

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2012-13**

SECTION 1 - H63-DEPARTMENT OF EDUCATION

1.3 **AMEND** (EFA Formula/Base Student Cost Inflation Factor) States the General Assembly's intent to fully implement the EFA including an inflation factor to match the inflation wages of public school employees in the southeast; states that for FY 11-12, the base student cost has been determined to be \$1,788; that the per pupil count is projected to be 690,111 and projects the average per pupil funding. Provides for the distribution of funds to the SC Public Charter School District.

WMC: AMEND proviso to update the projections for FY 12-13 as follows: base student cost, \$2,012; total pupil count, 693,431, average per pupil funding, \$4,981 state, \$1,278 federal, and \$5,511 local for an average total funding level of \$11,770 excluding local bond issues. Delete all estimated school district projections.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

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 one hundred 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 ~~\$1,788~~ \$2,012. In Fiscal Year ~~2011-12~~ 2012-13, the total pupil count is projected to be ~~690,111~~ 693,431. The average per pupil funding is projected to be ~~\$4,834~~ \$4,981 state, ~~\$1,215~~ \$1,278 federal, and ~~\$5,705~~ \$5,511 local. This is an average total funding level of ~~\$11,754~~ \$11,770 excluding revenues of local bond issues. For Fiscal Year ~~2011-12~~ 2012-13 the South Carolina Public Charter School District shall receive and distribute state EFA funds to the charter school as determined by one hundred percent of the current year's base student cost, as funded by the General Assembly multiplied by the weighted students pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

~~In Fiscal Year 2011-12, the Abbeville School District total pupil count is projected to be 2,971. The per pupil funding is projected to be \$6,059 state, \$1,354 federal, and \$3,316 local. This is a total projected funding level of \$10,729 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Aiken School District total pupil count is projected to be 23,658. The per pupil funding is projected to be \$4,499 state, \$1,071 federal, and \$3,713 local. This is a total projected funding level of \$9,283 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Allendale School District total pupil count is projected to be 1,351. The per pupil funding is projected to be \$8,564 state, \$2,461 federal, and \$5,261 local. This is a total projected funding level of \$16,286 excluding revenues of local bond issues.~~

~~In Fiscal Year, 2011-12 the Anderson School District 1 total pupil count is projected to be 8,933. The per pupil funding is projected to be \$4,637 state, \$763 federal, and \$3,362 local. This is a total projected funding level of \$8,762 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Anderson School District 2 total pupil count is projected to be 3,625. The per pupil funding is projected to be \$4,791 state, \$1,168 federal, and \$3,489 local. This is a total projected funding level of \$9,448 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Anderson School District 3 total pupil count is projected to be 2,479. The per pupil funding is projected to be \$4,930 state, \$1,290 federal, and \$3,747 local. This is a total projected funding level of \$9,967 excluding revenues of local bond issues.~~

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~~In Fiscal Year 2011-12, the Anderson School District 4 total pupil count is projected to be 2,734. The per pupil funding is projected to be \$4,997 state, \$1,186 federal, and \$6,182 local. This is a total projected funding level of \$12,366 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Anderson School District 5 total pupil count is projected to be 12,150. The per pupil funding is projected to be \$4,597 state, \$1,413 federal, and \$4,295 local. This is a total projected funding level of \$10,305 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Bamberg School District 1 total pupil count is projected to be 1,410. The per pupil funding is projected to be \$6,040 state, \$1,840 federal, and \$3,420 local. This is a total projected funding level of \$11,300 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Bamberg School District 2 total pupil count is projected to be 795. The per pupil funding is projected to be \$6,864 state, \$2,085 federal, and \$3,729 local. This is a total projected funding level of \$12,678 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Barnwell School District 19 total pupil count is projected to be 818. The per pupil funding is projected to be \$5,843 state, \$2,257 federal, and \$4,680 local. This is a total projected funding level of \$12,780 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Barnwell School District 29 total pupil count is projected to be 953. The per pupil funding is projected to be \$4,826 state, \$1,281 federal, and \$4,042 local. This is a total projected funding level of \$10,149 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Barnwell School District 45 total pupil count is projected to be 2,375. The per pupil funding is projected to be \$5,551 state, \$1,268 federal, and \$3,434 local. This is a total projected funding level of \$10,253 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Beaufort School District total pupil count is projected to be 18,817. The per pupil funding is projected to be \$3,621 state, \$1,138 federal, and \$11,656 local. This is a total projected funding level of \$16,415 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Berkeley School District total pupil count is projected to be 28,674. The per pupil funding is projected to be \$4,554 state, \$1,092 federal, and \$4,753 local. This is a total projected funding level of \$10,399 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Calhoun School District total pupil count is projected to be 1,649. The per pupil funding is projected to be \$5,903 state, \$1,646 federal, and \$6,810 local. This is a total projected funding level of \$14,359 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Charleston School District total pupil count is projected to be 43,088. The per pupil funding is projected to be \$3,326 state, \$1,169 federal, and \$9,283 local. This is a total projected funding level of \$13,778 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Cherokee School District total pupil count is projected to be 8,498. The per pupil funding is projected to be \$4,878 state, \$1,606 federal, and \$4,844 local. This is a total projected funding level of \$11,328 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Chester School District total pupil count is projected to be 5,182. The per pupil funding is projected to be \$5,273 state, \$1,315 federal, and \$4,051 local. This is a total projected funding level of \$10,639 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Chesterfield School District total pupil count is projected to be 7,372. The per pupil funding is projected to be \$5,137 state, \$1,316 federal, and \$3,673 local. This is a total projected funding level of \$10,126 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Clarendon School District 1 total pupil count is projected to be 863. The per pupil funding is projected to be \$5,699 state, \$2,878 federal, and \$5,862 local. This is a total projected funding level of \$14,438 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Clarendon School District 2 total pupil count is projected to be 2,911. The per pupil funding is projected to be \$4,570 state, \$1,829 federal, and \$2,848 local. This is a total projected funding level of \$9,247 excluding revenues of local bond issues.~~

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~~In Fiscal Year 2011-12, the Clarendon School District 3 total pupil count is projected to be 1,193. The per pupil funding is projected to be \$5,369 state, \$1,038 federal, and \$2,894 local. This is a total projected funding level of \$9,301 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Colleton School District total pupil count is projected to be 5,733. The per pupil funding is projected to be \$4,663 state, \$2,070 federal, and \$6,363 local. This is a total projected funding level of \$13,096 excluding revenues of local bond issues.~~

~~—In Fiscal Year 2011-12, the Darlington School District total pupil count is projected to be 10,153. The per pupil funding is projected to be \$5,240 state, \$1,633 federal, and \$4,995 local. This is a total projected funding level of \$11,868 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Dillon School District 1 total pupil count is projected to be 833. The per pupil funding is projected to be \$5,333 state, \$1,456 federal, and \$1,813 local. This is a total projected funding level of \$8,603 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Dillon School District 2 total pupil count is projected to be 3,408. The per pupil funding is projected to be \$4,856 state, \$1,891 federal, and \$1,580 local. This is a total projected funding level of \$8,327 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Dillon School District 3 total pupil count is projected to be 1,527. The per pupil funding is projected to be \$4,753 state, \$1,537 federal, and \$2,168 local. This is a total projected funding level of \$8,459 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Dorchester School District 2 total pupil count is projected to be 22,783. The per pupil funding is projected to be \$4,942 state, \$722 federal, and \$2,967 local. This is a total projected funding level of \$8,631 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Dorchester School District 4 total pupil count is projected to be 2,057. The per pupil funding is projected to be \$5,521 state, \$2,157 federal, and \$7,355 local. This is a total projected funding level of \$15,033 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Edgefield School District total pupil count is projected to be 3,921. The per pupil funding is projected to be \$5,181 state, \$1,302 federal, and \$4,375 local. This is a total projected funding level of \$10,858 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Fairfield School District total pupil count is projected to be 2,852. The per pupil funding is projected to be \$5,424 state, \$1,768 federal, and \$7,970 local. This is a total projected funding level of \$15,162 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Florence School District 1 total pupil count is projected to be 15,460. The per pupil funding is projected to be \$5,002 state, \$1,271 federal, and \$3,734 local. This is a total projected funding level of \$10,007 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Florence School District 2 total pupil count is projected to be 1,121. The per pupil funding is projected to be \$5,380 state, \$1,284 federal, and \$3,442 local. This is a total projected funding level of \$10,106 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Florence School District 3 total pupil count is projected to be 3,243. The per pupil funding is projected to be \$5,932 state, \$3,251 federal, and \$2,390 local. This is a total projected funding level of \$11,574 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Florence School District 4 total pupil count is projected to be 738. The per pupil funding is projected to be \$6,721 state, \$2,589 federal, and \$4,569 local. This is a total projected funding level of \$13,879 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Florence School District 5 total pupil count is projected to be 1,386. The per pupil funding is projected to be \$5,264 state, \$1,129 federal, and \$4,020 local. This is a total projected funding level of \$10,413 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Georgetown School District total pupil count is projected to be 9,335. The per pupil funding is projected to be \$3,735 state, \$1,298 federal, and \$7,241 local. This is a total projected funding level of \$12,273 excluding revenues of local bond issues.~~

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~~In Fiscal Year 2011-12, the Greenville School District total pupil count is projected to be 70,978. The per pupil funding is projected to be \$4,575 state, \$1,114 federal, and \$4,739 local. This is a total projected funding level of \$10,429 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Greenwood School District 50 total pupil count is projected to be 8,735. The per pupil funding is projected to be \$4,922 state, \$1,073 federal, and \$6,042 local. This is a total projected funding level of \$12,036 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Greenwood School District 51 total pupil count is projected to be 884. The per pupil funding is projected to be \$6,262 state, \$1,472 federal, and \$3,866 local. This is a total projected funding level of \$11,600 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Greenwood School District 52 total pupil count is projected to be 1,540. The per pupil funding is projected to be \$4,015 state, \$605 federal, and \$6,229 local. This is a total projected funding level of \$10,849 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Hampton School District 1 total pupil count is projected to be 2,392. The per pupil funding is projected to be \$6,027 state, \$1,576 federal, and \$3,304 local. This is a total projected funding level of \$10,907 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Hampton School District 2 total pupil count is projected to be 935. The per pupil funding is projected to be \$7,615 state, \$2,706 federal, and \$4,633 local. This is a total projected funding level of \$14,954 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Horry School District total pupil count is projected to be 37,987. The per pupil funding is projected to be \$3,567 state, \$1,191 federal, and \$9,073 local. This is a total projected funding level of \$13,831 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Jasper School District total pupil count is projected to be 2,968. The per pupil funding is projected to be \$5,224 state, \$1,891 federal, and \$5,114 local. This is a total projected funding level of \$12,228 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Kershaw School District total pupil count is projected to be 10,182. The per pupil funding is projected to be \$4,325 state, \$1,109 federal, and \$5,562 local. This is a total projected funding level of \$10,995 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Lancaster School District total pupil count is projected to be 11,360. The per pupil funding is projected to be \$4,742 state, \$1,514 federal, and \$4,067 local. This is a total projected funding level of \$10,322 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Laurens School District 55 total pupil count is projected to be 5,467. The per pupil funding is projected to be \$4,949 state, \$1,319 federal, and \$3,204 local. This is a total projected funding level of \$9,473 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Laurens School District 56 total pupil count is projected to be 2,814. The per pupil funding is projected to be \$5,600 state, \$2,552 federal, and \$4,618 local. This is a total projected funding level of \$12,770 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Lee School District total pupil count is projected to be 2,031. The per pupil funding is projected to be \$8,924 state, \$2,604 federal, and \$3,838 local. This is a total projected funding level of \$15,366 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Lexington School District 1 total pupil count is projected to be 22,433. The per pupil funding is projected to be \$5,747 state, \$620 federal, and \$5,454 local. This is a total projected funding level of \$11,820 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Lexington School District 2 total pupil count is projected to be 8,441. The per pupil funding is projected to be \$4,731 state, \$1,149 federal, and \$4,477 local. This is a total projected funding level of \$10,357 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Lexington School District 3 total pupil count is projected to be 1,936. The per pupil funding is projected to be \$5,853 state, \$1,255 federal, and \$5,444 local. This is a total projected funding level of \$12,552 excluding revenues of local bond issues.~~

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~~In Fiscal Year 2011-12, the Lexington School District 4 total pupil count is projected to be 3,218. The per pupil funding is projected to be \$5,757 state, \$1,680 federal, and \$4,020 local. This is a total projected funding level of \$11,458 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Lexington School District 5 total pupil count is projected to be 16,348. The per pupil funding is projected to be \$6,198 state, \$728 federal, and \$5,778 local. This is a total projected funding level of \$12,703 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Marion School District 1 total pupil count is projected to be 2,659. The per pupil funding is projected to be \$4,881 state, \$1,558 federal, and \$2,650 local. This is a total projected funding level of \$9,089 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Marion School District 2 total pupil count is projected to be 1,764. The per pupil funding is projected to be \$5,474 state, \$2,269 federal, and \$2,667 local. This is a total projected funding level of \$10,410 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Marion School District 7 total pupil count is projected to be 599. The per pupil funding is projected to be \$7,598 state, \$4,130 federal, and \$2,920 local. This is a total projected funding level of \$14,648 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Marlboro School District total pupil count is projected to be 4,098. The per pupil funding is projected to be \$5,445 state, \$2,587 federal, and \$3,850 local. This is a total projected funding level of \$11,881 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the McCormick School District total pupil count is projected to be 741. The per pupil funding is projected to be \$8,698 state, \$2,678 federal, and \$8,935 local. This is a total projected funding level of \$20,310 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Newberry School District total pupil count is projected to be 5,560. The per pupil funding is projected to be \$5,402 state, \$1,658 federal, and \$5,339 local. This is a total projected funding level of \$12,399 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Oconee School District total pupil count is projected to be 10,158. The per pupil funding is projected to be \$4,281 state, \$1,079 federal, and \$7,019 local. This is a total projected funding level of \$12,379 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Orangeburg School District 3 total pupil count is projected to be 2,813. The per pupil funding is projected to be \$5,229 state, \$1,852 federal, and \$6,036 local. This is a total projected funding level of \$13,117 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Orangeburg School District 4 total pupil count is projected to be 3,708. The per pupil funding is projected to be \$5,294 state, \$1,431 federal, and \$4,515 local. This is a total projected funding level of \$11,240 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Orangeburg School District 5 total pupil count is projected to be 6,238. The per pupil funding is projected to be \$5,426 state, \$1,947 federal, and \$5,480 local. This is a total projected funding level of \$12,853 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Pickens School District total pupil count is projected to be 15,778. The per pupil funding is projected to be \$4,678 state, \$917 federal, and \$6,393 local. This is a total projected funding level of \$11,987 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Richland School District 1 total pupil count is projected to be 22,883. The per pupil funding is projected to be \$4,343 state, \$1,730 federal, and \$11,113 local. This is a total projected funding level of \$17,186 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Richland School District 2 total pupil count is projected to be 26,013. The per pupil funding is projected to be \$5,898 state, \$658 federal, and \$5,469 local. This is a total projected funding level of \$12,025 excluding revenues of local bond issues.~~

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~~In Fiscal Year 2011-12, the Saluda School District total pupil count is projected to be 2,060. The per pupil funding is projected to be \$4,963 state, \$1,060 federal, and \$2,925 local. This is a total projected funding level of \$8,948 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Spartanburg School District 1 total pupil count is projected to be 4,794. The per pupil funding is projected to be \$6,191 state, \$979 federal, and \$4,515 local. This is a total projected funding level of \$11,685 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Spartanburg School District 2 total pupil count is projected to be 9,695. The per pupil funding is projected to be \$5,276 state, \$851 federal, and \$3,392 local. This is a total projected funding level of \$9,519 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Spartanburg School District 3 total pupil count is projected to be 2,863. The per pupil funding is projected to be \$5,019 state, \$950 federal, and \$4,987 local. This is a total projected funding level of \$10,955 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Spartanburg School District 4 total pupil count is projected to be 2,733. The per pupil funding is projected to be \$4,991 state, \$851 federal, and \$2,743 local. This is a total projected funding level of \$8,585 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Spartanburg School District 5 total pupil count is projected to be 7,316. The per pupil funding is projected to be \$5,304 state, \$851 federal, and \$5,832 local. This is a total projected funding level of \$11,988 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Spartanburg School District 6 total pupil count is projected to be 10,244. The per pupil funding is projected to be \$4,772 state, \$918 federal, and \$4,558 local. This is a total projected funding level of \$10,248 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Spartanburg School District 7 total pupil count is projected to be 6,714. The per pupil funding is projected to be \$6,002 state, \$2,417 federal, and \$6,144 local. This is a total projected funding level of \$14,563 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Sumter School District 2 total pupil count is projected to be 7,933. The per pupil funding is projected to be \$4,984 state, \$1,414 federal, and \$3,740 local. This is a total projected funding level of \$10,138 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Sumter School District 17 total pupil count is projected to be 8,274. The per pupil funding is projected to be \$4,745 state, \$1,395 federal, and \$3,247 local. This is a total projected funding level of \$9,388 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Union School District total pupil count is projected to be 4,145. The per pupil funding is projected to be \$5,773 state, \$1,314 federal, and \$2,852 local. This is a total projected funding level of \$9,939 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the Williamsburg School District total pupil count is projected to be 4,463. The per pupil funding is projected to be \$5,919 state, \$2,516 federal, and \$4,180 local. This is a total projected funding level of \$12,615 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the York School District 1 total pupil count is projected to be 4,885. The per pupil funding is projected to be \$5,457 state, \$1,261 federal, and \$8,325 local. This is a total projected funding level of \$15,043 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the York School District 2 total pupil count is projected to be 6,218. The per pupil funding is projected to be \$4,780 state, \$591 federal, and \$8,517 local. This is a total projected funding level of \$13,888 excluding revenues of local bond issues.~~

~~In Fiscal Year 2011-12, the York School District 3 total pupil count is projected to be 16,481. The per pupil funding is projected to be \$5,788 state, \$983 federal, and \$6,035 local. This is a total projected funding level of \$12,806 excluding revenues of local bond issues.~~

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~~In Fiscal Year 2011-12, the York School District 4 total pupil count is projected to be 10,589. The per pupil funding is projected to be \$5,580 state, \$458 federal, and \$5,686 local. This is a total projected funding level of \$11,724 excluding revenues of local bond issues.~~

- 1.4** **AMEND** (EFA - Formula) Provides directives for the distribution of Education Finance Act appropriations and the development of formulas; and requires the Department to make adjustments to EFA disbursements to ensure the aggregate of such disbursements does not exceed appropriated funds.

WMC: AMEND proviso to change “insure that” to “ensure.” *Technical.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.4. (SDE: EFA - Formula) The amount appropriated in Part IA, Section 1 for “Education Finance Act” shall be the maximum paid under the provisions of Act 163 of 1977 (the South Carolina Education Finance Act of 1977) to the aggregate of all recipients. The South Carolina Education Department shall develop formulas to determine the state and required local funding as stipulated in the South Carolina Education Finance Act of 1977. Such formulas shall require the approval of the State Board of Education and the Budget and Control Board. After computing the EFA allocations for all districts, the department shall determine whether any districts’ minimum required local revenue exceeds the districts’ total EFA Foundation Program. When such instance is found, the department shall adjust the index of taxpaying ability to reflect a local effort equal to the cost of the districts’ EFA Foundation Program. The districts’ weighted pupil units are to be included in determination of the funds needed for implementation of the Education Finance Act statewide.

In the event that the formulas as devised by the Department of Education and approved by the State Board of Education and the Budget and Control Board should provide for distribution to the various school districts totaling more than the amount appropriated for such purposes, subject to the provisions of this proviso, the Department of Education shall reduce each school district entitlement by an equal amount per weighted pupil so as to bring the total disbursements into conformity with the total funds appropriated for this purpose. If a reduction is required in the state’s contribution, the required local funding shall be reduced by the proportionate share of local funds per weighted pupil unit. The Department of Education shall continually monitor the distribution of funds under the provisions of the Education Finance Act and shall make periodic adjustments to disbursements to ~~insure that~~ ensure the aggregate of such disbursements do not exceed the appropriated funds.

Local districts shall not be mandated or required to inflate the base number in their respective salary schedules by any percentage greater than the percentage by which the appropriated base student cost exceeds the appropriated base student cost of the prior fiscal year.

- 1.5** **AMEND** (Employer Contributions/Allocations) Provides guidelines for the allocation of employer contribution funds to school districts.

WMC: AMEND proviso to change “which” to “that.” *Technical.* 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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1.5. (SDE: Employer Contributions/Allocations) It is the intent of the General Assembly that the appropriation contained herein for “Public School Employee Benefits” shall not be utilized to provide employer contributions for any portion of a school district employee’s salary ~~which~~ that is federally funded.

State funds allocated for school district employer contributions must be allocated by the formula and must be used first by each district to cover the cost of fringe benefits for personnel required by the Defined Program, food service personnel and other personnel required by law. Once a district has expended all state allocated funds for fringe benefits, the district may utilize food service revenues to fund a proportionate share of fringe benefits costs for food service personnel.

The Department of Juvenile Justice and the Department of Corrections’ school districts must be allocated funds under the fringe benefits program in accordance with criteria established for all school districts.

1.8 **AMEND** (Educational Responsibility/Foster Care) Directs how children in foster care, group homes, orphanages, or a state operated health care facilities are to be educated and how funding is to be provided for the education of the child.

WMC: AMEND proviso to change “mentally retarded” reference to persons “with intellectual disabilities.” *Conform reference to Act 47 of 2011.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.8. (SDE: Educational Responsibility/Foster Care) The responsibility for providing a free and appropriate public education program for all children including disabled students is vested in the public school district wherein a child of lawful school age resides in a foster home, group home, orphanage, or a state operated health care facility including a facility for treatment of mental illness or chemical dependence and habilitation centers for ~~mentally retarded~~ persons with intellectual disabilities or persons with related conditions located within the jurisdiction of the school district or alternative residences. The districts concerned may agree upon acceptable local cost reimbursement. If no agreement is reached, districts providing education shall receive from the district where the child last resided before placement in a facility an additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. If a child from out of state is residing in a facility owned and/or operated by a for profit entity, the district providing educational services shall be reimbursed by the for profit entity the local district’s local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. This also applies to John de la Howe School who also has the authority to seek reimbursement in any situation that the school district has participation in the placement of the student. John de la Howe school shall be reimbursed the local district’s local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. Participation will be evidenced by a written agreement from the IEP team or 504 team, written referral, or the school district initiating the placement process. School districts providing the education shall notify the nonresident district in writing within forty-five calendar days that a student from the nonresident district is receiving education services pursuant to the provisions of the proviso. The notice shall also contain the student’s name, date of birth, and disabling condition if available. If appropriate financial arrangements cannot be effected between

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institutions of the state, including independent school districts under the authority of the Department of Disabilities and Special Needs, and school districts, institutions receiving educational appropriations shall pay the local base student cost multiplied by the appropriate pupil weighting. Children residing in institutions of state agencies shall be educated with nondisabled children in the public school districts if appropriate to their educational needs. Such institutions shall determine, on an individual basis, which children residing in the institution might be eligible to receive appropriate educational services in a public school setting. Once these children are identified, the institution shall convene an IEP meeting with officials of the public school district in which the institution is located. If it is determined by the committee that the least restrictive environment in which to implement the child's IEP is a public school setting, then the school district in which the institution is located must provide the educational services. However, that school district may enter into contractual agreements with any other school district having schools located within a forty-five mile radius of the institution. The cost for educating such children shall be allocated in the following manner: the school district where the child last resided before being placed in an institution shall pay to the school district providing the educational services an amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act; the school district providing the educational services shall be able to count the child for all funding sources, both state and federal. The institution and school district, through contractual agreements, will address the special education and related services to be provided to students. Should the school district wherein the institution is located determine that the child cannot be appropriately served in a public school setting, then the institution may request a due process hearing pursuant to the procedures provided for in the Individuals with Disabilities Education Act.

The agreed upon acceptable local cost reimbursement or the additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to out-of-district students, shall be paid within sixty days of billing, provided the billing district has provided a copy of the invoice to both the Superintendent and the finance office of the district being invoiced. Should the district not pay within sixty days, the billing district can seek relief from the Department of Education. The department shall withhold EFA funding equal to the billing from the district refusing to pay and submit the funding (equal to the invoice) to the billing school district.

The agency placing a child in any situation that requires changing school districts, must work with the schools to assure that all required school records, including confidential records, are transferred from the sending to the receiving school within three working days. School records to be transferred should include grade transcripts, state birth certificate, certificate of immunization, social security card, attendance records, discipline records, IEP's, psychological reports (or notation in the school records that a psychological report on the child is available at the school district office) and any other records necessary for the appropriate placement of the child in the new school. School districts must release all records upon presentation of a court order or appropriate permission for confidential release. If evaluation or placement is pending, the receiving school district is responsible to secure information and to complete the placement. The receiving school will maintain appropriate confidentiality of all records received on a child.

- 1.15 AMEND** (Travel/Outside of Continental U.S.) Prohibits school district allocations from General Funds and EIA funds from being used for travel outside the continental U.S., but exempts the International Baccalaureate Program.

WMC: AMEND proviso to include lottery funds in the prohibition. *School districts also receive lottery funds and the department indicates those funds should be included in the*

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prohibition. Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.15. (SDE: Travel/Outside of Continental U.S.) School District allocations from General Funds, lottery, and EIA funds shall not be used for travel outside of the continental United States. The International Baccalaureate Program shall be exempt from this restriction.

- 1.16** **AMEND** (Year End Closeout) Authorizes the department to pay for federal and earmarked expenditures incurred in the prior fiscal year with current year funds.

HOU: AMEND proviso to change "XIII" to "XIV." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.16. (SDE: Year End Closeout) The State Department of Education is authorized to expend federal and earmarked funds (not including state or EIA funds) in the current fiscal year for expenditures incurred in the prior year; however, state funds appropriated in Part IA, Section 1, ~~XIII~~ XIV, Aid to School Districts, for the Children's Case Resolution System or private placements for services provided to children with disabilities may be used for those expenditures in prior fiscal years. The department is also authorized to use appropriated funds to pay for textbooks shipped in the fourth quarter of the prior fiscal year.

- 1.18** **CONFORM TO FUNDING / DELETE / MOVE** (Summer Exit Exam Cost) Authorizes certain funds to be used to offset the costs of conducting the summer administration of the Exit Exam.

HOU: DELETE proviso. *Moved to EIA proviso 1A.60.* Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

1.18. (SDE: Summer Exit Exam Cost) ~~Funds appropriated in Part IA, Section 1, 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.~~

- 1.19** **REINSERT / AMEND** (Defined Program Personnel Requirements) Establishes public school district guidelines for filling administrative positions which require State Board of Education certification.

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

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: REINSERT proviso and AMEND to allow administrative positions to be filled by a person receiving a W-2 from the hiring school district or for a charter school to hire a person employed by an entity under contract with the school district. Direct that if a charter school fills the position with a person who does not receive a W-2 from the hiring school district that individual's total compensation shall not exceed the

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salary of the highest paid person in a similar position at a school district that is the same or lesser size as the charter school. Direct that if total compensation exceeds that amount the school's EFA and/or EIA allocations shall be reduced by the amount the compensation was exceeded. Delete the penalty assessed if a corporation, partnership, or other entity is hired to fill administrative positions. Delete the exemptions for temporary instructional positions. *Companion to EIA proviso 1A.14.*

1.19. (SDE: Defined Program Personnel Requirements) Administrative positions requiring State Board of Education teacher or administrator certification, may ~~only~~ be filled either by individuals *an individual* receiving a W-2 (or other form should the Internal Revenue Service change the individual reporting form to another method) from the hiring school district, or in the case of a charter school authorized under title 59, Chapter 49, an individual employed by an entity under contract with the school district may fill such a position. However, if such a position in a charter school is filled by an individual that does not receive a W-2 from the hiring school district, the total compensation for the individual shall not exceed the total compensation of the highest paid individual in a similar position at a school district of the same or lesser size of the charter school in the state of South Carolina. If such total compensation does exceed that amount, the school's EFA and/or EIA allocation shall be reduced by the amount which such compensation exceeds that amount specified in the previous sentence. ~~Any public school district or special school that hires a corporation, partnership, or any other entity other than an individual to fill such positions will have its EFA and/or EIA allocation reduced by the amount paid to that corporation, partnership, or other entity. Compliance with this requirement will be made part of the single audit process of local public school districts as monitored by the State Department of Education. Temporary instructional positions for special education, art, music, critical shortage fields as defined by the State Board of Education, as well as temporary positions for grant writing and testing are excluded from this requirement.~~

- 1.21** **AMEND** (Teacher Data Collection) Requires the department and CHE to share data about the teaching profession in South Carolina using non-program funds.
WMC: AMEND proviso to change reference to "the department" to "it." *Technical.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.21. (SDE: Teacher Data Collection) Of the non-program funds appropriated to the Department of Education, ~~the department~~ *it* and the Commission on Higher Education shall share data about the teaching profession in South Carolina. The data sharing should ensure (1) a systematic report on teacher supply and demand information and (2) data to determine classes being taught by public school teachers out of field of their preparation. The data collection should include but not be limited to: classes/subjects taught, number of students taught, percentage of teacher education graduates from South Carolina colleges/universities who go into teaching, percentage of teacher education graduates who teach in public schools in South Carolina, percentage of new teachers who leave the South Carolina teaching profession in the first three years of public school teaching due to unsuccessful evaluations, percentage of new teachers who leave the profession in the first three years of public school teaching in South Carolina who have successful evaluations, turnover rate of teachers and certification areas with highest vacancies. All database items should be set up so that it can be disaggregated by ethnicity, gender, geographic location, etc.

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- 1.25** **AMEND** (School Bus Driver CDL) Requires school districts request a criminal record history check before hiring school bus drivers or school bus aides.
HOU: AMEND proviso to change “IX” to “X.” *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.25. (SDE: School Bus Driver CDL) From funds provided in Part IA, Section 1, ~~IX~~ X.B., local school districts shall request a criminal record history from the South Carolina Law Enforcement Division for past conviction of any crime before the initial employment of a school bus driver or school bus aide. The Department of Education and the school districts shall be treated as a charitable organization for purposes of the fee charged for the criminal records search.

- 1.26** **CONFORM TO FUNDING / DELETE / MOVE** (SAT Preparation) Requires the department to write a plan reviewing, on an individual basis, weaknesses of students on actual PSAT administrations, and provide guidance and assistance to schools.
WMC: AMEND proviso to change “SAT Preparation” to “Assessment Preparation” and require the plan review a student’s strengths as well as weaknesses on a variety of national assessments and exams. Require the department use reports that analyze student “strengths” and weaknesses to provide local school districts with guidance. *Broaden the definition of national assessments.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: DELETE proviso. *Moved to EIA proviso 1A.62.* Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATON.

1.26. (SDE: SAT Preparation) ~~From the funds appropriated for SAT Preparation, the State Department of Education shall institute a plan reviewing, on an individual basis, weaknesses of students on actual PSAT administrations, and providing assistance. To accomplish this, the Department shall use reports that analyze student weaknesses and provide guidance to local schools on the effective use of the reports.~~

- 1.27** **RESTORE ORIGINAL PROVISO** (School Bus Purchase) Requires certain specifications be met when purchasing school buses.
WMC: AMEND proviso to delete the authorization to use Georgia or North Carolina’s school bus specification and instead authorize “any state’s education agency or local education agency’s” school bus specifications to be used. *This could reduce the time required to complete a school bus procurement cycle.* Fiscal Impact: No impact on the General Fund, however the department indicates there could be potential savings associated with procurement contracts. Requested by Department of Education.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: RESTORE original proviso.

1.27. (SDE: School Bus Purchase) Any procurement of school buses with funds appropriated in this act or any other appropriation bill must meet specifications developed by the School Bus Specification Committee as established by the State Superintendent of Education. The School Bus Specifications Committee shall allow for input from all school bus

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chassis and body manufacturers. However, if it is safe, more economical, and in the public interest, the department may use the school bus specifications of **Georgia or North Carolina** ~~any state's education agency or local education agency~~ in the procurement of school buses.

- 1.28** **AMEND** (Buses, Parts, and/or Fuel) Directs the expenditure of funds appropriated for Bus Shops and Buses.

HOU: AMEND proviso to change "IX" to "X." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.28. (SDE: Buses, Parts, and/or Fuel) Funds appropriated for other operating in program ~~IX~~ X.B. - Bus Shops and funds appropriated in ~~IX~~ X.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 the current fiscal year to support bus transportation services.

- 1.30** **CONFORM TO FUNDING / DELETE / MOVE** (Refurbishing Science Kits) Provides for the use of funds for refurbishing science kits.

HOU: DELETE proviso. *Moved to EIA proviso 1A.61.* Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

1.30. (SDE: Refurbishing Science Kits) ~~Funds appropriated for the purchase of textbooks and other instructional materials may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state adopted textbook inventory, purchasing new kits from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs.~~

- 1.36** **DELETE** (Alternative Certification/Displaced Employees) Directs the department to give priority in the PACE program to recruiting qualified state employees impacted by a reduction in force and directs the Student Loan Corporation to give qualified employees priority in the Career-Changer Loan program.

WMC: DELETE proviso. *Preference is given to one group of applicants solely based on a former employer. The PACE program should be permitted to recruit the most capable applicants regardless of previous employment history.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.36. (SDE: Alternative Certification/Displaced Employees) ~~The Department of Education is directed to give priority in the Program for Alternative Certification for Educators (PACE) to the recruitment of qualified state employees impacted by reduction in force actions of agencies. The Student Loan Corporation is directed to give priority in the Career-Changer Loan program to qualified state employees. The Department of Education shall provide~~

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~~information to the Office of Human Resources and the personnel offices of state agencies instituting a reduction in force to advertise and inform employees of this program and state agencies shall work with the department in this effort.~~

1.38 AMEND FURTHER (School Districts and Special Schools Flexibility) Provides guidelines and requirements for school districts and special schools to have the ability to transfer and expend funds among general fund revenues, EIA funds, Lottery funds, and Children's Education Endowment Fund for school facilities and fixed equipment assistance.

WMC: AMEND proviso to specify that "funds allocated specifically for state level maintenance of effort requirement for federal programs" may not be transferred and prohibit programs that serve students with exceptional needs from being suspended. Change from "70%" to "75%" the percentage of the school district's per pupil expenditures that must be used within specific InSite categories in order for school districts to have the ability to use the flexibility provisions. Encourage school districts to restructure administrative staffing in order to reduce expenditures. Delete the requirement that writing assessments in grades 3, 4, 6, and 7 be suspended and delete the option to suspend textbook purchases. Direct that savings generated from suspending assessments must be allocated based on "weighted pupil units" rather than on the EFA formula. Direct that the school district transaction register must not include information on individual employees that earn less than \$50,000 annually. Delete the directive that the Comptroller General distribute a methodology and resources for compliance with the transaction register requirement.

HOU: ADOPT proviso as amended. *Companion to EIA proviso 1A.21*

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete the directive that the school district transaction register must not include information on individual employees that earn less than \$50,000 annually.

1.38. (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 allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, 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 and programs serving students with exceptional needs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-seventy-five percent of the school district's per pupil expenditures must be utilized within the InSite 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 InSite. 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. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"InSite" 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, restructuring administrative staffing, 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 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 conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. ~~Writing assessments in grades three, four, six, and seven, formative~~ 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 may be suspended.~~ School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For 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 weighted pupil units.

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 ~~earning less than \$50,000 annually~~. 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.

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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.

- 1.39 AMEND** (Medical Examination and Security Reimbursement/Expenditures) Authorizes the department to pay or reimburse for the cost of a required medical exam or national security background check for employees who operate a state vehicle that transports hazardous materials.

HOU: AMEND proviso to change "IX" to "X." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.39. (SDE: Medical Examination and Security Reimbursement/Expenditures) From funds authorized in Part IA, Section 1, ~~IX~~ X.B. Other Operating Expenses, the Department of Education may directly pay, or reimburse employees, for the cost of a medical examination as required in Part 391, Subpart E of the Federal Motor Carrier Safety Regulations, for employees that are required to operate a state vehicle transporting hazardous materials and that are required to undergo a national security background check because of the required Hazmat endorsement to their CDL.

- 1.42 AMEND** (Governor's Schools' Fees) Authorizes the Governor's Schools for the Arts and Humanities and Science and Mathematics to charge, collect, expend, and carry forward approved student fees.

WMC: AMEND proviso to require both schools to conspicuously publish a fee schedule on their websites. *Increases transparency of fees.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.42. (SDE: Governor's Schools' Fees) The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to charge, collect, expend, and carry forward student fees as approved by their respective Board of Directors. The purpose and amount of any such fees will be to maintain program quality in both academics and residential support. No student will be denied admittance or participation due to financial inability to pay. The respective Board of Directors shall promulgate administrative policy governing the collection of all student fees. Both schools shall conspicuously publish a fee schedule on their respective websites.

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- 1.43 RESTORE ORIGINAL PROVISO** (School District Furlough) Authorizes and provides guidelines for school districts to institute an employee furlough program
WMC: AMEND proviso to specify that school districts may initiate the furlough if there is a midyear reduction in state funding to school districts. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: RESTORE original proviso.

1.43. (SDE: School District Furlough) ~~Should there be a midyear reduction in state funding to the districts, 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.

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 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.

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- 1.44 DELETE** (Base Student Cost Funding) Redirects funding to the Base Student Cost from particular items and areas of the department's base budget that have been reduced or eliminated and from deleted provisos that directed funding for specific items.
WMC: DELETE proviso. *This proviso could cause conflict with others. Provisos that suspended programs specify how the savings generated from suspensions are to be distributed to school districts.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~1.44. (SDE: Base Student Cost Funding) The funding for particular items and areas in the Department of Education's base budget that have been reduced or eliminated and provisos that directed funding for specific items that have been deleted, shall be redirected to the Base Student Cost.~~

- 1.55 CONFORM TO FUNDING / DELETE** (High Schools That Work Carry Forward) Authorizes the department, school districts and special schools to carry forward High Schools That Work funds.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

~~1.55. (SDE: High Schools That Work Carry Forward) Funds provided for High Schools That Work may be carried forward into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools.~~

- 1.56 CONFORM TO FUNDING / DELETE / MOVE** (Career Cluster Industry Partnerships) Requires the department to use \$800,000 to provide direct grants to private sector statewide trade associations or education foundations that provides nationally certified programs in career and technology education in certain career clusters.
WMC: DELETE proviso. *Moved to EIA, see proviso 1A.51.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

~~1.56. (SDE: Career Cluster Industry Partnerships) From the funds appropriated to the Department of Education, \$800,000 must be provided as direct grants to the private sector statewide trade association or educational foundation providing nationally certified programs in career and technology education representing the automotive, construction, engineering, healthcare, mechanical contracting/construction, and hospitality tourism career clusters. Organizations applying for a grant must do so by July first and the Department of Education must award a minimum of one grant of at least \$150,000 in at least four of these specified career clusters to be used exclusively for career and technology education. The recipient industry organization must conduct end-of course exams graded by a national industry organization and must include in their grant request how the money will be spent to further~~

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~~industry specific career technology education; a description and history of their program nationally and within South Carolina; estimates of future employment growth in their industry; and the national scope of their program. By August first of the following year, the organization must submit to the department a report detailing how the grant increased industry/employer awareness; the number of increased schools using the industry based curriculum and partnered with the industry organization; the increased number of students in the program; and an overview and analysis of the organization's statewide student competition. The grant must be used for career awareness programs for that industry cluster; statewide student competitions leading to national competitions; teacher development and training; post secondary scholarships in industry specific degree programs; student recruitment into that career cluster programs; programs to educate middle and high school Career or Guidance Counselors about the industry; service to disadvantaged youth; and administering business/employer awareness and partnerships which help lead to experience based, career oriented experiences including internships, apprenticeships, mentoring, co-op education and service learning. The Office of Career and Technology Education of the department will develop goals with each career cluster on the number of new schools using the industry based curriculum and partnered with that career cluster organization. These funds may not be used to supplant or replace, in whole or in part, other existing resources/assets sourced outside the present grant being used to provide the same services or programs. Organizations may carry over grants for up to three years when a large project is identified in the grant application to be used at a future date; otherwise excess funds must be returned to the state.~~

- 1.58** **DELETE** (GSAH Human Resources Annual Report) Requires the Governor's School for the Arts and Humanities provide annual reports on the school's human resources statistics for filled and vacant positions; on recruiting activities; and a comprehensive enrollment report.
WMC: DELETE proviso. *This proviso only applies to one of the two Governor's Schools and does not apply to any other public schools.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

~~**1.58.** (SDE: GSAH Human Resources Annual Report) Of the funds appropriated to the Governor's School for the Arts and the Humanities, the school shall provide to the Senate Finance Committee, the House Ways and Means Committee, the Budget and Control Board Office of Human Resources, and the Commission on Human Affairs an annual report detailing the school's human resource statistics for both filled and vacant positions. The report shall include specifics as to advertising, applicants, and selections as well as the composition of the selection team. In addition, an annual report of recruiting activities that address the school's Access Plan shall be required. A comprehensive enrollment report must be furnished annually.~~

- 1.60** **AMEND FURTHER** (Charter School Funding Schedule) Establishes a funding schedule for the distribution of funds to public charter schools.
WMC: AMEND proviso to change the timeframe by which funds must be released to districts after enrollment is verified from "fifteen" to "ten" days and the time frame by which districts must provide the funds to eligible charter schools from "thirty" to "ten" days after they receive the funds from the department. *Increases the timeliness of payments to public charter schools.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.

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SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to reinsert the original fifteen and thirty day timeframe. *Conform to H.3241.*

1.60. (SDE: Charter School Funding Schedule) Of the funds appropriated, districts with charter schools will receive funds after verification of student attendance on the fifth day of school at the beginning of each school year for those charter schools with approved incremental growth and ~~due to~~ expansion as provided in their charter application or for new charter schools opening in the current fiscal year. The Department of Education will release funds to districts on behalf of their charter schools no later than **fifteen** ~~ten~~ days after receipt of verified enrollment. Districts must provide this funding to eligible charters no later than **thirty** ~~ten~~ days after receipt from the Department of Education. Funding will be adjusted at the forty-five-day school count as is currently the case with the Education Finance Act.

1.61 **AMEND** (Residential Treatment Facilities Student Enrollment and Funding) Directs that children and adolescents residing in licensed residential treatment facilities (RTFs) are entitled to receive education services from the school district in which the RTF is located and outlines the certain responsibilities.

WMC: AMEND proviso to authorize students in RTFs to be enrolled in a virtual education program if the facility school district, the RTF, and the parent or guardian jointly determine it is clinically appropriate and in the best interest of the student. Establish a timeframe for resident school districts to provide reimbursement to facility school districts for students enrolled in RTFs. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.61. (SDE: Residential Treatment Facilities Student Enrollment and Funding) Each South Carolina resident of lawful school age residing in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code, ("students") shall be entitled to receive educational services from the school district in which the RTF is located ("facility school district"). The responsibility for providing appropriate educational programs and services for these students, both with and without disabilities, who are referred or placed by the State is vested in the facility school districts. *If clinically appropriate, the facility school district, the RTF, and the parent or guardian of a student referred or placed in a RTF may consider the appropriateness of providing the student's education program virtually through enrollment in either the facility district's virtual program, the South Carolina Virtual School Program provided through the Department of Education, or a virtual charter school authorized by the South Carolina Public Charter School District. This decision should be made jointly with the best interest of the student and what is clinically indicated being considered.*

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

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

The facility school districts are entitled to receive the base student cost multiplied by the 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. Facility school districts providing the educational services shall notify the resident district in writing within forty-five calendar days that a student from the resident district is receiving educational services pursuant to the provisions of the proviso. Reimbursements shall be paid within sixty days of billing, provided the facility district has provided a copy of the invoice to both the District Superintendent and the finance office of the resident district being invoiced. 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 within forty-five days of the notice of dispute. If the issue of reasonable cost differences should remain unresolved, ~~the case shall be referred to the Administrative Law Court for a final decision~~ a facility school district shall have the right to file a complaint in a Circuit Court. 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

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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 examine the feasibility of issuing report cards for RTFs. For the ~~2010-11 school~~ current fiscal 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.

- 1.62** **DELETE** (Transparency) Requires the department publish a link on its homepage to a listing of all programs funded with Federal Stimulus Funds and to update the listing monthly.
WMC: DELETE proviso. *State Fiscal Stabilization Funds must be obligated by September 30, 2011. This program will end during Fiscal Year 2011-12, therefore, it is not necessary to keep this proviso.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**1.62.** (SDE: Transparency) The department must publish a link on its homepage to a listing of all programs funded during the current fiscal year with Federal Stimulus Funds to include program name, location, starting date, funding level and contact person with telephone number. This listing must be updated monthly to allow the public to easily identify how these funds are being used.~~

- 1.63** **DELETE** (Prohibit Use of ARRA for Administration) Prohibits the department and school districts from using ARRA funds for administrative salary increases, bonuses, retirement incentives or severance packages.
WMC: DELETE proviso. *The American Recovery and Reinvestment Act of 2009 will end during Fiscal Year 2011-2012. Therefore, it is not necessary to keep this proviso.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

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~~1.63. (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.~~

- 1.66 DELETE** (Program Reports) Requires all programmatic reports required by the General Assembly to be submitted electronically.
WMC: DELETE proviso. *Codified in Section 2-1-230.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~1.66. (SDE: Program Reports) For the current fiscal year, all programmatic reports required by the General Assembly shall be submitted electronically.~~

- 1.69 CONFORM TO FUNDING / DELETE** (Effectiveness of Strategies for Teaching Reading) Allocates \$34,911 to the EFA. from Section XIII.A.
WMC: DELETE proviso. *If the General Assembly desires to increase funding for the EFA, it should do so by amending budget lines and not via a budget proviso.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

~~1.69. (SDE: Effectiveness of Strategies for Teaching Reading) Funds appropriated in Section XIII.A. in the amount of \$34,911 shall be allocated to the Education Finance Act.~~

- 1.73 DELETE** (Transportation) Directs the department, Senate Finance and House Ways and Means Committees and the Governor's Office to work together to explore privatizing all or part of the state school bus system.
WMC: DELETE proviso. *No proviso is required for this collaboration to take place between the named government entities.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~1.73. (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 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.~~

- 1.74 AMEND** (South Carolina Public Charter School District Funding) Provides for the allocation of S.C. Public Charter School District funds.
HOU: AMEND proviso to change "X" to "XI." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

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SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.74. (SDE: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section ~~X~~ XI - South Carolina 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, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose.

1.75 **AMEND** (Governor's Schools Capacity) Directs the Governor's Schools for the Arts and Humanities and for Science and Mathematics to use their FY 11-12 funds to bring the schools up to full capacity, to the extent possible and to report by December 1st on how the funds have been used and how many additional students have been served.

WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.75. (SDE: Governor's Schools Capacity) For Fiscal Year ~~2011-12~~ 2012-13, 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, to the extent possible. 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 first how the funds have been utilized and how many additional students have been served.

1.77 **AMEND** (One Year Suspension of Programs) Suspends the SAT/ACT Improvement program for Fiscal Year 2011-12 and directs that the funds be allocated to districts based on weighted pupil units.

WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.77. (SDE: One Year Suspension of Programs) The following program will be temporarily suspended for Fiscal Year ~~2011-12~~ 2012-13: SAT/ACT Improvement. Funds appropriated to this program must be allocated to districts based on the number of weighted pupil units.

1.79 **DELETE** (Weighted Pupil Units Calculation) Requires the EOC to perform an analysis of the education funding formula as it pertains to weighted pupil units and report its findings by November 1, 2011.

WMC: DELETE proviso. *The EOC will have completed its work and presented a report.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

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~~1.79. (SDE: Weighted Pupil Units Calculation) Of the funds appropriated to the Education Oversight Committee (EOC), the EOC 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 EOC must use the Index of Taxpaying Ability and projected base student cost as adopted by the General Assembly for the current fiscal year. The EOC 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.~~

- 1.80 REINSERT ORIGINAL PROVISO** (Education Foundation Supplement) Directs that Education Foundation Supplement funds are to be distributed to public schools which would recognize a current year loss in State financial requirement of the foundation program using certain criteria.

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

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

1.80. (SDE: Education Foundation Supplement) Funds appropriated in the Education Foundation Supplement are to be distributed to public school districts which would in the current fiscal year recognize a loss in State financial requirement of the foundation program by utilizing an Index of Taxpaying Ability which imputes the assessed value of owner occupied property compared to the State financial requirement of same Index of Taxpaying Ability as utilized in the prior fiscal year. Funds in the Education Foundation Supplement must be distributed to the school districts receiving a loss, in an amount equal to the amount of the loss. This supplement shall not require a local financial requirement.

- 1.81 AMEND** (Impute Index Value) Provides for the Index of Taxpaying Ability used in the calculation of EFA disbursements to school districts.

WMC: AMEND proviso to change Fiscal Year “2011-12” to “FY 2012-13.” Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.81. (SDE: Impute Index Value) For Fiscal Year ~~2011-12~~ 2012-13 and for the purposes of calculating the index of taxpaying ability the Department of Revenue shall impute an index value for owner-occupied residential property qualifying for the special four percent assessment ratio by adding the second preceding taxable year total school district reimbursements for Tier 1, 2, and Tier 3(A) and not to include the supplement distribution. The Department of Revenue shall not include sales ratio data in its calculation of the index of taxpaying ability. The methodology for the calculations for the remaining classes of property shall remain as required pursuant to the EFA and other applicable provisions of law.

- 1.85 ADD** (Bus Lease Purchase) **WMC:** ADD new proviso to allow the department to purchase or lease school buses in order to continue school bus fleet replacement.

HOU: ADOPT new proviso.

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SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.85. (SDE: Bus Lease/Purchase) The Department of Education is permitted to purchase or lease school buses in order to continue replacement of the state's school bus fleet.

- 1.86** **ADD** (Next Generation Science Standards) **HOU:** ADD new proviso to prohibit the department, the EOC, or the State Board of Education from using funds to participate in, implement, adopt, or promote the Next Generation Science Standards initiative. *See EIA Companion proviso 1A.63.* Sponsor: Rep. Bedingfield.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.86. (SDE: Next Generation Science Standards) No funds shall be expended in the current fiscal year by the Department of Education, the Education Oversight Committee, or the State Board of Education to participate in, implement, adopt or promote the Next Generation Science Standards initiative.

- 1.89** **AMEND NEW PROVISO** (School Meals) **HOU:** ADD new proviso to prohibit state funds from being used to purchase food that has been treated with ammonia hydroxide for use in school meals . Sponsor: Rep. Limehouse.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to change “ammonia” to “ammonium.”

1.89. (SDE: School Meals) No state funds may be used to purchase food for school meals that has been treated with ~~ammonia~~ **ammonium** hydroxide.

- 1.fla** **ADD** (Felton Lab Allocation) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require that the Felton Laboratory at SC State receive 70% of the EFA funds it would have received under the EFA and under aid to school districts fringe benefits as if it were a special school district. Direct the department to calculate the funds Felton Lab is entitled to receive each year.

1.fla. (SDE: Felton Lab Allocation) Of the funds distributed pursuant to the Education Finance Act, the Felton-Laboratory School at South Carolina State University shall receive each year, seventy percent of the funds it would have received for that year under the Education Finance Act and under aid to school districts-fringe benefits, as if it were a special school district. The calculation of the amount of funds which the Felton-Laboratory School is entitled to receive each year shall be made by the Department of Education.

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- 1A.2** **AMEND FURTHER** (Services for Students with Disabilities) Directs the expenditure of funds appropriated for Services for Students with Disabilities.
WMC: AMEND proviso to change reference to “mentally disabled” pupils to pupils “with intellectual disabilities.” *Conform to Act 47 of 2011.* Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.
HOU: AMEND FURTHER to change “XI” to “XII.” *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

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SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.2. (SDE-EIA: ~~XI XII~~.A.1 Services for Students with Disabilities) The money appropriated in Part IA, Section 1, ~~XI XII~~.A.1. for Services for Students with Disabilities shall be used only for educational services for trainable ~~mentally-disabled~~ pupils with intellectual disabilities and ~~profoundly mentally-disabled~~ pupils with profound intellectual disabilities.

1A.3 **AMEND** (Half Day Program for Four-Year-Olds) Provides for the distribution funds for half day programs for four-year olds.

HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.3. (SDE-EIA: ~~XI XII~~.B - Half Day Program for Four-Year-Olds) Funds appropriated in Part IA, Section 1, ~~XI XII~~.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.

1A.6 **DELETE** (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary and requires that the FY 2008-09 statewide minimum teacher salary schedule shall continue to be used.

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

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

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 \$49,007. The statewide minimum teacher salary schedule used in Fiscal Year 2008-09 will continue to be used in Fiscal Year 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.7 **AMEND** (Teacher Salaries/State Agencies) Provides for the distribution of allocations for "Teacher Other Pay" for instructional personnel that are in a state agency which does not contain a school district.

HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

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1A.7. (SDE-EIA: ~~XI~~ XII.F.2-Teacher Salaries/State Agencies) Each state agency which does not contain a school district but has instructional personnel shall receive an allocation from the line item "Alloc. EIA - Teacher/Other Pay" in Part IA, Section 1, ~~XI~~ XII.F.2. for teachers salaries based on the following formula: Each state agency shall receive such funds as are necessary to adjust the pay of all instructional personnel to the appropriate salary provided by the salary schedules of the school district in which the agency is located. Instructional personnel may include all positions which would be eligible for EIA supplements in a public school district, and may at the discretion of the state agency, be defined to cover curriculum development specialists, educational testing psychologists, psychological and guidance counselors, and principals. The twelve-month agricultural teachers located at Clemson University are to be included in this allocation of funds for base salary increases. The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to increase the salaries of instructional personnel by an amount equal to the percentage increase given by the School District in which they are both located.

The funds appropriated herein in the line item "Alloc. EIA-Teacher/Other Pay" must be distributed to the agencies by the Budget and Control Board.

1A.8 **AMEND** (Work-Based Learning) Provides for the allocation of Work-Based Learning Program funds.

HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.8. (SDE-EIA: ~~XI~~ XII.A.1-Work-Based Learning) Of the funds appropriated in Part IA, Section 1, ~~XI~~ XII.A.1. for the Work-Based Learning Program, \$75,000 shall be used by the State Department of Education to provide for regional professional development in contextual methodology techniques and integration of curriculum, and professional development in career guidance for teachers and guidance counselors and training mentors. Pilot-site delivery of contextual methodology training in mathematics will be supported by technology and hands-on lab activities. In addition, \$500,000 shall be allocated for Regional Career Specialists. Each Regional Career Specialist shall (1) be housed within the regional centers/WIA geographic areas, (2) provide career development activities throughout all schools within the region, (3) be under the program supervision of the Office of Career and Technology Education, State Department of Education, and (4) adhere to an accountability and evaluation plan created by the Office of Career and Technology Education, State Department of Education. The Office of Career and Technology Education, State Department of Education, shall provide a report, in February of the current fiscal year to the Senate Finance Committee and the House Ways and Means Committee on accomplishments of the Career Counseling Specialists. 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.9 **AMEND** (Evaluation/EIA Programs) Provides for the use of EIA Implementation, Other Operating Expenses.

HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

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1A.9. (SDE-EIA: ~~XI XII~~.E.2.-Evaluation/EIA Programs) Of the funds appropriated in Part IA, Section 1, ~~XI XII~~.E.2. for EIA Implementation, Other Operating Expenses, fifty percent may only be used by the State Department of Education to support its contracted program evaluations. Of the remaining funds appropriated in Part IA, Section 1, ~~XI XII~~.E.2. for EIA Implementation, Other Operating Expenses shall be used to support the continuation of program and policy evaluations and studies and to support the state's participation in the Middle Grades Project, at no less than twenty-five percent. Provided further, for the current fiscal year, twenty-five percent shall be provided to the South Carolina Educational Policy Center for collaborative projects with the Department of Education and the Education Oversight Committee to provide research based information and consultation services on technical issues related to establishing a more thorough accountability system for public schools, school districts, and the K-12 education system. These entities shall pursue grants and contracts to supplement state appropriations.

1A.10 **AMEND** (CHE/Teacher Recruitment) Provides for the distribution of Teacher Recruitment Program funds.

HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.10. (SDE-EIA: ~~XI XII~~.F.2-CHE/Teacher Recruitment) Of the funds appropriated in Part IA, Section 1, ~~XI XII~~.F.2. for the Teacher Recruitment Program, the South Carolina Commission on Higher Education shall distribute a total of ninety-two percent to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) for a state teacher recruitment program, of which seventy-eight percent must be used for the Teaching Fellows Program specifically to provide scholarships for future teachers, and of which twenty-two percent 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 programs to recruit minority teachers: and shall distribute eight percent to South Carolina 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 first to the Education Oversight Committee and the Department of Education on the success of the recruitment and retention efforts in these schools. The South Carolina 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 South Carolina 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.

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1A.11 AMEND (Disbursements/Other Entities) Provides for the disbursement of Other State Agencies and Entities funds.

HOU: AMEND proviso to change “XI” to “XII.” *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.11. (SDE-EIA: ~~XI~~ XII.F.2-Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, S.C. Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, ~~XI~~ XII.F.2. Other State Agencies and Entities shall be disbursed on a quarterly basis by the Department of Revenue directly to the state agencies and entities referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology, which shall receive their full appropriation at the start of the fiscal year from available revenue. The Comptroller General’s Office is authorized to make necessary appropriation reductions in Part IA, Section 1, ~~XI~~ XII.F.2. to prevent duplicate appropriations. If the Education Improvement Act appropriations in the agency and entity respective sections of the General Appropriations Act at the start of the fiscal year do not agree with the appropriations in Part IA, Section 1, ~~XI~~ XII.F.2. Other State Agencies and Entities, the “other funds” appropriations in the respective agency and entity sections of the General Appropriations Act will be adjusted by the Comptroller General’s Office to conform to the appropriations in Part IA, Section 1, ~~XI~~ XII.F.2. Other State Agencies and Entities.

1A.12 AMEND (Arts in Education) Provides for the use of Arts Curricula funds.

HOU: AMEND proviso to change “XI” to “XII.” *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.12. (SDE-EIA: ~~XI~~ XII.A.1-Arts in Education) Funds appropriated in Part IA, Section 1, ~~XI~~ XII.A.1. Arts Curricula shall be used to support innovative practices in arts education curriculum, instruction, and assessment in the visual and performing arts including dance, music, theatre, and visual arts which incorporates strengths from the Arts in Education sites. They shall also be used to support the advancement of the implementation of the visual and performing arts academic standards. These funds shall be distributed to schools and school districts under a competitive grants program; however, up to thirty-three percent of the total amount of the grant fund shall be made available as “Aid to Other Agencies” to facilitate the funding of professional development arts institutes that have been approved by the State Department of Education for South Carolina arts teachers, appropriate classroom teachers, and administrators. Arts Curricular Grants funds may be retained and carried forward into the current fiscal year to be expended in accordance with the proposed award.

1A.13 AMEND FURTHER (National Board Certification Incentive) Provides guidelines for the National Board Certification Incentive for public school classroom teachers.

WMC: AMEND proviso to suspend the program for new applicants for FY 12-13 and require the department submit a report on the long term costs of the program to the Senate Finance and House Ways and Means Committees by November 1, 2012. Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.

HOU: AMEND FURTHER to change “XI” to “XII” and “XIII.A.” to “XII.C.2.” *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

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SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete the requirement that the program be suspended for new applicants for FY 12-13 and that a report be submitted on the long term costs of the program.

1A.13. (SDE-EIA: ~~XI~~ XII.C.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. 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 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.~~ XII.C.2 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.

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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 thirty-three percent 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.

~~New applications for the program are suspended for Fiscal Year 2012-13. The Department of Education shall submit a report on the long-term costs of the program to the Senate Finance Committee and the House Ways and Means Committee by November 1, 2012.~~

- 1A.14 AMEND** (Defined Program Personnel Requirements) Establishes public school district guidelines for filling administrative positions which require State Board of Education certification.

SUBCOMMITTEE RECOMMENDATION: AMEND to allow administrative positions to be filled by a person receiving a W-2 from the hiring school district or for a charter school to hire a person employed by an entity under contract with the school district. Direct that if a charter school fills the position with a person who does not receive a W-2 from the hiring school district that individual's total compensation shall not exceed the salary of the highest paid person in a similar position at a school district that is the same or lesser size as the charter school. Direct that if total compensation exceeds that amount the school's EFA and/or EIA allocations shall be reduced by the amount the compensation was exceeded. Delete the penalty assessed if a corporation, partnership, or other entity is hired to fill administrative positions. Delete the exemptions for temporary instructional positions. *Companion to general education proviso 1.19.*

1A.14. (SDE-EIA: XI-Defined Program Personnel Requirements) Administrative positions requiring State Board of Education teacher or administrator certification, may ~~only~~ be filled ~~either by individuals~~ an individual receiving a W-2 ~~(or other form should the Internal Revenue Service change the individual reporting form to another method)~~ from the hiring school district, or in the case of a charter school authorized under title 59, Chapter 49, an individual employed by an entity under contract with the school district may fill such a position. However, if such a position in a charter school is filled by an individual that does not receive a W-2 from the hiring school district, the total compensation for the individual shall not exceed the total compensation of the highest paid individual in a similar position at a school district of the same or lesser size of the charter school in the state of South Carolina. If such total compensation does exceed that amount, the school's EFA and/or EIA allocation shall be reduced by the amount which such compensation exceeds that amount specified in the previous sentence. Any public school district or special school that hires a corporation, partnership, or any other entity other than an individual to fill such positions will have its EFA and or EIA allocation reduced by the amount paid to that corporation, partnership, or other entity. Compliance with this requirement will be made part of the single audit process of local public school districts as monitored by the State Department of Education. ~~Temporary instructional positions for special education, art, music, critical shortage fields as defined by the State Board of Education, as well as temporary positions for grant writing and testing are excluded from this requirement.~~

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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 delete the authorization for local school boards to vote to retain the Teacher Supply allocation and use it for teacher salaries instead of disbursing the funds to teachers. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.16. (SDE-EIA: XI.C.2-Teacher Supplies) ~~For 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 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~~

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~~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 thirty first of the current fiscal year to be compiled in a report for electronic presentation to the General Assembly by January fifteenth of the current fiscal year.~~

- 1A.17 AMEND** (Teacher of the Year Awards) Provides for Teacher of the Year Awards in the amount of \$1,000 for each district Teacher of the Year; \$25,000 for the State Teacher of the Year; and \$10,000 each for four Honor Roll Teachers of the Year.

WMC: AMEND proviso to exempt these awards from South Carolina income taxes. Fiscal Impact: BEA states that based on 87 school districts that would qualify, this proviso would reduce General Fund revenue by \$8,526 for FY 2012-13. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.17. (SDE-EIA: XLC.2-Teacher of the Year Awards) Of the funds provided herein for Teacher of the Year Awards, each district Teacher of the Year shall receive an award of \$1,000. In addition, the State Teacher of the Year shall receive an award of \$25,000, and each of the four Honor Roll Teachers of the Year will receive an award of \$10,000. To be eligible, districts must participate in the State Teacher of the Year Program sponsored by the State Department of Education. *These awards shall not be subject to South Carolina income taxes.*

- 1A.21 AMEND FURTHER** (School Districts and Special Schools Flexibility) Provides guidelines and requirements for school districts and special schools to have the ability to transfer and expend funds among general fund revenues, EIA funds, Lottery funds, and Children's Education Endowment Fund for school facilities and fixed equipment assistance.

WMC: AMEND proviso to specify that "funds allocated specifically for state level maintenance of effort requirement for federal programs" may not be transferred and prohibit programs that serve students with exceptional needs from being suspended. Change from "70%" to "75%" the percentage of the school district's per pupil expenditures that must be used within specific InSite categories in order for school districts to have the ability to use the flexibility provisions. Encourage school districts to restructure administrative staffing in order to reduce expenditures. Delete the requirement that writing assessments in grades 3, 4, 6, and 7 be suspended and delete the option to suspend textbook purchases. Direct that savings generated from suspending assessments must be allocated based on "weighted pupil units" rather than on the EFA formula. Direct that the school district transaction register must not include information on individual employees that earn less than \$50,000 annually. Delete the directive that the Comptroller General distribute a methodology and resources for compliance with the transaction register requirement.

HOU: ADOPT proviso as amended. *Companion to general education proviso 1.38.*

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete the directive that the school district transaction register must not include information on individual employees that earn less than \$50,000 annually.

1A.21. (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

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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 allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, 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 and programs serving students with exceptional needs.

In order for a school district to take advantage of the flexibility provisions, at least ~~seventy~~ seventy-five percent of the school district's per pupil expenditures must be utilized within the InSite 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 InSite. 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. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"InSite" 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, restructuring administrative staffing, 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 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 conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. ~~Writing assessments in grades three, four, six, and seven, formative~~ 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 may be suspended.~~ School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the ~~writing assessments and the suspension of new textbook adoptions~~ enumerated above must be allocated to school districts based on the Education Finance Act formula weighted pupil units.

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

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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 ~~earning less than \$50,000 annually~~. 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.23 AMEND (*Dropout Prevention and* High Schools That Work Programs) Requires the department to report annually on the progress and effectiveness of the High Schools that Work Programs.

WMC: AMEND proviso to also report on the effectiveness of dropout prevention programs. *Expands the scope of this proviso to include not only High Schools That Work, but all dropout prevention programs funded by the Education and Economic Development Act.* Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.23. (SDE-EIA: *Dropout Prevention and* High Schools That Work Programs) The Department of Education must report annually by December first, to the Governor, 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 the House Education and Public Works Committee on the effectiveness of dropout prevention programs funded by the Education and Economic Development Act and on the High Schools that Work Programs' progress and effectiveness in providing a better prepared workforce and student success in post-secondary education. The department, school districts, and special schools may

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carry forward unexpended funds from the prior fiscal year into the current fiscal that were allocated for High Schools That Work.

- 1A.27** **AMEND** (Core Curriculum Materials) Provides for the expenditure of funds for instructional materials for core curriculum.

HOU: AMEND proviso to change “XI” to “XII.” *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.27. (SDE-EIA: Core Curriculum Materials) The funds appropriated in Part IA, Section 1, ~~XI~~ XII.A.3 for instructional materials for core curriculum shall be expended consistent with the requirements of Section 59-31-600 of the 1976 Code requiring the development of higher order thinking skills and critical thinking which should be integrated throughout the core curriculum instructional materials. Furthermore, the evaluation criteria used to select instructional materials with funds appropriated in Part IA, Section 1, XI.A.3 shall include a weight of up to ten percent of the overall criteria to the development of higher order thinking skills and critical thinking.

- 1A.28** **AMEND** (~~Teacher~~ Certified Staff Technology Proficiency) Directs the department to approve district technology plans that address and incorporate teacher technology competency.

WMC: AMEND proviso to change reference to “teacher(s)” to “Certified Staff.” 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.28. (SDE-EIA: XI-E.2. ~~Teacher~~ Certified Staff Technology Proficiency) To ensure the effective and efficient use of the funding provided by the General Assembly in Part IA, Section 1 XI.E.2 for school technology in the classroom and internet access, the State Department of Education shall approve district technology plans that specifically address and incorporate ~~teacher~~ certified staff technology competency standards and local school districts must require ~~teachers~~ certified staff to demonstrate proficiency in these standards as part of each ~~teacher's~~ certified staff's Professional Development plan. The Department of Education's professional development tracking, prescriptive and electronic portfolio system for ~~teachers~~ certified staff is the preferred method for demonstrating technology proficiency as this system is aligned to the International Society for Technology in Education (ISTE) teacher standards. Evidence that districts are meeting the requirement is a prerequisite to expenditure of a district's technology funds.

- 1A.31** **AMEND** (Reading) Provides directives for the use of reading literacy funds.

HOU: AMEND proviso to delete the requirement that 50% of the funds be allocated to the department to provide districts with research based strategies and professional development. Allow the department to continue to use funds for literacy contracts and all remaining funds will be allocated to school districts based on weighted pupil units. Delete the requirement that the department evaluate and review the first year implementation activities and establish measures to monitor student achievement. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

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1A.31. (SDE-EIA: Reading) Of the funds appropriated for reading/literacy, the Department of Education, schools, and districts shall ensure that resources are utilized to improve student achievement in reading/literacy. To focus on the importance of early reading and writing skills and to ensure that all students acquire reading/literacy skills by the end of grade three, fifty percent of the appropriation shall be directed toward acquisition of reading proficiency to include, but not be limited to, strategies in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Forty percent of the appropriation shall be directed toward classroom instruction and intervention to focus on struggling readers and writers in grades four through eight. Ten percent of the appropriation should be directed toward acceleration to provide additional opportunities for deepening and refinement of literacy skills.

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

- 1A.32** **AMEND** (Artistically and Academically High-Achieving Students) Provides for the allocation to districts of EIA funds appropriated for high achieving students.
HOU: AMEND proviso to delete the authorization for the department to retain up to \$500,000 of these funds for teacher endorsement activities. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.32. (SDE-EIA: Artistically and Academically High-Achieving Students) EIA funds appropriated for high achieving students must be allocated to districts based on three factors: (1) the number of students served in academic gifted and talented programs based on the prior year's one hundred thirty-five day count of average daily membership adjusted for the current year's forty-five day count and the number of students identified as artistically gifted and talented; (2) the number of students taking Advanced Placement or International Baccalaureate (IB) exams in the prior year; and (3) a per pupil allocation for charter schools serving state-identified artistically and academically high-achieving students in core academic classes with an accelerated curriculum that has been verified by the Department of Education to meet the requirements of State Board of Education Regulation 43-220 and if they are serving state-identified artistically and academically high-achieving students in core academic courses which are included on the prior year's Commission on Higher Education's list of transferable courses. The Department of Education shall report to the Senate Education Committee and the House Education and Public Works Committee regarding the allocation and distribution of the funds by June first. At least eighty-five percent of the funds appropriated for each student classified herein must be spent for instruction and instructional support for students who generated the funds. ~~Up to \$500,000 of the funds may be retained by the Department of Education for teacher endorsement activities.~~ Twelve percent of the funds shall be set-aside for serving artistically gifted and talented students in grades three through twelve.

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The board of trustees of a school district electing to charge a fee to the parent or legal guardian of a student taking the Advanced Placement or International Baccalaureate exam is required to develop a policy for such a fee which accounts for the student's ability to pay and at an amount not to exceed the actual test cost. A test fee may not be charged to students eligible for free lunch and must be pro rata for students eligible for reduced price lunch if the parent or legal guardian requests.

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

1A.34 AMEND (Professional Development) Provides for the allocation of professional development funds to school districts.

HOU: AMEND proviso to reduce the amount of funds the department may retain for administration and for providing professional development services from 25% to 10%. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.34. (SDE-EIA: Professional Development) EIA funds appropriated for professional development must be allocated to districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty-five day count of the prior school year. The funds must be expended on professional development for certificated instructional and instructional leadership personnel in grades kindergarten through twelve across all content areas, including teaching in and through the arts. No more than ~~twenty-five~~ *ten* percent of the funds appropriated for professional development may be retained by the Department of Education for the administration and provision of professional development services. The Department of Education must provide professional development on assessing student mastery of the content standards through classroom, formative and end-of-year assessments. The Department of Education also must post on the agency's website the South Carolina Professional Development Standards and provide training through telecommunication methods to school leadership on the professional development standards.

1A.37 AMEND (Clemson Agriculture Education Teachers) Requires Clemson Agriculture Education Teachers funds be transferred to Clemson PSA.

HOU: AMEND proviso to change "XI.F3" to "XII.F.2." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.37. (SDE-EIA: Clemson Agriculture Education Teachers) The funds appropriated in Part IA, Section ~~XI.F3~~ *XII.F.2* for Clemson Agriculture Education Teachers must be transferred to Clemson University PSA to fund summer employment of agriculture teachers and to cover state-mandated salary increases on that portion of the agriculture teachers' salaries attributable to summer employment.

1A.38 DELETE (Education Oversight Committee Transfer) Transfers \$200,000 from the EOC to Teacher Supplies for FY 11-12.

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WMC: DELETE proviso. *Line item for Teacher Supplies should be increased by \$200,000. This is an unnecessary pass-through appropriation.* Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1A.38. (SDE-EIA: Education Oversight Committee Transfer) ~~For Fiscal Year 2011-12 the Education Oversight Committee is directed to transfer \$200,000 to Teacher Supplies.~~

1A.39 AMEND FURTHER (Incentive for National Board Certification After 6/30/10) Provides for the National Board Certification Incentive for teachers certified by the National Board or who completed the application process on or after July 1, 2010.

WMC: AMEND proviso to delete requirement that “beginning July 1, 2010” up to 900 applicants will be processed annually and instead direct that number shall be processed “Should the program not be suspended.” Delete authorization for a \$7,500 salary supplement to be paid, beginning with 2009 applicants for those public school classroom teachers who were certified or completed the application process prior to July 1, 2010. Suspend the program for new applicants for FY 12-13 and require the department submit a report on the long term costs of the program to the Senate Finance and House Ways and Means Committees by November 1, 2012. Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.

HOU: AMEND proviso to change “XIII.A.” to “XII.C.2.” *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete the requirement that the program be suspended for new applicants for FY 12-13 and that a report be submitted on the long term costs of the program.

1A.39. (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 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, Should the program not be suspended,~~ up to nine hundred applications shall be processed annually. Of the funds appropriated in Part IA, Section 1, ~~XIII.A.~~ XII.C.2. 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.

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~~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.~~

~~New applications for the program are suspended for Fiscal Year 2012-13. The Department of Education shall submit a report on the long term costs of the program to the Senate Finance Committee and the House Ways and Means Committee by November 1, 2012.~~

1A.40 RESTORE ORIGINAL PROVISO (Child Development Education Pilot Program) Creates the South Carolina Child Development Education Pilot Program.

HOU: AMEND proviso to delete most references to First Steps to School Readiness. *See Section 1B for new First Steps agency and proviso 1B.1 for duplicate proviso in that section outlining First Steps responsibilities.* Sponsor: Rep. Binham.

SUBCOMMITTEE RECOMMENDATION: RESTORE original proviso.

1A.40. (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 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 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 ninety percent 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.

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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 one hundred eighty-five percent 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 one hundred eighty days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.

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

If by October first of the school year at least seventy-five percent 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 twenty-fifth 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.

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

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

- (1) develop the provider application form;
- (2) develop the child enrollment application form;
- (3) develop a list of approved research-based preschool curricula for use in the program based upon the South Carolina Content Standards, provide training and technical assistance to support its effective use in approved classrooms serving children;
- (4) develop a list of approved pre-kindergarten readiness assessments to be used in conjunction with the program, provide assessments and technical assistance to support assessment administration in approved classrooms serving children;
- (5) establish criteria for awarding new classroom equipping grants;
- (6) establish criteria for the parenting education program providers must offer;
- (7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;
- (8) develop a list of data collection needs to be used in implementation and evaluation of the program;
- (9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;
- (10) establish criteria for granting student retention waivers; and
- (11) establish criteria for granting classroom size requirements waivers.

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

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

- (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;

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(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 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;

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

(1) serve as the fiscal agent;

(2) verify student enrollment eligibility;

(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;

(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;

(5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;

(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;

(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;

(8) maintain a database of the children enrolled in the program; and

(9) promulgate guidelines as necessary for the implementation of the pilot program.

(K) ~~(J)~~ The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the 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) ~~(K)~~ 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.

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(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.41 DELETE (SC Reading Achievement Systemic Initiative) Creates a policy panel to guide the S.C. Reading Achievement Systemic Initiative and requires a report be submitted by January 15, 2012..

WMC: DELETE proviso. *Once the report has been submitted the policy panel will no longer need to exist.* Fiscal Impact: No impact on the General Fund or EIA. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1A.41. (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 Readiness;~~

~~(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~~

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~~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.~~

~~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.42 DELETE (Assisting, Developing, and Evaluating Professional Teaching--ADEPT) Provides for the expenditure and distribution of ADEPT funds

WMC: AMEND proviso to delete the requirement that 10% of the funds be used to pay colleges and universities for ADEPT Services. *Restriction unnecessarily ties the hands of the Department and its implementation of ADEPT.* Fiscal Impact: No impact on the General Fund or EIA. Requested by Department of Education.

HOU: DELETE proviso. *See proviso 1A.59.* Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**1A.42.** (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.43 AMEND (Aid to Districts) Directs Aid Districts funds be dispersed based on the number of weighted pupil units.

HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.43. (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, ~~XI~~ XII.A.1 Aid to Districts shall be dispersed to school districts based on the number of weighted pupil units.

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- 1A.44 AMEND** (Carry Forward) Requires EIA funds carried forward from the prior fiscal year and from FY 11-12 that are not otherwise appropriated or authorized, be carried forward and spent for school bus fuel costs.

WMC: AMEND proviso to change Fiscal Year “2011-12” to “2012-13.” 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.44. (SDE-EIA: Carry Forward) EIA carry forward from the prior fiscal year and Fiscal Year ~~2011-12~~ 2012-13 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.45 DELETE** (Disbursements/Writing Improvement Network) Directs the Writing Improvement Network, the School Improvement Council and the S.C. Geographic Alliance to report the costs and benefits of their programs to the department.

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

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1A.45. (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.46 DELETE** (Instructional Materials) Authorized the department to use up to \$3,000,000 of Instructional Materials funds to replace consumable instructional materials prior to using any authorized flexibility.

WMC: DELETE proviso. *The department recommends using the full appropriation for Instruction Materials after the program was suspended for FY 10-11 and FY 11-12.* 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.46. (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.48 AMEND FURTHER** (IDEA Maintenance of Effort) Directs that \$45,481,854 of Aid to Districts funds be used to meet the estimated maintenance of effort for IDEA. Requires the department submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor by December, 2011

WMC: AMEND proviso to change Fiscal Year from “2011-12” to “2012-13.” Change “\$45,481,854” to “up to \$30,494,337.” Direct that funds provided for IDEA’s maintenance of effort may not be transferred for any other purpose and are not subject to flexibility. Fiscal Impact: No impact on the General Fund.

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HOU: AMEND FURTHER to change “XI” to “XII.” *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.48. (SDE-EIA: IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section ~~XI~~ XII.A.1 Aid to Districts according to Proviso 1A.43 for Fiscal Year ~~2011-12~~ 2012-13, the department shall direct \$45,481,854 up to \$30,494,337 of the funds appropriated in Section ~~XI~~ XII.A.1 Aid To Districts to school districts and special schools for supplemental support of programs and services for students with disabilities, to meet the estimated maintenance of effort for IDEA. Funds provided for the maintenance of effort for IDEA may not be transferred to any other purpose and therefore are not subject to flexibility. The department shall distribute these funds using the current fiscal year one hundred thirty-five 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~~ 2012, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor.

1A.49 **AMEND** (Building Fund Flexibility) Authorize school districts to flex School Building Aid Program funds in FY 2011-12.

WMC: AMEND proviso to change Fiscal Year :2011-12” to “2012-13.” Fiscal Impact: No impact on the General Fund or EIA. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.49.(SDE-EIA: Building Fund Flexibility) For Fiscal Year ~~2011-12~~ 2012-13, a school district may flex funds appropriated pursuant to the School Building Aid Program.

1A.51 **CONFORM TO FUNDING / ADD MOVED PROVISO** (Career Cluster Industry Partnerships) **WMC:** ADD new proviso to direct the department to use \$800,000 to provide direct grants to the private sector statewide trade association or educational foundation that provides nationally certified programs in career and technology education representing the automotive, construction, engineering, healthcare, mechanical contracting/ construction, and hospitality tourism career clusters. Provide grant guidelines and requirements for the recipient organizations. Require organizations to submit a report to the department by August 1st of the following year that details specific grant performance. Direct that these funds may not be used to supplant or replace existing funds currently being used for these purposes. Authorize organizations to carry forward grants for up to three years for a large project; but otherwise direct that excess funds must be returned to the state. *Moved from General Education section, proviso 1.56.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

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1A.51. (SDE-EIA: Career Cluster Industry Partnerships) From the funds appropriated to the Department of Education, \$800,000 must be provided as direct grants to the private sector statewide trade association or educational foundation providing nationally certified programs in career and technology education representing the automotive, construction, engineering, healthcare, mechanical contracting/construction, and hospitality tourism career clusters. Organizations applying for a grant must do so by July first and the Department of Education must award a minimum of one grant of at least \$150,000 in at least four of these specified career clusters to be used exclusively for career and technology education. The recipient industry organization must conduct end-of-course exams graded by a national industry organization and must include in their grant request how the money will be spent to further industry-specific career technology education; a description and history of their program nationally and within South Carolina; estimates of future employment growth in their industry; and the national scope of their program. By August first of the following year, the organization must submit to the department a report detailing how the grant increased industry/employer awareness; the number of increased schools using the industry-based curriculum and partnered with the industry organization; the increased number of students in the program; and an overview and analysis of the organization's statewide student competition. The grant must be used for career awareness programs for that industry cluster; statewide student competitions leading to national competitions; teacher development and training; post-secondary scholarships in industry-specific degree programs; student recruitment into that career cluster programs; programs to educate middle and high school Career or Guidance Counselors about the industry; service to disadvantaged youth; and administering business/employer awareness and partnerships which help lead to experience-based, career-oriented experiences including internships, apprenticeships, mentoring, co-op education and service learning. The Office of Career and Technology Education of the department will develop goals with each career cluster on the number of new schools using the industry-based curriculum and partnered with that career cluster organization. These funds may not be used to supplant or replace, in whole or in part, other existing resources/assets sourced outside the present grant being used to provide the same services or programs. Organizations may carry-over grants for up to three years when a large project is identified in the grant application to be used at a future date; otherwise excess funds must be returned to the state.

1A.52 ADD (Partnerships/Other Agencies & Entities) WMC: ADD new proviso to require agencies and entities that receive EIA funds from the department's Partnerships sub-program to continue to report annually to the EOC. Require funds that must pass through a state entity to be passed through the EOC. Direct that the EOC will make funding recommendations to the Governor and the General Assembly through the annual budget process. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.52. (SDE-EIA: Partnerships/Other Agencies & Entities) For the current fiscal year, agencies and other entities receiving funds appropriated in Part IA, Section 1, XI.F.2. will continue to report annually to the Education Oversight Committee (EOC). Any entity receiving funds that must flow through a state agency will receive those funds through the EOC. The EOC will make funding recommendations to the Governor and General Assembly as part of the agency's annual budget request.

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- 1A.54 ADD** (ETV Teacher Training/Support) **WMC:** ADD new proviso to require ETV to use the EIA funds appropriated to them through the Partnerships sub-program to provide training and technical support to teachers and school districts on the educational resources that are available to them. Fiscal Impact: No impact on the EIA or General Fund.
HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.54. (SDE-EIA: ETV Teacher Training/Support) Of the funds appropriated in Part IA, Section 1, XI.F.2. South Carolina Educational Television must provide training and technical support on the educational resources available to teachers and school districts.

- 1A.57 DELETE NEW PROVISO** (PowerSchool Dropout Recovery Data) **WMC:** ADD new proviso to require the department use PowerSchool and data collection funds to start collecting data from schools and school districts on the number of student who had dropped out and then reenrolled in a public school or in adult education to pursue their high school diploma. Direct the EOC, working with the department, to determine how to calculate a dropout recovery rate and require the rate be reported on the annual school and district report cards. Require the department report the dropout recovery rate to the Senate Education and House Education and Public Works Committees. Fiscal Impact: No impact on the EIA or General Fund.
HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*1A.57. (SDE-EIA: PowerSchool Dropout Recovery Data) With the funds appropriated to the Department of Education for PowerSchool and data collection, the department will begin in the current fiscal year to collect data from schools and school districts on the number of students who had previously dropped out of school and who reenrolled in a public school or adult education to pursue a high school diploma. The Education Oversight Committee working with the Department of Education will determine how to calculate a dropout recovery rate that will be reflected on the annual school and district report cards. The Department of Education shall report to the Senate Education Committee and the House Education and Public Works Committee on the implementation of a dropout recovery rate.*~~

- 1A.59 AMEND NEW PROVISO** (Assisting, Developing and Evaluating Professional Teaching - ADEPT) **HOU:** ADD new proviso to allow the department, school districts, DJJ, and special schools to continue implementing the ADEPT program. Allow higher education's governing boards to provide for a tuition waiver for one 3 hour course for public school teachers who serve as supervisors for full-time students completing education degree requirements. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to authorize unexpended funds to be carried forward.

1A.59. (SDE-EIA: Assisting, Developing and Evaluating Professional Teaching -ADEPT) With funds appropriated in the current fiscal year, the Department of Education, school districts, the Department of Juvenile Justice and special schools of the state may continue implementation of 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

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full-time students completing education degree requirements. **Unexpended funds appropriated for this purpose may be carried forward from the prior fiscal year into the current fiscal year and expended for the same purposes.**

- 1A.60 CONFORM TO FUNDING / ADD MOVED PROVISO** (Summer Exit Exam Cost) **HOU:** ADD new proviso to authorize EIA Student Testing Program funds to be used to offset the costs of conducting the summer administration of the Exit Exam and authorize local school districts to absorb local costs. *Moved from General Education proviso 1.18.* Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

1A.60. (SDE-EIA: Summer Exit Exam Cost) Funds appropriated in Part IA, Section 1, XII.A.2 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.

- 1A.61 ADD MOVED PROVISO** (Refurbishing Science Kits) **HOU:** ADD new proviso to authorize funds to be used to refurbish science kits.. *Moved from General Education proviso 1.30.* Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: ADOPT moved proviso.

1A.61. (SDE-EIA: Refurbishing Science Kits) Funds appropriated for the purchase of textbooks and other instructional materials may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted textbook inventory, purchasing new kits from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs.

- 1A.62 CONFORM TO FUNDING / ADD MOVED PROVISO** (Assessment Preparation) **HOU:** ADD new proviso to require the department to establish a plan to review a student's strengths and weaknesses on national assessments, including but not limited to SAT, ACT, WorkKeys, GED, Advanced Placement exams, and International Baccalaureate exams. Require the department to use reports that analyzes their strengths and weaknesses to provide local school districts with guidance. *Moved from General Education proviso 1.26 and amended.* Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

1A.62. (SDE-EIA: Assessment Preparation) From the funds appropriated in Part IA for Assessment Preparation, the Department of Education shall institute a plan reviewing the strengths and weaknesses of students on national assessments such as, but not limited to, the SAT, ACT, WorkKeys, GED, Advanced Placement exams, and International Baccalaureate

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exams. The department shall use reports that analyze student strengths and weaknesses to provide guidance to local school districts.

- 1A.63 ADD** (Next Generation Science Standards) **HOU:** ADD new proviso to prohibit the department, the EOC, or the State Board of Education from using funds to participate in, implement, adopt, or promote the Next Generation Science Standards initiative. *See General Education Companion proviso 1.86.* Sponsor: Rep. Bedingfield.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.63. (SDE-EIA: Next Generation Science Standards) No funds shall be expended in the current fiscal year by the Department of Education, the Education Oversight Committee, or the State Board of Education to participate in, implement, adopt or promote the Next Generation Science Standards initiative.

- 1A.ii ADD** (EOC Innovation Initiative) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the EOC to explore innovative ways to change how public education is assessed and delivered in order to reduce dropouts and to increase student academic achievement. Direct the EOC to collaborate with a broad-based group of stakeholders to design an education incubator and test the model in schools during the subsequent fiscal year. Require the EOC report annually to the General Assembly on implementation and results, including the impact on student achievement and costs savings or resource reallocations.

1A.ii. (EIA: EOC Innovation Initiative) Of the funds appropriated to the Education Oversight Committee (EOC), the EOC will explore innovative ways to transform the assessment and delivery of public education in South Carolina to reduce dropouts and to increase student academic achievement. In the current fiscal year, the EOC, in collaboration with a broad-based group of stakeholders including, but not limited to, educators, higher education institutions, policy makers, parents, and business leaders will design an education incubator. The incubator will: (1) focus on increasing the number of students leaving high school prepared for college, careers and citizenship; (2) test new assessments and metrics for accountability; (3) provide powerful feedback mechanisms and quick correction cycles for instruction; (4) include advancements in technology; and (5) provide for scaling practices. The EOC will test the incubator model with schools in the subsequent fiscal year. Annually, the EOC will report to the General Assembly on the implementation and results of the education incubator, including the impact on student achievement and any cost-savings or resource reallocations.

SECTION 1B - H62-FIRST STEPS TO SCHOOL READINESS

- 1B.1 DELETE NEW PROVISO** (Child Development Education Pilot Program) **HOU:** ADD new proviso to create the South Carolina Child Development Education Pilot Program and provides for the responsibilities associated with First Steps to School Readiness. *Companion to Department of Education EIA proviso 1A.40.* Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

1B.1. (FS: Child Development Education Pilot Program) ~~There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be~~

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~~available for the 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 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 ninety percent 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 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 one hundred eighty five percent 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 one hundred eighty days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.~~

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

~~If by October first of the school year at least seventy five percent 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 twenty fifth national percentile on two of the three DIAL-3 subscales and may receive reimbursement for these children if funds are available.~~

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~~(C) 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;~~

~~(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.~~

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~~(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 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 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 First Steps to School Readiness 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.~~

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~~(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) The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the 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 First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by First Steps to School Readiness.~~

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

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

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~~(2) provide First Steps to School Readiness information necessary to carry out the requirements of this provision.~~

~~(4) First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers.~~

SECTION 20 - H73-DEPARTMENT OF VOCATIONAL REHABILITATION

- 20.1 AMEND** (Production Contracts Revenue) Provides for the retention and use of production contracts revenues earned by handicapped trainees.
- WMC:** AMEND proviso to reference to “handicapped trainees of the Evaluation and Training Facilities (Workshops)” to “people with disabilities receiving job readiness training at the agency’s Work Training Centers.” *Technical to update terminology.* Fiscal Impact: No impact on the General Fund. Requested by Department of Vocational Rehabilitation.
- HOU:** ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

20.1. (VR: Production Contracts Revenue) All revenues derived from production contracts earned by ~~the handicapped trainees of the Evaluation and Training Facilities (Workshops)~~ people with disabilities receiving job readiness training at the agency’s Work Training Centers may be retained by the State Agency of Vocational Rehabilitation and used in the facilities for Client Wages and any other production costs; and further, any excess funds derived from these production contracts may be used for other operating expenses and/or permanent improvements of these facilities.

- 20.3 DELETE** (Basic Support Program Reconciliation) Requires the department complete a reconciliation of the cost to operate the Basic Support program relative to the combination of available state and federal funds.
- WMC:** DELETE proviso. *The proviso is no longer relevant due to the Federal Cash Management Act.* Fiscal Impact: No impact on the General Fund. Requested by Department of Vocational Rehabilitation.
- HOU:** ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

20.3. (VR: Basic Support Program Reconciliation) ~~The General Assembly hereby directs the Department of Vocational Rehabilitation to complete a reconciliation of the cost to operate the Basic Support program related to the combination of state and federal funds available following the close of each federal fiscal year. Such reconciliation shall begin with the federal fiscal year ending September 30, 1989. Federal funds participation for that period shall be applied at the maximum allowable percentage and the level of those funds on hand which have resulted from the over participation of state funds shall be remitted to the general fund within one hundred twenty days following the close of the federal fiscal year. This reconciliation and subsequent remission to the general fund shall be reviewed by the State Auditor to ensure that appropriate federal/state percentages are applied. It is the intent of the General Assembly that federal/state percentages budgeted and appropriated shall in no way be construed as authorization for the department to retain the federal funds involved.~~

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SECTION 28 - H79-DEPARTMENT OF ARCHIVES & HISTORY

- 28.2 DELETE** (Nat'l. Historic Preservation Program) Provides for the disposition of funds earned from the U.S. Department of Interior by the department for administering the National Historic Preservation Program.

WMC: DELETE proviso. *Since the department no longer uses state funds to administer this program it no longer earns a federal reimbursement.* Fiscal Impact: No impact on the General Fund. Requested by Department of Archives and History.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**28.2.** (AH: Nat'l. Historic Preservation Program) The funds earned from the United States Department of Interior by the South Carolina Department of Archives and History for administering the National Historic Preservation Program in this State, with the exception of the appropriate amount of indirect cost reimbursement to the general fund, must be deposited in a special account in the State Treasury, to be used by this department for a Historic Preservation Grants program that will assist historic properties throughout South Carolina.~~

- 28.3 ADD** (Disposal of Materials) **WMC:** ADD new proviso to authorize the department to sell certain record and non-record materials from its collections which are not eligible for public auction, upon commission approval and in the most advantageous manner. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

28.3. (AH: For the current fiscal year, the Department of Archives and History, upon prior approval of the commission, may sell from its collections certain record and non-record materials, which are not eligible for public auction, in a manner most advantageous to the department.

SECTION 31 - H95-STATE MUSEUM COMMISSION

- 31.mat ADD** (State Museum Admissions Tax) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to exempt the State Museum from remitting to the Department of Revenue the Admissions Tax it collects on admissions and exhibit fees. Require the museum to use 5% of total admissions and exhibit revenue, which is equivalent to the admissions tax, on museum operations. Fiscal Impact: BEA states based on estimated admissions revenue of \$766,001 for FY 2012-13, General Fund revenue would be decreased by \$38,300 with a corresponding increase in other funds for the Museum.

31.mat. (MUSM: State Museum Admissions Tax) The State Museum is exempt from remitting Admissions Tax to the Department of Revenue on the admission and exhibit fees it collects. An amount equivalent to the tax, five percent of total admissions and exhibit revenue, shall be used for the purpose of museum operations.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2012-13**

SECTION 89 - X90-GENERAL PROVISIONS

- 89.106 DELETE** (First Steps Transfer) Provides for the transfer and administration of the BabyNet program to First Steps.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

89.106. (GP: First Steps Transfer) ~~In accordance with federal requirements establishing a single line of authority over the Individuals with Disabilities Education Act, Part C, all State funds directly appropriated for BabyNet under the Department of Health and Environmental Control, and the School for the Deaf and the Blind, as well as all filled positions under the Department of Health and Environmental Control for the BabyNet program, during the current fiscal year shall be transferred to, and administered by, the South Carolina First Steps to School Readiness as the program's designated lead agency. These funds may then be contracted to partner agencies as appropriate and necessary to ensure the cost effective delivery of early intervention services.~~

~~All original medical and educational records created by the former lead agency, the Department of Health and Environmental Control, for documenting services to clients currently enrolled in BabyNet and who are continuing to receive services shall be transferred to First Steps, as designated lead agency and records custodian. All state and federal laws applicable to these records shall remain in effect, and First Steps shall make these records available to the Department of Health and Environmental control for audit and other purposes as necessary.~~

- 89.112 CONFORM TO FUNDING / DELETE** (Remittance to Children's Trust Fund) Directs the Department of Education to transfer \$100,000 to the Children's Trust Fund for FY 2011-12.
WMC: DELETE proviso. *This program is found in the Governor's Office of Executive Policy and Programs and funding it should be returned to that office.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

89.112. (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.~~

- 89.125 AMEND NEW PROVISO** (First Steps - BabyNet) **WMC:** ADD new proviso to require the First Steps Board of Trustees to ensure compliance with Part C of the Individuals with Disabilities Act and to fully implement the LAC's BabyNet Program recommendations 2 through 23. Require the First Steps agency to develop a schedule by September 15, 2012, to implement each of the recommendations and direct that the First Steps agency is responsible for such implementation. Require certain quarterly and monthly reports be submitted and direct First Steps to collaborate with DDSN, DHHS, DMH, and DSS to develop a common reporting format. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT new proviso.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2012-13**

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete references to First Steps as an “agency.”

89.125. (GP: First Steps - BabyNet) In addition to the statutory duties assigned to South Carolina First Steps to School Readiness Board of Trustees; the board shall ensure the state’s compliance with the Individuals with Disabilities Act, Part C and the ~~agency’s~~ **First Steps’** full implementation of recommendations 2 through 23 as contained in the audit report of the LAC regarding the BabyNet Program. ~~The First Steps agency~~ shall develop a schedule for each of the recommendations by September 15, 2012 for the implementation of recommendations. ~~The First Steps agency~~ shall be responsible for the implementation of the recommendations. Quarterly, ~~the First Steps agency~~ shall post on its’ website a report on the timelines of ~~the agency’s~~ **its** progress in implementing the recommendations of the LAC. The Board of Trustees will be kept informed monthly of all activities related to this requirement and those progress reports must be recorded in the minutes for each meeting of the Board of Trustees. When ~~the agency~~ **First Steps** has implemented all of the recommendations enumerated above, a final report shall be submitted to the Board of Trustees for its’ adoption. Upon approval by the Board of Trustees, the final report shall be published on ~~the agency’s~~ **First Steps’** homepage. First Steps to School Readiness, the School for the Deaf and Blind, the Department of Disabilities and Special Needs, the Department of Health and Human Services, the Department of Mental Health and the Department of Social Services shall each provide a quarterly report to the Chairman of the House Ways and Means Committee and the Chairman of Senate Finance outlining all programs provided by ~~the agency~~ **them** for BabyNet; all federal funds received and expended on BabyNet and all state funds expended on BabyNet. Each **entity and agency** shall report on its share of the state’s ongoing maintenance of effort as defined by the US Department of Education under IDEA Part C. First Steps to School Readiness shall develop, in collaboration with the Department of Disabilities and Special Needs, the Department of Health and Human Services, the Department of Mental Health, and the Department of Social Services, a common reporting format ~~for use by all agencies~~ **to be used** no later than September 1, 2012. Both the report submitted by First Steps and the reports submitted by the state agency partners may be used by the General Assembly in its’ consideration of the LAC recommendation that “The General Assembly should appropriate all BabyNet funding directly to First Steps to increase accountability for the lead agency with regard to partner agencies and providers.”

89.130 AMEND NEW PROVISO (Open Market for Bus Contract Vendors) **HOU:** ADD new proviso to require districts to seek the best price for parts when conducting bus repairs, regardless of the original equipment manufacturer. Allow school bus parts vendors who have state contracts to visit the Department of Education bus shops. Sponsors: Reps. Harrison and J.E. Smith.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to specify that the Department of Education bus shops must also seek the best price available.

89.130. (GP: Open Market for Bus Contract Vendors) When conducting bus repairs, ~~the Department of Education bus shops and~~ districts shall seek the best price available for repair parts regardless of the original equipment manufacturer. School bus parts vendors who hold state contracts shall have access to visit the South Carolina Department of Education bus shops.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2012-13**

SECTION 90 - X91-STATEWIDE REVENUE

90.12 DELETE (Excess EIA Revenue) Directs 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.

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

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**90.12.** (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.~~

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