

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2011-12
TO THE PROVISO REVIEW SUBCOMMITTEE**

SECTION 1 - H63-DEPARTMENT OF EDUCATION

1.3 **AMEND FURTHER / 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 \$1,630; states that the per pupil count for FY 10-11 is projected to be 694,303 and projects the average per pupil funding. Directs that for FY 10-11 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, subject to adjustment for student attendance and state budget allocations.

WMC: AMEND proviso to update the projections for FY 11-12 as follows: base student cost, \$1,617; total pupil count, 694,850; average per pupil funding, \$4,778 state, \$1,206 federal, and \$5,666 local for an average total funding level of \$11,651 excluding local bond issues. Delete the requirement that Public Charter Schools receive an additional \$700 multiplied by weighted students enrolled in the charter school, adjusted for student attendance. Delete all estimated school district projections. *See proviso 1.89 for additional charter school funding.*

HOU: AMEND FURTHER to change the projections as follows base student cost, \$1,788; total pupil count, 690,111; average per pupil funding, \$4,834 state, \$1,215 federal, and \$5,705 local for an average total funding level of \$11,754. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to direct that the Public Charter School District receive "100%" of the current year's base student cost multiplied by the weighted students "(pupils)" enrolled in the charter school. Reinsert and update the estimated school district projections. CONFORM to funding recommendation.

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 has been determined to be ~~\$1,630~~ \$1,788. In Fiscal Year ~~2010-11~~ 2011-12, the total pupil count is projected to be ~~694,303~~ 690,111. The average per pupil funding is projected to be ~~\$4,485~~ \$4,834 state, ~~\$1,633~~ \$1,215 federal, and ~~\$5,254~~ \$5,705 local. This is an average total funding level of ~~\$11,372~~ \$11,754 excluding revenues of local bond issues. For Fiscal Year ~~2010-11~~ 2011-12 the South Carolina Public Charter School District shall receive and distribute state EFA funds to the charter school as determined by 100% of the current year's base student cost, as funded by the General Assembly, ~~plus an additional \$700~~, multiplied by the weighted students (pupils) enrolled in the charter school, which must be subject to adjustment for student attendance ~~and must not be reduced for state budget allocations.~~

NOTE: THE BELOW PORTION IS IN THE PROCESS OF BEING UPDATED

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In Fiscal Year 2010-11, the Charleston School District total pupil count is projected to be 41,754. The per pupil funding is projected to be \$3,539 state, \$1,825 federal, and \$8,330 local. This is a total projected funding level of \$13,694 excluding revenues of local bond issues.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In Fiscal Year 2010-11, the Greenwood School District 52 total pupil count is projected to be 1,550. The per pupil funding is projected to be \$3,175 state, \$1,056 federal, and \$7,027 local. This is a total projected funding level of \$11,258 excluding revenues of local bond issues.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In Fiscal Year 2010-11, the Newberry School District total pupil count is projected to be 5,460. The per pupil funding is projected to be \$5,294 state, \$2,288 federal, and \$5,755 local. This is a total projected funding level of \$13,338 excluding revenues of local bond issues.

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

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

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

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

In Fiscal Year 2010-11, the Pickens School District total pupil count is projected to be 16,106. The per pupil funding is projected to be \$4,136 state, \$1,228 federal, and \$5,497 local. This is a total projected funding level of \$10,861 excluding revenues of local bond issues.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1.18 CONFORM TO FUNDING** (Assisting, Developing, and Evaluating Professional Teaching--ADEPT) Provides for payments of 10% to colleges and universities for ADEPT services with the remaining funds going to school districts, the School for the Deaf and the Blind, John de la Howe School, Governor's School for the Arts & Humanities, and the Department of Juvenile Justice on a per induction contract basis. Authorizes ADEPT funds to be carried forward and directs that they be used for ADEPT services only. Permits the colleges and universities to provide a tuition waiver for one three-hour course to teachers supervising students who are practice teaching.

WMC: DELETE proviso. *Funding and proviso moved to EIA Proviso 1A.47.*

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

1.18. (SDE: Assisting, Developing, and Evaluating Professional Teaching--ADEPT) ~~Funds appropriated in Part 1A, Section 1, XIII.A Aid to School Districts Aid to Subdivision-APT/ADEPT, may be used for the implementation of the ADEPT system. Of the funds appropriated, ten percent is to be used to pay colleges and universities for ADEPT services. The remaining funds will be distributed to school districts, School for the Deaf and the Blind, John de la Howe School, Governor's School for Arts and Humanities and the Department of Juvenile Justice on a per induction contract teacher basis to offset the costs of implementing the ADEPT program. Governing boards of public institutions of higher education may provide by policy or regulation for a tuition waiver for the tuition for one three hour course at that institution for those public school teachers who serve as supervisors for full time students completing education degree requirements. Of the funds appropriated in the prior fiscal year, unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.~~

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- 1.19** **AMEND** (Summer Exit Exam Cost) Authorizes funds appropriated in Part IA, Section III to be used to offset the cost of administering the Exit Exam in the summer and to expend the funds for costs related to developing, printing, shipping, scoring, and reporting assessment results. Authorize local school districts to absorb local administrative costs.
WMC: AMEND proviso to change “III” to “XV.” *To reflect correct budget program reference.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.19. (SDE: Summer Exit Exam Cost) Funds appropriated in Part IA, Section 1, ~~III~~ XV may be used to offset the costs of the summer administration of the Exit Examination. These funds may be expended to cover the costs related to developing, printing, shipping, scoring, and reporting the results of the assessments. Local school districts may absorb local costs related to administration.

- 1.25** **AMEND** (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 delete the requirement that assessment funds be used to pay for administering PSAT or PLAN tests to 10th grade students. Instead for the current fiscal year, suspend the PSAT/PLAN and direct savings generated from the suspension to the EFA. Fiscal Impact: OSB states that \$169,487 is appropriated in state general funds for PSAT and PLAN. This amendment would allow these funds to be allocated to the EFA. Requested by Department of Education. *Companion to EIA 1A.25.*
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.25. (SDE: ~~PSAT/PLAN Reimbursement~~ Assessment) ~~Funds appropriated for assessment shall be used to pay for the administration of the PSAT or PLAN test to tenth grade students to include the testing fee and report fee.~~ For the current fiscal year PSAT/PLAN shall be suspended and savings generated from suspension of PSAT/PLAN Reimbursement shall be allocated to the Education Finance Act. ~~SDE~~ The department 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.

- 1.30** **AMEND** (Buses, Parts, and/or Fuel) Authorizes the department, for FY 10-11, 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 change “FY 2010-11” to “current fiscal year.” Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

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SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.30. (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 2010-11~~ the current fiscal year to support bus transportation services.

1.40 CARRIED OVER (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 references to "Fiscal Year 2010-11" to "current fiscal year." Direct that the purchase of textbooks beyond that required for replacement "may" rather than "must" be suspended. Delete the requirement that savings generated from suspension of the writing assessment and new textbooks adoptions be allocated to school districts based on the EFA formula and instead direct that they be allocated based on the number of weighted pupil units in each district. *Change in methodology for distributing funds generated from the savings from suspended programs ensures that all districts receive funds generated from the savings.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education. *Companion to EIA 1A.22.*

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CARRIED OVER

1.40. (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 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 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 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 current school year ending June 30, ~~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.

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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 ~~2010-11~~ current 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 2010-11~~ the current fiscal year, Section 59-21-1030 is suspended. 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. Textbook purchases beyond that required for replacement of instructional material currently on the state adopted textbook list ~~must~~ may be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For ~~Fiscal Year 2010-11~~ the current fiscal year, savings generated from the suspension of the writing assessments and the suspension of new textbooks adoptions enumerated above must be allocated to school districts based on the ~~Education Finance Act formula~~ number of weighted pupil units in each district.

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.

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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.

- 1.45 CONFORM TO FUNDING** (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, including teachers at the special school, who are certified by the State Board of Education and by the National Board for Professional Teaching Standards or who completed the application process prior to July 1, 2010. Directs that the supplement be paid for the length of the national certificate. 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. Provides guidelines for loan forgiveness.

WMC: DELETE proviso. *Funded wholly in EIA. See EIA proviso 1A.13 (not amended).*

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

~~1.45. (SDE: National Board Certification Incentive) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools 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. 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 administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010, may receive a loan equal to the amount of the application fee. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 shall have one half of the loan principal amount and interest forgiven when the required portfolio is submitted to the national board. Teachers who applied to the National Board for Professional Teaching standards for certification prior to July 1, 2010~~

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~~who attain 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 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 for teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010. In addition, teachers who have applied prior to July 1, 2010 and 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 who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 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 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 prior to July 1, 2010 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.~~

- 1.46 DELETE** (National Board Certification Incentive Surplus) Directs that National Board Certification Incentive appropriation excess of all obligations, including salary supplements, related fringe, loan principal amount and interest forgiven, and the administration funds necessary for the Center of Educator Recruitment, Retention, and Advancement and the Department of Education be distributed to school districts and allocated based on the EFA Formula.

WMC: DELETE proviso. *No surplus of funds are expected.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.46. (SDE: National Board Certification Incentive Surplus) ~~National Board Certification Incentive appropriation excess of all obligations to include the national board certification~~

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~~incentive salary supplement, related fringe, loan principal amount and interest forgiven, and the administration funds necessary for the Center for Educator Recruitment, Retention, and Advancement (CERRA South Carolina) and the Department of Education shall be distributed to school districts and allocated based on the Education Finance Act Formula.~~

- 1.47** **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.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the restriction that school districts may only institute an employee furlough if a school district's state funds are less than those appropriated in the preceding fiscal year or if the General Assembly or B&C Board implements a mid-year across the board budget reduction. AMEND FURTHER to prohibit NBC annual salary supplements from being reduced when a local school district implements a personnel furlough. AMEND FURTHER to require each local school district to prominently post on their website the most recent version of their school district's policy manual and administrative rule manual for public viewing and downloading.

1.47. (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~~ 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. Annual salary supplements for National Board Certification must not be reduced when implementing a local school district furlough of personnel.

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 require employer and employee contributions, including, but not limited to, contributions to the

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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.

Each local school district must prominently post on the district's internet website and make available for public viewing and downloading the most recent version of the school district's policy manual and administrative rule manual.

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

- 1.58** **DELETE** (Physical Education Teachers) Requires school district's allocations from Part IA, Section 1, Program III are to be used to increase the number of physical education teachers to the extent possible.
WMC: DELETE proviso.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.58. (SDE: Physical Education Teachers) ~~A school district's allocation from the funds appropriated in Part IA, Section 1, Program III are to be used to increase the number of physical education teachers to the extent possible.~~

- 1.66** **AMEND FURTHER** (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. Directs that a task force be convened to research and make recommendations to the Superintendent of Education by December 1, 2010 on oversight of educational programs provided to RTF students.
WMC: AMEND proviso to also authorize the RTF to provide parents/guardians with the option to enroll their child in a virtual charter school authorized by the SC Public Charter School District. Direct that if the parent/guardian chooses to enroll their child in a virtual charter school the SC Public Charter School District shall assume the responsibility of the facility school district. Require the RTF and parent/guardian to identify a learning coach prior to enrolling the student in a virtual charter school. Require that the learning coach be identified in collaboration with the SC Public Charter School District and that they be responsible for monitoring and assisting the child's learning experience. Encourage the facility school district, when appropriate, to use course offerings provided by the Department of Education through its South Carolina Virtual School Program. Delete the requirement that the state appropriate 100% of the base student cost to provide for the education of the students referred or placed by the State in an RTF. Direct that facility school districts are entitled to receive the base student cost multiplied by the EFA pupil weighting for "Homebound pupils of 2.10." Direct that the

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reimbursement rate may not exceed \$45 per student per day. Authorize the department to withhold the equivalent amount of EFA funds and transfer those funds to the facility school district if a resident school district fails to distribute the entitled funding to the facility school district by the 135 day count. Direct that out-of-state students provided educational services by a facility school district are not eligible for funding through the EFA. Delete the task force provision. Fiscal Impact: OSB states that this amendment would have a \$501,771 recurring cost to the general fund. The estimate is derived by multiplying the number of RTFs in FY 10 (403) x increase weighting of 1.10 (2.10-1.00) x base student cost of \$1,617 x 70% state funds.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete portion pertaining to enrollment in a virtual charter school.

1.66. (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") ~~or the RTF may choose to provide to parents/guardians of students residing in the RTF the option to enroll their child in a virtual charter school authorized by the South Carolina Public Charter School District. Should the parent/guardian choose to enroll their child in a virtual charter school, the South Carolina Public Charter School District shall assume the responsibilities of the facility school district for each child enrolled in a virtual charter school. Prior to the enrolling in a virtual charter school, the RTF and the parent/guardian must identify a learning coach for each student enrolled. The individual to serve as the learning coach will be identified in collaboration with the South Carolina Public Charter School District. The learning coach shall be responsible for monitoring and assisting in the child's educational experience with the virtual charter school.~~ 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 all federal and state least restrictive environment requirements. Adequate space shall include appropriate electrical support and Internet accessibility. 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 shall enroll the student and assume full legal and financial responsibility for the educational services 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. When appropriate, the facility school district is encouraged to utilize course offerings provided by the Department of Education through its South Carolina Virtual School Program.

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

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not meet the educational standards outlines in the contract, the facility district shall be justified in terminating the contract.

~~The State shall appropriate one hundred 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 *for Homebound pupils of 2.10*, as set forth in Section 59-20-40 of the 1976 Code and any eligible categorical and 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. However, the reimbursement rate may not exceed \$45 per student per day. 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. Should a resident school district fail to distribute the entitled funding to the facility school district by the 135 day count, the Department of Education is authorized to withhold the equivalent amount of EFA funds and transfer those funds to the facility school district.

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. Out-of-state students provided educational services by a facility school district shall not be eligible for funding through the Education Finance Act.

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 IDEA, as 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. 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

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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.~~

- 1.68 REINSERT** (Prohibit Use of ARRA for Administration) Prohibits the department and school districts from using American Recovery and Reinvestment Act of 2009 funds for administrative salary increases, bonuses, retirement incentives, or severance packages. Requires the department provide a list of federal stimulus expenditures to the General Assembly.
WMC: DELETE proviso. *All ARRA funds have been appropriated.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

1.68. (SDE: Prohibit Use of ARRA for Administration) The department and school districts are prohibited from using funds received from the American Recovery and Reinvestment Act of 2009 for state department or school district administrative salary increases, bonuses, retirement incentives, or severance packages. The department shall provide to the General Assembly a list of federal stimulus expenditures.

- 1.69 AMEND** (Special Schools Flexibility) Authorizes special schools, for FY 2010-11, to transfer funds among funding categories, including capital funds.
WMC: AMEND proviso to change "Fiscal Year 2010-11" to "current fiscal year." Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

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

- 1.70** **AMEND** (High School Driver Education) Suspends, 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. Directs 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. Directs 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. Directs the department to work with DMV in collecting and reporting driver education input.
WMC: AMEND proviso to change "Fiscal Year 2010-11" to "current fiscal year" and delete reference to the survey. *Survey has been issued.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.70. (SDE: High School Driver Education) For ~~Fiscal Year 2010-11~~ the current fiscal year, 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.~~

- 1.71** **DELETE** (Background Checks for Substitute Teachers) Requires all substitute teachers to undergo a SLED name based criminal records search and requires SLED to provide the records without charge to the district or the substitute teacher. Requires school districts to develop a written policy and requires the department to provide training and adopt a model policy.
WMC: DELETE proviso. *Codified in Act 168 of 2010.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.71. (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~~

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~~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.~~

- 1.72** **AMEND** (Program Reports) Requires all programmatic reports required by the General Assembly be electronically submitted. Directs the department develop a template outlining a triennial reporting cycle for all reports required by the General Assembly except for the Accountability Report or other required annual budget preparation reports.
WMC: AMEND proviso to change "Fiscal Year 2010-11" to "current fiscal year" and delete the template requirement. Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.72. (SDE: Program Reports) For ~~Fiscal Year 2010-11~~ *the current fiscal year*, all programmatic reports required by the General Assembly shall be submitted electronically. ~~By December 1, 2010, the department shall develop a template outlining a triennial reporting cycle for all reports required by the General Assembly except for the Accountability Report or other reports required specifically for annual budget preparation.~~

- 1.73** **DELETE** (Consolidated Funds Allocation) Directs 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.
WMC: DELETE proviso. *See similar EIA proviso 1A.48.*
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.73. (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.~~

- 1.75** **DELETE** (AED Study) Authorizes 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. Directs the department, if the study is conducted, to report their findings to the Chairmen of the Senate Finance and House Ways and Means Committees by January 31, 2011.
WMC: DELETE proviso. *Study has been conducted.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.75. (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~~

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~~required of all public and private high school instructional and administrative staff. 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.~~

- 1.76** **AMEND** (Carry Forward Authorization) Authorizes the department to carry forward and expend any balance in their General Funds for school bus transportation.
WMC: AMEND proviso to change "Fiscal Year 2010-11" to "current fiscal year." Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

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

- 1.78** **AMEND** (Effectiveness of Strategies for Teaching Reading) Directs the department to coordinate \$106,790 appropriated in Section XI.A.1 Other Entities to provide evidence of the effectiveness of strategies for teaching reading.
WMC: AMEND proviso to direct the funds to the EFA.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.78. (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~~ allocated to the Education Finance Act.

- 1.79** **DELETE** (ITA Study Committee) Establishes an Index of Taxpaying Ability Study Committee from the funds appropriated to or authorized for the department. Directs the study committee to examine the index of taxpaying ability and its relationship to EFA resources available to individual school districts. Directs that the committee examine how the index is calculated and the impact of property tax measures on the calculation. Directs the committee also examine how funds should be distributed to school districts that receive less than 40% of state support as computed by Section 59-20-40(1) [EFA DETERMINATION OF ANNUAL ALLOCATIONS] and to consider whether the amount each district receives should be determined according to the number of weighted students, adjusted for student attendance. Requires a report and recommendations be issued by January 1, 2011.
WMC: DELETE proviso. *Report has been issued.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.79. (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~~

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~~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 also examine how funds should be distributed to school districts that receive less than forty percent of state support as computed in Section 59-20-40(1) of the 1976 Code, taking into consideration whether each district's amount should be determined in accordance with the district's number of weighted students, subject to adjustment for student attendance.~~

~~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 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.~~

- 1.80 DELETE** (Incentive for National Board Certification After 6/30/10) Provides guidelines for a \$5,000 salary supplement for public school classroom teachers and classroom teachers who work with classroom teachers, including teachers at the special schools, who are certified by the State Board and who complete the National Board Certification application process on or after 7/1/10. Limits the receipt of the supplement to one ten year period. Directs CERRA to administer a program for teachers who are U.S. citizens or permanent resident aliens applying for National Board certification on or after 7-1-10 and directs the department to transfer National Board Certification funds as necessary for administration of the program.. Direct that teachers who completed the application or renewal process before 7-1-10 shall receive a \$7,500 salary supplement beginning July 1 in the year after they achieve certification beginning with 2009 applicants.

WMC: DELETE proviso. *See EIA proviso 1A.43 (not amended).*

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.80. (SDE: Incentive for National Board Certification After 6/30/10) ~~Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are~~

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~~certified by the State Board of Education and who complete the application process on or after July 1, 2010 shall be paid a \$5,000 salary supplement in the year of achieving certification. 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 \$5,000 salary supplement shall be added to the annual pay of the teacher, not to exceed ten years of the national certificate. However, the \$5,000 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 administer whereby teachers who are United States citizens or permanent resident aliens apply to the National Board for Professional Teaching Standards for certification on or after July 1, 2010. Beginning July 1, 2010, up to nine hundred applications shall be processed annually. Of the funds appropriated in Part IA, Section 1, XIII.A. for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA South Carolina) the funds necessary for the administration of teachers applying to the National Board for Professional Teaching Standards for certification.~~

~~Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified or certified for renewal by the National Board for Professional Teaching Standards or completed the application or renewal 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.~~

- 1.81 DELETE** (Application of Reductions) Authorizes the department to proportionately apply 38% of their FY 10-11 agency base reduction among the other state entities and non-flow thru appropriations that are housed within their budget, with the remaining 62% being proportionately applied throughout the department's budget, while first exempting the EFA and EFA Employer Contributions. Limits the two Governor's School's base reduction to no more than 5% each.

WMC: DELETE proviso. *Applied to reductions taken for FY 10-11.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**1.81.** (SDE: Application of Reductions) The department is authorized to proportionately apply 38% of the Fiscal Year 2010-11 agency base reductions among the other state entities and non-flow thru appropriations housed within the department's budget with the remaining 62% of the Fiscal Year 2010-11 agency base reduction first exempting the EFA and EFA Employer Contributions prior to being proportionately applied throughout the department's budget. The Governor's School for the Arts and the Humanities and the Governor's School for Science and Mathematics base reduction shall be limited to no more than 5%.~~

- 1.83 AMEND NEW PROVISO** (Governor's Schools Residency Requirement) **WMC:** ADD new proviso to require a parent or guardian of a student attending either the Governor's School for Arts and Humanities or the Governor's School for Science and Mathematics to legally reside in South Carolina at the time the student applies to the school and while they attend the school.

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Prohibit either Governor's School from admitting students whose parent(s) or guardian(s) is not a legal resident of this state. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to specify "of the funds appropriated."

1.83. (SDE: Governor's Schools Residency Requirement) ~~Any~~ Of the funds appropriated, the Governor's School for the Arts and the Humanities and the Governor's School for Science and Mathematics are to ensure that a parent(s) or guardian(s) of a student attending either the Governor's School for the Arts and the Humanities or the Governor's School for Science and Mathematics must prove that they are a legal resident of the state of South Carolina at the time of application and must remain so throughout time of attendance. The Governor's School for the Arts and the Humanities and Governor's School for Science and Mathematics may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

- 1.84** **ADD (Holocaust Funds) WMC:** ADD new proviso to prohibit SC Council on Holocaust funds from being used for any other purpose or transferred to any other program. Direct that if the department is required to implement a budget reduction, SC Council on Holocaust funds may not be reduced. Fiscal Impact: No impact on the General Fund. \$54,264 budgeted for FY 11-12.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.84. (SDE: Holocaust Funds) Funds appropriated to the Department of Education for the SC Council on Holocaust shall not be used for any other purpose nor transferred to any other program. In addition, in the event the department is required to implement a budget reduction, SC Council on Holocaust funds may not be reduced.

- 1.85** **DELETE NEW PROVISO (High School League Participation) WMC:** ADD new proviso to allow any South Carolina High School League decision that affects a student, team, or program in a SC public school to be appealed to the State Superintendent of Education or his designee; direct that the State Superintendent serves as the final appellate authority; and require the school to adhere to the Superintendent's decision. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

1.85. (SDE: High School League Participation) ~~Any decision by the South Carolina High School League that affects a student, team, or program in a South Carolina public school may be appealed to the State Superintendent of Education or his designee. The State Superintendent shall serve as the final appellate authority and said school must adhere to the decision rendered.~~

- 1.86** **DELETE NEW PROVISO (Deregulation) WMC:** ADD new proviso to direct that for FY 11-12, the exemptions that apply to charter schools provided in Section 59-40-50 [EXEMPTION;

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POWERS AND DUTIES; ADMISSION TO CHARTER SCHOOL] also apply to traditional public schools of local public school districts. Direct that a traditional public school may employ noncertified teachers in a ratio of up to 10% of its entire teacher staff and may not limit or deny admission or show preference in admission decisions to any group of individuals, and must meet the student attendance requirements as provided in Title 59.

HOU: AMEND new proviso to specify that teachers in core subject areas as defined by ESEA must be highly qualified, which requires state certification. Sponsors: Reps. Allison and Bingham.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~1.86. (SDE: Deregulation) For Fiscal Year 2011-12, the exemption provisions provided in Section 59-40-50 of the 1976 Code, that apply to charter schools shall also apply to traditional public schools of the local public school districts of this State, except that a traditional public school may employ noncertified teachers in a ratio of up to ten percent of its entire teacher staff, except that teachers in core subject areas as defined by ESEA must be highly qualified, which requires state certification. A traditional public school may not limit or deny admission or show preference in admission decisions to any group of individuals, and it must meet the student attendance requirements as provided in Title 59 of the 1976 Code.~~

- 1.87** **AMEND NEW PROVISO** (Transportation) **WMC:** ADD new proviso to direct that the Senate Finance and House Ways and Means Committees, the Governor's Office and the department to work together to explore privatizing all or part of the state school bus transportation system while ensuring all students are served and long term cost savings are achieved.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to specify "from appropriated or authorized funds."

~~1.87. (SDE: Transportation) In Fiscal Year 2011-12, and from appropriated or authorized funds, the Department of Education, the Senate Finance Committee, the House Ways and Means Committee, and the Governor's Office and the department will work together to explore privatization of all or part of the state school bus transportation system while ensuring that all students are served and there are long term cost savings.~~

- 1.88** **DELETE NEW PROVISO** (National Board Certification) **WMC:** ADD new proviso to required that teachers who grade National Board Certification Exams must be National Board Certified teachers.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~1.88. (SDE: National Board Certification) In the current fiscal year teachers retained to grade National Board Certification Exams must themselves hold the certification.~~

- 1.89** **AMEND NEW PROVISO / CONFORM TO FUNDING** (SC Public Charter School District Funding) **WMC:** ADD new proviso to direct that S.C. Public Charter School District funds must be allocated as follows: \$1,700 per pupil for virtual charter schools and \$3,250 per pupil

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for brick and mortar charter schools. Authorize unexpended funds to be carried forward and used for the same purpose. Fiscal Impact: OSB states that the department indicates this amendment would have a recurring impact of \$22.0 million on the General Fund. Methodology: subtract FY 11 SCPSCSD EFA allocation of \$24.6 million from additional allocations required by this provision of \$10.7 million for brick and mortar schools and \$35.9 million for virtual schools of SCPSCSD (\$46.6m - \$24.6m).

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to specify that the funds shall be received per “weighted” pupil and CONFORM to funding recommendation.

*1.89. (SDE: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section X - S.C. Public Charter School District must be allocated in the following manner: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District shall receive \$1,700 per **weighted** pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District shall receive \$3,250 per **weighted** pupil. Any unexpended funds must be carried forward from the prior fiscal year and expended for the same purpose.*

- 1.90** **ADD** (Governor’s School Capacity) **WMC:** ADD new proviso to direct the Governor’s Schools for Arts and Humanities and Science and Math to use their funds to bring their respective schools up to full capacity and to report electronically by December 1st to the Chairmen of the Senate Finance and House Ways and Means Committees on how the funds have been used and how many additional students have been served.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.90. (SDE: Governor’s Schools Capacity) For Fiscal Year 2011-12, funds appropriated to the Governor’s School for the Arts and Humanities and the Governor’s School for Science and Mathematics must be used to bring the schools up to full capacity. Each school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 1st how the funds have been utilized and how many additional students have been served.

- 1.91** **ADD** (Student Health and Fitness) **WMC:** ADD new proviso to direct that Student Health and Fitness funds be allocated to school districts to increase, to the extent possible, the number of physical education teachers and to provide licensed nurses for elementary public schools. Direct that 27% of the funds be allocated based on ADM of grades K-5 from the preceding year for phys ed teachers and the remaining funds be made available through a grant program for school nurses and be distributed on a per school basis. *Per Sections 59-10-10 - 59-10-60 [PHYSICAL EDUCATION STANDARDS]; proviso 1.60 of Act 291 of 2010 [PHYSICAL EDUCATION TEACHERS] and Section 59-10-210 [FUNDING FOR LICENSED NURSES FOR ELEMENTARY SCHOOLS].*

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.91. (SDE: Student Health and Fitness) Funds appropriated for Student Health and Fitness shall be allocated to school districts to increase the number of physical education

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teachers to the extent possible and to provide licensed nurses for elementary public schools. Twenty seven percent of the funds shall be allocated to the districts based on average daily membership of grades K-5 from the preceding year for physical education teachers. The remaining funds will be made available through a grant program for school nurses and shall be distributed to the school districts on a per school basis.

- 1.92** **AMEND NEW PROVISO** (One Year Suspension of Programs) **WMC:** ADD new proviso to temporarily suspend the High School That Work and SAT/ACT Improvement programs for Fiscal Year 2011-12. Direct that these funds must be allocated to districts based on the number of weighted pupil units.
HOU: AMEND new proviso to delete suspension of the High Schools That Work program. Sponsor: Rep. Gambrell.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso as amended.

1.92. (SDE: One Year Suspension of Programs) The following program will be temporarily suspended for Fiscal Year 2011-12: SAT/ACT Improvement. Funds appropriated to this program must be allocated to districts based on the number of weighted pupil units.

- 1.93** **AMEND NEW PROVISO** (District Employee Representation) **WMC:** ADD new proviso to allow any school district employee who is paid on the state salary schedule to have representation of their choice present and able to participate in any meeting, hearing or appeal related to a formal grievance.
HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to specify paid on “a school district” salary schedule rather than “on the state” salary schedule.

1.93. (SDE: District Employee Representation) In the current fiscal year, any employee of a school district paid on ~~the state~~ a school district salary schedule may have representation of their choice present and able to participate in any meeting, hearing or appeal related to a formal grievance.

- 1.94** **ADD** (EEDA Regional Education Centers) **HOU:** ADD new proviso to at least \$108,500 of EEDA funds be used for the Regional Education Centers. Sponsors: Reps. Allison and Forrester.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.94. (SDE: EEDA Regional Education Centers) Funds appropriated from the EEDA for Regional Education Centers must not be less than \$108,500.

- 1.95** **ADD** (Building Fund Flexibility) **HOU:** ADD new proviso to authorize school districts to flex School Building Aid Program funds for FY 11-12. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.95. (SDE: Building Fund Flexibility) For Fiscal Year 2011-12, a school district may flex funds appropriated pursuant to the School Building Aid Program.

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- 1.96 DELETE NEW PROVISO** (EEDA Allocation) **HOU:** ADD new proviso to direct that EEDA funds be allocated to districts based on ADM unless they are otherwise allocated in this act and direct the department to fund the Regional Education Centers prior to allocating these funds. Sponsors: Reps. Bingham and Norman.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~1.96. (SDE: EEDA Allocation) For Fiscal Year 2011-12, funds appropriated in Part 1A, Section 1, Program IV Education and Economic Dev, if not otherwise allocated in this act, shall be allocated to districts based on Average Daily Membership. Prior to this allocation the department will fund the Regional Education Centers.~~

- 1.wpu ADD** (Weighted Pupil Units Calculation) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the Department of Education to calculate and publish the number of weighted pupil units per weighting category in each district based on the most recent 135 day ADM in each district and the weights as recommended in most recent EOC funding model and suggested modifications made during FY 10-11 and to make projections on how the revised weightings impact school districts for FY 11-12. Require the department use the Index and Taxpaying Ability and projected base student cost as adopted by the General Assembly when making its calculations. Direct the department report its findings to the Chairmen of the Senate Finance and House Ways and Means Committees by November 1, 2011.

1.wpu. (SDE: Weighted Pupil Units Calculation) Of the funds appropriated to the Department of Education, the department shall calculate and publish the number of the weighted pupil units per weighting category in each district based upon the most recent 135-day average daily membership in each district and the weights as recommended in the most recent funding model developed by the Education Oversight Committee and suggested modifications made during Fiscal Year 2010-11 and make projections on how the revised weightings impact school districts for Fiscal Year 2011-12. In making its calculations, the department must use the Index of Taxpaying Ability and projected base student cost as adopted by the General Assembly for the current fiscal year. The department must report its findings electronically to the Chairman of the Senate Finance Committee and Chairman of the House Ways and Means Committee by November 1 2011.

SECTION 1A - H63-DEPARTMENT OF EDUCATION-EIA

- 1A.3 CARRIED OVER** (Half Day Program for Four-Year-Olds) Directs that funds appropriated for half-day programs for 4-year-olds shall be distributed based on the prior year number of students in kindergarten eligible for free and reduce price lunch. Directs, however, that no district shall receive less than 90% the amount it received in the prior fiscal year.
WMC: AMEND proviso to delete the requirement that no district receive less than 90% the amount it received in the prior fiscal year. *Deletion will provide for allocations to be based solely on the prior year number of eligible students and the amount of funds appropriated for this purpose.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CARRIED OVER

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1A.3. (SDE-EIA: XI.B - Half Day Program for Four-Year-Olds) Funds appropriated in Part IA, Section 1, XI.B. for half-day programs for four-year-olds shall be distributed based on the prior year number of students in kindergarten eligible for free and reduce price lunch; ~~however, no district shall receive less than 90 percent of the amount it received in the prior fiscal year.~~

1A.6 **AMEND** (Teacher Salaries/SE Average) Projects the Southeastern average teacher salary to be \$48,725 for FY 10-11. States that the statewide minimum teacher salary schedule used in FY 08-09 will continue to be used in FY 10-11. Specifies what positions are to receive Teacher Salary Supplements.

WMC: AMEND proviso to change “\$48,725” to “\$49,007” and change “Fiscal Year “2010-11” to “2011-12” pertaining to using the same statewide minimum teacher salary schedule used in FY 08-09. Fiscal Impact: \$85,843,212 (\$49,007-\$47,642) x 1.2094 x 52,000 + EFA restoration.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

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 ~~\$48,725~~ \$49,007. The statewide minimum teacher salary schedule used in Fiscal Year 2008-09 will continue to be used in Fiscal Year ~~2010-11~~ 2011-12. 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 physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state.

1A.10 **AMEND** (CHE/Teacher Recruitment) Provides for distribution of Teacher Recruitment Program funds and directs CHE to annually evaluate the effectiveness of the teacher recruitment projects and report its findings and budget recommendations to the House and Senate Education Committees, the State Board of Education and the EOC by Oct 1st.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that the current year administration reduction may be applied proportionately between CERRA and SC State, and shall not be applied to Teaching Fellows Scholarships.

1A.10. (SDE-EIA: XI.F.2-CHE/Teacher Recruitment) Of the funds appropriated in Part IA, Section 1, XI.F.2. for the Teacher Recruitment Program, the S.C. Commission on Higher Education shall distribute a total of 92% to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) for a state teacher recruitment program, of which 78% must be used for the Teaching Fellows Program specifically to provide scholarships for future teachers, and of which 22% must be used for other aspects of the state teacher recruitment program, including the Teacher Cadet Program and \$166,302 which must be used for specific

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programs to recruit minority teachers: and shall distribute 8% to S.C. State University to be used only for the operation of a minority teacher recruitment program and therefore shall not be used for the operation of their established general education programs. *The current year administrative base reduction may be applied proportionately between CERRA and SC State University while none of the reduction may be applied to Teaching Fellows Scholarships.* Working with districts with an absolute rating of At-Risk or Below Average, CERRA will provide shared initiatives to recruit and retain teachers to schools in these districts. CERRA will report annually by October 1 to the Education Oversight Committee and the Department of Education on the success of the recruitment and retention efforts in these schools. The S.C. Commission on Higher Education shall ensure that all funds are used to promote teacher recruitment on a statewide basis, shall ensure the continued coordination of efforts among the three teacher recruitment projects, shall review the use of funds and shall have prior program and budget approval. The S.C. State University program, in consultation with the Commission on Higher Education, shall extend beyond the geographic area it currently serves. Annually, the Commission on Higher Education shall evaluate the effectiveness of each of the teacher recruitment projects and shall report its findings and its program and budget recommendations to the House and Senate Education Committees, the State Board of Education and the Education Oversight Committee by October 1 annually, in a format agreed upon by the Education Oversight Committee and the Department of Education.

- 1A.13 AMEND** (National Board Certification Incentive) Provides guidelines for an annual \$7,500 salary supplement to be paid to public school classroom teachers who meet specific criteria for National Board Certification.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to prohibit NBC annual salary supplements from being reduced when a school district implements a personnel furlough.

1A.13. (SDE-EIA: XLC.2-National Board Certification Incentive) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools 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 first in the year following the year of achieving certification, beginning with 2009 applicants. 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 *and must not be reduced upon implementation of a school district furlough of personnel.* The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010, may receive a loan equal to the amount of the application fee. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 shall have one-half of the loan principal amount and interest forgiven when the required portfolio is submitted to the national board. Teachers who applied to the National Board for Professional Teaching standards for certification prior to July 1, 2010

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who attain 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 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 for teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010. In addition, teachers who have applied prior to July 1, 2010 and 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 who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 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 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 prior to July 1, 2010 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.16 AMEND (Teacher Supplies) Provides guidelines for distributing teacher supply reimbursement of up to \$275 each school year to offset the expenses they have incurred for teaching supplies and materials.

WMC: AMEND proviso to change "FY 2010-11" to "Fiscal Year 2011-12." Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.16. (SDE-EIA: XLC.2-Teacher Supplies) For ~~FY 2010-11~~ Fiscal Year 2011-12 a local school board, in a public school board meeting prior to the first contract day of the school year, by majority vote may decide to retain the school district's allocation for Teacher Supply funds and instead of disbursing the funds to all certified public school teachers, certified special school classroom teachers, certified media specialists, and certified guidance counselors may

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utilize the school district's allocation for the purposing of funding teacher salaries either to avoid or decrease the impact of a teacher furlough imposed by the school board or to avoid the elimination of a teaching position as determined by the school board. A school district may not utilize this provision to increase district or school level administrators or teacher salaries. A school board utilizing this provision must notify the certified public school teacher, certified special school classroom teachers, certified media specialists, and certified guidance counselors in written communication on or before the first contract day of the school year of the school board's decision not to provide the teacher supply reimbursement along with the school board's purpose in utilizing the reimbursement funds. All certified public school teachers, 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 thirtieth of the current fiscal year, based on the public decision of the school board may 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 fifteenth based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of the school district these funds shall be disbursed 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. 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 thirty-first. Districts that do not wish to require receipts may have teachers retain the receipts and certify for the district they have received the 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 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 twenty-fifth and December sixth that receipts must be submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement. School districts utilizing this provision to retain the teaching supplies funding for purposes other than reimbursement to the teacher must publicly display on the school district's website the number of jobs saved through the use of these funds and to electronically forward the report on jobs saved to the Department of Education no later than December 31 of the current fiscal year to be compiled in a report for electronic presentation to the General Assembly by January 15 of the current fiscal year.

- 1A.20 CARRIED OVER** (Technical Assistance) Specifies allocation and expenditure of technical assistance funds to schools with an absolute rating of below average or unsatisfactory.
- HOU:** AMEND proviso to delete the directive that the school renewal plan outline "how technical assistance allocations will be utilized." Delete the directive that the department coordinate with and monitor services provided to schools by the School Improvement Council Assistance and the Writing Improvement Network and the requirement that these entities submit external evaluations to the EOC at least once every three years. Change the amount that

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must be used for technical assistance from “up to \$13,000,000” to “up to \$6,000,000.”
Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: CARRIED OVER

1A.20. (SDE-EIA: Technical Assistance) In order to best meet the needs of underperforming schools, funds appropriated for technical assistance to schools with an absolute rating of below average or at-risk on the most recent annual school report card must be allocated according to the severity of not meeting report card criteria.

Schools receiving an absolute rating of below average or at-risk must develop and submit to the Department of Education a school renewal plan outlining ~~how technical assistance allocations will be utilized and~~ goals for improvements ~~will be obtained~~. Each *Of the technical assistance funds allocated to below average or at-risk schools each* allocation must address specific strategies designed to increase student achievement and must include measures to evaluate success. The school renewal plan may include expenditures for recruitment incentives for faculty and staff, performance incentives for faculty and staff, assistance with curriculum and test score analysis, professional development activities based on curriculum and test score analysis that may include daily stipends if delivered on days outside of required contract days. School expenditures of technical assistance shall be monitored by the Department of Education.

With the funds appropriated to the Department of Education for technical assistance services, the department will assist schools with an absolute rating of below average or at-risk in designing and implementing technical assistance school renewal plans and in brokering for technical assistance personnel as needed and as stipulated in the plan. In addition, the department must monitor student academic achievement and the expenditure of technical assistance funds in schools receiving these funds and report their findings to the General Assembly and the Education Oversight Committee by January first of each fiscal year as the General Assembly may direct. If the Education Oversight Committee or the department requests information from schools or school districts regarding the expenditure of technical assistance funds pursuant to evaluations, the school or school district must provide the evaluation information necessary to determine effective use. If the school or school district does not provide the evaluation information necessary to determine effective use, the principal of the school or the district superintendent may be subject to receiving a public reprimand by the State Board of Education if it is determined that those individuals are responsible for the failure to provide the required information.

~~The department shall coordinate with and monitor the services provided by the School Improvement Council Assistance and the Writing Improvement Network to the schools. Based on criteria jointly determined by the department and the Education Oversight Committee, the School Improvement Council Assistance and the Writing Improvement Network must submit external evaluations to the Education Oversight Committee at least once every three years.~~

No more than five percent of the total amount appropriated for technical assistance services to schools with an absolute rating of below average or at-risk may be retained and expended by the department for implementation and delivery of technical assistance services. Using previous report card data, the department shall identify priority schools. Up to ~~\$13,000,000~~ \$6,000,000 of the total funds appropriated for technical assistance shall be used by the department to work with those schools identified as priority schools.

The department will create a system of levels of technical assistance for schools that will receive technical assistance funds. The levels will be determined by the severity of not meeting

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report card criteria. The levels of technical assistance may include a per student allocation, placement of a principal mentor, replacement of the principal, and/or reconstitution of a school.

Reconstitution means the redesign or reorganization of the school, which includes the declaration that all positions in the school are considered vacant. Certified staff currently employed in priority schools must undergo a formal evaluation in the spring following the school's identification as a priority school and must meet determined goals to be rehired and continue their employment at that school. Student achievement will be considered as a significant factor when determining whether to rehire existing staff. Educators who were employed at a school that is being reconstituted prior to the effective date of this proviso and to whom the employment and dismissal laws apply will not lose their rights in the reconstitution. If they are not rehired or are not assigned to another school in the school district they have the opportunity for a hearing. However, employment and dismissal laws shall not apply to educators who are employed in the district and assigned to the priority schools after the effective date of this proviso, in the event of a reconstitution of the school in which the educator is employed. Those rights are only suspended in the event of a reconstitution of the entire school staff. Additionally, the rights and requirements of the employment and dismissal laws do not apply to educators who are currently on an induction or annual contract, that subsequently are offered continuing contract status after the effective date of this proviso, and are employed at a school that is subject to reconstitution under this proviso.

The reconstitution of a school could take place if the school has been identified as a priority school that has failed to improve satisfactorily. The decision to reconstitute a school shall be made by the State Superintendent of Education in consultation with the principal and/or principal mentor, the school board of trustees, and the district superintendent. The decision to reconstitute a school shall be made by April 1, at which time notice shall be given to all employees of the school. The department, in consultation with the principal and district superintendent, shall develop a staffing plan, recruitment and performance bonuses, and a budget for each reconstituted school.

Upon approval of the school renewal plans by the department and the State Board of Education, a newly identified school or a currently identified school with an absolute rating of below average or at-risk on the report card will receive a base amount and a per pupil allocation based on the previous year's average daily membership as determined by the annual budget appropriation. No more than fifteen percent of funds not expended in the prior fiscal year may be carried forward and expended in the current fiscal year for strategies outlined in the school's renewal plan. Schools must use technical assistance funds to augment or increase, not to replace or supplant local or state revenues that would have been used if the technical assistance funds had not been available. Schools must use technical assistance funds only to supplement, and to the extent practical, increase the level of funds available from other revenue sources.

1A.22 CARRIED OVER (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 references to "Fiscal Year 2010-11" to "current fiscal year." Delete the requirement that savings generated from suspension of the writing assessment and new textbooks adoptions be allocated to school districts based on the EFA formula and instead direct that they be allocated based on the number of weighted pupil units in each

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district. Change in methodology for distributing funds generated from the savings from suspended programs ensures that all districts receive funds generated from the savings. Fiscal Impact: No impact on the General Fund. Requested by Department of Education. EIA Companion to 1.40.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CARRIED OVER

1A.22. (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 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 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 current school year ending June 30, ~~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 ~~2010-11~~ current 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 2010-11~~ the current fiscal year, Section 59-21-1030 is suspended. Writing assessments in grades three, four, six, and seven, formative assessments for grades one, two,

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and nine, the foreign language program assessment, financial literacy, and the physical education assessment must be suspended. Textbook purchases beyond that required for replacement of instructional material currently on the state adopted textbook list ~~must~~ may be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For ~~Fiscal Year 2010-11~~ the current fiscal year, savings generated from the suspension of the writing assessments and the suspension of new textbooks adoptions enumerated above must be allocated to school districts based on the ~~Education Finance Act formula~~ number of weighted pupil units in each district.

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.

1A.25 AMEND (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 delete the requirement that assessment funds be used to pay for administering PSAT or PLAN tests to 10th grade students. Fiscal Impact: OSB states no impact on the General Fund. Requested by Department of Education. *Companion to 1.25.*

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HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.25. (~~SDE-EIA: PSAT/PLAN Reimbursement Assessment~~) ~~Funds appropriated for assessment shall be used to pay for the administration of the PSAT or PLAN test to tenth grade students to include the testing fee and report fee. SDE~~ The department 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.31 CARRIED OVER (One Year Suspension of EIA Programs) Temporarily suspends the Palmetto Gold and Silver program for FY 10-11 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. Authorizes schools to still be recognized as Palmetto Gold and Silver recipients in 2010-11, but without compensation.

WMC: AMEND proviso to direct that the High Schools That Work and Arts Curricula Instruction programs also be temporarily suspended for FY 11-12 and that savings generated from the suspension be allocated to districts based on the number of weighted pupil units.

HOU: AMEND proviso to delete reference to "High Schools that Work." Sponsor: Rep. Gambrell. AMEND FURTHER to delete reference to "Arts Curricula Instruction." Sponsors: Reps. Bingham, Harrison, and Stavrinakis.

SUBCOMMITTEE RECOMMENDATION: CARRIED OVER

1A.31. (SDE-EIA: One Year Suspension of EIA Programs) The following program funded with EIA revenues will be temporarily suspended for Fiscal Year ~~2010-11~~ 2011-12 ~~and funds appropriated to 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; the Palmetto Gold and Silver program. Schools may still be recognized as Palmetto Gold and Silver recipients in Fiscal Year 2010-11~~ 2011-12 but will not receive financial compensation. Savings generated from the suspension of this program shall be allocated to the districts based on the number of weighted pupil units.

1A.35 AMEND (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 10-11. 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. Directs 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. Charges the Center with developing a sequence of

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knowledge and skills and program of study for add-on certification for teachers that specialize in teaching children of poverty.

WMC: AMEND proviso to change “Fiscal Year 2010-11” to “the current fiscal year” and delete the \$350,000 allocation to Francis Marion University. *See EIA proviso 1A.53.*

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.35. (SDE-EIA: Students at Risk of School Failure) For ~~Fiscal Year 2010-11~~ the current fiscal year, 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 three through eight in reading and mathematics state assessments. Public charter 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.38 DELETE (Statewide Student Information System) Authorizes the department, contingent on availability of FY 09-10 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. Allows the department to use any remaining balance for transportation purposes.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1A.38. (SDE-EIA: Statewide Student Information System) ~~Contingent on the availability of a Fiscal Year 2009-10 year end of year EIA cash balance the department is authorized in Fiscal Year 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~~

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~~and transparency. The department may utilize any remaining balance for transportation purposes.~~

- 1A.41 CONFORM TO FUNDING** (Education Oversight Committee Transfer) Directs the EOC to transfer \$250,000 to Teacher Supplies and to transfer EOC 4-Year Old Evaluation funds to the Office of First Steps to be used only in the CDEPP program.

WMC: AMEND proviso to change the amount transferred to teacher supplies from "\$250,000" to "\$200,000" and delete the requirement that EOC 4-Year Old Evaluation funds be transferred to the Office of First Steps. Fiscal Impact: No impact on the General Fund. Requested by Education Oversight Committee. *Funded on the line.*

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

1A.41. (SDE-EIA: Education Oversight Committee Transfer) For Fiscal Year ~~2010-11~~ 2011-12 the Education Oversight Committee is directed to transfer ~~\$250,000~~ \$200,000 to Teacher Supplies. ~~The Education Oversight Committee is further directed to transfer the funds for the EOC 4 Year Old Evaluation to the Office of First Steps only for use in the CDEPP program.~~

- 1A.42 DELETE** (Effectiveness of Strategies for Teaching Reading) Directs the department to coordinate \$106,790 appropriated in Section XI.A.1 Other Entities to provide evidence of the effectiveness of strategies for teaching reading.

WMC: DELETE proviso. *Evaluation will be complete by the end of the fiscal year.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1A.42. (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.~~

- 1A.43 AMEND** (Incentive for National Board Certification After 6/30/10) Provides guidelines for an annual \$5,000 salary supplement to be paid to public school classroom teachers who meet specific criteria for National Board Certification after June 30, 2010.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to prohibit NBC annual salary supplements from being reduced when a school district implements a personnel furlough.

1A.43. (SDE-EIA: Incentive for National Board Certification After 6/30/10) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who complete the application process on or after July 1, 2010 shall be paid a \$5,000 salary supplement in the year of achieving certification. 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

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Unified School District 1. The \$5,000 salary supplement shall be added to the annual pay of the teacher, not to exceed ten years of the national certificate. However, the \$5,000 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 and must not be reduced upon implementation of a school district furlough of personnel. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer whereby teachers who are United States citizens or permanent resident aliens apply to the National Board for Professional Teaching Standards for certification on or after July 1, 2010. Beginning July 1, 2010, up to nine hundred applications shall be processed annually. Of the funds appropriated in Part IA, Section 1, XIII.A. for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of teachers applying to the National Board for Professional Teaching Standards for certification.

Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified or certified for renewal by the National Board for Professional Teaching Standards or completed the application or renewal application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants and must not be reduced upon implementation of a school district furlough of personnel.

- 1A.44 DELETE** (First Steps-CDEPP Program) Requires First Steps to only use the funds transferred from the EOC to serve students in the CDEPP program and to report to the Chairmen of the Senate Finance and Ways and Means Committees by January 10, 2011, the number of students served.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**1A.44.** (SDE-EIA: First Steps-CDEPP Program) For Fiscal Year 2010-11 the Office of First Steps is directed to utilize the funds transferred from the Education Oversight Committee only to serve students in the CDEPP program and shall report the number of students served to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January 10, 2011.~~

- 1A.45 AMEND** (Child Development Education Pilot Program) Establishes the South Carolina Child Development Pilot Program (CDEPP); directs that the program be available on a voluntary basis for the 2010-11 school year; and directs that the program focus on developmental and learning support that children must have to be ready for school and to incorporate parenting education. Directs that pilot program first 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. Authorizes unexpended funds to be carried forward and remain in the program. Directs that the funded cost per child is \$4,218 increased annually by the rate of inflation.

WMC: AMEND proviso to change "2010-11" references to "current" year. Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

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HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.45. (SDE-EIA: Child Development Education Pilot Program) There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be available for the ~~2010-11~~ current 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 ~~2010-11~~ current 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.

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 first, 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.

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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;
- (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;

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- (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:

- (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 ten four-year-old children, but no more than twenty four-year-old children with an adult to child ratio of 1:10. With classrooms having a minimum of ten 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 one hundred eighty 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 five years old and younger. The providers must request this waiver in writing to their designated administrative agency (First

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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 fifteen 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 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

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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 ~~2010-11~~ *current* school year, the funded cost per child shall be \$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 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 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 and the Office of First Steps information necessary to carry out the requirements of this provision.

(M) 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.

1A.46 ADD (SC Reading Achievement Systemic Initiative) **WMC:** ADD new proviso to create a policy panel to guide the S.C. Reading Achievement Systemic Initiative funded from Department of Education and EOC appropriated or authorized funds. Direct that the panel be composed of 25 members appointed by the Governor, the Superintendent of Education, and Chairmen of specific Senate and House Committees, of the State Board of Education, and of the EOC. Direct the panel to focus on child physical health, language development and school learning policies, practices, and funding. Direct that the panel is to be staffed through a collaborative among the Department of Education, SC KidsCount, and EOC with those entities sharing the cost of panel expenses. Direct the panel to provide a report to the Senate Education Commission, the House Education and Public Works Committee, the State Board of Education, and the EOC by January 15, 2012. Fiscal Impact: No impact on the General Fund. Requested by Education Oversight Committee.

HOU: ADOPT new proviso.

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SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.46. (SDE-EIA: SC Reading Achievement Systemic Initiative) From the funds appropriated or authorized for the Department of Education and the Education Oversight Committee, there is created a policy panel to guide the South Carolina Reading Achievement Systemic Initiative. The panel will be composed of twenty-five members, which shall be appointed as follows:

The Governor shall appoint to the panel:

- (1) one business leader;
- (2) one parent;
- (3) one representative of the Board of Trustees of the Office of First Steps to School

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- (4) one representative of the State Library Board;
- (5) one pediatrician; and
- (6) two representatives of community foundations or literacy organizations.

The State Superintendent of Education shall appoint to the panel:

- (1) one business leader;
- (2) one parent;
- (3) one parent educator;
- (4) one researcher in reading;
- (5) two literacy coaches;
- (6) two district early childhood or academic leaders;
- (7) two principals, one representing elementary schools and one representing middle

schools; and

(8) four teachers of students with needs for interventions to promote reading proficiency to include students with learning disabilities, student in poverty and students not mastering concepts.

The Chairman of the Senate Education Committee shall appoint one member of the Senate Education Committee to the panel.

The Chairman of the House Education and Public Works Committee shall appoint one member of the House Education and Public Works Committee to the panel.

The Chairman of the State Board of Education shall appoint one member of the State Board of Education to the panel.

The Chairman of the Education Oversight Committee shall appoint one member of the Education Oversight Committee to the panel.

The panel is directed to define the focus and priorities for state actions to improve the level of reading achievement among the state's young people including building upon the work of LiteracySC and the state literacy team organized to support the Striving Readers Comprehensive Literacy Grant. The panel should address factors contributing to or impeding progress including, but not limited to, the physical health, language development and quality of instruction provided in the state's schools. The panel should examine data, follow progress of the LiteracySC academies and pilots, recommend changes in practice and funding and provide for a longitudinal evaluation and establish a statewide policy for the teaching of reading, including particular attention to the lowest achieving students.

The panel is to be staffed through a collaborative among the Department of Education, SC Kids Count and the Education Oversight Committee. Expenses of the panel are to be shared among the collaborating entities.

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The panel shall report to the General Assembly through the House Committee on Education and Public Works and the Senate Education Committee and to the State Board of Education and the Education Oversight Committee by January 15, 2012.

- 1A.47 ADD** (Assisting, Developing, and Evaluating Professional Teaching--ADEPT) **WMC:** ADD new proviso to direct that ADEPT funds may be used to implement the ADEPT system and that 10% is to be used to pay to colleges and universities for ADEPT services with the remaining funds distributed to school districts, the School for the Deaf and the Blind, John de la Howe School, Governor's School for the Arts & Humanities, and DJJ on a per induction contract basis to offset implementation costs. Permits the colleges and universities to provide a tuition waiver for one three-hour course to teachers supervising students who are practice teaching. Authorizes ADEPT funds to be carried forward and used for the same purposes. *Funding and proviso moved from proviso 1.18.*
HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.47. (SDE-EIA: Assisting, Developing, and Evaluating Professional Teaching--ADEPT) Funds appropriated in Part IA, Section 1, XI.A-APT/ADEPT, may be used for the implementation of the ADEPT system. Of the funds appropriated, ten percent is to be used to pay colleges and universities for ADEPT services. The remaining funds will be distributed to school districts, School for the Deaf and the Blind, John de la Howe School, Governor's School for Arts and Humanities and the Department of Juvenile Justice on a per induction contract teacher basis to offset the costs of implementing the ADEPT program. Governing boards of public institutions of higher education may provide by policy or regulation for a tuition waiver for the tuition for one three-hour course at that institution for those public school teachers who serve as supervisors for full-time students completing education degree requirements. Of the funds appropriated in the prior fiscal year, unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.

- 1A.48 CARRIED OVER** (Aid to Districts) **WMC:** ADD new proviso to direct that Aid to Districts funds in program XI.A.1 be dispersed to school districts based on the number of weighted pupil units.
HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: CARRIED OVER

1A.48. (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, XI.A.1 Aid to Districts shall be dispersed to school districts based on the number of weighted pupil units.

- 1A.49 AMEND NEW PROVISO** (Carry Forward) **WMC:** ADD new proviso to direct that EIA funds carried forward from the prior fiscal year that are not otherwise appropriated or authorized must be distributed to school districts based on the number of weighted pupil units.
HOU: AMEND new proviso to delete the previous requirement for carry forward funds and instead direct that EIA funds carried forward from the prior fiscal year and from FY 11-12, not otherwise appropriated or authorized, must be carried forward and spent for school bus fuel costs and direct that any unexpended funds also be carried forward and used for the same purpose. Sponsor: Rep. Bingham.

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SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso as amended.

1A.49.(SDE-EIA: Carry Forward) EIA carry forward from the prior fiscal year and FY 2011-12 and not otherwise appropriated or authorized must be carried forward and expended for school bus fuel costs. Any unexpended funds must be carried forward and expended for the same purpose.

- 1A.50 AMEND NEW PROVISO** (Disbursements/Writing Improvement Network) **WMC:** ADD new proviso to require, during FY 11-12, the Writing Improvement Network, School Improvement Council, and S.C. Geographic Alliance provide a report to the department that outlines the costs and benefits of their respective programs.
HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to specify “from the funds appropriated to the department and allocated to the entities.”

1A.50. (SDE-EIA: XI.F.2-Disbursements/Writing Improvement Network) During Fiscal Year 2011-12, from the funds appropriated to the department and allocated to the Writing Improvement Network, the School Improvement Council and the South Carolina Geographic Alliance, the entities must supply a report to the department outlining the costs and benefits of their respective programs.

- 1A.51 DELETE NEW PROVISO** (Suspend Education Oversight Committee) **WMC:** ADD new proviso to suspend the EOC and devolve their duties, functions, and responsibilities to the Department of Education for FY 11-12 and direct that their assets be transferred to the department. Direct that \$200,000 of EOC Public Relations and Education Oversight Committee and EOC Family Involvement funds be used for “Month 13” payments for salaries, benefits, accumulated annual leave, equipment leases, communications charges and any remaining services invoiced to the committee. Authorize the department to use these funds to pay the agency’s share of COBRA for terminated employees. Require the department to provide not less than \$75,000 to the Middle Grades Project and \$100,000 to the Council on Economic Education. Require the department to transfer funds for the annual CDEPP evaluation to the Office of First Steps to serve students in the CDEPP program. Direct the remaining funds be used for Teacher Salaries. Authorize unexpended funds to be carried forward and be used for Teacher Salaries.
HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*1A.51. (Suspend Education Oversight Committee) The Education Oversight committee as established by Section 59-6-10 of the 1976 Code shall be suspended for Fiscal Year 2011-12. The duties, functions and responsibilities of the committee shall be devolved to the Department of Education for Fiscal Year 2011-12, and physical assets shall be transferred to the department. Of the funds appropriated in Part IA, Section 1, XI.E.2. for EOC Public Relations and Part IA, Section 1, XI.F.2. for the Education Oversight Committee and EOC Family Involvement, the department shall utilize no more than \$200,000 for “13th month” payments for salaries, benefits, accumulated annual leave, equipment leases, communications charges and any remaining services invoiced to the committee. The department may also utilize these funds for payment of the agency share of COBRA for terminated employees. The department shall be*~~

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~~responsible for providing not less than \$75,000 to the Middle Grades Project and \$100,000 to the Council on Economic Education. The department is also directed to transfer the funds appropriated to the EOC for the annual CDEPP evaluation to the Office of First Steps to serve students in the CDEPP program. Remaining funds are directed to Part 1A, Section 1, XI, C.2, Teacher Salaries. Unexpended funds from the prior fiscal year shall be carried forward and are directed to Part 1A, Section 1, XI, C.2, Teacher Salaries.~~

- 1A.52** **ADD** (Instructional Materials) **WMC:** ADD new proviso to authorize the department, prior to any authorized flexibility, to use up to \$3,000,000 of Instructional Materials funds to replace consumable instructional materials.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.52. (SDE-EIA: Instructional Materials) The department is authorized to utilize up to \$3,000,000 from the funds appropriated in Part 1A, Section 1, XI.A.3 Instructional Materials for replacement of consumable instructional materials prior to any authorized flexibility.

- 1A.53** **ADD** (Centers of Excellence) **WMC:** ADD new proviso to direct that \$350,000 of Centers of Excellence funds 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. Charges 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. *Moved from EIA proviso 1A.35.*

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.53. (SDE-EIA: Centers of Excellence) Of the funds appropriated for Centers of Excellence, \$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.54** **CARRIED OVER** (IDEA Maintenance of Effort) **HOU:** ADD new proviso to require the department, prior to dispersing EIA Section XI.A.1 Aid to Districts funds according to proviso 1A.48, to disburse \$45,481,854 of those funds to school districts and special schools to support programs and services for students with disabilities to meet the estimated maintenance of effort for IDEA. Direct that the funds be distributed using the current fiscal year 135 day ADM. Direct that to the extent practicable, funding for children with disabilities be help harmless to budget cuts or reductions to the extent to meet federal maintenance of effort requirements under IDEA. Direct that if cuts to those funds are needed they must not be disproportionate. Require the department submit an estimate of the IDEA Moe requirement to the General Assembly and the Governor by December 1, 2011. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: CARRIED OVER

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1A.54. (SDE-EIA - IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section XI.A.1 Aid to Districts according to proviso 1A.48 for Fiscal Year 2011-12, the department shall direct \$45,481,854 of the funds appropriated in Section XI.A.1 Aid To Districts to school districts and special schools for support of programs and services for students with disabilities, to meet the estimated maintenance of effort for IDEA. The department shall distribute these funds using the current fiscal year 135-day Average Daily Membership. For continued compliance with the federal maintenance of efforts requirements of the IDEA, funding for children with disabilities must, to the extent practicable, be held harmless to budget cuts or reductions to the extent those funds are required to meet federal maintenance of effort requirements under the IDEA. In the event cuts to funds that are needed to maintain fiscal effort are necessary, when administering such cuts, the department must not reduce funding to support children with disabilities who qualify for services under the IDEA in a manner that is disproportionate to the level of overall reduction to state programs in general. By December 1, 2011, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor.

- 1A.bff** **ADD** (Building Fund Flexibility) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize school districts to flex School Building Aid Program funds for FY 11-12. Companion to 1.95.

1A.bff. (SDE-EIA: Building Fund Flexibility) For Fiscal Year 2011-12, a school district may flex funds appropriated pursuant to the School Building Aid Program.

SECTION 28 - H79-DEPARTMENT OF ARCHIVES & HISTORY

- 28.3** **ADD** (Disposal of Materials) **WMC:** ADD new proviso to authorize the department, upon prior commission approval, to sell certain record and non-record materials from its collections in the most advantageous manner and direct that the department shall not be required to sell such items at public auction. Fiscal Impact: No impact on the General Fund. The department states that not selling at public auction would save the amount paid as commissions to auction houses or sites.
HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

28.3. (AH: Disposal of Materials) For the current fiscal year, the Department of Archives and History, upon prior approval of the commission, may sell certain record and non-record materials from its collections in a manner most advantageous to the department and shall not be required to sell such items at public auction.

SECTION 29 - H87-STATE LIBRARY

- 29.8** **ADD** (Consortium Purchasing) **WMC:** ADD new proviso to authorize the State Library to accept funds for consortium purchasing between libraries (public, academic, special) that serve South Carolina residents. Direct that funds received for this purpose be placed in a designated account and be used only to pay for items related to specific consortium purchasing agreements. Authorize these funds to be retained, expended, and carried forward to be used for the same purpose.

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HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

29.8. (LIB: Consortium Purchasing) The State Library shall be authorized to accept funds to be used for consortium purchasing between libraries (public, academic, special) that serve South Carolina residents. Funds received by the State Library for consortium purchasing agreements shall be placed in a designated account and shall only be used to pay for items related to specific consortium purchasing agreements. These funds may be retained, expended, and carried forward from the prior fiscal year into the current fiscal year and used for the same purpose.

SECTION 89 - X90-GENERAL PROVISIONS

89.121 AMEND NEW PROVISO (Funds Transfer to ETV) WMC: ADD new proviso to direct the following agencies to use the specified funds appropriated in the current fiscal year to contract with ETV to continue the services as provided in the prior fiscal year: funds for K-12 Teacher Training in the Department of Education; funds for Legislative & Public Affairs coverage in the B&C Board, and funds for State & Local Training of Law Enforcement in the Law Enforcement Training Council.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to identify additional areas and/or functions for which funds are appropriated associated with the services ETV provides. Direct that these funds be “transferred to” ETV rather than be “used to contract with” ETV and that the transfers take place during July 2011. *To cover the services ETV actually provides.* Requested by Educational Television Commission.

89.121. (GP :Funds Transfer to ETV) In the current fiscal year funds appropriated in Part 1A to the Department of Education in Section 1, XIII for K-12 **including, but not limited to, Teacher Training, creation, delivery and aggregation of educational content and services over broadband and middle band distribution channels, support of appropriate local district technology and related media training,** to the Budget and Control Board in Section 80A for Legislative & Public Affairs Coverage, and to the Law Enforcement Training Council in Section 50 for State & Local Training of Law Enforcement, **City and County municipal training services and Emergency Communications and Backbone for the State and other related emergency systems** must be ~~used to contract with~~ **transferred to** the Educational Television Commission **(ETV) during July 2011** for the continuation of services as provided in the prior fiscal year.

89.124 DELETE NEW PROVISO (Transfer Arts Commission to PRT) WMC: ADD new proviso to transfer, for the current fiscal year, effective July 1, 2011, the duties, functions, responsibilities, personnel, funding, and physical assets of the Arts Commission to PRT.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

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~~*89.124. (GP: Transfer Arts Commission to PRT) For the current fiscal year, effective July 1, 2011, the duties, functions, responsibilities, personnel, funding and physical assets of the Arts Commission are transferred to the Department of Parks, Recreation, and Tourism.*~~

- 89.125 DELETE NEW PROVISO** (Transfer State Museum Commission to PRT) **WMC:** ADD new proviso to transfer, for the current fiscal year, effective July 1, 2011, the duties, functions, responsibilities, personnel, funding, and physical assets of the State Museum Commission to PRT.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*89.125. (GP: Transfer State Museum Commission to PRT) For the current fiscal year, effective July 1, 2011, the duties, functions, responsibilities, personnel, funding and physical assets of the State Museum Commission are transferred to the Department of Parks, Recreation, and Tourism.*~~

- 89.142 ADD** (Remittance to Children's Trust Fund) **HOU:** ADD new proviso to direct the Department of Education to transfer \$100,000 to the Children's Trust Fund in FY 11-12. Sponsors: Reps. Bingham and Ott.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

~~*89.142. (GP: Remittance to Children's Trust Fund) For Fiscal Year 2011-12 the Department of Education is directed to transfer \$100,000 to the Children's Trust Fund.*~~

SECTION 90 - X91-STATEWIDE REVENUE

- 90.19 ADD** (Excess EIA Revenue) **HOU:** ADD new proviso to direct that excess FY 10-11 EIA revenues above FY 10-11 appropriations are authorized for appropriation in Part IA, Section 1 [DEPARTMENT OF EDUCATION] of this act. Sponsors: Reps. Cooper and Bingham

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

~~*90.19. (SR: Excess EIA Revenue) Fiscal Year 2010-11 excess EIA revenues above the Fiscal Year 2010-11 appropriations are authorized for appropriation in Part IA, Section 1, of this act.*~~