applies for FFY 10-11 the number of eligible teachers could reach 7,000. The impact of discontinuing the salary supplement to any teacher beyond the first 10 years taking into consideration the exceptions identified within this proviso is unknown. Requested by Education Oversight Committee. See EIA companion proviso 1A.14.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: CARRIED OVER

1.48. (SDE: National Board Certification Incentive) *Effective July 1, 2010, the state will not award loans to any teacher seeking National Board certification and will not pay a \$7,500 salary supplement to any teacher receiving National Board certification unless the teacher had received National Board certification prior to July 1, 2010 or had completed application for National Board certification prior to July 1, 2010 and subsequently received National Board certification. No state funds shall be paid to any teacher beyond the first ten years of receiving National Board certification except for those individuals who have applied for or subsequently receive their second ten year certification prior to July 1, 2010. The Department of Education and the Education Oversight Committee shall work together to develop a pilot program to be administered by the department to determine the effectiveness of using the Salary Incentives for Teacher Excellence (SITE). During Fiscal Year 2010-11, the department shall establish guidelines for the program, conduct an application process which requires at least two-thirds of the school's teachers to endorse the application, and select schools to participate in the pilot. The department shall provide a report on the SITE to the General Assembly, the State*

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Board of Education, and the Education Oversight Committee not later than January 15, 2011, including the names of schools participating in the pilot for the following fiscal year.

Public school classroom teachers or classroom teachers who work with classroom teachers who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July 1 in the year following the year of achieving certification, beginning with 2009 applicants. Teachers employed at the special schools shall be eligible for this \$7,500 salary supplement. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall develop guidelines and administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who are applying to the National Board for Professional Teaching Standards for certification may receive a loan equal to the amount of the application fee. Up to eleven hundred loan applications shall be processed annually. One-half of the loan principal amount and interest shall be forgiven when the required portfolio is submitted to the national board. Teachers attaining certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous appropriation act. Funds collected from educators who are in default of the National Board loan shall be retained and carried forward by the department. The department may retain up to ten percent of the funds collected to offset the administrative costs of loan collection. All other funds shall be retained by the department and used for National Board loan purposes. Of the funds appropriated in Part IA, Section 1, XIII.A. for National Board Certification, the State Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of the loan program. In addition, teachers who are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.

Provided, further, that in calculating the compensation for teacher specialists, the State Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.

Teachers who begin the application process after July 1, 2007 and who teach in schools which have an absolute rating of below average or at-risk at the time the teacher applies to the National Board for certification, but who fail to obtain certification, nonetheless shall be eligible for full forgiveness of the loan as follows: upon submission of all required materials for certification, one-half of the loan principal amount and interest shall be forgiven; forgiveness of the remainder of the loan will be at the rate of 33% for each year of full time teaching in the same school regardless of whether that school exceeds an absolute rating of

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below average or at-risk during the forgiveness period, or for each year of full time teaching in another school that has an absolute rating of below average or at risk.

- 1.50** **AMEND** (School District Furlough) Authorizes and provides guidelines for school districts to institute an employee furlough program, not to exceed 10 days, for district-level and school-level professional staff. Allows instructional personnel to be furloughed up to 5 non-instructional days if such furlough is not prohibited by an applicable employment contract and if district administrators are furloughed for twice the number of days. Directs that district administrators may only be furloughed on non-instructional days.

WMC: AMEND proviso to direct the department to define district administrators by using the Professional Certified Staff (PCS) System. Direct that individuals not coded in PCS be defined based on whether their function are outlined in position codes identified as administration. Direct that educators who would have received a year's experience credit if a furlough not been implemented, shall not have their experience credit negatively impacted because of a furlough implementation. Fiscal Impact: OSB states the department indicates no fiscal impact on the General Fund. The provision would have an impact on school districts due to cost avoidance of salary for any days furloughed.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.50. (SDE: School District Furlough) If state funds appropriated for a school district in this State are less than state funds appropriated for that school district in the preceding fiscal year, or if the General Assembly or the Budget and Control Board implements a midyear across-the-board budget reduction, school districts may institute employee furlough programs for district-level and school-level professional staff. Before any of these employees may be furloughed, the chairman of the governing body of the school district must certify that all fund flexibility provided by the General Assembly has been utilized by the district and that the furlough is necessary to avoid a year-end deficit and a reduction in force. The certification must include a detailed report by the superintendent of the specific action taken by the district to avoid a year-end deficit. The certification and report must be in writing and delivered to the State Superintendent of Education and a copy must be forwarded to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

The local school district board of trustees may implement a furlough of personnel once certification to the State Superintendent documents all funding flexibility has been exhausted and continued year-end deficits exist. Local school boards of trustees shall have the authority to authorize furloughs of these employees in the manner in which it sees fit. However, instructional personnel may be furloughed for up to five non-instructional days if not prohibited by an applicable employment contract with the district and provided district administrators are furloughed for twice the number of days. District administrators may only be furloughed on non-instructional days and may not be furloughed for a period exceeding ten days. District administrators shall be defined by the Department of Education using the Professional Certified Staff (PCS) System. For individuals not coded in PCS, the determination shall be made based upon whether the individual performs the functions outlined in position codes identified by the department as administration. Educators who would have received a year's experience credit had a furlough not been implemented, shall not have their experience credit negatively impacted because of a furlough implementation.

During any furlough, affected employees shall be entitled to participate in the same benefits as otherwise available to them except for receiving their salaries. As to those benefits that

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require employer and employee contributions, including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the district will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. Placement of an employee on furlough under this provision does not constitute a grievance or appeal under any employee grievance procedure. The district may allocate the employee's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs.

This proviso shall not abrogate the terms of any contract between any school district and its employees.

- 1.55** **DELETE** (Educational Items) State that it is the intent to offer local school districts the same spending flexibility as provided in the prior fiscal year in order for resources to more closely follow the student.

WMC: DELETE proviso. *The proviso is duplicative of the flexibility language provided in proviso 1.43.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.55. (SDE: Educational Items) ~~In order that resources more closely follow the student, it is the intent to offer spending flexibility to local school districts as has been provided in the prior fiscal year.~~

- 1.57** **AMEND** (High School Reading Initiative) Directs that High School Reading Initiative funds are to be used to expand the S.C. Reading Initiative to the high school level by providing research based targeted assistance in improving and accelerating the reading ability of high school students who read below grade level.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that the funds are to be used to improve and accelerate the reading ability of 9th and 10th grade students who score Not Met on the 8th grade PASS reading and research tests or not passing on the 9th grade English 1 end-of course test.

1.57. (SDE: High School Reading Initiative) The funds appropriated for the High School Reading Initiative are to be used to expand the South Carolina Reading Initiative to the high school level by providing research based targeted assistance in improving and accelerating the reading ability of high school ninth and tenth grade students reading below grade level scoring Not Met on the 8th grade PASS reading and research tests or not passing the English 1 end-of-course test as ninth graders.

- 1.61** **AMEND** (Child Development Education Pilot Program) Establishes the South Carolina Child Development Pilot Program to provide four-year old kindergarten services to at-risk children in the 8 trial districts and if any funds remain, to expand the program to the remaining plaintiff districts in the Abbeville County School District and then to eligible children in school districts with a poverty index of 90% or greater. Directs that the program be available for the 2009-10 school year on a voluntary basis. Directs the EOC to conduct an evaluation of the pilot

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program and issue a report to the General Assembly by 1/1/10. Authorizes unexpended funds to be carried forward and remain in the program.

WMC: AMEND proviso to update school year references to “2010-11” and calendar year references to “2011.” Delete the prohibition on using funds appropriated for this purpose to fund services to at risk 4 year olds who reside outside the trial or plaintiff districts during the pilot program implementation. Require the EOC report on evaluation of the pilot program January 15th of the current fiscal year rather than January 1, 2010. Authorize CDEPP providers to enroll pay-lunch children who score at or below the 25th national percentile on two of the three DIAL-3 subscales and if funds are available, to receive reimbursement, if by October 1st at least 75% of the total number of eligible CDEPP children in a district or county are projected to be enrolled in CDEPP, Head Start or ABC Child Care Program as determined by the department and the Office of First Steps. Amend the funded cost per child from “\$4,093” to “\$4,218” and delete the authorization that up to \$2,500 may be provided annually to procure consumable and other materials in established classrooms. Delete the requirement that First Steps include EOC fiscal and management questions in its triennial external evaluation. Delete the specification of what must be included in the 2010 evaluation and instead direct that the annual evaluation address the implementation, accountability and effectiveness of CDEPP. Fiscal Impact: OSB indicates this amendment would have a negligible impact on CDEPP expenditures. The funded cost per child increase from \$4,093 to \$4,218 (\$125) will be largely offset by deletion of the annual \$2,500 per classroom for consumables and materials. There are currently approximately 4,000 children being served by the program in about 249 classrooms.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.61. (SDE: Child Development Education Pilot Program) There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be available for the ~~2009-10~~ 2010-11 school year on a voluntary basis and shall focus on the developmental and learning support that children must have in order to be ready for school and must incorporate parenting education.

(A) For the ~~2009-10~~ 2010-11 school year, with funds appropriated by the General Assembly, the South Carolina Child Development Education Pilot Program shall first be made available to eligible children from the following eight trial districts in Abbeville County School District et. al. vs. South Carolina: Allendale, Dillon 2, Florence 4, Hampton 2, Jasper, Lee, Marion 7, and Orangeburg 3. With any remaining funds available, the pilot shall be expanded to the remaining plaintiff school districts in Abbeville County School District et. al. vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of 90% or greater. Priority shall be given to implementing the program first in those of the plaintiff districts which participated in the pilot program during the 2006-2007 school year, then in the plaintiff districts having proportionally the largest population of underserved at-risk four-year-old children. ~~During the implementation of the pilot program, no funds appropriated by the General Assembly for this purpose shall be used to fund services to at risk four year old children residing outside of the trial or plaintiff districts.~~

The Education Oversight Committee shall conduct an evaluation of the pilot program and shall issue a report to the General Assembly by January ~~1, 2010~~ 15 of the current fiscal year. The report shall include a comparative evaluation of children served in the pilot program and children not served in the pilot program. Additionally, based on the evaluation of the pilot program, the Education Oversight Committee shall include recommendations for the creation of

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and an implementation plan for phasing in the delivery of services to all at-risk four-year-old children in the state.

Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.

(B) Each child residing in the pilot districts, who will have attained the age of four years on or before September 1, of the school year, and meets the at-risk criteria is eligible for enrollment in the South Carolina Child Development Education Pilot Program for one year.

The parent of each eligible child may enroll the child in one of the following programs:

(1) a school-year four-year-old kindergarten program delivered by an approved public provider; or

(2) a school-year four-year-old kindergarten program delivered by an approved private provider.

The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child's birth certificate, immunization documentation, and documentation of the student's eligibility as evidenced by family income documentation showing an annual family income of 185% or less of the federal poverty guidelines as promulgated annually by the U.S. Department of Health and Human Services or a statement of Medicaid eligibility.

In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of 6.5 hours of instructional time daily and operates for a period of not less than 180 days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.

No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this provision. Nothing in this provision prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.

If by October 1 of the school year at least 75% of the total number of eligible CDEPP children in a district or county are projected to be enrolled in CDEPP, Head Start or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, CDEPP providers may then enroll pay-lunch children who score at or below the 25th national percentile on two of the three DIAL-3 subscales and may receive reimbursement for these children if funds are available.

(C) Public school providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Department of Education. Private providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this provision, and will comply with all reporting and assessment requirements.

Providers shall:

(1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;

(2) comply with all state and local health and safety laws and codes;

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(3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;

(4) be accountable for meeting the education needs of the child and report at least quarterly to the parent/guardian on his progress;

(5) comply with all program, reporting, and assessment criteria required of providers;

(6) maintain individual student records for each child enrolled in the program to include, but not be limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;

(7) designate whether extended day services will be offered to the parents/guardians of children participating in the program;

(8) be approved, registered, or licensed by the Department of Social Services; and

(9) comply with all state and federal laws and requirements specific to program providers.

Providers may limit student enrollment based upon space available. However if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved pre-kindergarten readiness assessment. Private providers shall not be required to expand their programs to accommodate all children desiring enrollment. However, providers are encouraged to keep a waiting list for students they are unable to serve because of space limitations.

(D) The Department of Education and the Office of First Steps to School Readiness shall:

(1) develop the provider application form;

(2) develop the child enrollment application form;

(3) develop a list of approved research-based preschool curricula for use in the program based upon the South Carolina Content Standards, provide training and technical assistance to support its effective use in approved classrooms serving children;

(4) develop a list of approved pre-kindergarten readiness assessments to be used in conjunction with the program, provide assessments and technical assistance to support assessment administration in approved classrooms serving children;

(5) establish criteria for awarding new classroom equipping grants;

(6) establish criteria for the parenting education program providers must offer;

(7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;

(8) develop a list of data collection needs to be used in implementation and evaluation of the program;

(9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;

(10) establish criteria for granting student retention waivers; and

(11) establish criteria for granting classroom size requirements waivers.

(E) Providers of the South Carolina Child Development Education Pilot Program shall offer a complete educational program in accordance with age-appropriate instructional practice and a research based preschool curriculum aligned with school success. The program must focus on the developmental and learning support children must have in order to be ready for school. The provider must also incorporate parenting education that promotes the school readiness of preschool children by strengthening parent involvement in the learning process with an emphasis on interactive literacy.

Providers shall offer high-quality, center-based programs that must include, but shall not be limited to, the following:

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(1) employ a lead teacher with a two-year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education or the Office of First Steps to School Readiness;

(2) employ an education assistant with pre-service or in-service training in early childhood education;

(3) maintain classrooms with at least 10 four-year-old children, but no more than 20 four-year-old children with an adult to child ratio of 1:10. With classrooms having a minimum of 10 children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case-by-case basis;

(4) offer a full day, center-based program with 6.5 hours of instruction daily for 180 school days;

(5) provide an approved research-based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social/emotional development;

(6) engage parents' participation in their child's educational experience that shall include a minimum of two documented conferences per year; and

(7) adhere to professional development requirements outlined in this article.

(F) Every classroom providing services to four-year-old children established pursuant to this provision must have a lead teacher with at least a two-year degree in early childhood education or related field and who is enrolled and is demonstrating progress toward the completion of a teacher education program within four years. Every classroom must also have at least one education assistant per classroom who shall have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The teaching assistant shall have completed the Early Childhood Development Credential (ECD) 101 or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children 5 years old and younger. The providers must request this waiver in writing to their designated administrative agency (First Steps or the Department of Education) and provide appropriate documentation as to the qualifications of the teaching assistant.

(G) The General Assembly recognizes there is a strong relationship between the skills and preparation of pre-kindergarten instructors and the educational outcomes of students. To improve these education outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Development Education Pilot Program to participate annually in a minimum of 15 hours of professional development to include teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age-appropriate progress of pre-kindergarten students in developing emergent literacy skills, including but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

(H) Both public and private providers shall be eligible for transportation funds for the transportation of children to and from school. Nothing within this provision prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56-5-195. Providers shall not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for transportation. When transporting four-year-old child development students, providers shall make every effort to transport them with students of similar ages attending the same school. Of the amount

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appropriated for the program, not more than \$185 per student shall be retained by the Department of Education for the purposes of transporting four-year-old students. This amount must be increased annually by the same projected rate of inflation as determined by the Division of Research and Statistics of the Budget and Control Board for the Education Finance Act.

(I) For all private providers approved to offer services pursuant to this provision, the Office of First Steps to School Readiness shall:

- (1) serve as the fiscal agent;
- (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
- (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
- (5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;
- (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
- (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;
- (8) maintain a database of the children enrolled in the program; and
- (9) promulgate guidelines as necessary for the implementation of the pilot program.

(J) For all public school providers approved to offer services pursuant to this provision, the Department of Education shall:

- (1) serve as the fiscal agent;
- (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
- (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
- (5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;
- (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
- (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;
- (8) maintain a database of the children enrolled in the program; and
- (9) promulgate guidelines as necessary for the implementation of the pilot program.

(K) The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the ~~2009-10~~ 2010-11 school year, the funded cost per child shall be ~~\$4,093~~ \$4,218 increased annually by the rate of inflation as determined by the Division of Research and Statistics of the Budget and Control Board for the Education Finance Act. Eligible students enrolling with private providers during the school year shall be funded on a pro-rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall be eligible for a reimbursement of \$550 per eligible child transported. Providers who are reimbursed are required to retain records as required by their fiscal agent. Providers enrolling between one and six eligible children shall be eligible to

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receive up to \$1,000 per child in materials and equipment grant funding, with providers enrolling seven or more such children eligible for grants not to exceed \$10,000. Providers receiving equipment grants are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. ~~Funding of up to two thousand five hundred dollars may be provided annually for the procurement of consumable and other materials in established classrooms.~~ Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps.

(L) Pursuant to this provision, the Department of Social Services shall:

(1) maintain a list of all approved public and private providers; and

(2) provide the Department of Education, the Office of First Steps, and the Education Oversight Committee information necessary to carry out the requirements of this provision.

(M) The Education Oversight Committee shall conduct a comparative evaluation of the South Carolina Child Development Education Pilot Program and issue their findings in a report to the General Assembly by January 1, 2010 15th of the current fiscal year. Based on information, data, and evaluation results, the Education Oversight Committee shall include as part of their report recommendations for the creation and implementation of a statewide four-year-old kindergarten program for at-risk children. The report shall also include information and recommendations on lead teacher qualifications and options for creating comparable salary schedules for certified teachers employed by private providers. In the current fiscal year, the Education Oversight Committee shall use funds appropriated by the General Assembly for four-year-old evaluation to support the annual collection of and continuous evaluation of data. ~~The Office of First Steps will include in its triennial external evaluation pursuant to Section 59-152-160 of the 1976 Code, fiscal and management questions as provided by the Education Oversight Committee.~~

The report shall also include an assessment, by county, on the availability and use of existing public and private classroom capacity approved for at-risk four-year-old kindergarten students based on data collected triennially. The report shall include, by county, the estimated four-year-old population, the total number of CDEPP approved four-year-old kindergarten spaces available, the number of four-year-old children enrolled in both public and private CDEPP approved facilities, and the number of children on waiting lists for either public or private providers during the reporting period. Where possible, the report shall also include anticipated four-year-old kindergarten enrollment projections for the two years following the report. ~~The 2010 evaluation will also include the following: (1) a determination of the factors including policy issues, leadership characteristics and community concerns that led to substantial increases in the number of CDEPP participants served in specific districts and counties; (2) a determination of the factors that influence the continuity of CDEPP student enrollment across the full 180-day program and policy or programmatic changes needed to assure that CDEPP participants fully benefit from the program; (3) a determination of how many private childcare center teachers are pursuing a four-year degree and the barriers incurred in obtaining the degree; and (4) a review of any formalized plan or evaluation data to assess the quality and impact of professional development and training provided by the Office of First Steps and the Department of Education to CDEPP teachers.~~ The annual evaluation will address the implementation, accountability, and effectiveness of CDEPP.

To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of

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Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

- 1.68 DELETE** (Physical Education Assessment Program) Directs the department to use physical education assessment program funds to review and revise the physical education assessment and associated professional development. Authorizes the department to field test the revised assessment in FY 09-10.

WMC: DELETE proviso. *The review and revision have been completed and field testing will take place during the 2009-10 school year. Deletion will allow the assessment to be implemented in the 2010-11 school year.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**1.68.** (SDE: Physical Education Assessment Program) Of the funds appropriated to the Department of Education for the physical education assessment program, the department is directed to use the funds for the review and revision of the physical education assessment and associated professional development. For Fiscal Year 2009-10, the department may field test the revised physical education assessment.~~

- 1.72 AMEND** (Residential Treatment Facilities Student Enrollment and Funding) Directs that children who are South Carolina residents and are in licensed treatment facilities (RTFs) for children and adolescents as defined in Section 44-7-130 [STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT DEFINITIONS] shall be entitled to receive educational services from the school districts where the RTF is located ("facility school district"); that such facility school district shall be responsible for providing appropriate educational programs and services for these students, with and without disabilities; and provides guidelines and certain program and funding requirements.

WMC: AMEND proviso to specify that the RTF facility must maintain "comparable" adequate space for educational programs and services consistent with "all federal and state" least restrictive environment requirements. Direct that adequate space shall include appropriate electrical support and Internet accessibility. Direct that unless the parent or legal guardian seeks to continue the student's enrollment in the resident school district under a medical homebound instruction program and the district approves, if appropriate, then the facility school district shall enroll the student and assume full legal and financial responsibility for educational services. State that the facility district shall be justified in terminating the contract if they determine the educational program the RTF is offering does not meet the educational standards outlines in the contract. Direct the facility school district to notify the Department of Education's Office of General Counsel if they are unable to reach agreement with the resident school district regarding any reasonable costs differences which may arise; direct the department to facilitate a resolution of the dispute; and if they are not able to resolve the issue, to refer the case to the Administrative Law Court for a final decision. Direct that if an out of

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state child is placed in a RTF by an out-of-state school district or agency, the child's home state remains responsible for educational services. Allow the facility school district to choose to provide the educational program to the child and, upon choosing to do so, to contract with the appropriate entity for payment of educational services provided to the child. Direct that if a parent or guardian places a child in a RTF, the facility school district may choose to provide the educational program to the child, and upon doing so, must negotiate with the resident school district for services through medical homebound procedures. Direct that a facility school district is responsible for compliance with all child find requirements under Section 504 of the Rehabilitation Act of 1973 and IDEA. Delete the requirement that assessment and accountability measures of students not physically attending a specific school be disaggregated and reported separately in the facility school districts' accountability calculations. Direct that students who reside in and receive their education on-site at a RTF shall have their performance reflected on a separate line on the facility school district's report card and must not be included in the overall performance ratings of the facility school district. Direct the Department of Education to examine the feasibility of issuing report cards for RTFs. State that for the 2010-11 school year, deficiencies related to the delivery of an educational program at a RTF shall not negatively impact the district's state accreditation rating. Direct the Department of Education, in collaboration with state placing agencies, RTFs, and facility and resident school districts to implement a system to follow the release of students from a RTF and re-enrollment in public, private, or special schools to ensure that these students are not recorded as dropouts. Direct the Department of Education to convene a task force to research and make recommendations to the State Superintendent of Education by December 1, 2010, regarding oversight of educational programs provided to students who reside in a RTF. Direct that recommendations may include, but are not be limited to, implementing a system of state oversight, state standards for an appropriate educational program, and requirements for collaboration between DHEC and the department regarding educational program requirements when new RTFs are licensed. Direct that the task force shall include, but not be limited to, representation of the following groups: state placing agencies, RTFs, facility and resident school districts, DHEC, and other interested entities. Direct that the report be made available to the General Assembly no later than January 1, 2011. *Clarifies that the facility school district retains educational and financial responsibility for students in RTFs unless the resident district undertakes to provide educational services and clarifies that the home state retains responsibility for out of state students.* Fiscal Impact: OSB indicates that the department reports there would be no impact on the General Fund.. Requested by Department of Education.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.72. (SDE: Residential Treatment Facilities Student Enrollment and Funding) Each South Carolina resident of lawful school age residing in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code, ("students") shall be entitled to receive educational services from the school district in which the RTF is located ("facility school district"). The responsibility for providing appropriate educational programs and services for these students, both with and without disabilities, who are referred or placed by the State is vested in the facility school districts.

A facility school district must provide the necessary educational programs and services directly to the student at the RTF's facility, provided that the RTF facility provides and maintains comparable adequate space for the educational programs and services consistent with ~~the~~ all federal and state least restrictive environment requirements. Adequate space shall

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include appropriate electrical support and Internet accessibility. ~~Under~~ Unless the parent or legal guardian of the student seeks to continue the student's enrollment in the resident school district under a medical homebound instruction program and the district approves, if appropriate, then, under these circumstances, the facility school district ~~may choose to~~ shall enroll the student and assume full legal and financial responsibility for the educational services; ~~or it may choose to provide the educational services and serve as the educational and fiscal agent of the school district in which the student's legal guardian resides ("resident school district") for purposes of~~ including enrolling the student, approving the student's entry into a medical homebound instructional program, if appropriate, and receiving and expending funds, unless the resident school district undertakes to carry out its educational responsibilities for the student directly.

Alternatively, a facility school district may choose to provide the necessary educational programs and services by contracting with the RTF provided that the RTF agrees to provide educational services to the student at the RTF's facility. Under these circumstances, the facility school district must enroll the student and pay the RTF for the educational services provided. If the facility school district determines the educational program being offered by the RTF does not meet the educational standards outlines in the contract, the facility district shall be justified in terminating the contract.

The State shall appropriate 100 percent of the base student cost to provide for the education of the students referred or placed by the State in an RTF. The facility school districts are entitled to receive the base student cost multiplied by the appropriate Education Finance Act pupil weighting, as set forth in Section 59-20-40 of the 1976 Code and any eligible federal funds. These funds may be retained by the facility school districts for the purpose of providing the educational programs and services directly to students referred or placed by the State or the facility school districts may use these funds to reimburse RTF's for the educational programs and services provided directly by the RTFs. A facility school district is entitled to reimbursement from a resident school district for the difference between (1) the reasonable costs expended for the educational services provided directly by the facility school district or the amount paid to the RTF and (2) the aggregate amount of federal and state funding received by the facility school district for that student. Should the facility school district be unable to reach agreement with the resident school district regarding reasonable costs differences, the facility school district shall notify the Department of Education's Office of General Counsel. The Department of Education shall facilitate a resolution of the dispute between the facility school district and the resident school district. If the issue of reasonable cost differences should remain unresolved, the case shall be referred to the Administrative Law Court for a final decision.

If a child from out of state is placed in a RTF by an out-of-state school district or agency, the child's home state remains responsible for the educational services. The facility school district may choose to provide the educational program to the child and, upon choosing to do so, shall contract with the appropriate entity for payment of educational serviced provided to the child.

If a child is placed in a RTF by the child's parent or guardian, the facility school district may choose to provide the educational program to the child, and upon doing so, must negotiate with the resident school district for services through medical homebound procedures. A facility school district is responsible for compliance with all child find requirements under Section 504 of the Rehabilitation Act of 1973 and IDEA.

All students enrolled in the facility school districts shall have access to the facility school districts' general education curriculum, which will be tied to the South Carolina academic standards in the core content areas. All students with disabilities who are eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA), as

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amended, and the State Board of Education (SBE) regulations, as amended, shall receive special education and related services in the least restrictive environment by appropriately certified personnel. Students in an RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned through their educational efforts.

With respect to students enrolled in the facility school districts, for accountability purposes, the assessment and accountability measures for students residing in RTFs shall be attributed to a specific school only if the child physically attends the school. ~~All assessment and accountability measures of students not physically attending a specific school shall be disaggregated and reported separately in the facility school districts' accountability calculations.~~ The performance of students residing in a RTF who receive their educational program on site at the RTF must be reflected on a separate line on the facility school district's report card and must not be included in the overall performance ratings of the facility school district. The Department of Education shall examine the feasibility of issuing report cards for RTFs. For the 2010-11 school year, a facility school district shall not have the district's state accreditation rating negatively impacted by deficiencies related to the delivery of an educational program at a RTF.

RTFs shall notify the facility school district as soon as practical, and before admission to the RTF if practical, of a student's admission to the RTF. RTFs, the facility school districts and the Department of Education shall use their best efforts to secure and/or exchange information, including documents and records necessary to provide appropriate educational services and/or related services as necessary to assist the facility school district in determining the resident school district. The Department of Education, in collaboration with state placing agencies, RTFs, facility school districts, and resident school districts, shall implement a system to follow the release of students from a RTF and re-enrollment in public, private, or special schools to ensure these students, when appropriate, are not recorded as dropouts.

The Department of Education shall convene a task force to research and make recommendations to the State Superintendent of Education by December 1, 2010, regarding oversight of the educational programs provided to students residing in a RTF. Recommendations may include, but not be limited to, implementing a system of state oversight, state standards for an appropriate educational program for students residing in a RTF, and requirements for collaboration between the Department of Health and Environmental Control and the Department of Education regarding educational program requirements when new RTFs are licensed. The task force shall include, but not be limited to, representation of the following groups: state placing agencies, RTFs, facility school districts, resident school districts, Department of Health and Environmental Control, and other interested entities. The report shall be made available to the General Assembly no later than January 1, 2011.

1.75 REINSERT/AMEND (Special Schools Flexibility) Authorizes special schools, for Fiscal Year 2010-11, to transfer funds among funding categories, including capital funds.

WMC: DELETE proviso. *Duplicative of flexibility language provided in proviso 1.43.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: REINSERT proviso and amend to change "2009-10" to "2010-11."

1.75. (SDE: Special Schools Flexibility) For Fiscal Year ~~2009-10~~ 2010-11 the special schools are authorized to transfer funds among funding categories, including capital funds.

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- 1.76** **ADD** (High School Driver Education) **WMC:** ADD new proviso to suspend, for FY 10-11, the requirement that high schools offer driver education, but allow schools to continue to offer the course if they so choose. Direct the department to survey school districts and collect information on the cost of the program, the number of participants, and recommendations regarding continuing the program. Direct the department to submit a report by January 1, 2011, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee outlining the findings of the survey and the recommended changes to the course. Direct the department to work with DMV in collecting and reporting driver education input. *Allows school districts the option on whether or not to continue to provide the program given the cost of car rental, insurance, simulators, gas, etc.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.76. (SDE: High School Driver Education) For Fiscal Year 2010-11 the requirement for high schools to provide a course in driver education is suspended however, high schools may continue to offer driver education courses if they choose to do so. The Department of Education is directed to survey school districts and collect information concerning, but not limited to, the costs of delivering the driver education program, the number of students participating in the program, and recommendations regarding continuation of the program. The department shall submit a report outlining the survey findings and recommended changes to the public school driver education course to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January 1, 2011. The Department of Education shall work with the Department of Motor Vehicles in collecting and reporting driver education input.

- 1.77** **AMEND NEW PROVISO FURTHER** (Background Checks for Substitute Teachers) **WMC:** ADD new proviso to require each substitute teacher hired by a local board of trustees to undergo a name based South Carolina criminal records search conducted by the local school district using records maintained by SLED. Require district school boards of trustees to adopt a written policy outlining this requirement and how the background check information will impact hiring decisions. Require that the policy include, at a minimum, hiring recommendations in relation to felony convictions and pertinent “just cause” examples cited in Section 59-25-160 [REVOCATION OR SUSPENSION OF CERTIFICATE; “JUST CAUSE” DEFINED]. Require that the policy stipulate whether the district or the applicant assumes the cost of the criminal record search. Direct that SLED, working with the department, provide training to appropriate school district personnel regarding appropriate use of information provided in background checks. Direct the department to adopt a model policy. *Since there is currently no statutory requirement for background checks for substitute teachers, requiring the checks will increase the level of safety schools can provide to students.* Fiscal Impact: OSB states that the Department of Education indicates no impact on the General Fund. The department assumes required training may be done in virtual mode and material provided online. SLED indicates the provision would have a minimal impact on the General fund which can be absorbed by the agency at their current level of funding. SLED would collect \$25 per background check which would impact their other funds revenue and expenditures. OSB states there would be a fiscal impact on school districts if they are directed by policy to assume the cost of paying the criminal background check fee. Requested by Department of Education.

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HOU: AMEND new proviso to delete the requirement that the policy stipulate whether the district or the applicant assumes the cost of the criminal record search. Sponsor: Rep. J.R. Smith.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND new proviso further to direct SLED to provide the information for criminal records searches without charge to school districts or substitute teachers.

1.77. (SDE: Background Checks for Substitute Teachers) Each individual hired by a local board of trustees to serve as a substitute teacher must undergo a name based South Carolina criminal records search conducted by the local school district using records maintained by the State Law Enforcement Division (SLED). **SLED shall provide these records without charge to the school district or the substitute teacher.** District school boards of trustees must adopt a written policy outlining this requirement as well as how the information received from the background check will impact hiring decisions. The policy must include, at a minimum, hiring recommendations relative to felony convictions and relevant "just cause" examples cited in Section 59-25-160 of the 1976 Code. SLED, working with the Department of Education, shall provide training to appropriate school district personnel regarding appropriate use of the information provided in background checks. The Department of Education shall adopt a model policy.

1.78 **AMEND NEW PROVISO** (Program Reports) **WMC:** ADD new proviso to suspend, for FY 2010-11, all programmatic reports required by the General Assembly, however require the department to continue to provide the Accountability Report or other reports required for annual budget preparation. Direct the department, by December 1, 2010, to develop a template outlining a triennial reporting cycle for all required program reports and submit the template to the Senate Finance and House Ways and Means Committees. Require the template to outline which of the required reports will be provided in each of the three years. Direct the department to continue to collect all required information during Fiscal Year 2010-11. *Allows the department to concentrate their efforts on delivery of services to school districts rather than creation of programmatic reports.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete the directive that programmatic reports required by the General Assembly be suspended and instead require the reports be submitted electronically. Delete the requirement that the department provide the triennial reporting cycle template to the Senate Finance and House Ways and Means Committees.

1.78. (SDE: Program Reports) For Fiscal Year 2010-11, all programmatic reports required by the General Assembly shall be ~~suspended~~ **submitted electronically.** ~~However, the department shall annually continue to provide the Accountability Report or other reports required specifically for annual budget preparation.~~ By December 1, 2010, the department shall develop ~~and provide to the Senate Finance Committee and the House of Representatives Ways and Means Committee~~ a template outlining a triennial reporting cycle for all ~~program~~ reports required by the General Assembly **except for the Accountability Report or other reports required specifically for annual budget preparation.** ~~The template shall outline which of the required reports will be provided in each of the three years. During the Fiscal Year~~

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~~2010-11 program report suspension, the department shall continue to collect all required information.~~

- 1.79 CONFORM TO FUNDING** (Consolidated Funds Allocation) **WMC:** ADD new proviso to direct that in the current fiscal year, funds consolidated from the Middle School Initiative, Credits for High School Diploma, and Principal Salary Supplement programs will be allocated to school districts based solely on each district's weighted pupil units. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT new proviso.
PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING

1.79. (SDE: Consolidated Funds Allocation) In the current fiscal year, funds consolidated from the Middle School Initiative, Credits for High School Diploma, and Principal Salary Supplement programs will be allocated to school districts based solely on the number of weighted pupil units in each district.

- 1.80 DELETE NEW PROVISO** (Index of Taxpaying Ability) **WMC:** ADD new proviso to suspend, for the current fiscal year, the provisions of Section 59-20-20(3) [EDUCATION FINANCE ACT OF 1977; DEFINITIONS] for purposes calculating the Index of Taxpaying Ability. Direct that for the current fiscal year, the index as calculated by the Department of Revenue for 2009 shall apply. Fiscal Impact: OSB states that the department reports this provision would have no impact on the General Fund.
HOU: ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*1.80. (SDE: Index of Taxpaying Ability) For the current fiscal year, the provisions of Section 59-20-20(3) of the 1976 Code providing for the calculation of the Index of Taxpaying Ability are suspended. In lieu of the index as calculated pursuant to that provision, the index as calculated by the Department of Revenue for 2009 applies for the current fiscal year.*~~

- 1.81 DELETE NEW PROVISO** (Single Gender Charter Schools) **WMC:** ADD new proviso to allow a person or nonprofit corporate entity to seek to form a single gender charter school. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: DELETE new proviso

~~*1.81. (SDE: Single Gender Charter Schools) A person or nonprofit corporate entity may seek to form a single gender charter school.*~~

- 1.82 CONFORM TO FUNDING** (Charter School Funding) **WMC:** ADD new proviso to direct the SC Public Charter School District to receive and distribute state funds to the charter school as determined by the current year's base student cost as funded by the General Assembly, plus an additional \$700, multiplied by the weighted students enrolled in the charter school. Direct that these funds must be subject to adjustment for student attendance and state budget allocations. Fiscal Impact: OSB indicates since this language is currently contained in proviso 1.3 of the FY 09-10 Appropriation Act there would be no additional fiscal impact. Any amount

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needed to satisfy the \$700 per weighted pupil unit requirement at the charter schools would come from funds that would otherwise be distributed to the school districts.

HOU: ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING

1.82. (SDE: Charter School Funding) For Fiscal Year 2010-11 the South Carolina Public Charter School District shall receive and distribute state funds to the charter school as determined by the current year's base student cost, as funded by the General Assembly, plus an additional \$700, multiplied by the weighted students enrolled in the charter school, which must be subject to adjustment for student attendance and state budget allocations.

- 1.83 AMEND NEW PROVISO (AED Study) WMC:** ADD new proviso to authorize the department to coordinate a study to determine if all public and private high school instructional and administrative staff should have training on the proper use of an automated external defibrillators. Direct the department to report their findings to the Chairmen of the Senate Finance and House Ways and Means Committees by January 31, 2011. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to specify that the finding of the study are to be reported "In the event the study is conducted."

1.83. (SDE: AED Study) The Department of Education may coordinate a study to determine if training on the proper use of an automated external defibrillator (AED) should be required of all public and private high school instructional and administrative staff. ~~The~~ In the event the study is conducted, the department shall report the findings of the study to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 31, 2011.

- 1.84 AMEND NEW PROVISO (Carry Forward Authorization) HOU:** ADD new proviso to authorize the department to carry forward and expend any balance in their General Funds for transportation. Sponsor: Rep. J.R. Smith.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to specify the funds carried forward are to be used for "school bus" transportation.

1.84. (SDE: Carry Forward Authorization) For Fiscal Year 2010-11 the Department of Education is authorized to carry forward and expend any General Fund balances for school bus transportation.

- 1.85 ADD (Administrative Costs Report Posting) HOU:** ADD new proviso to require school districts to post on their website a report on the amount of funds spent on administrative costs. Sponsor: Rep. Herbkersman.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.85. (SDE: Administrative Costs Report Posting) School districts must report the amount of funds spent on administrative costs and post the report on the districts website.

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- 1.86 DELETE NEW PROVISO** (Head Start Participants to Meet Requirements of Teacher Certification) **HOU:** ADD new proviso to require Head Start Program teachers to meet Department of Education licensure and recertification requirements. Sponsor: Rep. Weeks.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

1.86. (SDE: Head Start Participants to Meet Requirements of Teacher Certification) ~~A person who participates as a teacher in the Head Start Program must meet the requirements for licensure and recertification by the South Carolina Department of Education.~~

- 1.est ADD** (Effectiveness of Strategies for Teaching Reading) **PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the department to coordinate \$34,911 appropriated in Section XIII.A. [AID TO SCHOOL DISTRICTS; DISTRIBUTION TO SUBDIVISIONS; AID SCHL DIST-PILOT EXT YEAR] to provide evidence of the effectiveness of strategies for teaching reading.

1.est. (SDE: Effectiveness of Strategies for Teaching Reading) Funds appropriated in Section XIII.A. in the amount of \$34,911 shall be coordinated by the Department of Education to provide evidence of the effectiveness of strategies for the teaching of reading.

- 1.ita ADD** (ITA Study Committee) **PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to establish an Index of Taxpaying Ability Study Committee from the funds appropriated to or authorized for the department. Direct the study committee to examine the index of taxpaying ability and its relationship to EFA resources available to individual school districts in support of the education foundation program required by the state and to EXAMINE the manner in which the index is calculated and the impact of property tax measures in the calculation. Direct that the composition of the 14 member committee is as follows: 4 members appointed by the Senate President Pro Tempore and 4 members appointed by the Speaker of the House who must possess business, school district finance or economics experience and must include representatives from the Department of Education, Department of Revenue, and B&C Board Office of Research and Statistics; 3 members of the Senate appointed respectively by the President Pro Tempore, Majority Leader and Minority Leader; and 3 members of the House appointed by the Speaker, one of whom must be a member of the minority caucus. Direct that chairman be elected by the members of the committee. Require a report to be prepared and delivered by January 1, 2011 to the Chairmen of the Senate Finance, House Ways and Means, Senate Education, and House Education and Public Works Committees. Direct that members serve without compensation for per diem, mileage, and subsistence.

1.ita. (SDE: Index of Taxpaying Ability Study Committee) From the funds appropriated or authorized for the Department of Education, there is created the Index of Taxpaying Ability Study Committee. The committee shall examine the index of taxpaying ability and its relationship to Education Finance Act resources available to the individual school districts in support of the education foundation program required by the State. The committee shall also examine the manner in which the index is calculated and the impact of property tax measures on the calculation.

The committee shall be composed of fourteen members, which shall be appointed as follows:

(1) four members appointed by the President Pro Tempore of the Senate, and four members appointed by the Speaker of the House of Representatives. Appointees must possess

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experience in business, school district finance, or economics, and must include representatives from the Department of Education, the Department of Revenue, and the Budget and Control Board Office of Research and Statistics as well as members of the business and education communities;

(2) one member of the Senate appointed by the Senate President Pro Tempore; one member of the Senate appointed by the Senate Majority Leader; and one member of the Senate appointed by the Senate Minority Leader; and

(3) three members of the House appointed by the Speaker of the House of Representatives, one of which must be a member of the minority caucus.

The members shall elect a chairman at the first meeting of the committee.

No later than January 1, 2011, the committee shall prepare and deliver a report and recommendation to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of House Education and Public Works Committee.

Members of the study committee shall serve without compensation for per diem, mileage, and subsistence.

SECTION 1A - H63 - DEPARTMENT OF EDUCATION-EIA

1A.6 AMEND FURTHER (Teacher Salaries/SE Average) Projects the Southeastern average teacher salary to be \$48,172 for FY 09-10. States that the statewide minimum teacher salary schedule used in FY 08-09 will continue to be used in FY 09-10. Specifies what positions are to receive Teacher Salary Supplements.

WMC: AMEND proviso to change “\$48,172” to “\$48,725” and change “Fiscal Year “2009-10” to “2010-11” pertaining to using the same statewide minimum teacher salary schedule used in FY 08-09. Fiscal Impact: OSB states the department indicates no impact on the General Fund since the FY 08-09 statewide minimum salary schedule shall continue to be used.

HOU: AMEND FURTHER to direct the department, at the request of an individual district, to adjust the statewide minimum teacher salary schedule to allow individuals to be placed on the schedule at the correct experience level without incurring an increased fiscal impact to the State or individual district salary schedule. Sponsor: Rep. Cooper.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete the directive that department adjust the statewide minimum teacher salary schedule to allow individuals to be placed on the schedule at the correct experience level.

1A.6. (SDE-EIA: XI.C.2.-Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers salaries of the southeastern states as projected by the Division of Budget and Analyses. For the current school year the Southeastern average teacher salary is projected to be ~~\$48,172~~ \$48,725. The statewide minimum teacher salary schedule used in Fiscal Year 2008-09 will continue to be used in Fiscal Year ~~2009-10~~ 2010-11 ~~and at the request of an individual district the State Department of Education is directed to adjust the schedule to allow individuals to be placed on the schedule at the correct level of experience without incurring an increased fiscal impact to the State or individual district salary schedules.~~ The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

Funds appropriated in Part IA, Section 1, XI.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50 (b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and

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physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state.

- 1A.9 CONFORM TO FUNDING** (Principal Salary Supplements) Requires funds appropriated in for principals salary supplements and associated employer contributions to be distributed to school districts based on average daily membership. Requires each school district to distribute the funds as salary supplements in addition to existing compensation equally among principals and assistant principals.

WMC: DELETE proviso. *In an effort to consolidate line item appropriations and give districts greater flexibility, the line item associated with this proviso will be eliminated from the EIA and an equivalent amount of funds will be transferred to the EFA. To make the transfer revenue neutral, an equal amount of general fund monies for public education will be moved into the EIA.* Fiscal Impact: No impact on the General Fund. Requested by Education Oversight Committee.

HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING

~~**1A.9.** (SDE-EIA: XI.E.1-Principal Salary Supplements) Funds appropriated in Part IA, Section 1, XI.E.1. for salary supplements for principals and accompanying employer contributions must be distributed to school districts based on average daily membership (ADM). Each school district shall distribute the funds as salary supplements in addition to existing compensation equally among principals and assistant principals employed by the district.~~

- 1A.13 AMEND** (Arts in Education) Requires Arts Curricula funds be used to support arts education curriculum in the visual and performing arts which incorporates strengths from the Arts in Education Pilot sites. Requires the funds be distributed under a competitive grants program, but requires up to 33% of the grant fund be made available as “Aid to Other Agencies” to facilitate funding professional development art institutes as approved by the department for arts teachers and appropriate classroom teachers. Authorizes these funds to be retained, carried forward, and expended according to the proposed award.

WMC: AMEND proviso to allow Arts Curricula funds to be used to support “innovative practices” in arts education curriculum; “instruction and assessment” in visual and performing arts; and include “dance, music, theatre, and visual arts.” Require the funds to also be used to support the advancement of implementation of visual and performing arts academic standards. Specify that the funds are to be distributed to “schools and school districts” under a competitive grants program. Specify that “administrators” are included in the 33% distributed to Aid to Other Agencies. *To reflect the intent of the proviso and update grant program procedures.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.13. (SDE-EIA: XI.A.1-Arts in Education) Funds appropriated in Part IA, Section 1, XI.A.1. Arts Curricula shall be used to support innovative practices in arts education curriculum, instruction, and assessment in the visual and performing arts including dance, music, theatre, and visual arts which incorporates strengths from the Arts in Education pilot

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sites. They shall also be used to support the advancement of the implementation of the visual and performing arts academic standards. These funds shall be distributed to schools and school districts under a competitive grants program; however, up to 33% of the total amount of the grant fund shall be made available as "Aid to Other Agencies" to facilitate the funding of professional development arts institutes that have been approved by the State Department of Education for S.C. arts teachers, ~~and~~ appropriate classroom teachers, and administrators. Arts Curricular Grants funds may be retained and carried forward into the current fiscal year to be expended in accordance with the proposed award.

- 1A.14 CARRIED OVER** (National Board Certification Incentive) Provides guidelines for an annual \$7,500 salary supplement to be paid to public school classroom teachers or classroom teachers who work with classroom teachers who are certified by the State Board of Education and by the National Board for Professional Teaching Standards for the length of the national certificate and to teachers employed at the special schools. Directs that up to 1,100 loan applications shall be processed annually. Authorizes funds collected from educators who are in default of the loan to be retained and carried forward for National Board purposes. Directs CERRA to develop guidelines and administer a loan program for teachers who are U.S. citizens or permanent resident aliens applying for National Board certification. Directs that teachers who begin the application process after 7/1/07 are eligible for full loan forgiveness if at the time the teacher applies to the National Board they are teaching in a school with a below average or unsatisfactory rating. Directs that forgiveness be at the rate of 33% for each year of full time teaching in the same school regardless of whether the school exceeds a below average or unsatisfactory rating during the forgiveness period or for each year teaching full time in another school with a below average or unsatisfactory rating.

WMC: AMEND proviso to direct that effective July 1, 2010, the state will not award loans to teachers seeking National Board certification and will not pay a \$7,500 salary supplement to any teacher who receives such certification unless they received certification before July 1, 2010 or completed application for certification prior to July 1, 2010 and subsequently received the certification. Prohibit state funds from being paid to any teacher beyond the first ten years of receiving National Board certification except for individuals who have applied for or subsequently received their second ten year certification prior to July 1, 2010. Direct the department and the EOC to develop a pilot program to be administered by the department to determine the effectiveness of using the Salary Incentives for Teacher Excellence (SITE). Direct the department, during FY 2010-11, to establish program guidelines, conduct an application process which requires at least 2/3 of the school's teachers to endorse the application, and select schools to participate in the pilot. Direct the department to provide a report on SITE to the General Assembly, the State Board of Education, and the EOC by January 15, 201 and to include the names of schools participating in the pilot for the following fiscal year. Specify that the department retain funds collected from educators who are in default of National Board loans. Authorize that up to 10% of the funds collected may be used by the department to offset loan collection administrative costs and the remainder of the funds be used for National Board loan purposes. *Phases out National Board supplements after all existing commitments are made.* Fiscal Impact: OSB indicates that discontinuing the NBC loan application of \$2,500 would reduce the overall need within the program by \$2,750,000. The number of teachers eligible to receive the \$7,500 salary supplement in FY 09-10 is 6,385 which is approximately 740 more than the prior fiscal year. If the same growth rate applies for FFY 10-11 the number of eligible teachers could reach 7,000. The impact of discontinuing the salary supplement to any teacher beyond the first 10 years taking into consideration the exceptions identified within this proviso is unknown. Requested by Education Oversight Committee. See general education companion proviso 1.48.

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HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: CARRIED OVER.

1A.14. (SDE-EIA: XI.C.2-National Board Certification Incentive) Effective July 1, 2010, the state will not award loans to any teacher seeking National Board certification and will not pay a \$7,500 salary supplement to any teacher receiving National Board certification unless the teacher had received National Board certification prior to July 1, 2010 or had completed application for National Board certification prior to July 1, 2010 and subsequently received National Board certification. No state funds shall be paid to any teacher beyond the first ten years of receiving National Board certification except for those individuals who have applied for or subsequently receive their second ten year certification prior to July 1, 2010. The Department of Education and the Education Oversight Committee shall work together to develop a pilot program to be administered by the department to determine the effectiveness of using the Salary Incentives for Teacher Excellence (SITE). During Fiscal Year 2010-11, the department shall establish guidelines for the program, conduct an application process which requires at least two-thirds of the school's teachers to endorse the application, and select schools to participate in the pilot. The department shall provide a report on the SITE to the General Assembly, the State Board of Education, and the Education Oversight Committee not later than January 15, 2011, including the names of schools participating in the pilot for the following fiscal year.

Public school classroom teachers or classroom teachers who work with classroom teachers who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July 1 in the year following the year of achieving certification, beginning with 2009 applicants. Teachers employed at the special schools shall be eligible for this \$7,500 salary supplement. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall develop guidelines and administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who are applying to the National Board for Professional Teaching Standards for certification may receive a loan equal to the amount of the application fee. Up to eleven hundred loan applications shall be processed annually. One-half of the loan principal amount and interest shall be forgiven when the required portfolio is submitted to the national board. Teachers attaining certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous appropriation act. Funds collected from educators who are in default of the National Board loan shall be retained and carried forward by the department. The department may retain up to ten percent of the funds collected to offset the administrative costs of loan collection. All other funds shall be retained by the department and used for National Board loan purposes. Of the funds appropriated in Part IA, Section 1, XIII.A. for National Board Certification, the State Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-

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South Carolina) the funds necessary for the administration of the loan program. In addition, teachers who are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.

Provided, further, that in calculating the compensation for teacher specialists, the State Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.

Teachers who begin the application process after July 1, 2007 and who teach in schools which have an absolute rating of below average or at-risk at the time the teacher applies to the National Board for certification, but who fail to obtain certification, nonetheless shall be eligible for full forgiveness of the loan as follows: upon submission of all required materials for certification, one-half of the loan principal amount and interest shall be forgiven; forgiveness of the remainder of the loan will be at the rate of 33% for each year of full time teaching in the same school regardless of whether that school exceeds an absolute rating of below average or at-risk during the forgiveness period, or for each year of full time teaching in another school that has an absolute rating of below average or at risk.

1A.17 AMEND (Teacher Supplies) Authorizes all certified public school or special school classroom teachers, certified media specialists and certified guidance counselors employed by a school district or charter school as of November 30 of the current fiscal year, to receive a reimbursement of \$275 to offset the expenses they have incurred for teaching supplies and materials. Provides for the management of receipts. Requires the department to withhold Act 135 funds from any district while they are in non-compliance with this provision. Directs that funds not disbursed to teachers must be returned to the department.

WMC: AMEND proviso to direct that the reimbursement for teacher supplies shall be “up to” \$275. *The department has not requested additional funds to maintain the \$275 reimbursement which may need to be reduced due to budget reductions.* Fiscal Impact: No impact on the General Fund. Reimbursement will be based funding on the line. Requested by Department of Education.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.17. (SDE-EIA: XLC.2-Teacher Supplies) From the funds appropriated, all certified public school, certified special school classroom teachers, certified media specialists, and certified guidance counselors who are employed by a school district or a charter school as of November 30 of the current fiscal year, shall receive reimbursement of up to two hundred seventy-five dollars each school year to offset expenses incurred by them for teaching supplies and materials. Funds shall be disbursed by the department to School districts by July 15 based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. ~~Any~~ With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December 31 or as soon as practicable thereafter. School districts shall disburse these funds in a manner separate and distinct from their payroll check on the first day teachers, by contract, are required to be in attendance at school for the current contract year.

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This reimbursement shall not be considered by the state as taxable income. Special schools include the Governor's School for Science and Math, the Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice, and Palmetto Unified School District. Funds distributed to school districts or allocated to schools must not supplant existing supply money paid to teachers from other sources. If a school district requires receipts for tax purposes the receipts may not be required before December 31. Districts that do not wish to require receipts may have teachers retain the receipts and certify for the district they have received the ~~\$275~~ allocation for purchase of teaching supplies and/or materials and that they have purchased or will purchase supplies and/or materials during the fiscal year for the amount of ~~\$275~~ the allocation. Districts shall not have an audit exception related to non-retention of receipts in any instances where a similar instrument is utilized. Any district requiring receipts must notify any teacher from whom receipts have not been submitted between November 25 and December 6 that receipts must be submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement. The department must withhold Act 135 funds from any district while in non-compliance with this provision. Any funds not disbursed to teachers may not be retained by the districts and must be returned to the department.

1A.23 AMEND FURTHER (School Districts and Special Schools Flexibility) Provides guidelines and requirements for school districts and special schools to have the ability to transfer and expend funds among general fund revenues, EIA funds, Lottery funds, and Children's Education Endowment Fund for school facilities and fixed equipment assistance to ensure the delivery of academic and arts instruction. Prohibits school districts from transferring debt service or bonded indebtedness funds. Authorizes school districts and the department to purchase the most economical type of bus fuel.

HOU: AMEND proviso to change fiscal year references from "2009-10" to "2010-11." Specify that in addition to the assessments already suspended by this provision, Section 59-20-50(4)(a) [EFA: SALARY SCHEDULE] and state mandated assessments not required by No Child Left Behind and financial literacy must be suspended. Suspend textbook purchases except for replacement of instructional material currently on the state's adopted textbook list. Suspend printing of school and district report cards. Direct the district or school to email parents a link to the report cards if they maintain the email addresses in their student information system database. Direct the district or school to notify the parents about the report cards through newsletters and other regular communication channels. Direct that if a parent requests a printed copy, it must be provided at no charge. Direct that for FY 2010-11, savings generated from suspending the state mandated assessments, new textbooks adoptions, and report card printing must be redirected to the EFA for teacher salary purposes. Sponsor: Rep. J.R. Smith. *Conforms to general education proviso 1.43.*

AMEND FURTHER to change from "sixty-five" to "seventy" the percentage of school district's per pupil expenditures which must be used within certain InSite categories. Require that salaries of on-site principals be included in the calculation of the district's per pupil expenditures. Sponsors: Reps. Merrill, Haley, and Ott.

AMEND FURTHER to direct that school districts shall not be required to advertise the report card results in a newspaper of general circulation in their area, but that the results must be provided to the Editor of such a circulation. Sponsors: Rep. Wiley.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete the requirement that assessments required by Section 59-20-50(4)(a) [EFA: SALARY SCHEDULE] and state mandated assessments not required by No Child Left Behind must be

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suspended. Direct that writing assessments in grades 3, 4, 6, and 7 must be suspended. Delete the suspension of printing school and district report cards; the requirement that the district or school email parents a link to the report cards; that they notify parents about the report cards through newsletters and other regular communication channels; that a printed copy of the report card be provided to parents free of charge if they request a copy; and that report card results be provided to the Editor of a newspaper of general circulation in their area instead of advertising the results in such a circulation. Direct that savings generated from suspending the writing assessments and adoption of new textbooks must be allocated to school districts based on the EFA formula rather than be redirected to the EFA for teacher salary increases.

1A.23. (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs.

In order for a school district to take advantage of the flexibility provisions, at least ~~sixty-five~~ seventy percent of the school district's per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and non-instruction pupil services. No portion of the ~~sixty-five~~ seventy percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and non-instruction pupil services for the school year ending June 30, ~~2010~~ 2011. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the ~~2009-10~~ 2010-11 fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or non-essential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be posted on the internet website maintained by the school district.

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For Fiscal Year ~~2009-10~~ 2010-11, ~~Section Sections 59-21-1030 and 59-20-50(4)(a) is are~~ suspended. Formative ~~State mandated assessments not required by No Child Left Behind, Writing assessments in grades three, four, six, and seven, formative~~ assessments for grades one, two, and nine, the foreign language program assessment, financial literacy, and the physical education assessment must be suspended. New textbook adoptions may be suspended. Nothing in this provision suspends, amends, modifies, or otherwise authorizes changes in the manner in which textbooks are purchased. ~~Textbook purchases beyond that required for replacement of instructional material currently on the state adopted textbook list must be suspended. Printing of school and district report cards shall be suspended. The district or school shall email parents a link to the report cards if the school maintains parent email addresses in its student information system database. The district or school shall notify parents about the report cards through its newsletters and other regular communication channels. If a parent requests from the district or school a printed copy of the report card, the district or school will provide that printed copy without cost to the parent. Additionally, school districts shall not be required to advertise the report card results in a newspaper of general circulation in their area. The results must be provided to the Editor of a newspaper of general circulation in their area.~~ School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For Fiscal Year 2010-11, savings generated from the suspension of the ~~state mandated writing assessments, and the suspension of new textbooks adoptions, and the suspension of report card printing~~ enumerated above must be redirected to the Education Finance Act for teacher salary purposes allocated to school districts based on the Education Finance Act formula.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The Comptroller General shall distribute to the districts a methodology and resources for compliance. If a district complies with the methodology, it shall be reimbursed for any

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documented expenses incurred as a result of compliance. Reimbursement must be from the budget of the Comptroller General.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.

- 1A.26 RESTORE ORIGINAL PROVISO** (PSAT/PLAN Reimbursement) Directs that assessment appropriations be used to pay for administering PSAT or PLAN tests to 10th grade students to include the testing and report fees. Authorizes the department to carry forward prior year assessment funds to pay for state assessment activities not completed by the end of the fiscal year including scoring the spring statewide accountability assessment.

WMC: AMEND proviso to also allow administration of WorkKeys to be paid from assessment funds. Direct that the test selection for each student should be informed by the student's individual graduation plan cluster selection, guidance counselor advisement and parent/legal guardian consent. *Would expand the number of assessments and give school districts greater flexibility in determining the appropriate assessment for 10th grade students.* Fiscal Impact: The EOC indicates no impact on the General Fund. Requested by Education Oversight Committee. See 1.27 for general education companion proviso.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: RESTORE original proviso.

1A.26. (SDE-EIA: PSAT/PLAN Reimbursement) Funds appropriated for assessment shall be used to pay for the administration of the PSAT₊ or PLAN ~~or WorkKeys~~ test to tenth grade students to include the testing fee and report fee. ~~The selection of the test for each student should be informed by the student's individual graduation plan (IGP) cluster selection, guidance counselor advisement and parent/legal guardian consent.~~ SDE is authorized to carry forward into the current fiscal year, prior year state assessment funds for the purpose of paying for state assessment activities not completed by the end of the fiscal year including the scoring of the spring statewide accountability assessment.

- 1A.27 CONFORM TO FUNDING** (Excellence in Middle School Initiative) Require Excellence in Middle Schools Initiative funds to be used to continue to fund the number of guidance counselors, school safety officers and/or school nurses in middle/junior high schools. Direct that funding be allocated proportionately based on the number of middle/junior high schools in each district.

WMC: DELETE proviso. *In an effort to consolidate line item appropriations and give districts greater flexibility, the line item associated with this proviso will be eliminated from the EIA and an equivalent amount of funds will be transferred to the EFA. To make the transfer revenue neutral, an equal amount of general fund monies for public education will be moved into the EIA.* Fiscal Impact: No impact on the General Fund. Requested by Education Oversight Committee.

HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING.

1A.27. (SDE-EIA: Excellence in Middle School Initiative) ~~Funds appropriated for the Excellence in Middle Schools Initiative shall be used to continue to fund the number of guidance counselors, school safety officers and/or school nurses in middle/junior high schools.~~

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~~The funding allocation shall be based proportionately on the number of middle/junior high schools in each district.~~

- 1A.28 AMEND** (Early Childhood Review) Directs the department to use up to \$300,000 of EIA Four-Year Old Early Childhood funds to institute a plan for reviewing, on a district basis, school and district early childhood assets based on certain information. Directs the department to use reports that analyze program assets and provide guidance to local schools on effective use of the reports to enhance quality gaps. Requires children to be tracked from early childhood programs to 5th grade and beyond to study the relationships of strong early childhood programs and increased PACT performance, decreased drop-out scores and special education program referrals, and increased graduation rates. Prohibits the review from being used as part of the EAA Report Card for the current fiscal year.

WMC: AMEND proviso to direct the department to also use the \$300,000 to provide monitoring and oversight of the program. Delete the requirement that the plan review schools and districts early childhood assets based on 4K entry DIAL 3 scores, and S.C. Readiness Assessment Reports and instead direct that the plan track 4K students through 5th grade, examine components that have contributed to student academic success, and on a district basis, review professional development needs based on successful program components. Delete specific criteria to study and instead direct the department to use all pertinent information to implement statewide professional development to guide efforts aimed at increasing the success of all children. Delete the prohibition on using this review as part of the EAA Report Card for the current fiscal year. *Changes the focus from a review and report to allow the agency to assist districts with effective professional development planning and implementation.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.28. (SDE-EIA: Early Childhood Review) From the funds appropriated for EIA Four-Year-Old Early Childhood, the Department of Education shall utilize up to \$300,000 to provide monitoring and oversight of the program and to institute a plan for reviewing, tracking 4K students through fifth grade, examining components that have contributed to student academic success and to review on a district basis, ~~early childhood assets of schools and districts based on 4K entry DIAL 3 scores, and South Carolina Readiness Assessment Reports~~ professional development needs based on successful program components. ~~To accomplish this, the department shall use reports that analyze program assets and provide guidance to local schools on the effective use of the reports to enhance quality gaps. Children will be tracked from early childhood programs to fifth grade and beyond to study the relationships of strong early childhood programs and increased performance on PACT, decreased drop out scores, decreased referral for special education programs, and increased graduation rates.~~ The department shall use all pertinent information obtained to implement statewide professional development to guide efforts aimed at increasing the success of all children. ~~This review may not be used as a part of the EAA Report Card for the current fiscal year.~~

- 1A.29 CONFORM TO FUNDING** (Credits High School Diploma Distribution) Direct that Raise Academic Standards-Credits High School Diploma funds be distributed to school districts based on the 135 day count of ADM.

WMC: DELETE proviso. *In an effort to consolidate line item appropriations and give districts greater flexibility, the line item associated with this proviso will be eliminated from the*

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EIA and an equivalent amount of funds will be transferred to the EFA. To make the transfer revenue neutral, an equal amount of general fund monies for public education will be moved into the EIA. Fiscal Impact: No impact on the General Fund. Requested by Education Oversight Committee.

HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING

1A.29. (SDE-EIA: Credits High School Diploma Distribution) ~~The funds appropriated for Raise Academic Standards Credits High School Diploma shall be distributed to the school districts of the state based upon the 135 day count of Average Daily Membership.~~

- 1A.34 AMEND FURTHER** (One-Year Suspension of EIA Programs) Temporarily suspends the following EIA programs for FY 09-10 and allocates the funds appropriated to them to teacher salaries and fringe benefits; National Board Certification Incentive salary supplements; teacher supplies; Science PLUS; and Teaching Fellows Program administered by CERRA to hold the funding level to maintain fellowships for existing cohorts of participants in the program: competitive teacher grants, Palmetto Gold and Silver program and external review teams. Directs that schools will still be recognized as Palmetto Gold and Silver recipients in 2009-10, but will not receive funding for such recognition.

WMC: AMEND proviso to update the fiscal year reference from “2009-10” to “2010-11.” Delete reference to competitive teacher grants and external review teams. Change “will” to “may” regarding the ability of schools to continue to recognize Palmetto Gold and Silver recipients. Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete “plurals.”

1A.34. (SDE-EIA: One Year Suspension of EIA Programs) The following ~~programs~~ program funded with EIA revenues will be temporarily suspended for Fiscal Year ~~2009-10~~ 2010-11 and funds appropriated to ~~these programs~~ this program allocated to teacher salaries and fringe benefits, National Board Certification Incentive salary supplements, teacher supplies, Science PLUS, and the Teaching Fellows Program administered by CERRA to hold the funding level to maintain fellowships for existing cohorts of participants in the Teacher Fellows Program: ~~competitive teacher grants, the~~ Palmetto Gold and Silver program ~~and external review teams~~. Schools ~~will~~ may still be recognized as Palmetto Gold and Silver recipients in ~~2009-10~~ Fiscal Year 2010-11 but will not receive financial compensation.

- 1A.35 AMEND FURTHER** (4K Targeting) Directs that EIA funds allocated for 4-year-old kindergarten be used to provide services to age-eligible children that qualify for free or reduced-price lunch or Medicaid or documented developmental delays. Directs that if more students seek to enroll than there is space available for, students shall be prioritized, at the time of acceptance, on the basis of family income expressed as a percentage of the federal poverty guidelines, with the lowest incomes given highest priority. Directs that if space permits, students with documented developmental delays may also be deemed eligible to enroll.

WMC: AMEND proviso to delete the requirement that funds be used to provide services to children with documented developmental delays and instead direct that children with

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developmental delays documented through state approved screening assessments or children with medically documented disabilities who do not already qualify for special need services should also be considered for enrollment. Specify that if more students seek to enroll than there is space available “districts” shall prioritize the students based on the students educational needs rather than on family income. Direct that students with the greatest educational needs be given the highest enrollment priority. *Clarifies how student priority should be determined.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: AMEND FURTHER to delete the new directive that if more students seek to enroll than there is space available districts shall prioritize students based on the students educational needs and that they be given the highest enrollment priority and reinsert the original requirement that students be prioritized based on family income with the lowest family income given the highest enrollment priority. Sponsors: Reps. Loftis and Merrill.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.35. (SDE-EIA: 4K Targeting) EIA funds allocated for the provision of four-year-old kindergarten shall be utilized for the provision of services to age-eligible children qualifying for free or reduced-price lunch or Medicaid ~~or documented developmental delays.~~ Children with developmental delays documented through state approved screening assessments or children with medically documented disabilities who do not already qualify for special need services should also be considered for enrollment. In the event that more students seek to enroll than available space permits, districts shall prioritize students ~~shall be prioritized~~ (at the time of acceptance) on the basis of family income expressed as a percentage of the federal poverty guidelines, with the lowest family incomes given the highest enrollment priority.

1A.36 **AMEND** (Reading) Requires the department to allocate a minimum of 25% of funds appropriated for reading to school districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the 135 day count of the prior school year. Requires districts to spend the funds on teaching teachers how to teach reading at all levels and across all content areas. Directs the department to retain the remaining funds to implement a comprehensive plan to improve reading, including the use of Reading Recovery and other reading initiatives and to increase the number of students scoring at met and exemplary levels on state assessments.

WMC: AMEND proviso to delete the previous requirement and instead direct the department, schools, and districts to use reading/literacy funds to ensure that resources are used to improve reading/literacy student achievement. Direct that 50% of the funds are to be allocated to school districts based on the number of weighted pupil units in each district in proportion to the statewide weighted pupil units using the 135 day count of the prior school year. These funds shall be used as follows: 50% of the funds are to be directed toward acquiring reading proficiency using strategies that include, but are not limited to, phonemic awareness, phonics, fluency, vocabulary, and comprehension to ensure that all students acquire reading/literacy skills by the end of the 3rd grade; 40% of the funds are to be directed toward classroom instruction and intervention to focus on struggling readers and writers in grades 4-8; and 10% of the funds should be directed toward acceleration to provide additional opportunities for deepening and refinement of literacy skills. Direct that the remaining 50% of the funds are to be allocated to the department to provide districts with research-based strategies and professional development and to work directly with schools and districts to assist with implementing research-based strategies. Require the department and school districts to use the most cost effective method to provide professional services and when able, to use ETV to

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provide such services. Direct the department to provide for an evaluation to review first year implementation activities and to establish measurements for monitoring impact on student achievement. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.36. (SDE-EIA: Reading) ~~Of the funds appropriated for reading, the Department of Education must allocate a minimum of twenty five percent of these funds to school districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the 135 day count of the prior school year. Districts must expend the funds on teaching teachers how to teach reading at all levels and across all content areas. The remaining funds are retained by the Department of Education to implement a comprehensive plan to improve reading, including the use of Reading Recovery and other reading initiatives and to increase the number of students scoring at met and exemplary levels on state assessments.~~ Of the funds appropriated for reading/literacy, the Department of Education, schools, and districts shall ensure that resources are utilized to improve student achievement in reading/literacy. To focus on the importance of early reading and writing skills and to ensure that all students acquire reading/literacy skills by the end of grade 3, fifty percent of the appropriation shall be directed toward acquisition of reading proficiency to include, but not be limited to, strategies in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Forty percent of the appropriation shall be directed toward classroom instruction and intervention to focus on struggling readers and writers in grades 4-8. Ten percent of the appropriation should be directed toward acceleration to provide additional opportunities for deepening and refinement of literacy skills.

Fifty percent of the funds shall be allocated to school districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the 135 day count of the prior school year. Fifty percent of the funds shall be allocated to the Department of Education to provide districts with research-based strategies and professional development and to work directly with schools and districts to assist with implementation of research-based strategies. When providing professional development the department and school districts must use the most cost effective method and when able utilize ETV to provide such services throughout the state. The department shall provide for an evaluation to review first year implementation activities and to establish measurements for monitoring impact on student achievement.

1A.37 **CARRIED OVER** (Artistically and Academically High-Achieving Students) Directs how EIA funds appropriated for high achieving students must be allocated to districts. Requires that at least 85% of funds appropriated for each of these students be spent for instruction and instructional support for students who generated the funds. Authorizes up to \$500,000 of the funds to be retained by the department for teacher endorsement activities. Directs that 12% of the funds be set-aside to serve artistically gifted and talented students in grades 3-12. Suspends, for the 09-10 school year, endorsement criteria established by the State Board of Education for teachers assigned to teach gifted and talented and advanced placement classes.

WMC: AMEND proviso to change “2009-10” to “current” school year. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

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1A.37. (SDE-EIA: Artistically and Academically High-Achieving Students) EIA funds appropriated for high achieving students must be allocated to districts based on two factors: (1) the number of students served in academic gifted and talented programs based on the prior year's 135-day count of average daily membership adjusted for the current year's 45-day count and the number of students identified as artistically gifted and talented; and (2) the number of students taking Advanced Placement or International Baccalaureate (IB) exams in the prior year. At least eighty-five percent of the funds appropriated for each student classified herein must be spent for instruction and instructional support for students who generated the funds. Up to \$500,000 of the funds may be retained by the Department of Education for teacher endorsement activities. Twelve percent of the funds shall be set-aside for serving artistically gifted and talented students in grades 3-12.

Endorsement criteria established by the State Board of Education for teachers assigned to teach gifted and talented and advanced placement classes shall be suspended for the ~~2009-10~~ current school year.

1A.38 **AMEND FURTHER** (Students at Risk of School Failure) Directs how EIA funds appropriated for students at academic risk of school failure shall be allocated to school districts for FY 09-10. Requires that at least 85% of funds allocated for these students be spent on instruction and instructional support for students who generated the funds. Defines students at academic risk. Requires public charter schools, the Palmetto Unified School District, and DJJ to also receive a proportionate per pupil allocation based on the number of students at academic risk served.

WMC: AMEND proviso to change Fiscal Year "2009-10" to "2010-11". Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to direct that \$350,000 of the funds appropriated for students at academic risk of school failure, must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand the training statewide through weekend college, non-traditional or alternative learning opportunities. Charge the Center with developing a sequence of knowledge and skills and program of study for add-on certification for teachers that specialize in teaching children of poverty.

1A.38. (SDE-EIA: Students at Risk of School Failure) For Fiscal Year ~~2009-10~~ 2010-11, EIA funds appropriated for students at academic risk of school failure, which include funds for Act 135 Academic Assistance, summer school, reduce class size, alternative schools, parent support and family literacy, must be allocated to school districts based two factors: (1) the poverty index of the district as documented on the most recent district report card, which measures student eligibility for the free or reduced price lunch program and Medicaid; and (2) the number of students not in poverty or eligible for Medicaid but who fail to meet state standards on state standards-based assessments in either reading or mathematics. At least eighty-five percent of the funds allocated for students classified as at academic risk must be spent on instruction and instructional support for these students who generated the funds. Instructional support may include family literacy and parenting programs to students at-risk for school failure and their families. Students at academic risk are defined as students who are at risk of not graduating from high school because they failed either the English language arts or mathematics portion of the High School Assessment Program on first attempt and who score not met on grades 3 through 8 in reading and mathematics state assessments. Public charter

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schools, the Palmetto Unified School District, and the Department of Juvenile Justice must also receive a proportionate per pupil allocation based on the number of students at academic risk of school failure served.

Of the funds appropriated for students at academic risk of school failure, \$350,000 must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand statewide training for individuals who teach children of poverty through weekend college, non-traditional or alternative learning opportunities. The Center also is charged with developing a sequence of knowledge and skills and program of study for add-on certification for teachers specializing in teaching children of poverty.

- 1A.41 CARRIED OVER** (Statewide Student Information System) Authorizes the department, contingent on availability of FY 08-09 year end EIA cash balance to use up to \$5,000,000 for costs related to the statewide student information system conversion, implementation, support, maintenance, and training activities for state, school district, and school users essential for sustaining accountability and transparency.

WMC: AMEND proviso to change Fiscal Year “2008-09” to “2009-10” and “2009-10” to “2010-11”. Fiscal Impact: No impact on the General Fund.

HOU: AMEND FURTHER to allow the department to use any remaining balance for transportation purposes. Sponsor: Rep. J.R. Smith.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: CARRIED OVER

1A.41. (SDE-EIA: Statewide Student Information System) Contingent on the availability of a Fiscal Year ~~2008-09~~ 2009-10 end of year EIA cash balance the department is authorized in Fiscal Year ~~2009-10~~ 2010-11 to utilize up to \$5,000,000 for the costs related to the conversion, implementation, support, maintenance, and training activities for state, school district, and school users for the statewide student information system essential for sustaining accountability and transparency. The department may utilize any remaining balance for transportation purposes.

- 1A.42 ADD** (Adult Education) **WMC:** ADD new proviso to direct that a minimum of 30% of adult education funds must be allocated to school districts to serve adult education students between the ages of 17 and 21 who are enrolled in programs leading to a state high school diploma, GED, or career readiness certificate (WorkKeys). Direct that the remaining funds be allocated to districts based on a formula which includes target populations without a high school credential and the following information from the previous school year: program enrollment, total hours of attendance, and performance factors such as number of high school credentials and career readiness certificates awarded. Require that overall levels of state funding meet the federal requirement of state maintenance of effort. *Consolidation of line item appropriations for adult and young education continue the EOC’s recommendation that funds be streamlined and consolidated to give school districts greater flexibility over instructional programs.* Fiscal Impact: No impact on the General Fund. Requested by Education Oversight Committee.
- HOU:** ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.42. (SDE-EIA: Adult Education) A minimum of thirty percent of the funds appropriated for adult education must be allocated to school districts to serve adult education students between the ages of 17 and 21 who are enrolled in programs leading to a state high school diploma, state high school equivalency diploma (GED), or career readiness certificate

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(WorkKeys). The remaining funds will be allocated to districts based on a formula which includes target populations without a high school credential, program enrollment the previous school year, total hours of attendance the previous school year, and performance factors such as number of high school credentials and career readiness certificates awarded the previous school year. Overall levels of state funding must meet the federal requirement of state maintenance of effort.

- 1A.43** **ADD** (Clemson Agriculture Education Teachers) **WMC:** ADD new proviso to direct the department to transfer to Clemson PSA, the funds appropriated in XI.F3 for Clemson Agriculture Education Teachers. Direct that these funds are to be used to fund summer employment for those teachers and to cover state-mandated salary increases on the portion of the agriculture teachers' salaries attributable to summer employment. Fiscal Impact: No impact on the General Fund. No impact on the General Fund. *Moved from proviso 89.39.*
HOU: ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.43. (SDE-EIA: Clemson Agriculture Education Teachers) The funds appropriated in Part IA, Section XI.F3 for Clemson Agriculture Education Teachers must be transferred to Clemson University PSA to fund summer employment of agriculture teachers and to cover state-mandated salary increases on that portion of the agriculture teachers' salaries attributable to summer employment.

- 1A.44** **DELETE NEW PROVISO** (Teacher Loan Program) **HOU:** ADD new proviso to allow teachers who received a S.C. Teacher Loan pursuant to Section 59-26-20(j)[TEACHER LOAN PROGRAM], to elect to receive a one year grace period for loan repayments if they completed an undergraduate or graduate degree in education in calendar year 2009 or 2010 and were not employed in a South Carolina public school for the 2010-11 school year by September 1, 2010. Require interest to be accrued during the deferral period. Direct the S.C. Student Loan Corporation to develop forms and procedures to implement and monitor the grace period. Sponsor: Rep. Anthony.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~1A.44. (SDE-EIA: Teacher Loan Program) For the current fiscal year, any individual who received a South Carolina Teacher Loan pursuant to Section 59-26-20 (j), who completed an undergraduate or graduate degree in education in calendar year 2009 or 2010, and who was not employed in a public school in South Carolina by September 1, 2010 of the 2010-11 school year may elect to receive a one year grace period allowing the individual to defer making loan repayments for one calendar year. Interest will be accrued during this deferral period. The South Carolina Student Loan Corporation will develop the forms and procedures to implement and monitor the grace period.~~

- 1A.45** **ADD** (Education Oversight Committee Transfer) **HOU:** ADD new proviso to direct the EOC to transfer \$250,000 to Teacher Supplies. Sponsors: Reps. Owens, Cooper, and J.R. Smith.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.45. (SDE-EIA: Education Oversight Committee Transfer) For Fiscal Year 2010-11 the Education Oversight Committee is directed to transfer \$250,000 to Teacher Supplies.

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- 1A.est** **ADD** (Effectiveness of Strategies for Teaching Reading) **PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the department to coordinate \$106,790 appropriated in Section XI.A.1. [EIA, STANDARDS, TEACHING, LEARNING, ACCOUNT., STUDENT LEARNING] to provide evidence of the effectiveness of strategies for teaching reading.

1A.est. (SDE-EIA: Effectiveness of Strategies for Teaching Reading) Funds appropriated in Section XI.A.1. Other Entities in the amount of \$106,790 shall be coordinated by the Department of Education to provide evidence of the effectiveness of strategies for the teaching of reading.

SECTION 29 - H87 - STATE LIBRARY

- 29.6** **ADD** (Donations) **WMC:** ADD new proviso to authorize the State Library to accept donations and to use these funds for administration, operation, and programs. Authorize unexpended funds to be carried forward. *Enable the agency to accept donations to enhance operations.* Fiscal Impact: No impact on the General Fund. Requested by State Library.
HOU: ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

29.6. (LIB: Donations) The State Library may accept donation funds to be used for administration, operation, and programs from any donor source. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year.

- 29.spi** **ADD** (Sale of Promotional Items) **PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to allow the State Library to sell promotional items with the State Library brand and logo to generate funds for the State Library and authorize unexpended funds to be carried forward. Requested by State Library.

29.spi. (LIB: Sale of Promotional Items) The State Library shall be allowed to sell promotional items with the South Carolina State Library brand and logo for the purpose of generating funds for the State Library. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year.

SECTION 31 - H95-STATE MUSEUM

- 31.9** **DELETE** (Rent Payment Suspension) Directs that the State Museum is not required to pay rent or maintenance expenses, including all utilities, operations, maintenance and repairs, to General Services in FY 09-10 for the Columbia Mills Building.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~*31.9. (MUSM: Rent Payment Suspension) For Fiscal Year 2009-10 the State Museum is not required to pay rent or maintenance expenses, including all utilities, operations, maintenance and repairs to General Services for the premises it leases in the Columbia Mills Building.*~~

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- 31.10 DELETE** (Transfer to General Fund) Directs the State Museum to transfer \$1,800,000 to the General Fund.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund since this was a one-time transfer.
HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

31.10. (MUSM: Transfer to General Fund) ~~The State Museum is directed to transfer to the General Fund of the State, \$1,800,000 of the funds appropriated to or authorized for the State Museum.~~

- 31.11 AMEND NEW PROVISO** (Remittance to General Services) **WMC:** ADD new proviso to direct the State Museum to remit at least \$1,800,000 to the B&C Board, Division of General Services as compensation for expenses associated with its lease of the Columbia Mills Building. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT new proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to direct that the rent the State Museum remits to the B&C Board will be reduced proportionately by the same percentage of any mid-year across the board budget reduction implemented by the General Assembly or the B&C Board.

31.11. *(MUSM: Remittance to General Services) The State Museum is directed to remit not less than \$1,800,000 to the Budget and Control Board, Division of General Services as compensation for expenses associated with the premises it leases in the Columbia Mills Building. In the event the General Assembly or the State Budget and Control Board implements a mid-year across-the-board budget reduction, the rent that the State Museum remits to the Budget and Control Board shall be reduced by the same percentage as the assessed budget reduction.*