

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2013-14**

SECTION 1 - H63-DEPARTMENT OF EDUCATION

1.3 CONFORM TO FUNDING (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 12-13, the base student cost has been determined to be \$2,012; that the per pupil count is projected to be 693,431 and projects the average per pupil funding. Provides for the distribution of funds to the SC Public Charter School District. Requires the B&C Board, Office of Research and Statistics to post each school district's projections, including per pupil state, federal, and local revenues, excluding local bond issues in a prominent place on their website and as soon as the exact pupil count and ADM is available for each school district to also post those numbers. Requires the department and the EOC provide links to this information on their websites.

WMC: AMEND proviso to update the projections for FY 13-14 as follows: base student cost \$2,101; total pupil count, 698,924; average per pupil funding, \$5,147; state, \$1,185 federal; and local, \$4,855; for an average total funding level of \$11,187, excluding local bond issues. Change "Office of Research and Statistics" to "Research and Statistics Division."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

1.3. (SDE: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for 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 ~~\$2,012~~ \$2,101. In Fiscal Year ~~2012-13~~ 2013-14, the total pupil count is projected to be ~~693,431~~ 698,924. The average per pupil funding is projected to be ~~\$4,981~~ \$5,147 state, ~~\$1,278~~ \$1,185 federal, and ~~\$5,514~~ \$4,855 local. This is an average total funding level of ~~\$11,770~~ \$11,187 excluding revenues of local bond issues. For Fiscal Year ~~2012-13~~ 2013-14 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.

The Budget and Control Board, ~~Office of Research and Statistics~~ Division, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Budget and Control Board, ~~Office of Research and Statistics~~ Division, shall also post on their website the 135-day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Budget and Control Board, ~~Office of Research and Statistics~~ Division, including the projected numbers and the exact numbers.

1.49 AMEND (Prohibit Advertising on School Buses) Prohibits the department and local school districts from selling advertising space on school buses.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to specify that the prohibition applies to "state-owned" school buses.

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1.49. (SDE: Prohibit Advertising on School Buses) The Department of Education and local school districts are prohibited from selling space for or the placement of advertisements on the outside or inside of state-owned school buses.

- 1.50** **DELETE** (Charter School Funding Schedule) Establishes a funding schedule for the distribution of funds to public charter schools.
WMC: DELETE proviso. *Codified in 59-40-140(A).* Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

1.50. (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 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 days after receipt of verified enrollment. Districts must provide this funding to eligible charters no later than thirty 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.~~

- 1.60** **AMEND** (Governor's Schools Capacity) Directs the Governor's Schools for the Arts and Humanities and for Science and Mathematics to use their FY 12-13 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 update fiscal year reference to "2013-14."
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.60. (SDE: Governor's Schools Capacity) For Fiscal Year ~~2012-13~~ 2013-14, 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.

- 1.61** **AMEND** (Student Health and Fitness) Provides for the allocation of Student Health and Fitness funds to school districts to increase the number of physical education teachers and to provide licensed nurses for elementary public schools.
SUBCOMMITTEE RECOMMENDATION: AMEND proviso to specify that schools that provide K-5 instruction are eligible to apply for the school nurse grant. Requested by Department of Education.

1.61. (SDE: Student Health and Fitness) Funds appropriated for Student Health and Fitness shall be allocated to school districts to increase the number of physical education teachers to the extent possible and to provide licensed nurses for elementary public schools. Twenty seven percent of the funds shall be allocated to the districts based on average daily membership of grades K-5 from the preceding year for physical education teachers. The remaining funds will be made available through a grant program for school nurses and shall be distributed to the school districts on a per school basis. Schools that provide instruction in grades K-5 are eligible to apply for the school nurse grant program.

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- 1.62** **AMEND** (One Year Suspension of Programs) Suspends the SAT/ACT Improvement program for Fiscal Year 2012-13 and directs that the funds be allocated to districts based on weighted pupil units.

WMC: AMEND proviso to update fiscal year reference to "2013-14." Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.62. (SDE: One Year Suspension of Programs) The following program will be temporarily suspended for Fiscal Year ~~2012-13~~ 2013-14: SAT/ACT Improvement. Funds appropriated to this program must be allocated to districts based on the number of weighted pupil units.

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

WMC: AMEND proviso to update fiscal year reference to "2013-14." Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.64. (SDE: Impute Index Value) For Fiscal Year ~~2012-13~~ 2013-14 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.

- 1.70** **DELETE** (EFA-IDEA Contingency Reserve) Provides for the expenditure of up to \$36,202,909 of EFA-IDEA Contingency Reserve funds to supplement a loss of federal funding from the Individuals with Disabilities Education Act (IDEA) expected on October 1, 2012. Directs that if any of these funds are not needed for this purpose, they shall be distributed to school districts and special schools based on the EFA formula which would result in a maximum BSC increase of approximately \$58 or a total maximum BSC of \$2,070.

WMC: AMEND proviso to update calendar year reference to "2013" and delete reference to maximum base student cost. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

1.70. (SDE: EFA-IDEA Contingency Reserve) ~~Of the funds appropriated to the department for EFA-IDEA Contingency Reserve, up to \$36,202,909 shall be directed to supplement a loss of federal funding from the Individuals with Disabilities Education Act (IDEA) expected on October 1, 2012. No funds shall be expended until the U.S. Department of Education initiates a reduction in funds, and only in an amount equal to the amount of federal funds withheld. These funds shall be distributed using the same methodology as federal IDEA funds. The Department of Education shall notify within one business day the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee any actions taken by the U.S. Department of Education to reduce IDEA funds. In the event that any amount appropriated for the EFA-IDEA Contingency Reserve is not needed~~

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~~to offset the loss of federal IDEA funds in the current fiscal year, these monies shall be distributed to school districts and special schools based on the EFA formula. This would result in a maximum base student cost increase of approximately \$58 or a total maximum base student cost of \$2,070.~~

- 1.71 CARRIED FORWARD** (Lee County Bus Shop) Requires the department fund the Lee County and Kershaw County School District Bus Shops at the same level of funding as they were provided in the prior fiscal year.

WMC: DELETE proviso. *SDE states the return on investment to maintain the Lee County facility is non-existent and the buses should be transferred to other facilities.* Fiscal Impact: OSB states the agency indicates a general fund recurring savings of \$29,048 with additional savings yielded if the property was sold. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: CARRIED FORWARD to Full Senate Finance Committee with no recommendation.

1.71. (SDE: Lee County Bus Shop) ~~From the funds appropriated in program XB, Bus Shops, in the current fiscal year, the department must fund the Lee County School District Bus Shop and the Kershaw County School District Bus Shop at the same level as they were funded in the previous fiscal year.~~

- 1.72 AMEND** (School Enrollment Policy) Requires school districts with an open enrollment policy that had previously accepted students to an academic magnet school to continue to accept these students and their siblings for enrollment under the same terms and conditions.

WMC: AMEND proviso to update fiscal year reference to "2013-14."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.72. (SDE: School Enrollment Policy) For Fiscal Year ~~2012-13~~ 2013-14, any school district with an open enrollment policy for all schools or certain schools which had previously accepted certain students residing outside of the district to an academic magnet school in the district must continue to accept these students and their siblings for enrollment at the academic magnet school under the same terms and conditions these students were previously permitted to attend the school.

- 1.73 ADD** (District Funding Flexibility) **WMC:** ADD new proviso to require districts to use funding flexibility to ensure that every school has district approved safety precautions in place.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.73. (SDE: District Funding Flexibility) For Fiscal Year 2013-14, districts must utilize funding flexibility provided herein to ensure that district approved safety precautions are in place at every school.

- 1.74 ADD** (Alternative Fuel School Bus Pilot) **HOU:** ADD new proviso to permit the department or any school district to enter into a pilot program to operate school buses using alternative fuels. Sponsor: Rep. Barfield.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

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1.74. (SDE: Alternative Fuel School Bus Pilot) For the current fiscal year, the State Department of Education or any school district of the state is permitted to enter into an agreement to pilot school buses operated using alternative fuels.

- 1.75** **ADD** (Public Charter Pupil Counts) **HOU:** ADD new proviso to direct the S.C. Public Charter School District to require each charter school to submit a student attendance report for the 5th, 45th, 90th, and 135th days and require the report include both ADM and WPU membership. Direct the Public Charter School District submit the data to the department which shall then submit a quarterly report to the Chairmen of the House Ways and Means, House Education and Public Works, Senate Finance, and Senate Education Committees. Direct the School District to also require each virtual charter school to collect certain enrollment and withdrawal information which shall be submitted to the department and subsequently provided to the same committees. Sponsors: Reps. Bingham, Allison, Anthony, and Hayes.
SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.75. (SDE: Public Charter Pupil Counts) With funds appropriated to the South Carolina Public Charter School District, the district must require each charter school to submit a student attendance report for the 5th, 45th, 90th and 135th days. Reporting requirements shall include both Average Daily Membership and Weighted Pupil Unit membership. The South Carolina Public Charter School District shall then provide the data for each charter school to the Department of Education. Quarterly, the department will submit the information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee.

The South Carolina Public Charter School District must also require each virtual charter school to collect the following information: (1) the reason or reasons why each student enrolled in the virtual charter school district; and (2) the reason or reasons why a student withdrew from the virtual charter school district. This data must be provided to the Department of Education quarterly and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the enrollment and withdrawal information.

- 1.76** **ADD** (Transportation Maintenance Facilities) **HOU:** ADD new proviso to allow a school district to enter into a MOA with the department to allow the school district to contract with a private vendor for school bus maintenance. Sponsor: Rep. Bingham.
SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.76. (SDE: Transportation Maintenance Facilities) For the current fiscal year, a school district wishing to include school bus maintenance in a contract with a private vendor may enter into an agreement with the Department of Education whereby the department releases the school district to include school bus maintenance in the private vendor contract.

- 1.77** **ADD** (First Steps) **HOU:** ADD new proviso to direct the First Steps Board of Trustees to include Legislative Audit Council findings in their next external evaluation and to submit the report to the General Assembly by November 14, 2014. Sponsors: Reps Loftis and Erickson.
SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.77. (SDE: First Steps) The South Carolina First Steps to School Readiness Board of Trustees shall incorporate findings of the Legislative Audit Council within the scope of the First

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Steps next external evaluation. The report shall be submitted to the General Assembly no later than November 15, 2014.

- 1.sn ADD (Salary Negotiation) SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to allow school districts to uniformly negotiate the salaries of non-TERI program retired teachers below the school district salary schedule for school year 2013-14.

1.sn. (SDE: Salary Negotiation) For Fiscal Year 2013-14, school districts uniformly may negotiate salaries below the school district salary schedule for the 2013-14 school year for retired teachers who are not participants in the teacher and employee retention incentive program.

- 1.dim CONFORM TO FUNDING / ADD (Digital Instructional Materials) SUBCOMMITTEE RECOMMENDATION:** CONFORM TO FUNDING recommendation / ADD new proviso to direct the department determine the per pupil amount for allocation of digital instructional materials by using the prior year's 135 ADM and establish the following procedures for the distribution of the funds to school districts: (1) direct the department to create a digital instructional materials list of the items the districts have requested that have been approved by the State Board; (2) provide a process for the district to request specific materials be included on the list; (3) require the State Board of Education approve or disapprove the district request within 30 days; and (4) provide a process for the district to request an allocation of the funds. Require districts submit requests to the State Board by August 15th and direct that funds not encumbered by January 15th be distributed to school districts that have not previously received an allocation. Direct that these funds are not subject to flexibility.

1.dim. (SDE: Digital Instructional Materials) Utilizing the funds appropriated for digital instructional materials, the Department of Education shall determine a per pupil amount using the prior year's 135 ADM. These funds shall be made available to all school districts using the following procedure:

(1) The Department of Education shall create a digital instructional materials list composed of those items which have been requested by districts and that have received Board approval;

(2) Districts may request that the State Board of Education review digital instructional materials for inclusion on the list when the material has been reviewed by the district, received approval by the local board of trustees for use in its district and been found to reflect the substance and level of performance outlined in the state adopted grade specific educational standards, contain current content information, and are cost effective;

(3) Within 30 days of receiving the request, the State Board of Education must approve or disapprove the district's request. Those materials receiving approval shall be placed on the department's approved digital instructional materials list. Once items are placed on the approved list, all districts may choose items from that list; and

(4) On a form provided by the department, a district may request an allocation by denoting the number of students, grade level, and subject for which the digital materials will be used. Districts may only request digital materials in one subject area and may not receive textbooks for the students using digital materials in that subject area.

District requests must be submitted to the State Board of Education for consideration not later than August 15 of the current fiscal year. Any funds appropriated for digital instructional materials which have not been encumbered by January 15, shall be distributed to school districts which have not previously received an allocation. These districts shall receive a per

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pupil allocation which must be used for technology infrastructure needed to prepare the district for using digital instructional materials. These funds shall not be subject to flexibility.

- 1.sba** **ADD** (School District Activity Bus Advertisements) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize school district to sell commercial advertising space on the outside and inside of district owned activity buses and allow the districts to retain any revenue generated.

1.sba. (SDE: School District Activity Bus Advertisements) School Districts may sell commercial advertising space on the outside or inside of district owned activity buses. Revenue generated from the sale of commercial advertising space shall be retained by the school district.

- 1.ewr** **CARRIED FORWARD** (Early Warning Referral and Monitoring System) **REQUEST:** ADD new proviso to authorize the Department of Education to use up to \$360,000 of their state and/or other funds to enter into an agreement with Beanstalk Innovation to implement a pilot project in up to 5 school districts for an early warning, identification, referral and monitoring technology for students that are showing signs of academic, behavioral, or emotional risk. Direct that an interim report be submitted by March 1, 2014, to the Chairmen of the Senate Finance, Senate Education, House Ways and Means, and House Education and Public Works Committees on the results of the pilot.
SUBCOMMITTEE RECOMMENDATION: CARRIED FORWARD to Full Senate Finance Committee with no recommendation.

1.ewr. (SDE: Early Warning Referral and Monitoring System) For Fiscal Year 2013-14 the Department of Education, utilizing funds appropriated to or authorized for the department, is directed to enter into an agreement, not to exceed \$360,000, with Beanstalk Innovation to pilot in up to five school districts (to serve between 40,000 and 60,000 students) an early warning, identification, referral and monitoring technology for students showing signs of academic, behavioral or emotional risk. An interim report on the results of the pilot project, including the number of students referred to and accessing academic, mental health and other services shall be submitted 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, by March 1, 2014.

SECTION 1A - H63-DEPARTMENT OF EDUCATION-EIA

- 1A.2** **AMEND** (Services for Students with Disabilities) Directs the expenditure of funds appropriated for Services for Students with Disabilities.
WMC: AMEND proviso to change "trainable pupils with intellectual disabilities and pupils with profound intellectual disabilities" to "pupils with moderate to severe intellectual disabilities." Conform reference to current federal and state laws, statutes and regs. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.2. (SDE-EIA: XII.A.1 Services for Students with Disabilities) The money appropriated in Part IA, Section 1, XII.A.1. for Services for Students with Disabilities shall be used only for

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educational services for ~~trainable pupils with intellectual disabilities and pupils with profound~~ pupils with moderate to severe intellectual disabilities.

- 1A.8 CONFORM TO FUNDING** (Evaluation/EIA Programs) Provides for the use of EIA Implementation, Other Operating Expenses: 50% to be used by the department to support contracted program evaluations; no less than 25% to be used to support continuation of program and policy evaluations and studies to support the Middle Grades Project; and 25% provided to the SC Educational Policy Center for collaborative projects with the department and EOC.

WMC: DELETE proviso. Requested by Education Oversight Committee.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

~~1A.8. (SDE-EIA: XII.E.2.-Evaluation/EIA Programs) Of the funds appropriated in Part IA, Section 1, 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, 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.9 AMEND** (CHE/Teacher Recruitment) Provides for the distribution of Teacher Recruitment Program funds.

WMC: AMEND proviso to specify that "at least" 75% of the 92% distributed to CERRA-SC must be used for the Teaching Fellows Program to provide scholarships for future teachers. Delete the directive that the current year administrative base reduction may be applied proportionately between CERRA and SC State but not to Teaching Fellows Scholarships. Direct CERRA to establish , appoint, and maintain the South Carolina Teacher Loan Advisory Committee which shall be composed of 9 members from various agencies, entities, school districts, and higher education institutions. Require members that represent higher education institutions serve a 2-year term and rotate among the institutions. Require initial committee appointments be made by July 1, 2013, with the CERRA member of the committee calling the first meeting for election of a chairperson and vice-chairperson. Require CERRA to staff the committee which must meet at least twice a year. Limit the committee's responsibilities to (1) establishing goals for the Teacher Loan Program; (2) facilitating communication among the cooperating agencies; (3) advocating for program participants; and (4) recommending policies and procedures necessary to promote and maintain the program. Fiscal Impact: CERRA will manage the committee with existing resources. Requested by Education Oversight Committee.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

~~1A.9. (SDE-EIA: XII.F.2-CHE/Teacher Recruitment) Of the funds appropriated in Part IA, Section 1, 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~~

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Recruitment, Retention, and Advancement (CERRA-South Carolina) for a state teacher recruitment program, of which *at least* 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.

With the funds appropriated CERRA shall also establish, appoint, and maintain the South Carolina Teacher Loan Advisory Committee. The Committee shall be composed of one member representing each of the following: (1) Commission on Higher Education; (2) State Board of Education; (3) Education Oversight Committee; (4) Center for Educator Recruitment, Retention, and Advancement; (5) South Carolina Student Loan Corporation; (6) South Carolina Association of Student Financial Aid Administrators; (7) a local school district human resources officer; (8) a public higher education institution with an approved teacher education program; and (9) a private higher education institution with an approved teacher education program. The members of the committee representing the public and private higher education institutions shall rotate among those institutions and shall serve a two-year term on the committee. Initial appointments must be made by July 1, 2013, at which time the member representing CERRA shall call the first meeting. At the initial meeting, a chairperson and vice-chairperson must be elected by a majority vote of the committee. The committee must be staffed by CERRA, and shall meet at least twice annually. The committee's responsibilities are limited to: (1) establishing goals for the Teacher Loan Program; (2) facilitating communication among the cooperating agencies; (3) advocating for program participants; and (4) recommending policies and procedures necessary to promote and maintain the program.

1A.14 CONFORM TO FUNDING (EOC) Authorizes the EOC to collect and retain fees provided by certain services and activities and provides carry forward for this revenue. Permits EOC to utilize funding for programs promoting the teaching of economic education in SC.

WMC: AMEND proviso to delete the authorization for EOC to use funds for programs that promote teaching economic education. *Funding will be placed on a special EIA line item.* Requested by Education Oversight Committee.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

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1A.14. (SDE-EIA: EOC) The Education Oversight Committee may collect, retain and expend revenue from conference registration and fees; charges for materials supplied to local school districts or other entities not otherwise mandated to be provided by state law; and from other activities or functions sponsored by the committee including public awareness campaign activities. Any unexpended revenue from these sources may be carried forward into the current fiscal year and expended for the same purposes. ~~The Education Oversight Committee is permitted to utilize the funds appropriated to it to fund programs promoting the teaching of economic education in South Carolina.~~

1A.27 **AMEND** (Artistically and Academically High-Achieving Students) Provides for the allocation to districts of EIA funds appropriated for high achieving students.

WMC: AMEND proviso to also allow funds to be used for "certification" activities. Specify that "Districts" shall set-aside 12% of the funds for serving grades 3-12. Delete the suspension on teacher certification endorsement criteria. *Originally suspended because the department did not offer professional development opportunities for these teachers, however it does now. Also conforms to State Board Regulation 43-258.* Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.27. (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 and certification activities. ~~Twelve Districts shall set-aside twelve percent of the funds shall be set aside~~ for serving artistically gifted and talented students in grades three through twelve.

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.~~

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1A.30 CONFORM TO FUNDING (Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Directs \$2,455,000 of assessment appropriations be used for eligibility determination assessments and for the costs of AP and IB exams.

WMC: AMEND proviso to change "\$2,455,000" to "\$4,600,000." *Increased authorization is needed due to the increased cost of exams.* Fiscal Impact: No additional funds are requested. Agency indicates this increases an authorization level related to an existing appropriation line item. Requested by Department of Education and Education Oversight Committee.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

1A.30. (SDE-EIA: Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Of the funds appropriated and/or authorized for assessment, up to ~~\$2,455,000~~ \$4,600,000 shall be used for assessments to determine eligibility of students for gifted and talented programs and for the cost of Advanced Placement and International Baccalaureate exams.

1A.33 RESTORE ORIGINAL PROVISO (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 suspend the salary supplement for new applicants for FY 13-14 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, 2013. Direct that school districts are not prohibited from offering National Board certified teachers a local salary supplement nor are teachers or teacher specialists prohibited from seeking National Board certification. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: RESTORE original proviso.

1A.33. (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. Should the program not be suspended, up to nine hundred applications shall be processed annually. Of the funds appropriated in Part IA, Section 1, 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.

~~New applications for the salary supplement prescribed in this proviso are suspended for Fiscal Year 2013-14. The Department of Education shall submit a report on the long term~~

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~~costs of the program to the Senate Finance Committee and the House Ways and Means Committee by November 1, 2013. This proviso does not prohibit school districts from offering a local salary supplement for National Board certified teachers nor does it prohibit a teacher or teacher specialist from seeking National Board certification.~~

- 1A.36 AMEND FURTHER** (Carry Forward) Requires that EIA funds carried forward from the prior fiscal year and FY 12-13 that are not otherwise dedicated, be used to provide \$200,000 to each school designated as a Palmetto Priority School in the prior year which did not receive EIA technical assistance funds. Directs that the funds are to be used to improve teacher recruitment and retention, to reduce the dropout rate, to improve reading literacy, or to train teachers to teach children of poverty. Directs that if there are not enough funds to provide \$200,000 to each school, the funds must be reduced on a pro-rata basis. Directs any remaining balance be directed to school bus fuel costs.
- WMC:** AMEND proviso to update fiscal year reference to "2013-14." Require \$1,000,000 be provided to the EOC by July 31, 2013, for an innovative reading partnership with Clemson University. Direct that any remaining balance also be spent for Instructional Materials. Delete extra reference to carry forward authority.
- HOU:** AMEND FURTHER to require any remaining balance also be used for National Board Supplements. Sponsors: Reps. Bingham, Allison, Anthony, and Hayes.
- SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER to delete the \$1,000,000 provided to the EOC for an innovative reading partnership with Clemson University.

1A.36. (SDE-EIA: Carry Forward) EIA carry forward from the prior fiscal year and Fiscal Year ~~2012-13~~ 2013-14 and not otherwise appropriated or authorized must be carried forward and expended ~~first, by July 31, 2013 to provide \$1,000,000 to the Education Oversight Committee for an innovative reading partnership with Clemson University,~~ to provide \$200,000 to each school that was designated by the department as a Palmetto Priority School in the prior year but did not receive an allocation of EIA technical assistance funds in the prior fiscal year to improve teacher recruitment and retention, to reduce the district's dropout rate, to improve student achievement in reading/literacy, or to train teachers in how to teach children of poverty as stipulated in the school's renewal plan. If funds are not sufficient to provide \$200,000 to each qualifying ~~district~~ school, the \$200,000 shall be reduced on a pro-rata basis. Any balance remaining must be expended for school bus fuel costs, National Board Supplements, and Instructional Materials. ~~Any unexpended funds must be carried forward and expended for the same purpose.~~

- 1A.38 AMEND FURTHER** (IDEA Maintenance of Effort) Directs that up to \$30,494,337 of Aid to Districts funds be used to meet the estimated maintenance of effort for IDEA. Directs that funds provided for IDEA's maintenance of effort may not be transferred for any other purpose and are not subject to flexibility. Requires the department submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor by December, 2012. Directs the department to transfer \$350,000 to the S.C. Autism Society for the Autism Parent-School Partnership Program.
- WMC:** AMEND proviso to update fiscal year reference to "2013-14" and calendar year reference to "2013."
- HOU:** ADOPT proviso as amended.
- SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER to delete the specific amount of funds to be used. Direct that the transfer of \$350,000 to the S.C. Autism Society will be done so long as there are sufficient funds available to meet IDEA maintenance of effort.

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1A.38. (SDE-EIA: IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section XII.A.1 Aid to Districts according to Proviso 1A.35 for Fiscal Year ~~2012-13~~ 2013-14, the department shall direct ~~up to \$30,494,337 of the~~ funds appropriated in Section 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, ~~2012~~ 2013, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor. The department is directed to transfer \$350,000 to the South Carolina Autism Society for the Autism Parent-School Partnership Program, as long as sufficient funds are available to meet the IDEA maintenance of effort.

1A.39 **AMEND** (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.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that funds be disbursed on a reimbursement basis in accordance with the approved budgets. Requested by Department of Education.

1A.39. (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

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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. Funds shall be disbursed on a reimbursement basis only in accordance with the approved budgets.

1A.43 AMEND (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary and increases the FY 2008-09 statewide salary schedule by 2%. Requires a local district board of trustees to provide a step increase for all eligible certified teachers, but provides for a waiver if providing the increase would result in the school district incurring a deficit.

WMC: AMEND proviso to change the projected SE average teacher salary from “\$49,319” to “\$48,858.” Delete the directive to increase the 2008-09 statewide salary schedule by 2% and instead direct the department to continue to use the FY 2012-13 schedule in FY 13-14. Delete the requirement that a local school district board of trustees must provide a 2% salary increase. Delete the authority for the State Board of Education to grant a waiver to a local school district from having to provide the required additional step increase. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.43. (SDE-EIA: ~~XI~~ XII.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 ~~\$49,319~~ \$48,858. 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.

~~For Fiscal Year 2012-13, the Department of Education is directed to increase the 2008-2009 statewide salary schedule by two percent. The statewide minimum teacher salary schedule used in Fiscal Year 2012-13 will continue to be used in Fiscal Year 2013-14. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a two percent salary increase. Districts are to provide this increase using the district salary schedule utilized the prior fiscal year as its base. School districts shall utilize the additional funds made available from the Teacher Salary Support State Share appropriation to provide the required two percent increase. Each school district shall receive funds under the Teacher Salary Support State Share line item in the same manner as Teacher Salaries Supplement funds are distributed.~~

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. ~~If a school district believes it will be unable to provide the required additional step without incurring a deficit, it may apply to the State Board of Education for a waiver from this requirement. Upon approval of the waiver requirement by~~

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~~the Board, the district shall be exempt from providing this step increase for Fiscal Year 2012-2013. Certified teachers employed in districts that are granted a waiver shall not have their experience credit negatively impacted as a result of the district being granted a waiver. A local school district shall continue to pay teachers for changes in their education level. A school district shall not be granted a waiver from providing a step if the incurred deficit is a result of granting salary increases to employees beyond those paid on the teacher salary schedule. The State Board of Education shall report to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee by September 1, 2012, regarding those districts which requested a waiver and the subsequent action taken by the Board.~~

Funds appropriated in Part IA, Section 1, ~~XI~~ XII.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.

For purposes of this provision teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

- 1A.50 RESTORE ORIGINAL PROVISO** (National Board Certification Incentive) Provides guidelines for the National Board Certification Incentive for public school classroom teachers. **WMC:** AMEND proviso to suspend the salary supplement for new applicants for FY 13-14 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, 2013. Direct that school districts are not prohibited from offering National Board certified teachers a local salary supplement nor are teachers or teacher specialists prohibited from seeking National Board certification. Requested by Department of Education. **HOU:** ADOPT proviso as amended. **SUBCOMMITTEE RECOMMENDATION:** RESTORE original proviso.

1A.50. (SDE-EIA: 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

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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, 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.

~~New applications for the salary supplement prescribed in this proviso are suspended for Fiscal Year 2013-14. 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, 2013. This proviso does not prohibit school districts from offering a local salary supplement for National Board certified teachers nor does it prohibit a teacher or teacher specialist from seeking National Board certification.~~

- 1A.52 ADD (Educational Partnerships) WMC:** ADD new proviso to direct that funds provided to the Center for Educational Partnerships at USC's College of Education be used to create a consortium of educational initiatives and services to schools and communities. Direct that the initiatives include, but not be limited to, professional development in writing, geography and other content areas; training; research; advocacy; and practical consultancy. Direct the Center to establish collaborative educational enterprises with schools, school districts, parents, communities, and businesses while fulfilling School Improvement Council Assistance responsibilities. Requested by Education Oversight Committee.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.52. (SDE-EIA: XII.F.2. Educational Partnerships) The funds provided to the Center for Educational Partnerships at the College of Education at the University of South Carolina will be used to create a consortium of educational initiatives and services to schools and communities. These initiatives will include, but are not limited to, professional development in writing, geography and other content areas; training; research; advocacy; and practical consultancy. The Center will establish collaborative educational enterprises with schools, school districts, parents, communities, and businesses while fulfilling the responsibilities of the

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School Improvement Council Assistance. The Center will focus on connecting the educational needs and goals of communities to improve efficiency and effectiveness.

- 1A.53 ADD (STEM Centers SC) WMC:** ADD new proviso to direct that all EIA funded entities that provide professional development and science programming to teachers and students should be included in the state's science, technology, engineering and mathematics education strategic plan. *Effectiveness could be maximized through greater coordination of resources and accountability.* Requested by Education Oversight Committee.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.53. (SDE-EIA: XII.F.2. STEM Centers SC) All EIA-funded entities that provide professional development and science programming to teachers and students should be included in the state's science, technology, engineering and mathematics education strategic plan.

- 1A.54 CONFORM TO FUNDING / AMEND NEW PROVISO (Technology Academy Pilot) WMC:** ADD new proviso to direct the department to use available assessment funds to enter into an agreement with Microsoft to pilot the Microsoft Technology Academy and to report to specific committees of the General Assembly by February 1, 2014 on the number of high schools that participated in the pilot along with the number of students who earned the Microsoft Office Specialists certification. Fiscal Impact: OSB states that the department indicates the cost to fund this pilot program is \$330,000, with funding coming from available EIA Assessment/Testing funding.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation / AMEND new proviso to direct the department to use Modernize Vocational Equipment funds for this purpose. Require the department allow high schools across the state the opportunity to participate in the project and to select at least 8 of the schools that expressed an interest to participate in the pilot project.

1A.54. (SDE-EIA: Technology Academy Pilot) For Fiscal Year 2013-14 the Department of Education is directed to enter into an agreement with Microsoft to pilot the Microsoft Technology Academy utilizing available ~~assessment~~ Modernize Vocational Equipment funds. The department must offer high schools across the state the opportunity to participate in the pilot project. From the schools that express an interest, the department must select at least eight high schools for the pilot project. The department must report by February 1, 2014 to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee, and the Senate Education Committee on the number of high schools that participated in the pilot and the number of students earning the Microsoft Office Specialists certification.

- 1A.55 CONFORM TO FUNDING / AMEND NEW PROVISO (EOC Partnerships for Innovation) WMC:** ADD new proviso to direct the EOC to participate in public-private partnerships to promote innovative ways to transform assessing public education that supports increased student achievement in reading and college and career readiness. Authorize the EOC to provide financial support to districts and public-private partnerships for planning and support to implement, sustain, and evaluate the innovation and to develop a matrix and measurements of success based on evidence-based models. Direct the committee to work to expand the

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engagement of stakeholders and report to the General Assembly annual on measurement results.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation / AMEND new proviso to allow the funds to also be used to focus on creating public-private literacy partnerships using a 2:1 match when the initiative uses research-based methods, has demonstrated success in increasing reading proficiency; and works directly with high poverty schools and districts.

*1A.55. (SDE-EIA: EOC Partnerships for Innovation) Of the funds appropriated or carried forward from the prior fiscal year, the Education Oversight Committee is directed to participate in public-private partnerships to promote innovative ways to transform the assessment of public education in South Carolina that support increased student achievement in reading and college and career readiness. The Education Oversight Committee may provide financial support to districts and to public-private partnerships for planning and support to implement, sustain and evaluate the innovation and to develop a matrix and measurements of student academic success based on evidence-based models. **These funds may also focus on creating public-private literacy partnerships utilizing a 2:1 matching funds provision when the initiative employs research-based methods, has demonstrated success in increasing reading proficiency of struggling readers, and works directly with high poverty schools and districts.** The committee will work to expand the engagement of stakeholders including state agencies and boards like the Educational Television Commission, businesses, and higher education institutions. The committee shall annually report to the General Assembly on the measurement results.*

1A.56 AMEND NEW PROVISO (CHE/CERRA) WMC: ADD new proviso to require CERRA to review the list of schools that are currently eligible to receive Teaching Fellows Program scholarships to ensure they still meet CERRA criteria and to add any public institution that currently meets the criteria to they can admit students who receive a Teaching Fellows scholarship.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete previous version and instead direct CERRA to complete periodic evaluations of institutions that currently host a Teaching Fellows program and ensure they continue to meet program requirements and to develop a plan and reasonable timeframe to approve additional Teaching Fellows programs and other public 4-year institutions that want to participate in the program, if they meet program requirements.

1A.56. (SDE-EIA: XII.F.2 CHE/CERRA) ~~The Center for Educator Recruitment, Retention and Advancement (CERRA South Carolina) must review the list of schools eligible for receiving Teaching Fellows Program scholarships to ensure all schools currently on the list of eligible institutions still meet the necessary criteria as set forth by CERRA. Further, CERRA is directed to add any public institutions that currently meet the criteria so that they may admit students receiving a Teaching Fellows scholarship.~~ The Center for Educator Recruitment, Retention and Advancement (CERRA) must complete periodic evaluations of the institutions currently hosting a Teaching Fellows (TF) program and ensure that the TF programs at the current host institutions continue to meet the requirements for a TF program as set forth by the CERRA Board of Directors. Further, CERRA is directed to develop a plan and a reasonable timeframe for approving additional TF programs at other public, four-year institutions who wish to be considered to host a TF program, provided the

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proposed programs meet the requirements for a TF program, as set forth by the CERRA Board of Directors.

- 1A.57** **ADD** (Aid to Districts Draw Down) **WMC:** ADD new proviso to require school districts, in order to draw down funds appropriated in XII.A.1. Aid to Districts, to work with local, and if necessary state, law enforcement agencies to ensure that they have an updated school safety plan. Require the plan include classroom safety directives, a safe student and staff exit strategy, and necessary safety staff. Require districts to submit updated plans to the department by September 1, 2013 and require the department report to the Chairmen of specific committees by September 30, 2013, on any districts that did not submit an updated plan.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.57. (SDE-EIA: XII.A.1 - Aid to Districts Draw Down) For Fiscal Year 2013-14, in order to draw down funds appropriated in Part IA, Section 1, XII.A.1, Aid to Districts, a school district must work with local law enforcement agencies, and when necessary, state law enforcement agencies in order to ensure that the district has an updated school safety plan in place. The safety plan must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated plan must be submitted to the Department of Education no later than September 1, 2013. The department must report to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee and the Chairman of the Senate Education Committee by September 30, 2013, on any districts that failed to submit an updated plan.

- 1A.58** **CONFORM TO FUNDING** (CERRA/Teaching Fellows) **WMC:** ADD new proviso to direct that the additional funds provided to CERRA must only be used to support the Teaching Fellows and Teacher Cadet program.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

1A.58. (SDE-EIA: XII.F.2-CERRA/Teaching Fellows) The additional funds provided to CERRA in the current fiscal year must only be used to support the Teaching Fellows and Teacher Cadet programs.

- 1A.59** **CONFORM TO FUNDING** (Academic Enrichment Activities) **HOU:** ADD new proviso to authorize school districts to use High Achieving Students appropriations for academic enrichment activities. Sponsor: Rep. D.C. Moss.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation.

1A.59. (SDE-EIA: Academic Enrichment Activities) For Fiscal Year 2013-14 school districts may use funds appropriated for High Achieving Students for academic enrichment activities.

- 1A.scsp** **CARRIED FORWARD** (South Carolina Success Program) **REQUEST:** ADD new proviso to direct the department to use Assessment/Testing funds to issue a RFP to provide a statewide "South Carolina Success Program" which is to be available to all public school districts and to open enrollment charters. Allow up to \$3,500,000 of local assessment funds to be used for this purpose. Direct that the program provide academic support to students and teachers to help ensure on grade level reading is achieved for grades PreK-8 by making online-delivered

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interactive reading assessments and research-based intervention programs available for use at school and home. Require the RFP be issued by July 5, 2013 and that the program be implemented by August 15, 2013.

SUBCOMMITTEE RECOMMENDATION: CARRIED FORWARD to Full Senate Finance Committee with no recommendation,

***1A.scsp.** (SDE-EIA: South Carolina Success Program) From the funds in specific appropriations Assessment/Testing, the Department of Education shall issue a request for proposal to provide a statewide South Carolina Success Program, a program to be available to all public school districts and open-enrollment charters in the State of South Carolina. The department may use up to \$3,500,000 of the local assessment funds for this program. This program shall provide academic support to students and teachers to help ensure on grade level achievement in reading by making available for grades PreK-8 an online-delivered, interactive reading assessment and research-based intervention program for use both at school and at home. This online program must automatically place students into an individualized on-line curriculum and instruction, provide teachers and administrators with immediate reporting, provide recommendations for interventions and teacher lessons, and provide small group instruction lessons. The program must provide computer adaptive assessments at least eight times per year, and teachers, principals, and districts must have immediate on-line reporting to identify those students who are not reading on grade-level and those that are at risk of failing the state reading assessment pursuant to Section 59-18-310 of the 1976 Code, as amended. The program must make available to parents reporting and resources regarding student participation via a home portal. To ensure effective implementation of the program in conjunction with the beginning of the academic school year, the Department of Education shall issue a request for proposal to carry out the requirements of this provision no later than July 5, 2013. Implementation of the program must begin no later than August 15, 2013.*

1A.dpp ADD (Defined Program Personnel Requirements) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to establish public school district guidelines for filling administrative positions which require State Board of Education certification. Requested by Department of Education.

***1A.dpp.** (SDE-EIA: Defined Program Personnel Requirements) Administrative positions requiring State Board of Education teacher or administrator certification, may be filled either by an individual receiving a W-2 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. 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.*

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SECTION 5 - H71-WIL LOU GRAY OPPORTUNITY SCHOOL

- 5.9** **AMEND** (Capacity) Directs that FY 12-13 funds be used to bring the school 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 update fiscal year reference to "2013-14."
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

5.9. (WLG: Capacity) For Fiscal Year ~~2012-13~~ 2013-14, funds appropriated to Wil Lou Gray Opportunity School must be used to bring the school up to full capacity, to the extent possible, and the 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, on how the funds have been utilized and how many additional students have been served.

SECTION 6 - H75-SCHOOL FOR THE DEAF AND THE BLIND

- 6.13** **AMEND** (Capacity) Directs that FY 12-13 funds be used to bring the school 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 update fiscal year reference to "2013-14."
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

6.13. (SDB: Capacity) For Fiscal Year ~~2012-13~~ 2013-14, funds appropriated to the School for the Deaf and the Blind must be used to bring the school up to full capacity, to the extent possible, and the 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, on how the funds have been utilized and how many additional students have been served.

- 6.16** **ADD** (Buildings) **WMC:** ADD new proviso to direct that for purposes of building renovation and construction, the school will be subject to the same requirements as a local education agency.
HOU: ADOPT new proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

6.16. (SDB: Buildings) For the current fiscal year; the South Carolina School for the Deaf and Blind will be subject to the same requirements as a local education agency for the purposes of building renovation and construction.

SECTION 7 - L12-JOHN DE LA HOWE SCHOOL

- 7.4** **AMEND** (Capacity) Directs that FY 12-13 funds be used to bring the school up to full capacity, to the extent possible. Prohibits new employees from being hired until required by a projected increase in students. Requires staff increases be reported to the Chairmen of the House Ways and Means and Senate Finance Committees 30 days before they are hired. Requires a report be submitted by December 1st on how the funds have been used and how many additional students have been served.
WMC: AMEND proviso to update fiscal year reference to "2013-14."

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HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

7.4. (JDLHS: Capacity) For Fiscal Year ~~2012-13~~ 2013-14, funds appropriated to John de la Howe School must be used to complete deferred maintenance on the residential cottages and to bring the school up to full capacity, to the extent possible. The school must not utilize the funds to hire new employees until the school has completed deferred maintenance on a cottage and requires the new employee due to a projected increase in students. Any increases in staff must be reported to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee thirty days prior to the hire. Further, the 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, on how the funds have been utilized and how many additional students have been served.

SECTION 27 - H87-STATE LIBRARY

27.1 **AMEND** (Aid to Counties Libraries Allotment) Direct that funds appropriated for "Aid to County Libraries is allotted on a per capita basis, using the 2010 Census, with a \$60,000 minimum amount to be received by each county.

WMC: AMEND proviso to change "\$60,000" to "\$75,000."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

27.1. (LIB: Aid to Counties Libraries Allotment) The amount appropriated in this section for "Aid to County Libraries" shall be allotted to each county on a per capita basis according to the official United States Census For 2010, as aid to the County Library. No county shall be allocated less than ~~\$60,000~~ \$75,000 under this provision. To receive this aid, local library support shall not be less than the amount actually expended for library operations from local sources in the second preceding year.

SECTION 29 - H95-STATE MUSEUM COMMISSION

29.1 **AMEND** (Duplicate Materials) Allows the commission to give away natural history materials that are not museum quality or that are duplicative for educational purposes.

WMC: AMEND proviso to specify that the commission may not sell natural history materials. *Clarify intent to conform to American Alliance of Museums standard of conduct for museums.*

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

29.1. (MUSM: Duplicate Materials) The commission may give ~~away~~ but not sell, natural history materials in its possession for educational purposes, such materials being less than museum quality or duplicative of materials owned by the Museum Commission.

29.2 **AMEND** (Removal From Collections) Allows the commission to remove under certain circumstances objects from its museum collections and to retain such funds in a special revolving account to be used for obtaining collections for the State Museum.

WMC: AMEND proviso to delete reference to "dated January 20, 1993."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

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29.2. (MUSM: Removal From Collections) The commission may remove objects from its museum collections by gift to another public or non-profit institution, by trade with another public or non-profit institution, by public sale, by transfer to the commission's education, exhibit, or study collections or to its operating property inventory; or as a last resort, by intentional destruction on the condition that the objects so removed meet with one or more of the following criteria: (1) they fall outside the scope of the South Carolina Museum Commission's collections as defined in the Collection Policy ~~dated January 20, 1993~~; (2) they are unsuitable for exhibition or research; (3) they are inferior duplicates of other objects in the collection; or (4) they are forgeries or were acquired on the basis of false information; funds from the sale of such objects will be placed in a special revolving account for the commission to use solely for the purpose of purchasing objects for the collections of the State Museum.

29.4 **DELETE** (Traveling Exhibits Fees) Allows the Museum to sell exhibits, retain and carry forward funds.

WMC: DELETE proviso. *Amended proviso 29.5 to include the authorization in that provision.*

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**29.4.** (MUSM: Traveling Exhibits Fees) The Museum Commission may rent or sell exhibits and exhibit components and the commission may retain such funds and use them to offset the cost of developing, maintaining, promoting, and improving the changing exhibit program and to support general operations, provided that the expenditures for such expenses are approved by the General Assembly in the annual Appropriation Act. Any unexpended revenue from these sources may be carried forward into the current fiscal year to be expended for the same purposes.~~

29.5 **AMEND** (Retention of Revenue) Allows the Museum to charge for fees and services, retain and carry forward funds.

WMC: AMEND proviso to add exhibits and exhibit components from which revenue may be retained by the commission. *Adds revenue generated from deleted proviso 29.4.*

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

29.5. (MUSM: Retention of Revenue) The Museum Commission may retain revenue received from admissions, program fees, facility rentals, professional services, donations, food service, exhibits and exhibit components, and other miscellaneous operating income generated by or for the museum and may expend such revenue for general operating expenses provided that such expenditures are approved by the General Assembly in the annual Appropriation Act. Any unexpended revenue from these sources may be carried forward into the current fiscal year to be expended for the same purposes.

29.10 **ADD** (Admissions Tax Exemption) **WMC:** ADD new proviso to exempt the State Museum from remitting Admissions Tax to DOR. Require an amount equal to the tax, 5% of total admissions revenue, be earmarked in the museum's budget to support general operations. Fiscal Impact: BEA indicates General Fund Revenue would be decreased \$54,472 for FY 13-14 with a corresponding increase in agency other fund revenue.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

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29.10. (MUSM: Admissions Tax Exemption) The State Museum is exempt from remitting Admissions Tax to the Department of Revenue on the admission fees it collects. An amount equivalent to the tax, five percent of total admissions revenue, shall be earmarked in the museum's budget for the purpose of supporting general operations.

SECTION 91 - A99-LEGISLATIVE DEPARTMENT

- 91.25 DELETE** (Teacher Salary Study Committee) Creates the Joint Teacher Salary Study Committee to examine the current teacher salary schedule, its relationship to the EFA, the EIA, and to a district's ability to hire and retain quality teachers, and to examine potential changes to the salary schedule that may include a pay for performance model, step increases, frozen salary schedules, National Board Certification Incentive, or anything else related to teacher salaries. Requires a report and recommendations be submitted by December 1, 2012.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**91.25.** (LEG: Teacher Salary Study Committee) There is created the Joint Teacher Salary Study Committee. The committee shall examine the current teacher salary schedule; its relationship to the Education Finance Act, the Education Improvement Act and its relationship to a district's ability to hire and retain quality teachers. The committee will examine potential changes to the salary schedule that may include a pay for performance model, step increases, frozen salary schedules, National Board Certification Incentive, or anything else related to teacher salaries.~~

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

~~The committee shall consist of eight members as follows: one member of the Senate appointed by the Chairman of the Senate Finance Committee; one member of the Senate appointed by the Chairman of the Senate Education Committee; one member of the House of Representatives appointed by the Chairman of the House Ways and Means Committee; one member of the House of Representatives appointed by the Chairman of the House Education and Public Works Committee; two members of the Senate to be appointed by the President Pro Tempore of the Senate and two members of the House of Representatives to be appointed by the Speaker of the House. The members shall elect a chairman at the first meeting of the committee.~~

~~No later than December 1, 2012, the committee shall prepare and deliver a report and recommendation to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of House Education and Public Works Committee.~~

~~Staff will be provided by the House Ways and Means Committee and Senate Finance Committee. Members of the study committee shall serve without compensation for per diem, mileage, and subsistence.~~

- 91.26 CONFORM TO FUNDING / REINSERT ORIGINAL PROVISO AND AMEND** (EOC Efficiency Review) Directs the funds appropriated to the EOC for the School District Efficiency Review Pilot Program be used to review three school districts' central operations with a focus on non-instructional expenditures to identify ways to improve school district operating efficiencies and ways to reduce costs. Directs that the review be completed by June 30, 2013 and that the findings, along with the amount of estimated savings, how the savings could be achieved, and the districts' plan for implementing the recommendations be submitted

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to designated legislative committees and the Governor. Authorizes unexpended funds to be carried forward and used for the same purpose.

WMC: DELETE proviso. *SDE states that funds were not available to conduct the efficiency studies due to a decline in non-recurring revenue.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: CONFORM to funding recommendation / REINSERT original proviso and AMEND to delete the prohibition on reviewing the effectiveness of educational services the district delivers and change the date for completion of the review from June 30 “2013” to “2014.”

91.26. (LEG: EOC Efficiency Review) Funds appropriated to the Education Oversight Committee for the School District Efficiency Review Pilot Program shall be used to review certain school districts’ central operations with a focus on non-instructional expenditures so as to identify opportunities to improve operational efficiencies and reduce costs for the district. The Education Oversight Committee shall make the school districts aware of the pilot program, and accept applications to participate in the program. In the current fiscal year, the Education Oversight Committee shall select at least three applicant school districts to participate. The Education Oversight Committee may contract with an independent entity to perform the review. The review shall include, but not be limited to, examinations of (i) overhead, (ii) human resources, (iii) procurement, (iv) facilities use and management, (v) financial management, (vi) transportation, (vii) technology planning, and (viii) energy management. ~~The review shall not address the effectiveness of the educational services being delivered by the district.~~ The review shall be completed no later than June 30, ~~2013~~ 2014. Upon completion, the Education Oversight Committee shall submit a report to the Chairman of the Senate Finance Committee, Chairman of the Senate Education Committee, Chairman of the House Ways and Means Committee, Chairman of the House Education and Public Works Committee, and the Governor detailing the findings of the review including the estimated savings that could be achieved, the manner in which the savings could be achieved, and the districts’ plan for implementation of the recommendations. 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 purpose.

91.28 **AMEND NEW PROVISO** (Technology Panel) **HOU:** ADD new proviso to direct that funds appropriated for Technology in the EIA Leadership program are to be used to create a panel to study the state’s current and future educational technology needs; to make recommendations on how technology funds should be distributed to meet public schools technology needs; and to assess connectivity needs regarding households and businesses, especially in the rural areas of the state. Require recommendations be submitted to the House Education and Public Works; the House Ways and Means, the Senate Education, and the Senate Finance Committees by January 15, 2014. Establish membership of the panel; direct that legislative employees and the EOC shall provide staff for the panel; and direct that panel members serve without compensation. Sponsor: Rep. Loftis.

SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete previous requirement that a panel be created and instead direct the K-12 Technology Initiative partnership provide a report that describes the state’s efforts to facilitate providing cost effective connectivity and internet bandwidth to schools and libraries statewide; activities to assist schools and libraries to minimize and detect internet security threats; the development and use of technology and online resources to support student development and achievement; development and use of curriculum and professional training to support instructional

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technology; and other educational technology related activities. Require the report be submitted by February 1, 2014.

~~91.28. (LEG: Technology Panel) Of the funds appropriated in XII.E.2. for Technology there is to be created a panel to study South Carolina's current and future educational technology needs and make recommendations on the distribution of technology funds to meet the needs for software, hardware, connectivity, professional development and instructional technologies for public schools. The panel would also assess the connectivity needs of the state regarding households and business, especially in rural South Carolina. The panel will provide recommendations the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state's efforts to facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and utilization of technological and online resources to support student development and achievement, the development and utilization of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational technology related activities engaged in by the partnership. The report shall be submitted no later than ~~January 15, 2014~~ February 1, 2014. The panel would include three appointees from the K-12 School Technology Initiative, the State Superintendent of Education or his designee, one appointee from the Budget and Control Board's Division of State Information Technology, one appointee from the South Carolina Telecommunications Association, three appointees from higher education institutions and/or the Commission on Higher Education, the Secretary of Commerce or his designee, one appointee from a School District serving less than 2,000 pupils, one appointee from a School District serving between 2,001 and 5,000 pupils and one appointee from a school district serving more than 5,000 pupils each made by the Superintendent of Education. Staff for the panel will be provided by legislative staff to include the Education Oversight Committee, if requested. Members shall serve without compensation.~~

SECTION 101 - F03-BUDGET AND CONTROL BOARD

101.24 AMEND (Sale of Surplus Real Property) Provides guidelines for the retention and use of revenue derived from the sale of surplus real properties.

WMC: AMEND proviso to authorize ETV to use the net proceeds from the sale of the Key Road property for renovation of the ETV Telecommunications Center "and other maintenance and operating expenses."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

101.24. (BCB: Sale of Surplus Real Property) Up to fifty percent of the proceeds, net of selling expenses, from the sale of surplus real properties shall be retained by the Budget and Control Board and used for the deferred maintenance of state-owned buildings. The remaining fifty percent of the net proceeds shall be returned to the agency that the property is owned by, under the control of, or assigned to and shall be used by that agency for non-recurring purposes. This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the

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Columbia State Farmers Market; the Department of Agriculture's Columbia Metrology Lab building and property; the Charleston Naval Complex Redevelopment Authority; the Department of Commerce's Division of Public Railways; the Midlands Technical College Enterprise Campus Authority; the Trident Technical College Enterprise Campus Authority; the Commissioners residence at the Department of Corrections and the Educational Television Commission's Key Road property.

The Educational Television Commission shall be authorized to retain the net proceeds from the sale of its property on Key Road, and such proceeds ~~shall only~~ may be used for the renovation of the ETV Telecommunications Center and other maintenance and operating expenses. If it is determined that sufficient net proceeds are not to be derived from the sale of its property on Key Road to cover the cost of all renovations of the Telecommunications Center, the property on Key Road shall not be sold. Any proposed sale hereunder shall, prior to said sale, be submitted to the Budget and Control Board for approval as being in compliance with the requirements of this subsection.

The Department of Corrections shall be authorized to retain the net proceeds from the sale of the residence provided for the Commissioner of the Department of Corrections and use such proceeds for deferred maintenance needs at the Department of Corrections.

The Forestry Commission shall be authorized to retain the net proceeds from the sale of surplus land for use in firefighting operations and replacement of firefighting equipment.

The Department of Mental Health shall be authorized to retain the net proceeds it receives for sale of the property sold in accordance with, and identified in Exhibit A of the Sale and Purchase Agreement dated December 16, 2010 between the Department of Mental Health and Hughes Development Corporation for the sale of 165.79± acres on the Bull Street Campus, as approved by the Budget and Control Board on June 14, 2011.

The Department of Natural Resources shall be authorized to retain the net proceeds from the sale of existing offices originally purchased with a federal grant or with restricted revenue from hunting and fishing license sales for the improvement, consolidation, and/or establishment of regional offices and related facilities.

The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of Natural Resources, the Department of Mental Health and the Forestry Commission shall annually submit a report, within sixty days after the close of the fiscal year, to the Senate Finance Committee and the House Ways and Means Committee on the status of the sale of the identified property and a detailed accounting on the expenditure of funds resulting from such sale.

This provision is comprehensive and supersedes any conflicting provisions concerning disposition of state owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

Any unused portion of these funds may be carried forward into succeeding fiscal years and used for the same purposes.

SECTION 117 - X90-GENERAL PROVISIONS

117.29 AMEND FURTHER (School Technology Initiative) Provides for the administration of K-12 technology initiative funds.

WMC: AMEND proviso to direct that the designated agencies are also responsible for determining a method to allocate K-12 technology funds. Require a "portion" of the funds be used to assist school districts to provide cost efficient and effective technology delivery; direct that the technology cost/benefit analyses include the required band width to deliver computerized based assessment statewide; and direct that funds should be used to collaborate

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with public-private sector entities that are specific to various geographic regions of the state. Require the School Technology Initiative to survey school districts to determine what their most pressing technology needs are and to assist them in locating cost effective methods for meeting their needs. Delete the authorization for funds to be used to establish pilot projects for new technologies.

HOU: AMEND FURTHER to delete a reference to administration of use of K-12 technology initiative funds. Note: Amendment was incorrectly drawn. Intent was to revert back to original proviso, deleting all changes made by the House Ways and Means Committee rather than deleting any of the original proviso. Sponsor: Rep. Bingham.

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to restore original proviso and amend further to also require the department consult with a representative from the EOC.

117.29. (GP: School Technology Initiative) From the funds appropriated/authorized for the K-12 technology initiative, the Department of Education, in consultation with the Budget and Control Board's Division of State Information Technology, the State Library, ~~and the~~ Educational Television Commission, and a representative from the Education Oversight Committee, shall administer the K-12 technology initiative funds. These funds are intended to provide technology, encourage effective use of technology in K-12 public schools throughout the state, conduct cost/benefit analyses of the various technologies, and should, to the maximum extent possible, involve public-private sector collaborative efforts. Funds may also be used to establish pilot projects for new technologies with selected school districts as part of the evaluation process. K-12 technology initiative funds shall be retained and carried forward to be used for the same purpose.

117.87 **AMEND** (Broadband Spectrum Lease) Requires the General Assembly to approve the exercise of any Middle Band Segment Channel recapture provision contained in the Educational Broadband Service Spectrum Lease Agreements if there would be a decrease in payments received by the state. Requires broadband spectrum lease revenue be transferred monthly during FY 2012-13 to ETV. Directs that upon agreement of the lessee, ETV shall assume management and administration of the lease and receive the lease payments directly. Authorizes ETV to retain and carry forward unexpended funds.

WMC: AMEND proviso to delete the monthly transfer of funds from the B&C Board to ETV and direct that ETV assumes management and administration of the lease and receives lease payments directly. Authorize ETV, if the current lease holder defaults, to use contingent funds up until a new lease can be negotiated.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.87. (GP: Broadband Spectrum Lease) The General Assembly must approve any exercise of the Middle Band Segment Channel recapture provisions contained in the Educational Broadband Service Spectrum Lease Agreements if the exercise of the recapture provisions would result in a decrease in payments received by the State. ~~For Fiscal Year 2012-13, revenue received from the broadband spectrum lease shall be transferred from the Budget and Control Board to the Educational Television Commission on a monthly schedule, according to the current broadband lease agreement. Upon agreement of the lessee, the~~ The Educational Television Commission shall assume assumes management and administration of the lease and ~~receive~~ receives lease payments directly. The Educational Television Commission shall retain and expend funds received pursuant to the lease for agency operations. The commission shall be authorized to carry forward unexpended funds from the prior fiscal

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year into the current fiscal year. *In the event of a default by the current lease holder, the Educational Television Commission is authorized to use contingent funds up until such time as a new lease can be negotiated by the State and the Educational Television Commission.*

- 117.97 AMEND** (Funds Transfer to ETV)) Requires certain funds appropriated to the B&C Board for Legislative & Public Affairs Coverage and to the Law Enforcement Training Council for training and emergency systems to be transferred to ETV during July of 2012 for them to continue to provide services as they were provided in the prior fiscal year.

WMC: AMEND proviso to add "Emergency Communications Backbone" to appropriated funds identified within the B&C Board and delete the same reference within the Law Enforcement Training Council. Update calendar year reference to "2013." Requested by Budget and Control Board and Educational Television Commission.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.97. (GP: Funds Transfer to ETV) In the current fiscal year funds appropriated in Part IA to the Budget and Control Board in Section 101 for Legislative & Public Affairs Coverage *and Emergency Communications Backbone* and to the Law Enforcement Training Council in Section 64 for State & Local Training of Law Enforcement, City and County municipal training services ~~and Emergency Communications and Backbone for the State and other related emergency systems~~ must be transferred to the Educational Television Commission (ETV) during July, ~~2012~~ 2013 for the continuation of services as provided in the prior fiscal year.

- 117.108 AMEND** (First Steps - BabyNet) Requires 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. Requires First Steps to develop a schedule by September 15, 2012, to implement each of the recommendations and directs that First Steps is responsible for such implementation. Requires 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.

WMC: AMEND proviso to delete the references to implementing recommendations "2 through 23" and instead direct that recommendations contained in the "2011" audit report be implemented. Delete requirement that a schedule be developed for recommendations. Direct First Steps to submit necessary statutory changes to appropriate Senate and House Education Committees and to submit budget recommendations to the Governor in their agency's budget request.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.108. (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 First Steps' full implementation of recommendations ~~2 through 23 as contained in the 2011~~ audit report of the LAC regarding the BabyNet Program. ~~First Steps shall develop a schedule for each of the recommendations by September 15, 2012 for the implementation of recommendations. First Steps shall be responsible for the implementation of the recommendations.~~ *First Steps shall submit any necessary statutory changes to the Chairman of the House Education and Public Works Committee and the Chairman of the Senate Education Committee and any budget recommendations in the agency's budget request as submitted to the Governor. Quarterly Until completion,* First Steps shall post on its' website a *quarterly* report on the timelines of its

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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 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 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 on a common template developed by the agencies, a quarterly report to the Chairman of the House Ways and Means Committee and the Chairman of Senate Finance outlining all programs provided by 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 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."~~

- 117.112 DELETE** (School Transportation Decentralization Study Committee) Creates a committee to study decentralizing school bus transportation services and requires a report be submitted to the General Assembly and the Governor by January 1, 2013, after which time the committee is abolished.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

117.112. (GP: School Transportation Decentralization Study Committee) ~~There is hereby created a committee to study the decentralization of the provision of school transportation services in this State either by the public sector, private sector, or combination of both. The study shall include, but is not limited to, the most cost effective, efficient, and safe way to provide school transportation services to students in grades K-12 utilizing to the best extent possible, available state and local resources and funding. The committee shall consist of eleven members as follows: four members appointed by the President Pro Tempore of the Senate, one of whom must be a school finance officer and one of whom must be a minority party member of the Senate, four members appointed by the Speaker of the House of Representatives, one of whom must be a school finance officer and one of whom must be a minority party member of the House, and three members appointed by the Governor. Vacancies on the committee shall be filled in the manner of original appointment. The members, at their first meeting, shall elect a chairman, vice chairman, and such other officers as they deem necessary. The committee shall meet upon the call of the chairman or a majority of its members.~~

~~Members of the committee shall receive such mileage, subsistence, and per diem in the performance of their duties as is provided by law to members of state boards, commissions, and committees to be paid from the approved accounts of the member's appointing authority. The staff of the Senate, the House of Representatives, and the Governor's Office shall supply such assistance as may be needed by the committee in the performance of its duties. The committee~~

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2013-14**

~~shall submit its report to each house of the General Assembly and to the Governor no later than January 1, 2013, at which time the committee shall be abolished.~~

117.114 ADD (First Steps Reauthorization) **WMC:** ADD new proviso to reauthorize First Steps for Fiscal Year 2013-14.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

117.114. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2013-14.

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