

**SENATE FINANCE COMMITTEE  
K-12 EDUCATION SUBCOMMITTEE  
PROVISO RECOMMENDATIONS FOR FY 2018-19**

**SECTION 1 - H630 - DEPARTMENT OF EDUCATION**

- 1.3 CONFORM TO FUNDING / AMEND FURTHER** (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 17-18, the base student cost has been determined to be \$2,425; that the per pupil count is projected to be 721,401, and projects the average per pupil funding. Provides for the distribution of funds to the SC Public Charter School District. Requires the Revenue and Fiscal Affairs Office post each school district's projections on their website and for each school district to also post their numbers. Requires the department and the EOC provide links to this information on their websites. Provides pupil classification weightings.
- WMC:** AMEND proviso to define students in poverty as students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care. Require districts to use dual credit weighting funds to defray all possible costs of dual credit courses for students and to offset the costs of tuition, fees, instructors, and instructional materials for qualifying courses with the local technical college or other higher education institution. Require school districts to report the number of students that participate in dual credit courses and specify the cost borne by each entity. Delete specific directives pertaining to school district student counts.
- HOU:** AMEND FURTHER to delete new language for defining students in poverty as those who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care. Direct the department to determine student's eligibility for the poverty add-on using data elements to include students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care. Sponsors: Reps. Henderson, Elliott and Allison.
- SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / AMEND FURTHER to update base student cost and average per pupil funding (*numbers pending*); delete requirement that the department continue to use counts from the prior school year to determine poverty funding for the add-on weighting and to work with districts to determine eligible students.

**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 Revenue and Fiscal Affairs Office 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 **\$2,425**. For the current fiscal year, the total pupil count is projected to be **721,401**. The average per pupil funding is projected to be **\$6,120** state, of which **\$2,339** comes from the EFA, **\$1,294** federal, and **\$5,726** local. This is an average total funding level of **\$13,140** excluding revenues of local bond issues. For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school 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 Revenue and Fiscal Affairs Office, 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 Revenue and Fiscal Affairs Office, shall also post on their website the one hundred thirty-five 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

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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 Revenue and Fiscal Affairs Office, including the projected numbers and the exact numbers.

For the current fiscal year, the pupil classification weightings are as follows:

- |  |      |
|--|------|
| (1) K-12 pupils or base students including homebound students  | 1.00 |
| Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code shall receive a weighting of 2.10. |      |
| (2) Weights for students with disabilities as prescribed in Section 59-20-40(1)(c) Special Programs  |      |
| (3) Precareer and Career Technology  | 1.29 |
| (4) Additional weights for personalized instruction:   |      |
| (A) Gifted and Talented  | 0.15 |
| (B) Academic Assistance  | 0.15 |
| (C) Limited English Proficiency  | 0.20 |
| (D) Pupils in Poverty  | 0.20 |
| (E) Dual Credit Enrollment   | 0.15 |

No local match is required for the additional weightings for personalized instruction in the current school year. Charter school per pupil calculations for locally sponsored charters will continue to be calculated according to Section 59-40-140 of the 1976 Code. Students may receive multiple weights for personalized instruction; however, within each weight, students should only be counted once. These weights are defined below:

**Students in poverty are students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care.**

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP) and International Baccalaureate (IB) courses in high school. Districts shall set-aside twelve percent of the funds for serving artistically gifted and talented students in grades three through twelve.

Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state approved assessments in grades three through eight and high school assessments for grades nine through twelve. The additional weight generates funds needed to provide additional instructional services to these students.

Students with limited English proficiency are students who require intensive English language instruction programs and whose families require specialized parental involvement intervention.

Funds received by a school district pursuant to the dual credit weighting must be used to defray all possible costs of dual credit courses for students. Students identified for dual credit enrollment must be identified in PowerSchool as taking a course that will lead to both high school credit and post-secondary credit. Districts must utilize these funds to offset the cost of tuition, fees, instructors, and instructional materials for qualifying courses with the local technical college or other institution of higher education. Each school district shall report to the department the number of students participating in dual credit courses and specify the cost borne by each entity. School districts must assist students in accessing Lottery Tuition Assistance when applicable.

~~For the current school year, the Department of Education will continue to use counts from the prior school year to determine poverty funding for the add-on weighting. The Department of Education will continue to work with school districts to determine students eligible for the poverty add-on using the following data elements: used to determine USDA community~~

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~~eligibility to be used in future years *students in poverty are students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care.*~~

~~Further, the Department of Education may use school district student counts for personalized instruction as collected in the same manner as the prior fiscal year, PowerSchool or other available existing data sources as determined by the department to calculate the school district add-on weightings for the personalized instruction classifications and the determination of the school districts monetary entitlement. End of year adjustments shall be based on the one hundred thirty five day student average daily membership for all classifications. During the current fiscal year the department will update PowerSchool calculations, reports, screen development, documentation, and training to incorporate the new pupil classification weightings and to make final district allocation adjustments by June 30, 2017. The department must provide districts with technical assistance with regard to student count changes in PowerSchool.~~

**1.8 AMEND** (Educational Responsibility/Foster Care) Sets responsibilities and guidelines for placement of students in foster care, group homes, orphanages, or state operated health care facilities, including facilities for treatment of mental illness or chemical dependence and habilitation centers for persons with intellectual disabilities.

**WMC:** AMEND proviso to direct that when a child is discharged or released from a treatment facility, the agency that places the child in the receiving school must work with the school district where the child will live to assure continuity of education. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

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

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

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

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

- 1.12 DELETE** (School Lunch Program Aid) Specifies the method of allocation, prior year participating number of schools divided by appropriation, allowable use of school lunch program funds, and prohibits funds from being used to supplement school lunch supervisor salaries.

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**WMC:** DELETE proviso. *Line item of \$28,500 will be rolled into the X.A. EFA line item.*  
Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~1.12. (SDE: School Lunch Program Aid) The amount appropriated herein for School Lunch Program Aid shall be divided among the District and/or County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in each district during the prior school year. The travel expenses of the District and/or County School Lunch Supervisor shall be paid from this appropriation at the prevailing rate of mileage allowed by the State. These funds may be used as an aid in improving the School Lunch Program. These funds may not be used to supplement the salaries of school lunch supervisors. In the absence of a County Board of Education in multi-district counties, the funds will be divided among the school districts of the county on the basis of the number of schools participating in the School Lunch Program in each district during the prior school year.~~

**1.26 AMEND FURTHER** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. *Note: Companion EIA proviso is 1A.14.*

**WMC:** AMEND proviso to add “funds provided for technology” to the list of funds which may not be flexed. Delete the requirement that schools that do not have an internet website transmit all required information to the Comptroller General for posting on their website. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER to delete “funds provided for technology” from the list of funds which may not be flexed.

**1.26.** (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, *and* Education Lottery Act funds, and funds received from the Children’s Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, ~~funds provided for technology,~~ nor *funds* required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district’s per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional

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support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

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

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

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

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

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

For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

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

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

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

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

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website.

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The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

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

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, *of* the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

- 1.38**     **AMEND** (Education Finance Act Reserve Fund) Establishes the EFA Reserve Fund. Directs that unexpended EFA general funds are to be transferred to the reserve fund. Directs that if there are not sufficient funds appropriated to fully fund the base student cost, the reserve fund may be used to supplement the funds appropriated. Authorizes unexpended funds to be carried forward. **WMC:** AMEND proviso to authorize the department to use these funds to purchase buses if the department determines by June 30<sup>th</sup> that the funds are not needed to supplement the EFA. Requested by Department of Education.  
**HOU:** ADOPT proviso as amended.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1.38.** (SDE: Education Finance Act Reserve Fund) There is created in the State Treasury a fund separate and distinct from the General Fund of the State and all other funds entitled the Education Finance Act Reserve Fund. All unexpended general funds appropriated to the Department of Education for the Education Finance Act in the current fiscal year shall be transferred to the Education Finance Act Reserve Fund. In the event that the amount appropriated for the Education Finance Act is insufficient to fully fund the base student cost as established by this act, revenues from the Education Finance Act Reserve Fund may be used to supplement the funds appropriated. By June 30<sup>th</sup> of the current fiscal year, if the department determines that the funds are not needed to supplement the Education Finance Act, the department may utilize the funds for bus purchase. The General Assembly may make direct appropriations to this fund. All unexpended funds in the Education Finance Act Reserve Fund and any interest accrued by the fund must remain in the fund and may be carried forward into the current fiscal year.

- 1.47**     **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 schools. **WMC:** AMEND proviso to change the percentage of funds to be allocated to districts for physical education teachers from 27% to 21%. *The proviso was not changed when Student Health and Fitness funding was consolidated into one line item, which unintentionally caused less funds to be allocated for nurses.* Requested by Department of Education.  
**HOU:** ADOPT proviso as amended.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1.47.** (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~~ Twenty-one 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 for school nurses and shall be distributed to the school

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districts on a per school basis. Schools that provide instruction in grades K-5 are eligible to apply for the school nurse funds.

- 1.58** **AMEND** (Full-Day 4K) Provides guidelines for participation in and funding for CDEPP (Early Reading Development and Education Program. Provides for public and private providers to be reimbursed for instructional costs at a rate of \$4,422 per student enrolled and for private providers to be reimbursed for transportation at a rate of \$563 per eligible child transported. Requires \$300,000 be allocated to the EOC to conduct an annual evaluation of CDEPP to issue findings in a report to the General Assembly by January 15<sup>th</sup>. *Note: Companion EIA proviso is IA.29.*  
**WMC:** AMEND proviso to change the funding provided for public and private providers from “\$4,422” to “\$4,510” per student and change the private providers transportation reimbursement from “\$563” to “\$574” per eligible child transported. Delete reference to “end of year adjustments” for PowerSchool funding.  
**HOU:** ADOPT proviso as amended.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1.58.** (SDE: Full-Day 4K) Eligible students residing in a school district that met the poverty level for participation in the prior school year are eligible to participate in the South Carolina Early Reading Development and Education Program in the current school year. Public and private providers shall be funded for instructional costs at a rate of ~~\$4,422~~ \$4,510 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for a reimbursement of ~~\$563~~ \$574 per eligible child transported. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool ~~and end of year adjustments shall be~~ based on the one hundred and thirty-five day student average daily membership.

Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department, during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations for the current fiscal year to account for the findings.

Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. To aid in this evaluation, the Education Oversight Committee shall determine the data



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

**1.60 AMEND (Interscholastic Athletic Association Dues) SUBCOMMITTEE RECOMMENDATION: AMEND proviso.**

**1.60.** (SDE: Interscholastic Athletic Association Dues) (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless:

(1) the constitution, rules, or policies of the association, body, or entity contain the following:

~~(1 a)~~ a range of sanctions that may be applied to a student, coach, team, or program and that takes into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

~~(2 b)~~ ~~(a i)~~ guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics including, but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

~~(b ii)~~ guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would apply;

~~(3 c)~~ ~~(a 1)~~ an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel which consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional district;

~~(b 2)~~ a member of the panel serves until his successor is appointed and qualifies. A vacancy on the panel is filled in the manner of the original appointment;

~~(e 3)~~ members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling of the association, body, or entity to the panel. The appellate panel also must provide the final ruling in any appeal brought against a decision of the association, body, or entity;

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(4 d) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices;

(5 e) provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State; and

(2) the association evaluates the prospect of adding the sport of bass fishing as a sanctioned interscholastic athletic program beginning in the 2019-2020 school year, and provides a report of its findings to the General Assembly before January 1, 2019.

(B) In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

**1.62 CONFORM TO FUNDING / AMEND FURTHER** (Reading/Literacy Coaches) Provides for the allocation and use of funds appropriated for Reading/Literacy Coaches to school districts. Requires the department publish guidelines defining reading/literacy coach minimum qualifications; develop procedures to monitor the use of these funds; and requires the funds to be retained and carried forward for the same purpose and not flexed. *Note: Companion EIA proviso is 1A.57.*

**WMC:** AMEND proviso item (A) to delete previous distribution criteria and instead direct that school districts shall be eligible to receive up to \$62,730 for each primary and elementary school. Amend item (B) to authorize a district to use these funds to employ reading/literacy coaches in a primary, elementary, or middle school, or combination of schools depending on the districts area of highest need. Require the district to align placement of coaches to their approved district reading plan. Amend item (C) to add primary and/or middle schools. Amend item (K) to delete previous directive for targeting areas of greatest need based on certain criteria and instead authorize the department to fund a coach at the full time rate based on certain criteria.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / AMEND FURTHER.

**1.62.** (SDE: Reading/Literacy Coaches) (A) Funds appropriated for Reading/Literacy Coaches must be allocated to school districts by the Department of Education as follows: ~~(1) for each primary and elementary school in which twenty percent or more of the students scored below “meets expectations” on the reading sub score of the English language arts test in the most recent year for which such data are available, the school district shall be eligible to receive the lesser of up to \$62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach; and~~

~~(2) for each elementary school in which fewer than twenty percent of the students scored as referenced in (A)(1), the school district shall be eligible to receive the lesser of up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full-time reading/literacy coach. A school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.~~

(B) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may, ~~however,~~ assign a reading/literacy coach to a primary school rather than to the elementary school to improve the early literacy skills of young children only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a

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combination of these schools depending on the area of highest need in the district. The school district must align the placement of coaches to the district reading plan that is approved by the department.

(C) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155 of Title 59.

(D) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(E) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

(1) holds a bachelor's degree or higher and an add-on endorsement for literacy coach or literacy specialist; or

(2) holds a bachelor's degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or

(3) holds a master's degree or higher in reading or a closely-related field.

Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate. The provisions of subsection (A), including the local support requirements, shall also apply to any allocations made pursuant to this paragraph.

(F) The Department of Education must develop procedures for monitoring the use of funds appropriated for reading/literacy coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for reading/literacy coaches in order to implement this program, provided that this allocation does not exceed the department's actual costs.

(G) Prior to the close of the current fiscal year, any unspent or unallocated funds for reading/literacy coaches shall be used to fund Summer Reading Camps.

(H) The Department of Education shall require:

(1) any school district receiving funding under subsection (A) to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and

(2) any school district receiving funding under subsection ( G) to account for the specific amounts and uses of such funds.

(I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

(J) Funds appropriated for reading/literacy coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

~~(K) For Fiscal Year 2017-18, if increased funding for reading/literacy coaches is not sufficient to provide additional reading/literacy coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment the current fiscal year, and if funds are available, the department may fund a coach at the full time rate if the district's reading scores show that less than 20% of the students scored below "meets expectations" on the reading sub score of the English language arts test in the most recent year for which such data are available, but for the past two year the district qualified for a full time coach based on the assessment scores.~~

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**1.66**     **DELETE** (Board of Education Funds) Authorizes the department to carry forward Board of Education funds and permits the State Board of Education to use these funds for innovative educational opportunities and projects. Requires the board to develop guidelines and to publish them on their website.

**WMC:** DELETE proviso. *The department indicates that due to an increase in the number of teacher certification cases heard by the State Board, it is anticipated that there will be no funds to be carried forward.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~**1.66.** (SDE: Board of Education Funds) For the current fiscal year, the Department of Education is authorized to carry forward funds appropriated in Part IA, Section 1, II. Board of Education. The State Board of Education is permitted to utilize these funds for innovative educational opportunities and projects. The Board of Education shall develop guidelines and publish them on the board's website.~~

**1.68**     **AMEND** (First Steps 4K Technology) Authorizes First Steps to spend up to \$75,000 of 4K carry forward funds to purchase electronic devices, with certain restrictions, for administering required school readiness assessments to children enrolled in the full-day 4K program in private centers. Requires First Steps to provide a report on these expenditures to the Chairmen of the Senate Finance and Ways and Means Committees by January 15, 2018.

**WMC:** AMEND proviso to update report due date from January 15, "2018" to "2019."

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1.68.** (SDE: First Steps 4K Technology) During the current fiscal year, South Carolina Office of First Steps to School Readiness is authorized to expend up to \$75,000 from the four-year-old kindergarten carry forward funds to purchase electronic devices for the administration of required school readiness assessments to children enrolled in the full-day 4K program in private centers in the current fiscal year. The State Office of First Steps may purchase one device, which would be the property of the Office of First Steps, for every ten centers serving children in the program. The regional coordinators who provide support to the centers shall coordinate the usage of the devices among the centers. First Steps shall provide a report documenting its technology and materials expenditures to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 15, ~~2018~~ 2019.

**1.69**     **DELETE** (Teacher Salary Schedule Structure) Directs the department to convene certain stakeholders to examine and make recommendations on changes to the statewide minimum state teacher salary schedule and include extending steps, the beginning teacher salary and each district's salary schedule structure in the examination. Directs that information on salary needs for each of the districts that are or were in the original trial and plaintiff school districts in the Abbeville law suit be included. Directs that recommendations on modifying the structure of the teacher salary schedule along with the potential fiscal impact of implementing the modifications be provided to the Chairmen of the Senate Finance and House Ways and Means Committees by October 1, 2017.

**WMC:** DELETE proviso. *The report has been submitted.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

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~~1.69. (SDE: Teacher Salary Schedule Structure) The Department of Education shall convene stakeholders to include: Palmetto State Teachers Association, South Carolina School Business Officials, South Carolina Association of School Administrators, South Carolina School Boards Association, South Carolina Education Association, the Education Oversight Committee and CERRA to examine and make recommendations regarding changes to the statewide minimum state teacher salary schedule to include extending the steps on the state teacher salary schedule; an examination of the beginning teacher salary; and an examination of each district's salary schedule structure. The department shall also include information from each of the districts who are, or were, the original trial and plaintiff school districts in the Abbeville law suit regarding salary needs in those districts. Recommendations shall be provided on the modification of the teacher salary schedule structure and the potential fiscal impact on implementing the modification recommendations to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by October 1, 2017.~~

**1.71 AMEND FURTHER** (Digital Instructional Materials) Directs the department to create an instructional materials list of print and digital items that have received State Board approval through the normal adoption process. Directs the department to continue to work with publishers to ensure that districts have the option to receive both print and digital versions of materials. Provides for the use of instructional materials funds to refurbish existing or purchase new science kits. Authorizes instructional materials funds to be carried forward and used for the same purposes. Directs that instructional materials funds are not subject to flexibility. *Note: Companion EIA proviso is 1A.58.*

**WMC:** AMEND proviso to require the department continue to work with publishers to ensure that districts have options for print/digital student materials to include class sets of print student editions, if needed. Direct the department to determine a per pupil amount for unfunded state-adopted digital instructional materials and unvetted digital student materials using the prior year's 135-ADM and to make these funds available to schools for one-year access to the unfunded or unvetted materials. Direct that the use of unvetted digital student materials shall be the responsibility of the school district. Direct the department to create a digital instructional materials list of approved, unfunded items. Provide guidelines for districts to request an allocation for one-year digital access. Provide guidelines for publishers/vendors to request to have digital student materials added to an unvetted list and for districts to request an allocation for using unvetted instructional materials. Direct the department to use digital instructional materials funds that are unencumbered by January 15 to purchase unfunded state adopted instructional materials. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER to delete the new directives pertaining to unfunded state adopted digital student materials and unvetted materials.

**1.71.** (SDE: Digital Instructional Materials) The Department of Education shall *continue to* create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that districts ~~who wish to receive both the digital version and~~ *have options for print/digital student materials to include* class sets of ~~textbooks may be awarded that option~~ *print student editions, if needed.* Funds appropriated for the purchase of ~~textbooks and other~~ instructional materials (*print/digital*) may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted ~~textbook~~ *instructional materials* inventory, purchasing new kits *or those adopted as supplemental* from the central textbook depository, or a combination of

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refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility. Digital Instructional Materials shall include the digital equivalent of materials and devices.

~~Utilizing the designated funds, the department shall determine a per pupil amount using the prior year's 135-Day Average Daily Membership for unfunded state-adopted digital instructional materials and unvetted digital student materials. These funds shall be made available to all schools to allow one-year access to unfunded digital state-adopted student materials or one-year access to unvetted digital student materials from publishers/vendors and are subject to the procedures outlined below. The use of the unvetted digital student materials shall be the responsibility of the school district.~~

~~Unfunded State-Adopted Digital Student Materials: The department shall create a digital instructional materials list composed of those items which have received board approval through the normal adoption process but are unfunded. Districts shall use the form available on the department's Instructional Materials website, to request an allocation for one-year digital access by denoting the number of students, grade level, and subject for which the digital materials will be used.~~

~~Unvetted Materials: Publishers/vendors shall use the form available on the department's Instructional Materials website to request to have digital student materials added to an unvetted list of instructional materials that have not been evaluated through the instructional materials adoption process or approved by the board. Publishers/vendors are required to register and submit to the department the one-year cost with product information, a completed brief, and correlations of the digital student materials to the appropriate academic standards, career and technology education course standards, or other program areas which are not addressed within the standards. Information in the brief shall include the intended course or subject area with the assigned Instructional Activity Code, the readability level, documentation of compliance to ensure the digital instructional materials are accessible to students with disabilities, and other specific descriptive information as required by the State Superintendent of Education. Failure to provide completed brief and correlation will automatically exclude the digital materials from the unvetted list. Previously reviewed instructional materials will be excluded from the list of unvetted digital materials. Should the publisher/vendor submit the unvetted materials for review as part of a call for bids for instructional materials, the bid materials will be removed from the unvetted listing.~~

~~A district shall use the form available on the department's Instructional Materials website to request an allocation for which the unvetted digital materials will be used by denoting the number of students, grade level, and subject with the assigned Instructional Activity Code. The department shall not be responsible for the use by schools of the unvetted digital materials including the content, alignment to standards, lack of accessibility for students with disabilities, quality, or any other aspect of the digital materials. The unvetted digital materials shall not be placed on state contract; therefore, the availability and cost of these materials will not be assured.~~

~~Any funds appropriated for digital instructional materials which have not been encumbered by January 15, shall be used by the department to purchase unfunded state-adopted instructional materials.~~

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**1.72** **AMEND** (CDEPP Unexpended Funds) Provides for the retention and expenditure of prior year CDEPP funds by First Steps and requires a report to the Chairmen of the Senate Finance and House Ways and Means Committees on how the funds were spent. *Note: Companion EIA proviso is 1A.61.*

**WMC:** AMEND proviso to update fiscal year references to “2018-19.” Specify that if by August 1<sup>st</sup> it is determined there are funds available for districts to increase the length of the program, the funds must be allocated to eligible districts who have a documented waiting list and who “funded an extended program per this proviso in the prior school year.” Require the department and First Steps, by August 1<sup>st</sup>, to collect documented waiting lists and determine a process to notify parents of available slots. Requested by Education Oversight Committee.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1.72.** (SDE: CDEPP Unexpended Funds) For Fiscal Year ~~2017-18~~ 2018-19, the Office of First Steps to School Readiness is permitted to retain the first \$1,000,000 of any unexpended CDEPP funds of the prior fiscal year and expend these funds to enhance the quality of the full-day 4K program in private centers and provide professional development opportunities.

By August first, the Office of First Steps is directed to allocate any additional unexpended CDEPP funds from the prior fiscal year and any CDEPP funds carried forward from prior fiscal years that were transferred to the restricted account for the following purpose: Education Oversight Committee - \$1,000,000 for the South Carolina Community Block Grants for Education Pilot Program.

If carry forward funds are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

If by August first, the Department of Education or the Office of First Steps determines there will be funds available, funds shall be allocated on a per pupil basis for districts eligible for participation first, who have a documented waiting list, and funded an extended program per this proviso in the prior school year, then to districts to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. By August 1, the Department of Education and the Office of First Steps must collect the documented waiting lists and determine a process to notify parents of eligible students of available slots in all approved providers. If a district chooses to fund summer enrollment the program funding shall conform to the funding in this act for full year programs, however shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this Act and end of year adjustments shall be based on the one hundred and thirty five day student average daily membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty days. Funds may also be used to provide professional development and quality evaluations of programs.

No later than April first, the Department of Education and the Office of First Steps must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants.

**1.73** **CONFORM TO FUNDING / REINSERT** (Technology Technical Assistance) Authorizes the department to withhold up to \$350,000 of K-12 Technology Initiative funds to provide technology assistance to school districts.

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**WMC:** DELETE proviso. *Deleted in order to roll-up technology lines. Language merged into Proviso 1A.30.*

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / REINSERT proviso.

**1.73.** (SDE: Technology Technical Assistance) Of the funds appropriated for the K-12 Technology Initiative, the department is authorized to withhold up to \$350,000 in order to provide technology technical assistance to school districts.

**1.75** **DELETE** (Teacher Employment) Requires local school district superintendents or their designees to provide a teacher with a notice of dismissal and the opportunity for a hearing before the local board or its designee and provides guidelines for conducting the hearing, for reporting recommendations, and for affirming or withdrawing the notice of suspension or dismissal. Allows the decision to be appealed to the circuit court.

**WMC:** DELETE proviso. *Codified in Act 221 of 2016.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~**1.75.** (SDE: Teacher Employment) Of the funds appropriated in the current fiscal year, a local school district superintendent or his designee shall provide a teacher with notice of dismissal and an opportunity for a hearing before the local board or its designee. Further, a local board may authorize a South Carolina licensed, practicing attorney to serve as hearing officer to conduct a hearing on the matter and make a report of its recommendations to the board within forty five days after receipt of notice of appeal. A hearing officer may not be a member of the board or an employee of the district. If the board designates a hearing officer, the report and recommendations of the hearing officer must be presented to the board in the form of a written order. In considering the report and recommendations, the board must have available to it the exhibits presented at the hearing and shall permit limited oral argument on behalf of the district and the teacher, allowing each party thirty minutes to present its respective argument. The board shall uphold the decision of the hearing officer if the evidence shows good and just cause for dismissal. The board shall issue a decision affirming or withdrawing the notice of suspension or dismissal within thirty days. The decision of the board may be appealed to the circuit court.~~

**1.77** **DELETE** (Highly Qualified Teachers) Suspends the teacher certification requirements for highly qualified educators aligned to No Child Left Behind. Directs the department report to the General Assembly by February 1st on updated federal requirements under the Every Student Succeeds Act.

**WMC:** DELETE proviso. *With the passage of ESSA, all teachers must be properly certified, thus this proviso is no longer necessary.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~**1.77.** (SDE-Highly Qualified Teachers) For the current fiscal year teacher certification requirements for highly qualified educators aligned to No Child Left Behind shall be suspended. The department shall report to the General Assembly by February first on the updated Federal requirements under the Every Student Succeeds Act.~~



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- 1.80 DELETE** (Abbeville Equity Districts Comprehensive Report) Requires the department submit a comprehensive report to the General Assembly by January 1, 2018 on the current allocation of funds and services provided to the Abbeville equity districts.

**WMC:** DELETE proviso. *Report has been completed.*

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~**1.80.** (SDE: Abbeville Equity Districts Comprehensive Report) Of the appropriations and provision of services that are provided in the current fiscal year's budget for the Abbeville equity districts, the Department of Education must submit a comprehensive report to the General Assembly by January 1, 2018 on the current allocation of funds to the Abbeville equity districts and the provision of services to these districts.~~

- 1.83 AMEND** (First Steps 4K Underserved Communities) Directs First Step to use CDEPP funds to develop a pilot program to expand 4K enrollment in underserved communities that were eligible in the most recent fiscal year and direct that newly created and/or approved private providers, under certain conditions, may receive up to \$30,000 in supplemental, needs-based incentives. Requires providers that receive the supplement to participate in the program for at least 3 years and directs that failure to do so will result in First Steps determining what portion of the funds must be returned. Direct First Steps to submit an expenditure and expanded enrollment report to the Chairman of the House Ways and Means and Senate Finance Committees by March 15, 2018.

**WMC:** AMEND proviso to update report due date to March 15, "2019."

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1.83.** (SDE: First Steps 4K Underserved Communities) Using funds appropriated for the Child Early Reading and Development Education Program, South Carolina First Steps shall develop a pilot program to expand four-year-old kindergarten enrollment within underserved communities eligible for participation during the most recent fiscal year. Newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities enrolling less than 80% of eligible students in a public, private, or Head Start setting during the prior fiscal year, may apply for up to \$30,000 in one-time supplemental, needs-based incentives designed to address building renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and staffing costs, and/or other obstacles currently preventing their participation in the First Steps 4K program. The First Steps Board of Trustees shall develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are used solely to address documented barriers to program participation. Providers receiving this one-time supplement are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March 15, ~~2018~~ 2019.

- 1.84 RESTORE ORIGINAL PROVISO** (School Leadership) Directs the department to use \$400,000 of Professional Development funds to contract with a non-profit leadership development provider that specializes in multiple assessments, executive coaching, and leadership development that provides school leadership progressive career path skills.

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**WMC:** AMEND proviso delete reference to contracting with a non-profit leadership development provider and instead direct that the funds be allocated to South Carolina Foundation for Educational Leadership for Executive Education Leadership (CEEL) to provide professional development. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** RESTORE original proviso.

**1.84.** (SDE: School Leadership) Of the funds appropriated to and retained by the department for Professional Development, \$400,000 shall be **used to contract with a non-profit leadership development provider. The provider must specialize ~~allocated to South Carolina Foundation for Educational Leadership for Center for Executive Education Leadership (CEEL) which shall provide professional development that specializes~~** in multiple assessments, executive coaching, and leadership development that provides the skills necessary for a progressive career path in school leadership.

**1.85** **DELETE** (Carry Forward) Directs the department to allocate \$30 million from carry forward or unencumbered or unobligated cash balances for the School Districts Capital Improvement Plan as set forth in this Act. *Note: Companion EIA proviso is 1A.77.*

**WMC:** DELETE proviso. *All projects will have been funded by January, 2018.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**1.85.** (SDE: Carry Forward) ~~For Fiscal Year 2017-18, the Department of Education is directed to allocate \$30,000,000 from carry forward or unencumbered or unobligated cash balances for the School Districts Capital Improvement Plan as set forth in this Act.~~

**1.86** **CONFORM TO FUNDING / DELETE** (Poverty) Directs that students who were eligible to receive funds in the prior fiscal year according to the EFA Poverty weighting pursuant to proviso 1.3 are eligible to receive those funds for FY 2017-18.

**WMC:** AMEND proviso to update fiscal year reference to “2018-19.”

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / DELETE proviso.

**1.86.** (SDE: Poverty) ~~Students eligible in the prior fiscal year to receive funding according to the Poverty weighting in the Education Finance Act pursuant to proviso 1.3 in this Act, are eligible to receive those funds for Fiscal Year 2017-18 2018-19.~~

**1.88** **DELETE** (Committee on Educator Retention and Recruitment) Directs the Superintendent of Education to convene a study committee to address educator recruitment and retention and to identify the causes of teacher shortages and the future demand for teachers. Directs the study committee to develop recommendations for the General Assembly’s consideration. Provides for the composition of the study committee; directs the department to provide staff support with assistance, upon request, from staff of the Senate Education and House Education and Public Works Committees. Directs that findings and recommendations be submitted to the General Assembly by December 31, 2017.

**WMC:** DELETE proviso. *Study has been completed.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

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~~1.88. (SDE: Committee on Educator Retention and Recruitment) From the funds appropriated to the department, the Superintendent of Education shall initiate convening a study committee to address the issue of educator recruitment and retention to include identification of the causes of teacher shortages and the state's educational system's future demand for teachers. The study committee shall develop recommendations for the General Assembly to consider which include, but are not limited to, building teacher recruitment; alternative certification; financial incentives; induction and mentorship; evaluation and feedback; and teacher leadership.~~

~~The study committee shall be comprised of the following members:~~

- ~~(1) Chairman of the Senate Education Committee, or his designee;~~
- ~~(2) Chairman of the House Education and Public Works Committee, or his designee;~~
- ~~(3) Chairman of the Senate Labor, Commerce, and Industry Committee, or his designee;~~
- ~~(4) Chairman of the House Labor, Commerce, and Industry Committee, or his designee;~~
- ~~(5) Senate Majority Leader, or his designee;~~
- ~~(6) Senate Minority Leader, or his designee;~~
- ~~(7) House Majority Leader, or his designee;~~
- ~~(8) House Minority Leader, or his designee;~~
- ~~(9) Chairman of the State Board of Education, or his designee;~~
- ~~(10) Chairman of the Palmetto State Teacher's Association, or his designee;~~
- ~~(11) Chairman of the South Carolina Education Association, or his designee;~~
- ~~(12) Superintendent from a small School District appointed by the Governor;~~
- ~~(13) Superintendent from a medium School District appointed by the Governor;~~
- ~~(14) Superintendent from a large School District appointed by the Governor;~~

~~Of the three Superintendents appointed by the Governor, at least one Superintendent must come from a plaintiff or trial district in the Abbeville lawsuit;~~

- ~~(15) Executive Director of CERRA;~~
- ~~(16) Chairman of the Education Oversight Committee;~~
- ~~(17) Two Deans of Colleges of Education appointed by the Governor; and~~
- ~~(18) State Superintendent of Education who shall serve as Chairman of the Committee.~~

~~Staff support shall be provided by the Department of Education, with assistance from the staffs of the Senate Education Committee and the House Education and Public Works Committee, upon request. Findings and recommendations shall be submitted to the General Assembly by December 31, 2017.~~

**1.89 DELETE** (Big Brothers Big Sisters) Directs the department, from their 10% carry forward, to transfer \$50,000 to Big Brothers Big Sisters of the Upstate and \$50,000 to Big Brothers Big Sisters - Carolina Youth Development Center to support educational activities.

**WMC:** DELETE proviso. *The department states the funds were non-recurring and if the General Assembly allocates funds in FY 18-19, the agency will fund as directed.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~1.89. (SDE: Big Brothers Big Sisters) Of the funds retained and carried forward by the Department of Education pursuant to proviso 117.23, the Department of Education is directed to transfer up to \$50,000 to Big Brothers Big Sisters of the Upstate and up to \$50,000 to Big Brothers Big Sisters - Carolina Youth Development Center to support educational activities.~~

**1.90 DELETE** (Hold Harmless) Directs that \$5,000,000 appropriated for the Education Foundation Supplement from proviso 8.2 (ETV: Spectrum Auction) be distributed to school districts that

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would recognize a loss in state funding as a result of using the imputed index of taxpaying ability; authorizes the funds to be reduced on a pro-rata basis if there are not enough funds to cover the full loss; and directs that a local match is not required.

**WMC:** DELETE proviso. *The department states the funds were non-recurring and if the General Assembly allocates funds in FY 18-19, the agency will fund as directed.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~1.90. (SDE: Hold Harmless) The Department of Education shall distribute the \$5,000,000 appropriated from Proviso 8.2 for the Education Foundation Supplement distributed to public school districts which would in the current fiscal year recognize a loss in State financial requirement of the foundation program by utilizing an Index of Taxpaying Ability which imputes the assessed value of owner occupied property compared to the State financial requirement of the same Index of Taxpaying Ability without an imputed value of owner occupied homes. Funds in the Education Foundation Supplement must be distributed to the school districts receiving a loss, in an amount equal to the amount of the loss. If funds are not sufficient to cover the full loss, funds will be reduced on a pro rata basis. This supplement shall not require a local financial requirement.~~

**1.91 DELETE** (Save the Children) Directs the department to transfer up to \$200,000 of their 10% carry forward funds to Save the Children.

**WMC:** DELETE proviso. *The department requests the funds be moved to a recurring EIA line item.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~1.91. (SDE: Save the Children) Of the funds retained and carried forward by the Department of Education pursuant to proviso 117.23, the Department of Education is directed to transfer up to \$200,000 to Save the Children.~~

**1.92 DELETE NEW PROVISO** (Special Education Minutes Requirement) **WMC:** ADD new proviso to waive the required 250 minutes of specialized instruction a student is required to receive in order to qualify for the EFA special education weighting. Allow a special education weighting to be applied for any public school child who has an Individualized Education Program, regardless of the number of minutes of instruction.

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

~~1.92. (SDE: Special Education Minutes Requirement) For the current fiscal year the required two hundred fifty minutes of specialized instruction a student is required to receive in order to qualify for the special education weighting in the EFA is waived. A special education weighting may be applied for any public school child with an Individualized Education Program in effect, regardless of the number of minutes of instruction.~~

**1.93 ADD** (Retired Educators Employment) **WMC:** ADD new proviso to allow school districts to notify retired teachers of employment in writing by May 1<sup>st</sup>. Require school districts to provide the department with documentation of compliance with earning limitation exemptions pursuant to Section 9-1-1795 [EMPLOYMENT OF CERTAIN RETIRED TEACHERS WITHOUT LOSS OF RETIREMENT

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BENEFITS; PROCEDURE BY WHICH RETIRED TEACHERS MAY BE EMPLOYED]; require the department verify compliance and submit it to PEBA. Requested by Department of Education.

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

1.93. (SDE: Retired Educators Employment) For the current fiscal year school districts may notify retired educators of employment in writing on or before May 1. School districts employing retired educators pursuant to Section 9-1-1795 of the 1976 Code shall provide documentation of compliance with the earnings limitation exemptions to the department. The department shall verify the compliance and send the verification to the Public Employee Benefit Authority.

- 1.94** **ADD** (Education Rate Program) **WMC:** ADD new proviso to direct that a student who attends a state-funded 4-year-old kindergarten program must be considered an elementary school student for purposes of the federal E-Rate Program.

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

1.94. (SDE: Education Rate Program) For purposes of the federal Educational Rate Program, a child attending a state-funded four-year-old kindergarten program must be considered an elementary school student.

- 1.95** **CONFORM TO FUNDING / DELETE NEW PROVISO** (Teacher Salaries Increase) **WMC:** ADD new proviso to direct the department to increase the statewide salary schedule by 2%; require a local school district board of trustees to provide all certified teachers paid on the teacher salary schedule the 2% increase; specify that districts are to use the prior year's district salary schedule as its base; and direct school districts to use the additional funds from the EFA to provide 1% of the required 2% increase. *Note: Companion EIA proviso is IA.89.*

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation. / DELETE new proviso.

~~1.95. (SDE: Teacher Salaries Increase) For Fiscal Year 2018-19, the Department of Education is directed to increase the statewide salary schedule by two percent. 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 Education Finance Act appropriation to provide one percent of the required two percent increase.~~

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

- 1.96** **ADD** (School District Residence Boundaries) **HOU:** ADD new proviso to allow a student residing in an area impacted by school district boundary reestablishment to continue attending a school in the district until graduation from high school as long as the student resides in the same property until graduation. Allow a school district to draw down state and federal funding for students enrolled under this provision. Sponsor: Rep. Felder.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

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1.96. (SDE: School District Residence Boundaries) For Fiscal Year 2018-19, and with funds appropriated to local school districts, upon the reestablishment of a portion or entirety of a county boundary that impacts the school district boundary, persons residing on the impacted property may continue to enroll their children who previously attended a school in the district until such time as the child graduates from high school, as long as the child continuously resides at the same property until graduation. For the purposes of this section, "children" includes those children who are residing with their legal guardians whose property is impacted by a county boundary reestablishment in conflict with the immediate prior school district boundary. This proviso only applies to those persons residing on the impacted property and their children who reside with them. Once those persons move from the property or no longer have children living in the residence who are attending or will attend schools in the South Carolina K-12 public education system, this proviso no longer applies to that property. A district may draw down State and Federal funding for students enrolled under this section. A local board of trustees of the district where a student is being allowed to attend pursuant to this proviso shall determine the charge a student must pay for any bonded indebtedness that student would normally pay if they resided in the district. This proviso does not require the former resident of a county to continue enrollment of their children in school in the county in which their property was located before the reestablishment.

- 1.97 DELETE NEW PROVISO** (Charter School Sponsors) **HOU:** ADD new proviso to limit higher education institutions and the SC Public Charter School District from sponsoring more than sixty schools. Sponsor: Rep. Allison.  
**SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

~~1.97. (SDE: Charter School Sponsors) For Fiscal Year 2018-19, and with funds provided to charter school authorizers, institutions of higher education and the South Carolina Public Charter School District may not sponsor more than a combined total of sixty schools.~~

- 1.98 ADD** (Crisis Intervention Team) **HOU:** ADD new proviso to direct the Department of Education and SLED to develop a Crisis Intervention Team to coordinate, collect and compile each school district's Crisis Intervention & School Safety Plans into a report and direct that recommendations for safety measures and associated costs be included in the report. Direct the Department of Education and SLED to include any additional funding requirements in their FY 2019-20 agency budget plans. Direct that the report be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees and the Governor by December 31, 2018. Sponsors: Reps. Erickson, Pitts, Govan and Mace.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

1.98. (SDE: Crisis Intervention Team) For the current fiscal year, the Department of Education and the State Law Enforcement Division must develop within existing staff a Crisis Intervention Team to coordinate, collect and compile Crisis Intervention & School Safety Plans from each school district with their input. The report shall include recommendations for the General Assembly to consider which may include, but are not limited to, physical building security, bullet proof and access controlled doors, RFID chip in student identification cards, mental health services, school resource officers, and other school safety measures. Total costs associated with each recommendation shall be included in the report. If additional funding is required to implement the recommendations, the Department of Education and the State Law Enforcement Division are directed to include the recommended funds in their Fiscal Year 2019-20 agency budget plan. The report shall be submitted to the Chairman of the Senate Finance

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Committee, the Chairman of the House Ways and Means Committee and the Governor by December 31, 2018.

- 1.99**     **ADD** (School Holidays) **HOU:** ADD new proviso to require local school districts to observe Martin Luther King, Jr. Day and Memorial Day as legal holidays; require schools, offices, and school to be closed; and prohibit make-up days from being scheduled on those days. Allow any funds realized from school closures to be used to provide educational training related to those holidays. Sponsors: Reps. King and Atwater.  
**SUBCOMMITTEE CHAIRMAN’S RECOMMENDATION:**

**1.99.** (SDE: School Holidays) For Fiscal Year 2018-19 local school districts must observe Martin Luther King, Jr. Day and Memorial Day as legal holidays and schools and offices of the school districts must be closed on those dates. Districts may not schedule make-up days on either day. Schools and school districts may utilize the funds realized from observing those holidays to provide educational training related to the Martin Luther King Jr. Day and Memorial Day observance.

- 1.acp**     **ADD** (Alternative Certification Programs) **SUBCOMMITTEE RECOMMENDATION:**  
ADD new proviso.

**1.acp.** (SDE: Alternative Certification Programs) For the current fiscal year, the department, through the State Board of Education, is authorized to award a conditional teaching certificate to a person who is enrolled in an approved alternative certification program provided the person has earned a bachelor's degree from a regionally accredited college or university with a major, or major equivalence, as defined by the State Board of Education in guidelines developed by the department in a certification area for which the board has determined there exists a critical shortage of teachers, and the person has passed the appropriate teaching examination.

- 1.sm**     **ADD** (Student Meals) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso.

**1.sm.** (SDE: Student Meals) For the current fiscal year, all school districts shall identify students in poverty according to the provisions in Proviso 1.3 of this Act and increase access to free school meals for these students. School districts shall use the criteria to directly certify pupils eligible for free and reduced-price school meals to the extent permitted under federal law. The local board of trustees of a district in which all schools are eligible to receive the free federal reimbursement rate for all reimbursable school breakfasts and lunches served, pursuant to the Community Eligibility Provision in Section 1759(a) of Title 42 of the United States Code, shall adopt a resolution indicating participation. If a district is unable to participate, the local board of trustees shall adopt a resolution stating that it is unable to participate in CEP and demonstrate the reasons why. The resolution shall be published on a public meeting agenda concurrently with the proposed district budget as an action item and shall be approved by a majority of the board. School districts shall ensure that the parents or guardians of students eligible for free and reduced lunch receive the necessary applications and instructions and upon request are provided with assistance in completing the paperwork. Schools shall not publically identify a student who is unable to pay for a meal for any reason. Communications from the district regarding any meal debt owed must only be directed to the parent or guardian and may be sent home through the student.

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**1.caf**     **ADD** (Consolidate Administrative Functions) **SUBCOMMITTEE RECOMMENDATION:**  
ADD new proviso.

*1.caf. (SDE: Consolidate Administrative Functions) For the current fiscal, any school district that has an average daily membership of less than 1,500 students, has been designated in Fiscal Watch, Caution or Emergency status, has a risk assessment of medium or high, has a school or is a district with an accreditation status of probation or denied, or has a school or schools that have been in improvement status for three years may be directed by the State Superintendent of Education to consolidate administrative and professional services with one or more school districts. Administrative and professional services may include, but are not limited to: finance, human resources, procurement, administrative functions, transportation and collaboration on increasing instructional offerings. The Superintendent shall notify a district in writing that they meet one or more of the criteria. The district then has thirty business days from receipt of the notification to deliver a plan to the Superintendent for her approval. The Superintendent must either approve or amend the plan within fifteen days. Plans must be implemented within sixty days of approval. If a district fails to submit a plan, the Superintendent shall direct the consolidation of services with another school district and if the district fails to comply, the department shall withhold one percent of the district's EFA allocation until the district does comply. At that time, the EFA payments shall resume and any EFA funds withheld shall be allocated to the district.*

**1.eap**     **ADD** (Extracurricular Activities Participation) **SUBCOMMITTEE RECOMMENDATION:**  
ADD new proviso.

*1.eap. (SDE: Extracurricular Activities Participation) In the current fiscal year and with the funds appropriated to the Department of Education, any school receiving state funds shall allow private school students to participate in interscholastic activities offered by the school if it is located in the attendance zone in which the student resides, if the private school he attends does not offer a similar activity, and if he satisfies the requirements that charter school students must satisfy to participate in such interscholastic activities as provided in Section 59-63-100. For purposes of this proviso, 'private school', means a school established by an entity other than the State or a subdivision of the State, supported primarily by private or nonpublic funds, and operated by private individuals operating in their private capacity and not by people who are publicly elected or appointed to operate the school.*

**SECTION 1A - H630 - DEPARTMENT OF EDUCATION-EIA**

**1A.2**     **AMEND** (African-American History) Authorizes African-American curricula development funds to be carried forward and used for the same purpose. Requires at least 70% of carry forward funds be spent in FY 2017-18 to develop additional instructional materials by non-profit organizations selected through a grant process.

**WMC:** AMEND proviso to change "Fiscal Year 2017-18" to "the current fiscal year." Add school districts or institutions of higher education to the entities for which at least 70% of carry forward funds must be used to develop additional instructional materials.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1A.2.** (SDE-EIA: African-American History) Funds provided for the development of the African-American History curricula may be carried forward into the current fiscal year. Funds



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that are currently a salary line item will be reallocated for the development of instructional materials and programs and the implementation of professional learning opportunities that promote African American history and culture. For ~~Fiscal Year 2017-18~~ the current fiscal year, not less than seventy percent of the funds carried forwarded must be expended for the development of additional instructional materials by nonprofit organizations, school districts, or institutions of higher education selected through a grant process by the Department of Education.

**1A.9** **AMEND** (Teacher Supplies) Provides guidelines for distributing teacher supply reimbursement of up to \$275 each school year to offset the expenses teachers have incurred for teaching supplies and materials. Allows any classroom teacher, including those at a S.C. private schools that are not eligible for this reimbursement to claim a refundable income tax credit on their 2017 tax return.

**WMC:** AMEND proviso to update tax return references to “2018.” Requested by School Districts.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1A.9.** (SDE-EIA: Teacher Supplies) All certified and non-certified public school teachers identified in PCS, certified special school classroom teachers, certified media specialists, certified guidance counselors, and career specialists who are employed by a school district, a charter school, or lead teachers employed in a publically funded full day 4K classroom approved by the South Carolina First Steps to School Readiness, as of November thirtieth of the current fiscal year, based on the public decision of the school board may receive reimbursement of two hundred seventy-five dollars each school year to offset expenses incurred by them for teaching supplies and materials. Funds shall be disbursed by the department to School districts by July fifteenth based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of the school district and no later than May fifteenth annually, the district shall notify all individuals entitled to receive these funds the manner in which the funds will be dispersed. Funds may be disbursed to each teacher via check in a manner separate and distinct from their payroll check on the first day teachers, by contract, are required to be in attendance at school for the current contract year, or the funds may be disbursed to each teacher via direct deposit as long as the funds are handled in a manner to be separate and distinct from their payroll check. This reimbursement shall not be considered by the state as taxable income. Special schools include the Governor’s School for Science and Math, the Governor’s School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice, and Palmetto Unified School District. Funds distributed to school districts or allocated to schools must not supplant existing supply money paid to teachers from other sources. If a school district requires receipts for tax purposes the receipts may not be required before December thirty-first. Districts that do not wish to require receipts may have teachers retain the receipts and certify for the district they have received the allocation for purchase of teaching supplies and/or materials and that they have purchased or will purchase supplies and/or materials during the fiscal year for the amount of the allocation. Districts shall not have an audit exception related to non-retention of receipts in any instances where a similar instrument is utilized. Any district requiring receipts must notify any teacher from whom receipts have not been submitted between November twenty-fifth and December sixth that receipts must be submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement.

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Any classroom teacher, including a classroom teacher at a South Carolina private school, that is not eligible for the reimbursement allowed by this provision, may claim a refundable income tax credit on the teacher's ~~2017~~ 2018 tax return, provided that the return or any amended return claiming the credit is filed prior to the end of the fiscal year. The credit is equal to two hundred seventy-five dollars, or the amount the teacher expends on teacher supplies and materials, whichever is less. If any expenditures eligible for a credit are made after December thirty-first, the teacher may include the expenditures on his initial return or may file an amended ~~2017~~ 2018 return claiming the credit, so long as the return or amended return is filed in this fiscal year. The Department of Revenue may require whatever proof it deems necessary to implement the credit provided by this part of this provision. Any person receiving the reimbursement provided by this proviso is ineligible to take the income tax credit allowed by this proviso.

**1A.14 AMEND FURTHER** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. *Note: Companion General Education proviso is 1.26.*

**WMC:** AMEND proviso to add "funds provided for technology" to the list of funds which may not be flexed. Delete the requirement that schools that do not have an internet website transmit all required information to the Comptroller General for posting on their website. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER to delete "funds provided for technology" from the list of funds which may not be flexed.

**1A.14.** (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, ~~funds provided for technology~~, nor funds required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

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

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

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

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

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

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

For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

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

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

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

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

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

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

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, *of* the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

**1A.23 AMEND** (Reading) Provides directives for the use of reading literacy funds.

**WMC:** AMEND proviso to delete the directives for expending 50% of the funds toward acquisition of reading proficiency and allocating 50% to school districts. Direct that funds allocated to the department for reading be used to provide districts with research-based strategies and professional development and to work directly with schools and districts to assist with implementation. Direct the department establish measurements for monitoring impact on student achievement. *Portions of line item allocation to districts will be consolidated with the current Aid to Districts line item.* Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

~~**1A.23.** (SDE-EIA: Reading) Of the funds appropriated for reading/literacy, the Department of Education, schools, and districts shall ensure that resources are utilized to improve student achievement in reading/literacy. To focus on the importance of early reading and writing skills and to ensure that all students acquire reading/literacy skills by the end of grade three, fifty percent of the appropriation shall be directed toward acquisition of reading proficiency to include, but not be limited to, strategies in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Forty percent of the appropriation shall be directed toward classroom instruction and intervention to focus on struggling readers and writers in grades four through eight. Ten percent of the appropriation should be directed toward acceleration to provide additional opportunities for deepening and refinement of literacy skills.~~

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

**1A.25 AMEND FURTHER** (Professional Development) Allows up to \$500,000 of professional development funds to be used for gifted and talented teacher endorsement and certification activities and provides for the allocation of the remainder of the funds. Authorizes the department to retain up to 25% for administration and for providing professional development services targeted to the original Abbeville law suite trial and plaintiff school districts. Requires the department to post professional development standards on its website and provide training through telecommunication methods. Authorizes unexpended professional development funds to be carried forward and used for the same purpose.

**WMC:** AMEND proviso to direct that \$485,000 be allocated to the Youth Learning Institute at Clemson University to implement two professional development programs in four middle schools

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to assist educators in teaching students how to become self-regulated and self-directed learners. Require the institute provide the department with evidence of the impact of the program and information on how to scale the model statewide. Delete the directive for allocating the remainder of professional development funds and the authorization for the department to retain up to 25% for administration and for providing professional development services targeted to the Abbeville law suit plaintiff districts.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER

**1A.25.** (SDE-EIA: Professional Development) Of the funds appropriated for professional development, up to \$500,000 may be expended for gifted and talented teacher endorsement and certification activities. ~~Additionally, \$485,000 shall be allocated to the Youth Learning Institute at Clemson University to implement two professional development programs in four middle schools in school year 2018-19 to assist educators in teaching students how to become self-regulated and self-directed learners. The institute must provide to the department evidence of the impact of the program and information on how the model may be scaled statewide.~~ The balance of EIA funds appropriated for professional development must be allocated to districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty five day count of the prior school year. The funds must be expended on professional development for certificated instructional and instructional leadership personnel in grades kindergarten through twelve across all content areas, including teaching in and through the arts and using technology in classroom instruction. No more than twenty five percent of the funds appropriated for professional development may be retained by the Department of Education for the administration and provision of other professional development services which must be targeted to districts who are or were the original trial and plaintiff school districts in the Abbeville law suit to increase the capacity of educators and leaders in those districts. The Department of Education must provide professional development on assessing student mastery of the content standards through classroom, formative and end-of-year assessments. The Department of Education also must post on the agency's website the South Carolina Professional Development Standards and provide training through telecommunication methods to school leadership on the professional development standards. The department is authorized to carry forward and expend professional development funds for the same purpose.

**1A.27** **AMEND** (Adult Education) Provides for the allocation of adult education funds to school districts. Requires districts to collect and report certain information to the department and for the department to provide summary information to certain legislative committees. Allows up to \$300,000 to be used to establish an initiative for qualifying adult education students to qualify for a free high school equivalency test and directs the department to establish guidelines for this initiative.

**WMC:** AMEND proviso to delete reference to "(WorkKeys)." Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1A.27.** (SDE-EIA: Adult Education) A minimum of thirty percent of the funds appropriated for adult education must be allocated to school districts to serve adult education students between the ages of seventeen and twenty-one who are enrolled in programs leading to a state high school diploma, state high school equivalency diploma (GED), or career readiness certificate (~~WorkKeys~~). The remaining funds will be allocated to districts based on a formula which

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includes factors such as target populations without a high school credential, program enrollment the previous school year, number of students making an educational gain the previous school year, and performance factors such as number of high school credentials and career readiness certificates awarded the previous school year. Overall levels of state funding must meet the federal requirement of state maintenance of effort. Each school district must collect information from both the student and the school including why the student has enrolled in Adult Education and whether or not the student is pursuing a GED or Diploma. The school district must then provide a quarterly report to the Department of Education 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 information. Up to a maximum of \$300,000, of funds may be used to establish an initiative by which qualifying adult education students may qualify for a free high school equivalency test. The Department of Education shall establish guidelines for the free high school equivalency testing initiative.

**1A.29 AMEND** (Full-Day 4K) Provides guidelines for participation in and funding for CDEPP (Early Reading Development and Education Program. Provides for public and private providers to be reimbursed for instructional costs at a rate of \$4,422 per student enrolled and for private providers to be reimbursed for transportation at a rate of \$563 per eligible child transported. Requires \$300,000 be allocated to the EOC to conduct an annual evaluation of CDEPP to issue findings in a report to the General Assembly by January 15<sup>th</sup>. *Note: Companion General Education proviso is 1.58.*

**WMC:** AMEND proviso to change the funding provided for public and private providers from “\$4,422” to “\$4,510” per student and change the private providers transportation reimbursement from “\$563” to “\$574” per eligible child transported. Delete reference to “end of year adjustments” for PowerSchool funding.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1A.29.** (SDE-EIA: Full-Day 4K) Eligible students residing in a school district that met the poverty level for participation in the prior school year are eligible to participate in the South Carolina Early Reading Development and Education Program in the current school year. Public and private providers shall be funded for instructional costs at a rate of ~~\$4,422~~ \$4,510 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for a reimbursement of ~~\$563~~ \$574 per eligible child transported. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool ~~and end of year adjustments shall be~~ based on the one hundred and thirty-five day student average daily membership.

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Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department, during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations for the current fiscal year to account for the findings.

Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

**1A.30 AMEND FURTHER** (Aid to Districts) Directs that Aid to Districts funds in program VII.A.1 be dispersed to school districts based on the number of weighted pupil units.

**WMC:** AMEND proviso to direct that the funds be dispersed "at least quarterly." Authorize the department to withhold up to \$350,000 to provide school districts with technology technical assistance and to allocate the remaining funds based on the number of wpu with no district receiving less than they received the prior fiscal year due to consolidating the Aid to Districts-Technology, Reading, and Professional Development line items into the Aid to Districts line item.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER

**1A.30.** (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, VIII.A.1. Aid to Districts shall be dispersed *at least quarterly* to school districts based on the number of weighted pupil units. ~~*Of the funds appropriated for Aid to Districts, the department is authorized to withhold up to \$350,000 in order to provide technology technical assistance to school districts. For the current fiscal year, the remaining funds shall be allocated to districts based on the number of weighted pupil units with no district receiving less funds than the district received in the prior fiscal year as a result of consolidating the following EIA line items into the Aid to Districts line item: Aid to Districts Technology, Reading, and Professional Development.*~~

**1A.34 AMEND** (Partnerships/Other Agencies & Entities) Requires agencies and entities that receive EIA funds from the department's Partnerships sub-program to continue to report annually to the EOC. Requires funds that must pass through a state entity to be passed through the EOC.

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Requires the EOC to make funding recommendations to the Governor and the General Assembly through the annual budget process.

**WMC:** AMEND proviso to direct that pass through funds must flow through the EOC unless the entity requests otherwise in order to match federal or other funds. *The EOC states this will allow funds, if requested, to be allocated to another state agency or entity to be matched with private or federal funds.* Requested by Education Oversight Committee.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1A.34.** (SDE-EIA: Partnerships/Other Agencies & Entities) For the current fiscal year, agencies and other entities receiving funds appropriated in Part IA, Section 1, VIII. ~~E~~ F. will continue to report annually to the Education Oversight Committee (EOC). Any entity receiving funds that must flow through a state agency will receive those funds through the EOC, unless requested in writing by the entity to match federal or other funds. The EOC will make funding recommendations to the Governor and General Assembly as part of the agency's annual budget request.

**1A.36 AMEND FURTHER** (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary for FY 2017-18 is \$51,966. Directs the department to continue to use the FY 2016-17 statewide minimum teacher salary schedule in FY 2017-18. Requires a local district board of trustees to provide a step increase for all eligible certified teachers.

**WMC:** AMEND proviso to change "\$51,966" to "\$51,152" and change "2017-18" to "2018-19."

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER

**1A.36.** (SDE-EIA: 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 Revenue and Fiscal Affairs Office. For the current school year the Southeastern average teacher salary is projected to be ~~\$51,966~~ \$51,152. 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.

The statewide minimum teacher salary schedule used in Fiscal Year ~~2016-17~~ 2017-18 will continue to be used in Fiscal Year ~~2017-18~~ 2018-19 and the starting salary shall be increased to \$32,000 with the remaining salary schedule increased by XXX percent.

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.

Funds appropriated in Part IA, Section 1, VIII.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(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.41 AMEND FURTHER** (EOC Partnerships for Innovation) Directs the EOC to participate in public-private partnerships to promote innovative ways to transform how public education is



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assessed that supports increased student achievement in reading and college and career readiness. Allows the funds to also be used for innovative delivery of science, technology, and genetic education and exposure to career opportunities in science to students in the Abbeville equity school districts and in high poverty schools. Directs the committee to work to expand the engagement of stakeholders and annually report to the General Assembly on measurement results. Directs the EOC and the department to recommend a plan to develop and implement a strategic grants process to review, award, and monitor innovative education strategies in schools and districts and directs that the plan be submitted to the Senate Finance and House Ways and Means Committees by January 15, 2018.

**WMC:** AMEND proviso to update plan submission due date to January 15, “2019.”

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER

**1A.41.** (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 be used to support the innovative delivery of science, technology, and genetic education and exposure to career opportunities in science, including mobile science laboratory programs, to students enrolled in the Abbeville equity school districts and students in high poverty schools. 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.

~~The Education Oversight Committee and the Department of Education shall recommend to the Senate Finance Committee and to the House Ways and Means Committee a plan to develop and implement a strategic grants process for reviewing, awarding, and monitoring innovative education strategies in schools and districts. The plan would identify the process and priority areas for funding that address the educational needs of the state. The plan must be submitted by January 15, 2018 2019.~~

**1A.42** AMEND (Aid to Districts Draw Down) **SUBCOMMITTEE RECOMMENDATION:** AMEND proviso.

**1A.42.** (SDE-EIA: Aid to Districts Draw Down) For the current fiscal year, in order to draw down funds appropriated in Part IA, Section 1, VIII.A.1, Aid to Districts, school districts, Palmetto Unified District and the Department of Juvenile Justice 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 first, of the current fiscal year. In the current fiscal year, school districts may continue to negotiate with local law enforcement for the provision of School Resource Officers.

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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 thirtieth, of the current fiscal year, on any districts that failed to submit an updated plan.

**1A.48 CONFORM TO FUNDING** (Surplus) Requires EIA funds carried forward from the prior fiscal year that are not appropriated or authorized to be carried forward and spent for specified purposes. Directs the department to disburse the K-12 Funding Gap funds to school districts that are cumulatively appropriated and allocated at least 8% less state funds than they received in FY 2016-17.

**WMC:** AMEND proviso to update fiscal year reference to “2018-19;” delete items 1, 4, 5, and 6; change EOC Partnership from “\$6,281,500” to “\$4,559,000;” and delete the directive for disbursing funds for the K-12 Funding Gap.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

**1A.48.** (SDE-EIA: Surplus) For Fiscal Year ~~2017-18~~ 2018-19, EIA cash funds from the prior fiscal year and EIA funds not otherwise appropriated or authorized must be carried forward and expended on the following items in the order listed:

- ~~1. Computer Science Task Force - \$400,000;~~
- ~~2. 1. EOC-Partnerships - \$6,281,500~~ \$4,559,000; and
- ~~3. 2. Industry Certification - \$3,000,000;~~
- ~~4. SDE School Districts Capital Improvement Plan - \$55,828,859;~~
- ~~5. SDE Technical Assistance - \$1,308,500; and~~
- ~~6. SDE K-12 Funding Gap - \$450,000.~~

~~The Department of Education shall disburse the funds for the K-12 Funding Gap proportionately to school districts that, in the current fiscal year, are cumulatively appropriated and allocated at least eight percent less state funds than the school district was appropriated and allocated in Fiscal Year 2016-17. For purposes of this proviso, state funds includes Education Improvement Act funds. Further, the amounts appropriated and allocated in Part IA and Sections 1 and 1A of this Part IB, shall be considered for purposes of determining whether a school district received less state funds.~~

**1A.49 AMEND** (Public Charter Pupil Counts) Requires each charter school to submit to the Public Charter School District student attendance reports for specific days and directs what information is to be included in the reports. Directs the district to submit the data to the department which shall submit a quarterly report to the Chairmen of the House Ways and Means, House Education and Public Works, Senate Finance, and Senate Education Committees. Directs the 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.

**WMC:** AMEND proviso to add a “registered Institution of Higher Education” as a charter school sponsor. Specify that the department provide the summary information to specific committees on June 30<sup>th</sup> of the current fiscal year. Requested by Public Charter School District.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1A.49.** (SDE-EIA: Public Charter Pupil Counts) With funds appropriated to charter schools sponsored by either the South Carolina Public Charter School District or a registered Institution of Higher Education, the ~~district~~ sponsor must require each charter school to submit a student attendance report for the 5<sup>th</sup>, 45<sup>th</sup>, 90<sup>th</sup> and 135<sup>th</sup> days. Reporting requirements shall include both

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Average Daily Membership and Weighted Pupil Unit membership. The South Carolina Public Charter School District *or a registered Institution of Higher Education* 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 *or a registered Institution of Higher Education* 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 from both the parent(s) and the referring 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 on June 30<sup>th</sup> of the current fiscal year.

**1A.50 AMEND** (South Carolina Public Charter School District Funding) Provides for the allocation of S.C. Public Charter School District funds for virtual and brick and mortar charter schools. Provides a timeline extension for ruling on charter school applications and requires the Public Charter School District provide an outcomes report on the extended time frame to the Senate Finance Committee.

**WMC:** AMEND proviso to add a “registered Institution of Higher Education” as a charter school sponsor. Update fiscal year reference to “2018-19.” Requested by Public Charter School District.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1A.50.** (SDE-EIA: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section VIII.GH. - South Carolina Public Charter School District *Statewide Sponsor* must be allocated in the following manner to students at charter schools within the South Carolina Public Charter School District *or within a registered Institution of Higher Education*: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District *or a registered Institution of Higher Education* shall receive \$1,900 per weighted pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District *or a registered Institution of Higher Education* shall receive \$3,600 per weighted pupil. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175. For Fiscal Year ~~2017-18~~ 2018-19, the timelines set forth for ruling on charter school applications are extended for sixty calendar days for all applications submitted to the South Carolina Public Charter School District if the district determines that an applicant should be permitted to amend its application to meet the requirements of Section 59-40-60 and Section 59-40-70, of the 1976 Code, based on an applicant’s proposal to address an existing achievement gap utilizing an evidence-based educational program in an underserved geographical area of the state including, but not limited to, charter schools proposed to be located in any school district that is a plaintiff in the Abbeville law suit. The South Carolina Public Charter School District shall report to the Senate Finance Committee and the House Ways and Means Committee on the outcomes of this extended time for a hearing at the end of the application cycle.

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- 1A.51 CONFORM TO FUNDING** (Low Achieving Schools) Directs the EOC to use \$500,000 of the Partnerships for Innovation funds to support up to 3 low-achieving schools to design and plan for implementing innovative, research-based strategies that are focused on recruiting and retaining highly effective teachers and on increasing time-on task. Directs the EOC to assist schools to determine the evidence to be collected to measure initiative effectiveness and to identify resources to support the initiative and to collaborate with TransformSC.  
**WMC:** DELETE proviso.  
**HOU:** ADOPT deletion of proviso.  
**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

~~1A.51. (SDE-EIA: Low Achieving Schools) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$500,000 must be allocated to support up to three low-achieving schools in designing and planning for implementation innovative, research-based strategies focused on recruiting and retaining highly effective teachers and on increasing time-on-task through the amount of time, the quality of instruction and the engagement of students. The committee will assist the schools in determining the evidence that will be collected to measure the effectiveness of the initiative and in identifying resources to support the initiative and in collaborating with TransformSC.~~

- 1A.52 CONFORM TO FUNDING** (TransformSC) Requires at least \$400,000 of Partnerships for Innovation funds to the EOC be allocated to the TransformSC public-private project.  
**WMC:** DELETE proviso.  
**HOU:** ADOPT deletion of proviso.  
**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

~~1A.52. (SDE-EIA: TransformSC) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, at least \$400,000 shall be allocated to the TransformSC public-private project.~~

- 1A.54 DELETE** (Charter School Funding-Chartered by Institutions of Higher Education) Provides for the allocation of Public Charter School District funds to charter schools authorized by an approved higher education institution per weighted pupil: \$3,600 for students enrolled in brick and mortar charter schools and \$1,900 for virtual charter schools. Limits the amount which must be carried forward to not more than 10% of the prior year appropriation. Directs that any funds exceeding 10% must be transferred to the Charter School Facility Revolving Loan Program.  
**WMC:** DELETE proviso. *The language has been consolidated into proviso 1A.50.* Requested by Public Charter School District.  
**HOU:** ADOPT deletion of proviso.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~1A.54. (SDE-EIA: Charter School Funding-Chartered by Institution of Higher Education) Pupils enrolled in a brick and mortar charter school authorized by an approved institution of higher education located in this state shall receive \$3,600 per weighted pupil and pupils enrolled in a virtual charter school authorized by an approved institution of higher education located in this state shall receive \$1,900 per weighted pupil from the funds appropriated in Part IA, Section VIII.G. South Carolina Public Charter School Institution of Higher Education. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175, of the 1976 Code.~~

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**1A.55 AMEND FURTHER** (Rural Teacher Recruiting Incentive) Creates a program within CERRA to recruit and retain classroom educators in rural and underserved districts that annually experience excessive teacher turnover. Requires CERRA report by July 31st to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House on the incentives that have been developed and to make recommendations for attracting and retaining high quality teachers. Authorizes Rural Teacher Recruiting Incentive funds to be carried forward and used for the same purpose.

**WMC:** AMEND proviso (B)(1) to change teacher turnover of “eleven” to “ten” percent. Amend (C) to delete item (1) pertaining to the SC Teachers Loan forgiveness rate of 1 year for every 2 years of service. *CHE is currently pursuing changes to the loan statute to provide loan forgiveness for all teachers in all districts and the Student Loan Corporation states it is operationally difficult and expensive to implement different loan forgiveness rates.* Requested by Center for Educator Recruitment, Retention, and Advancement.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER to change “ten” percent back to original “eleven” percent.

**1A.55.** (SDE-EIA: Rural Teacher Recruiting Incentive) (A) There is created a program within the South Carolina Center for Educator Recruitment, Retention, and Advancement (CERRA) to recruit and retain classroom educators in rural and underserved districts experiencing excessive turnover of classroom teachers on an annual basis.

(B) During the current fiscal year CERRA shall publish eligibility requirements and applications for individual educators, school districts, and institutions of higher education not inconsistent with existing licensure requirements for each, but also including:

(1) Eligible districts identified by CERRA as experiencing greater than **eleven** ~~ten~~ percent average annual teacher turnover, as reported on the districts’ five most recent district report cards issued by the South Carolina Department of Education, may make application to participate in the program.

(2) Individuals eligible for incentives shall be willing to provide instructional services in an eligible district in exchange for participation in an incentive detailed in item (C) of this section, pursuant to the obligations and restrictions stated for each.

(3) Institutions of higher education eligible to receive education funding as a component of recruiting incentives created pursuant to item (C) of this section shall not be excluded from participation in Teaching Fellows Program.

(4) Any incentives requiring individuals to relocate into an eligible district to provide instructional services shall not be made available to individuals providing instructional services in other eligible districts.

(C) Pursuant to item (A), CERRA shall develop a set of incentives including, but not limited to, salary supplements, education subsidies, loan forgiveness, professional development, and mentorship to be provided to classroom educators that offer instructional services in eligible districts and shall provide incentive options for eligible individuals at all stages of their careers, including high-school and college or university students interested in entering the teaching profession and including individuals entering the field through an alternative certification pathway to include, but not limited to, PACE, ABCTE, Teach for American and CATE Work-Based Certification.

At a minimum, the incentives shall include:

~~(1) South Carolina Teachers Loan forgiveness at a rate of one year for every two years of service as a teacher in an eligible district, unless otherwise eligible for a greater forgiveness rate under the guidelines of the South Carolina Teachers Loan Program.~~

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(~~2~~ 1) Development of a program for forgiveness of undergraduate student loans, not to exceed \$5,000 per year, for up to 7 years, for teachers participating in this incentive that achieve certification through an alternative pathway or who have a loan from an institution other than the South Carolina Student Loan Corporation or program other than the South Carolina Teachers Loan Program.

(~~3~~ 2) Development of a forgivable loan program for individuals pursuing graduate coursework in furtherance of a teaching career, including enrollment in graduate-level coursework necessary to seek additional credentialing or certification relevant to the participant's teaching practice, or individuals seeking an alternative pathway to certification as a teacher.

(4 ~~3~~) Support for the establishment and maintenance of a teaching mentorship program, including salary supplements for teaching mentors not to exceed \$2,500 per year.

(~~5~~ 4) Other technical support and recruiting incentives as developed by CERRA in conjunction with the Department of Education and the Education Oversight Committee consistent with the objectives of this section.

(D) In addition to eligibility and application requirements, CERRA shall develop a process for recovering an amount equal to the incentives given to individual participants who fail to comply with the obligations associated with a relevant incentive in which they participate including, but not limited to, failure to complete a prescribed course of study, failure to obtain a relevant certification or licensure upon completion of a course of study, or failure to provide instructional services in an eligible district for a prescribed period of time.

(E) CERRA shall report by July thirty-first of the current fiscal year to the Governor, President pro Tempore of the Senate, and Speaker of the House on the incentives developed pursuant to item (C) of this section and make recommendations for attracting and retaining high quality teachers in rural and underserved districts. The report shall contain at a minimum eligibility requirements and application processes for districts and individuals, descriptions of and proposed budgets for each incentive program and an analysis of the number and demographics of individuals potentially eligible for each.

(F) Funds appropriated or transferred for use in the Rural Teacher Recruiting Incentive may be carried forward from prior fiscal years and used for the same purpose.

**1A.57 CONFORM TO FUNDING / AMEND FURTHER** (Reading/Literacy Coaches) Provides for the allocation and use of funds appropriated for Reading/Literacy Coaches to school districts. Requires the department publish guidelines defining reading/literacy coach minimum qualifications; develop procedures to monitor the use of these funds; and requires the funds to be retained and carried forward for the same purpose and not flexed. *Note: Companion General Education proviso is 1.62.*

**WMC:** AMEND proviso item (A) to delete previous distribution criteria and instead direct that school districts shall be eligible to receive up to \$62,730 for each primary and elementary school. Amend item (B) to authorize a district to use these funds to employ reading/literacy coaches in a primary, elementary, or middle school, or combination of schools depending on the districts area of highest need. Require the district to align placement of coaches to their approved district reading plan. Amend item (C) to add primary and/or middle schools. Amend item (K) to delete previous directive for targeting areas of greatest need based on certain criteria and instead authorize the department to fund a coach at the full time rate based on certain criteria.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / AMEND FURTHER

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**1A.57.** (SDE-EIA: Reading/Literacy Coaches) (A) Funds appropriated for Reading/Literacy Coaches must be allocated to school districts by the Department of Education as follows: ~~(1) for each *primary and* elementary school in which twenty percent or more of the students scored below “meets expectations” on the reading sub-score of the English language arts test in the most recent year for which such data are available, the school district shall be eligible to receive the lesser of up to \$62,730~~2~~ or the actual cost of salary and benefits for a full-time reading/literacy coach; and~~

~~(2) for each elementary school in which fewer than twenty percent of the students scored as referenced in (A)(1), the school district shall be eligible to receive the lesser of up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full time reading/literacy coach. A school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.~~

(B) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may, ~~however,~~ assign a reading/literacy coach to a primary school rather than to the elementary school to improve the early literacy skills of young children *only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district. The school district must align the placement of coaches to the district reading plan that is approved by the department.*

(C) Funds appropriated for reading/literacy Coaches are intended to be used to provide *primary, elementary, and/or middle* schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155 of Title 59.

(D) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(E) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

- (1) holds a bachelor’s degree or higher and an add-on endorsement for literacy coach or literacy specialist; or
- (2) holds a bachelor’s degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or
- (3) holds a master’s degree or higher in reading or a closely-related field.

Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate. The provisions of subsection (A), including the local support requirements, shall also apply to any allocations made pursuant to this paragraph.

(F) The Department of Education must develop procedures for monitoring the use of funds appropriated for reading/literacy coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for reading/literacy coaches in order to implement this program, provided that this allocation does not exceed the department’s actual costs.

(G) Prior to the close of the current fiscal year, any unspent or unallocated funds for reading/literacy coaches shall be used to fund Summer Reading Camps.

(H) The Department of Education shall require:

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(1) any school district receiving funding under subsection (A) to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and

(2) any school district receiving funding under subsection ( G) to account for the specific amounts and uses of such funds.

(I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

(J) Funds appropriated for reading/literacy coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

~~(K) For Fiscal Year 2017-18, if increased funding for reading/literacy coaches is not sufficient to provide additional reading/literacy coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment the current fiscal year, and if funds are available, the department may fund a coach at the full-time rate if the district's reading scores show that less than 20% of the students scored below "meets expectations" on the reading sub-score of the English language arts test in the most recent year for which such data are available, but for the past two year the district qualified for a full-time coach based on the assessment scores.~~

**1A.58 AMEND FURTHER** (Digital Instructional Materials) Directs the department to create an instructional materials list of print and digital items that have received State Board approval through the normal adoption process. Directs the department to continue to work with publishers to ensure that districts have the option to receive both print and digital versions of materials. Provides for the use of instructional materials funds to refurbish existing or purchase new science kits. Authorizes instructional materials funds to be carried forward and used for the same purposes. Directs that instructional materials funds are not subject to flexibility. *Note: Companion General Education proviso is 1.71.*

**WMC:** AMEND proviso to require the department continue to work with publishers to ensure that districts have options for print/digital student materials to include class sets of print student editions, if needed. Direct the department to determine a per pupil amount for unfunded state-adopted digital instructional materials and unvetted digital student materials using the prior year's 135-ADM and to make these funds available to schools for one-year access to the unfunded or unvetted materials. Direct that the use of unvetted digital student materials shall be the responsibility of the school district. Direct the department to create a digital instructional materials list of approved, unfunded items. Provide guidelines for districts to request an allocation for one-year digital access. Provide guidelines for publishers/vendors to request to have digital student materials added to an unvetted list and for districts to request an allocation for using unvetted instructional materials. Direct the department to use digital instructional materials funds that are unencumbered by January 15 to purchase unfunded state adopted instructional materials. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER to delete the new directives pertaining to unfunded state adopted digital student materials and unvetted materials.

**1A.58.** (SDE-EIA: Digital Instructional Materials) The Department of Education shall *continue to* create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that



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districts who wish to receive both the digital version and *have options for print/digital student materials to include* class sets of textbooks may be awarded that option *print student editions, if needed*. Funds appropriated for the purchase of textbooks and other instructional materials (*print/digital*) may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted textbook *instructional materials* inventory, purchasing new kits *or those adopted as supplemental* from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility. Digital Instructional Materials shall include the digital equivalent of materials and devices.

~~*Utilizing the designated funds, the department shall determine a per pupil amount using the prior year's 135-Day Average Daily Membership for unfunded state-adopted digital instructional materials and unvetted digital student materials. These funds shall be made available to all schools to allow one year access to unfunded digital state-adopted student materials or one year access to unvetted digital student materials from publishers/vendors and are subject to the procedures outlined below. The use of the unvetted digital student materials shall be the responsibility of the school district.*~~

~~*Unfunded State Adopted Digital Student Materials: The department shall create a digital instructional materials list composed of those items which have received board approval through the normal adoption process but are unfunded. Districts shall use the form available on the department's Instructional Materials website, to request an allocation for one year digital access by denoting the number of students, grade level, and subject for which the digital materials will be used.*~~

~~*Unvetted Materials: Publishers/vendors shall use the form available on the department's Instructional Materials website to request to have digital student materials added to an unvetted list of instructional materials that have not been evaluated through the instructional materials adoption process or approved by the board. Publishers/vendors are required to register and submit to the department the one year cost with product information, a completed brief, and correlations of the digital student materials to the appropriate academic standards, career and technology education course standards, or other program areas which are not addressed within the standards. Information in the brief shall include the intended course or subject area with the assigned Instructional Activity Code, the readability level, documentation of compliance to ensure the digital instructional materials are accessible to students with disabilities, and other specific descriptive information as required by the State Superintendent of Education. Failure to provide completed brief and correlation will automatically exclude the digital materials from the unvetted list. Previously reviewed instructional materials will be excluded from the list of unvetted digital materials. Should the publisher/vendor submit the unvetted materials for review as part of a call for bids for instructional materials, the bid materials will be removed from the unvetted listing.*~~

~~*A district shall use the form available on the department's Instructional Materials website to request an allocation for which the unvetted digital materials will be used by denoting the number of students, grade level, and subject with the assigned Instructional Activity Code. The department shall not be responsible for the use by schools of the unvetted digital materials including the content, alignment to standards, lack of accessibility for students with disabilities, quality, or any other aspect of the digital materials. The unvetted digital materials*~~

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~~shall not be placed on state contract; therefore, the availability and cost of these materials will not be assured.~~

~~Any funds appropriated for digital instructional materials which have not been encumbered by January 15, shall be used by the department to purchase unfunded state adopted instructional materials.~~

**1A.59** AMEND (4K Early Literacy Competencies Assessments) Provides for the use of full-day 4K program carry forward funds to procure and administer pre-kindergarten and kindergarten readiness assessments.

**WMC:** AMEND proviso to direct that if 4K program carry forward funds are not available, assessment funds shall be used to administer the prekindergarten assessments. Direct that accommodations must be provided for students who are Limited English Proficient according to their LEP Plan. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1A.59.** (SDE-EIA: 4K Early Literacy Competencies Assessments) Of the funds carried forward from the full-day 4K program from the previous fiscal year, the Department of Education is authorized to expend up to \$800,000 on assessments and professional development to analyze the early literacy competencies of children in publicly funded prekindergarten. If these funds are not available, funds appropriated and/or authorized for assessment shall be used to administer the prekindergarten assessments. The department shall manage the administration of assessments that analyze the early literacy and language development of children in publicly funded prekindergarten as done in the prior fiscal year. Each school district and private provider participating in a publicly funded prekindergarten program will administer one of the formative assessments selected by the department to each child eligible for and enrolled in a publicly funded prekindergarten program during the first forty-five days of the school year and during the last forty-five days of the school year. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program or 504 Accommodations Plan and for students who are Limited English Proficient according to their LEP Plan. The department will provide the assessment data to the Education Oversight Committee. The results of the assessment and the developmental intervention strategies recommended or services needed to address the child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student to admission to prekindergarten.

Furthermore, up to \$2,000,000 of the funds appropriated for half-day programs for four-year-olds and funds carried forward from assessment must be expended by the Department of Education to administer the Kindergarten Readiness Assessment (KRA) to each child entering kindergarten in the public schools. The assessment of kindergarten students must be administered at a minimum of once during the first forty-five days of the school year with the results collected by the department. The results of the assessments and the developmental intervention strategies recommended or services needed to address each child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student admission to kindergarten. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program, ~~or~~ 504 Accommodations Plan, or LEP Plan. Districts are given the option of designating up to two days of the one hundred eighty day school calendar to administer the assessment to kindergarten students. The department will also provide the results of the assessment of kindergarten students to the Education Oversight Committee. With available

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funds, the department will also provide or secure training for appropriate educators in how to administer the assessment.

For all students assessed with the Kindergarten Readiness Assessment (KRA), the Department of Education is required to collect data from schools and school districts on the prior early learning experience of each student. The data would include whether the kindergartener had attended in the prior school year a Head Start program, a South Carolina Early Reading Development and Education Program in a public school or a private center, a half-day 4K program in a public school, a full-day 4K program in a public school, a child care center (registered faith-based, registered family home, group home, or exempt provider) or informal child care.

**1A.61 AMEND (CDEPP Unexpended Funds)** Provides for the retention and expenditure of prior year CDEPP funds by First Steps and requires a report to the Chairmen of the Senate Finance and House Ways and Means Committees on how the funds were spent. *Note: Companion General Education proviso is 1.72.*

**WMC:** AMEND proviso to update fiscal year references to “2018-19.” Specify that if by August 1<sup>st</sup> it is determined there are funds available for districts to increase the length of the program, the funds must be allocated to eligible districts who have a documented waiting list and who “funded an extended program per this proviso in the prior school year.” Require the department and First Steps, by August 1<sup>st</sup>, to collect documented waiting lists and determine a process to notify parents of available slots. Requested by Education Oversight Committee.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**1A.61. (SDE-EIA: CDEPP Unexpended Funds)** For Fiscal Year ~~2017-18~~ *2018-19*, the Office of First Steps to School Readiness is permitted to retain the first \$1,000,000 of any unexpended CDEPP funds of the prior fiscal year and expend these funds to enhance the quality of the full-day 4K program in private centers and provide professional development opportunities.

By August first, the Office of First Steps is directed to allocate any additional unexpended CDEPP funds from the prior fiscal year and any CDEPP funds carried forward from prior fiscal years that were transferred to the restricted account for the following purpose: Education Oversight Committee - \$1,000,000 for the South Carolina Community Block Grants for Education Pilot Program.

If carry forward funds are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

If by August first, the Department of Education or the Office of First Steps determines there will be funds available, funds shall be allocated on a per pupil basis for districts eligible for participation first, who have a documented waiting list, *and funded an extended program per this proviso in the prior school year*, then to districts to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. *By August 1, the Department of Education and the Office of First Steps must collect the documented waiting lists and determine a process to notify parents of eligible students of available slots in all approved providers.* If a district chooses to fund summer enrollment the program funding shall conform to the funding in this act for full year programs, however shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this Act and end of year adjustments shall be based on the one hundred and thirty five day student average daily membership or later student average daily membership for districts

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choosing to extend the program past one hundred and eighty days. Funds may also be used to provide professional development and quality evaluations of programs.

No later than April first, the Department of Education and the Office of First Steps must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants.

- 1A.62 DELETE** (College and Career Readiness) Requires the department to use District College and Career Readiness Assistance funds to increase the capacity of the original trial and plaintiff school districts in the Abbeville law suit and to provide assistance using educators with demonstrated effectiveness in instructional leadership. Directs the department to report to the Chairmen of the Senate Finance and House Ways and Means Committees how these funds were spent.

**WMC:** DELETE proviso. *The department states the funds were non-recurring.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~1A.62. (SDE-EIA: College and Career Readiness) Funds appropriated to the Department of Education for District College and Career Readiness Assistance must first be used to increase the capacity of districts that are or were the original trial and plaintiff school districts in the Abbeville law suit. Funds shall be used by the department to provide assistance to districts using appropriately experienced educators with demonstrated effectiveness in instructional leadership. Support shall include professional development, standards and learning support, instructional support, data analysis and leadership development resources to ensure that educators are equipped with the tools to provide students with high quality, personalized learning that supports the Profile of the South Carolina Graduate. The department shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on how these funds were expended.~~

- 1A.65 CONFORM TO FUNDING** (Digital Learning) Directs that at least \$1,300,000 of Partnerships for Innovation funds be authorized for schools or school districts that have poverty indices of 80% or greater based on certain poverty indices or who are an Abbeville equity lawsuit trial or plaintiff district and direct the EOC to pilot a program to provide these districts with digital learning tools and resources, curriculum foundry, technical support, and professional development.

**WMC:** AMEND proviso to change “\$1,300,000” to “\$1,900,000.”

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

**1A.65.** (SDE-EIA: Digital Learning) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$1,300,000~~ \$1,900,000 must be authorized for schools or school districts that have poverty indices of eighty percent or greater based on the poverty index utilized the prior fiscal year that was student eligibility for the free or reduced price lunch program and Medicaid, or are a trial or plaintiff district in the Abbeville equity lawsuit. In these districts, the EOC will pilot a program that provides school districts with digital learning tools, digital resources, the curriculum foundry, technical support, and professional development.

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**1A.66 DELETE** (South Carolina IT Academy) Directs the department to procure an IT Academy for public schools statewide and requires the academy to offer certification opportunities for educators to receive Teacher Certification Exams and for middle school students to receive certification in an office suite of products and for high school students to receive programming credentials.

**WMC:** DELETE proviso. *The department states that the Academy was not funded in FY 2017-18.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~1A.66. (SDE-EIA: South Carolina IT Academy) Of the funds appropriated for the South Carolina IT Academy, the Department of Education shall procure an IT Academy for public schools statewide in the coming school year. The IT Academy must offer certification opportunities for educators to receive Teacher Certification Exams and for students to receive certifications in an office suite of products in the middle grades and programming credentials in high school. The procurement shall include official curriculum, e learning, E books, exams, software and lesson plans.~~

**1A.68 CONFORM TO FUNDING** (Low Achieving Schools) Directs that \$500,000 of Partnerships for Innovation funds appropriated to the EOC be allocated to parent support initiatives and afterschool programs in historically underachieving communities.

**WMC:** AMEND proviso to change "\$500,000" to "\$409,000."

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

~~1A.68. (SDE-EIA: Low Achieving Schools) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$500,000 \$409,000 shall be allocated to parent support initiatives and afterschool programs in historically underachieving communities.~~

**1A.69 CONFORM TO FUNDING** (EOC Military-Connected Children) Directs the EOC to use \$300,000 of Partnerships for Innovation funds to initiate a pilot program in at least two school districts that have a high military density that will provide training, services, resources and research to various educational and mental health professionals, service providers, and military parents. Requires training and services be provided by a non-profit entity with specific credentials. Directs the EOC to report on the expenditures of these funds and post-training evaluation in its annual report on the education performance of military-connected children as required by Act 289 of 2014.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

~~1A.69. (SDE-EIA: EOC Military-Connected Children) Of the funds allocated for Partnerships for Innovation, the Education Oversight Committee is directed to expend \$300,000 to initiate in at least two school districts with high military density, a pilot program that will provide training, services, resources and research to teachers, counselors, mental health professionals, school nurses, service providers and military parents. The objective of the pilot is to increase the level of educational quality and support for military connected children. The training and services must be provided by a non profit entity that is an NBCC Approved Continuing Education Provider and is an authorized provider by the international Association for Continuing Education and Training (IACET). Pursuant to its responsibilities under Act 289 of~~

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~~2014, the Education Oversight Committee will report on the expenditure of these funds and post training evaluations in its annual report on the educational performance of military connected children.~~

- 1A.70 CONFORM TO FUNDING** (STEM Labs) Directs the EOC to spend \$300,000 of Partnerships for Innovation funds for customized STEM labs. Directs the EOC to work with the department's Office of Standards and Learning to solicit middle schools from the Abbeville trial and plaintiff districts to participate in implementing a STEM based curriculum customized for 6<sup>th</sup> - 8<sup>th</sup> grade designed to address local industry needs. Requires the curriculum be aligned to state standards and certified by ACT WorkKeys.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

~~**1A.70.** (SDE-EIA: STEM Labs) Of the funds allocated for Partnerships for Innovation, the Education Oversight Committee is directed to expend \$300,000 for customized STEM labs. The Education Oversight Committee shall work with the Department of Education, Office of Standards and Learning to solicit interested middle schools from the Abbeville trial and plaintiff districts to participate in implementing a STEM based curriculum. The pilot sites will receive a customized 6<sup>th</sup> - 8<sup>th</sup> grade STEM curriculum designed to address the needs of local industry. The curriculum provided will be aligned to state standards and certified by ACT WorkKeys and will include hands on, problem based student labs. The curriculum will also be certified by ACT WorkKeys. Teachers in the pilot sites will receive ongoing, year long professional development on cross curricular STEM implementation that will be aligned to state standards as well and the district strategic plan.~~

- 1A.72 AMEND FURTHER** (National Board Certification Incentive) Directs that a \$7,500 salary supplement be paid to public school classroom teachers, including special schools, who are certified by the State Board of Education and the National Board for Professional Teaching Standards if they completed the application process before July 1, 2010 and a \$5,000 salary supplement if they completed the application process after July 1, 2010 as long as they maintain their national board certification. Directs that FY 2017-18 will be the final year for eligible teachers to submit initial application and fee for the incentive program and be eligible to receive the state supplement when they achieve certification. Direct that excess funds be distributed to school districts based on the EFA formula.

**WMC:** AMEND proviso to delete the directive that FY 2017-18 will be the final year that eligible teachers can submit their initial application and fee to participate in the program. Direct that to receive the state supplement, teachers must have submitted their initial application and fee in FY 2017-18.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** AMEND FURTHER

**1A.72.** (SDE-EIA: 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 Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity

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School, John de la Howe School, School for the Deaf and the Blind, 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 teachers FTE and paid to the teacher in accordance with the districts payroll procedure. 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.

For the current fiscal year the salary supplement will be \$5,000 for 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, beginning in the year of achieving certification and applies uniformly to all teachers covered under Section 59-26-85(A)(2) of the 1976 Code. The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, 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 the lesser of, the length of one national certificate cycle. However, the \$5,000 supplement shall be adjusted on a pro rata basis for the teachers FTE and paid to the teacher in accordance with the districts payroll procedure.

~~Fiscal Year 2017-18 shall be the final year for eligible teachers to submit the initial application and fee for NBPTS and be eligible to receive the state supplement upon achieving certification. Teachers eligible to receive the state supplement upon achieving certification must have submitted the initial application and fee for NBPTS in Fiscal Year 2017-18. In order for teachers to be eligible to receive the state supplement upon achievement of certification by NBPTS, they must have submitted the initial NBPTS application and fee on or before June 30, 2018.~~ Appropriations in excess of applicable expenditures shall be distributed to school districts based on the EFA formula.

**1A.76 CONFORM TO FUNDING / REINSERT & AMEND** (Aid to Districts-Technology) Directs that Aid to Districts - Technology funds be distributed to public school districts, special schools, and the SC Public Charter School District per pupil, based on the previous year's 135 day ADM based on specific calculations. Allows the department to adjust the per-ADM rates to conform to actual levels of student attendance and available appropriations. Directs that funds are to be used to improve external and internal connections and develop or expand 1-1 computing initiatives. Allows a school district that has achieved each goal to submit a plan to the K-12 Technology Committee for permission to use the funds for other technology-related uses and provide an appeals process. Directs each school district that receives these funds to provide an itemized report by June 30, 2018, on the amounts and uses of these funds.

**WMC:** DELETE proviso. *Technology line items are being rolled up. See proviso 1A.30.*

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / REINSERT & AMEND proviso to update year references to "2019" and fiscal year to "2018-19."

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**1A.76.** (SDE-EIA: Aid to Districts-Technology) Funds appropriated to the Department of Education for Aid to Districts - Technology shall be distributed to the public school districts of the state, the special schools of the state and the South Carolina Public Charter School District, per pupil, based on the previous year's one hundred thirty-five day average daily membership, according to the below calculations: (1) For a school district with a poverty index of less than 75: \$35 per ADM; (2) For a school district with a poverty index of at least 75 but no more than 85: \$50 per ADM; or (3) For a school district with a poverty index of greater than 85 or a special school with no defined poverty index: \$70 per ADM. Poverty will be defined as determined for the poverty add on weight in Proviso 1.3 of this Act.

The Department of Education may adjust the per-ADM rates for each of the three classes defined above in order to conform to actual levels of student attendance and available appropriations, provided that the per-ADM rate for each class is adjusted by the same percentage.

Funds distributed to a school district may only be used for the following purposes: (1) To improve external connections to schools, with a goal of reaching at least 100 kilobits per second, per student in each school by ~~2017~~ 2019; (2) To improve internal connections within schools, with a goal of reaching at least 1 megabit per second, per student in each school by ~~2017~~ 2019; or (3) To develop or expand one-to-one computing initiatives.

A school district that has achieved each of the above goals may submit a plan to the K-12 Technology Committee for permission to expend its allocation on other technology-related uses; such permission shall not be unreasonably withheld and the K-12 Technology Committee must permit districts to appeal any process should a district not receive approval and must provide technical assistance to districts in developing plans should the district request such.

Funds appropriated may not be used to supplant existing school district expenditures on technology. By June 30, ~~2018~~ 2019, each school district that receives funding during Fiscal Year ~~2017-18~~ 2018-19 must provide the K-12 Technology Committee with an itemized report on the amounts and uses of these funds, using a form developed by the Education Oversight Committee. In this report, a school district must provide information on its efforts to obtain reimbursements through the "E-Rate" Schools and Libraries Program administered by the Universal Service Administrative Company. Within its available resources, the K-12 Technology Committee shall support school districts' efforts to obtain these reimbursements.

**1A.77** **DELETE** (Carry Forward) Directs the department to allocate \$30 million from carry forward or unencumbered or unobligated cash balances for the School Districts Capital Improvement Plan as set forth in this Act. *Note: Companion General Education proviso is 1.85.*

**WMC:** DELETE proviso. *Funds have been allocated.*

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~**1A.77.** (SDE-EIA: Carry Forward) For Fiscal Year 2017-18, the Department of Education is directed to allocate \$30,000,000 from carry forward or unencumbered or unobligated cash balances for the School Districts Capital Improvement Plan as set forth in this Act.~~

**1A.78** **DELETE** (Instructional Materials Adoption) Directs the department and the State Board of Education to review the current process for adopting and appropriating instructional materials; to establish an updated process that includes both print and digital materials by December 1, 2017; and to make recommendations to the Governor and General Assembly according to the new process.

**WMC:** DELETE proviso. *Process has been established.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.



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**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~1A.78. (SDE-EIA: Instructional Materials Adoption) The Department of Education and the State Board of Education are directed to review the current process for the adoption and appropriation of instructional materials and establish an updated process that will include both print and digital instructional materials no later than December 1, 2017, and make corresponding funding recommendations to the Governor and the General Assembly according to the new process.~~

**1A.80 CONFORM TO FUNDING** (Teacher Academy Pilot) Directs the EOC to use \$100,000 of Teacher Academy funds to pilot a program to improve teacher recruitment and retention. Directs the academy to provide intensive professional development to beginning, novice, and struggling teachers during the summer. Directs the EOC to evaluate the academy's impact using the Effective Learning Environments Observation Tool.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

~~1A.80. (SDE-EIA: Teacher Academy Pilot) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$100,000 shall be utilized to pilot a Teacher Academy project to improve teacher recruitment and retention. The academy shall provide intensive professional development to beginning, novice, and struggling teachers during the summer prior to the current school year. The Education Oversight Committee shall evaluate the impact of the academy using the state observation tool "Effective Learning Environments Observation Tool" (ELEOT).~~

**1A.81 CONFORM TO FUNDING** (Kinesthetic Learning Program) Direct the EOC to use \$250,000 of Partnerships for Innovation funds to pilot a kinesthetic learning platform which uses physical activity to teach Pre K through 3<sup>rd</sup> grade math, English/language arts and literacy standards.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

~~1A.81. (SDE-EIA: Kinesthetic Learning Platform) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$250,000 must be used to pilot a kinesthetic learning platform using physical activity to teach South Carolina's Math, English/Language Arts and Literacy standards for the Pre K through 3<sup>rd</sup> grade learner to improve academic performance.~~

**1A.83 CONFORM TO FUNDING** (Kindergarten Readiness Program) Directs that \$300,000 of Partnerships for Innovation funds be allocated to support a home based, technology delivered kindergarten readiness program with specific software.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

~~1A.83. (SDE-EIA: Kindergarten Readiness Program) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$300,000 must be allocated to support a home based, technology delivered kindergarten readiness program with software~~

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~~aligned with NAEYC's 12 Principles of Child Development and Learning that Inform Practice and with Head Start's Early Learning Outcomes framework and with demonstrated RCT results.~~

- 1A.84** **ADD** (Alternative Commitment to Truancy) **WMC:** ADD new proviso to direct that school districts receiving funds from the Department of Education for an alternative school must identify alternatives to commitment for students whose truancy is nearing referral to court and present the alternatives to the court. *Moved from Section 117, Proviso 117.33.*  
**HOU:** ADOPT new proviso.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

*1A.84. (SDE-EIA: Alternative Commitment to Truancy) As part of its plan for an alternative school, a school district receiving funds from the Department of Education for an alternative school shall identify available alternatives to commitment for children whose truancy is approaching the level of being referred to family court. When proceeding under Section 59-65-50 of the 1976 Code to bring an individual case before the family court, the school district must present this plan as well as the district's efforts with respect to the individual child to the court. Each school district's plan under this proviso shall include possible assignment to alternative school for a non-attending child before petitioning the court.*

- 1A.85** **CONFORM TO FUNDING** (Save the Children) **WMC:** ADD new proviso to direct the EOC to use \$500,000 of Partnerships of Innovation funds to provide early learning and literacy support to schools and districts.  
**HOU:** ADOPT new proviso.  
**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

*1A.85. (SDE-EIA: Save the Children) Of the funds appropriated to the Education Oversight Committee for Partnerships of Innovation, \$500,000 must be used to provide early learning and literacy support to schools and districts.*

- 1A.86** **DELETE NEW PROVISO** (Digital Learning Plan) **WMC:** ADD new proviso to create a study committee to develop a Digital Learning Plan for the K-12 public education system in order to build on public schools existing technology foundation and to develop a long-term strategy that sets directions and priorities, supports innovation, and provides resources for educators and students to fully benefit from digital-age teaching and learning. Direct that the plan provide recommendations for actions the state can take to guide and support transitioning to digital-age education. Direct that the plan address certain district and school issues, include implementation timelines and cost projections and be submitted to the General Assembly by January 1, 2019. Provide for the composition of the study committee. Direct that the EOC shall be responsible for and have control over the pilot program for alternative methods of instruction for make-up days. Direct the EOC to select school districts to pilot a program to use alternative methods of instruction which may include, but are not limited to, online or virtual instruction for scheduled make up time. Direct the EOC to publish guidelines by August 1, 2018. Require districts to continue to report all absence data to the department and include any alternative instruction method used. Require the EOC to work with ETV and the State Library to use and coordinate available resources and explore alternate delivery methods to districts that lack access to online instruction. Require school districts to certain information to the EOC by April 1, 2019. Require the EOC to report those findings to the Chairmen of the House Ways and Means and Senate Finance Committees by June 1, 2019.  
**HOU:** ADOPT new proviso.  
**SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

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~~IA.86. (SDE-EIA: Digital Learning Plan) From funds administered by the K-12 Technology Committee, the following study committee is created to develop a Digital Learning Plan for the state's K-12 public education system. The goal of the Digital Learning Plan is to build upon the existing technology foundation of public schools and develop a coherent long-term strategy that sets directions and priorities, supports innovation, and provides resources to enable educators and students to benefit fully from digital-age teaching and learning. The Digital Learning Plan must provide recommendations for State actions that will guide and support K-12 schools in their transitions to digital-age education. The plan must be submitted to the General Assembly by January 1, 2019 and must address, at a minimum, the following issues for districts and schools: technology, infrastructure, and devices; human capacity; content instruction and assessment; security; regional and state support; policy and funding; local digital learning initiatives; and the use of alternative methods of instruction for scheduled make up time. The Digital Learning Plan must include timelines for implementation and cost projections beginning with the subsequent fiscal year. The study committee shall confer with other states and national experts on developing and implementing the Digital Learning Plan. Staff support shall be provided by the K-12 Technology Committee and agencies represented on the committee. The study committee shall be composed of the following members:~~

- ~~1. Executive Director of the Department of Administration, or his designee, who shall chair the study committee;~~
- ~~2. State Superintendent of Education, or his designee;~~
- ~~3. President of Educational Television Commission, or his designee;~~
- ~~4. Director of the State Library, or his designee;~~
- ~~5. Executive Director of the Education Oversight Committee, or his designee;~~
- ~~6. A representative of the private sector in the field of information technology appointed by the Chairman of the Senate Finance Committee;~~
- ~~7. A representative of the private sector in the field of information technology appointed by the Chairman of the House Ways and Means Committee;~~
- ~~8. One representative of an educator preparation program appointed by the State Board of Education;~~
- ~~9. One member of a local board of education who represents a local education agency that has successfully incorporated technology into its schools, who is appointed by the Education Oversight Committee;~~
- ~~10. One member of a local board of education who represents a local education agency that has limited access to technology, who is appointed by the Education Oversight Committee;~~
- ~~and~~
- ~~11. One parent of a public school child appointed by the Education Oversight Committee.~~

~~The Education Oversight Committee shall be responsible for and have control over the construct and implementation of the pilot program for alternative methods of instruction for make-up days. For the current fiscal year, the Education Oversight Committee shall select school districts around the state for a pilot program to utilize alternative methods of instruction which may include, but are not limited to, online or virtual instruction for scheduled make up time. All make up time must reflect the number of hours of the make up days the instruction will cover. All make up time must meet state requirements for elementary and secondary school days. The Education Oversight Committee shall provide guidelines to the selected school districts no later than August 1, 2018. All districts shall continue to report to the Department of Education all days missed, reasons for the absences, days made up, and now the alternative method of instruction used. The Education Oversight Committee shall work with the Educational Television Commission (ETV) and the State Library to utilize and coordinate available ETV and State~~

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~~Library resources and explore alternative means of delivery to districts that may lack proper access to online instruction.~~

~~The school districts shall report the following information to the Education Oversight Committee by April 1, 2019: method(s) of implementation utilized, advantages and disadvantages of the method(s) used, and any feedback received from parents or guardians.~~

~~The Education Oversight shall report those findings to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by June 1, 2019.~~

- 1A.87**     **ADD** (McCormick County School) **WMC:** ADD new proviso to direct the Department of Revenue to directly allocate the John de la Howe funds under the Partnerships program to the McCormick County School District to create a school within a school program for at-risk students, including John de la Howe students. Direct that the program must use an accelerated curriculum of multimedia/multimodal learning activities to ensure academic success and development of leadership and communication skills.  
**HOU:** ADOPT new proviso.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

~~*1A.87. (SDE-EIA: McCormick County Schools) The Department of Revenue must directly allocate the funds appropriated under VIII. F. Partnerships for John de la Howe for teacher salaries to McCormick County School District to create a school within a school program to educate at-risk students, including students at John de la Howe who attend McCormick County schools. The program must use an accelerated curriculum which utilizes multimedia/multimodal learning activities to ensure academic success and development of leadership and communication skills.*~~

- 1A.88**     **DELETE NEW PROVISO** (Value-Added Instrument) **WMC:** ADD new proviso to direct the EOC, through the Revenue and Fiscal Affairs Office (RFAO), to use the education value-added assessment system administered by the Department of Education in the prior fiscal year, to calculate student progress or growth at the school level for purposes of state and federal accountability. Allow local school districts to use the system to evaluate classroom teachers using student progress or growth. Direct that this teacher evaluation is to only be available to the specific teacher, principal and superintendent and shall not be a public record. Direct RFAO to procure a value-added assessment system that calculates student growth and contains specific components of longitudinal student data for use in future school years. Direct the Department of Education to transfer all relevant data types necessary for the release of the annual school and district report cards to RFAO two weeks after the data is received from assessment vendors and to provide certain prior school year non-assessment data to RFAO by August 30th.  
**HOU:** ADOPT new proviso.  
**SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso

~~*1A.88. (SDE-EIA: Value-Added Instrument) With the funds appropriated for a School Value Added Instrument in the current fiscal year the Education Oversight Committee, through the Revenue and Fiscal Affairs Office, will use the education value added assessment system that was procured and administered in the prior fiscal year through the Department of Education to calculate student progress or growth at the school level for purposes of state and federal accountability.*~~

~~*At the discretion of the local school district, a district may use the education value added assessment system to evaluate classroom teachers using student progress or growth.*~~

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~~The estimates of specific teacher effects on the educational progress of students will not be a public record and will be made available only to the specific teacher, principal, and superintendent.~~

~~In the current fiscal year, the Revenue and Fiscal Affairs Office is directed to procure a value added assessment system which calculates student growth and includes the measurement of magnitude or certainly growth as a component of its longitudinal student data system to be used in future school years that meets the requirements of the state and federal accountability system and the longitudinal data system as defined in Chapter 18 of Title 59 of the 1976 Code. The Revenue and Fiscal Affairs Office is directed to review how the value added assessment system can be used to assist colleges of education in achieving accreditation and in improving the quality of teacher education programs.~~

~~All relevant data types necessary for the release of the annual school and district report cards will be transferred from the Department of Education to the Revenue and Fiscal Affairs Office two weeks after receipt of data from relevant assessment vendor (for the testing data elements).~~

~~Additionally, the Department of Education will provide the following non-assessment data related to the prior school year to the Revenue and Fiscal Affairs Office by August 30 of the current fiscal year: student enrollment with SUNS identifiers and continuous enrollment indicators; list of schools that will receive school report cards; and student enrollment in courses by teacher.~~

- 1A.89 CONFORM TO FUNDING / AMEND NEW PROVISO (Teacher Salaries Increase) WMC:** ADD new proviso to direct the department to increase the statewide salary schedule by 2%; require a local school district board of trustees to provide all certified teachers paid on the teacher salary schedule the 2% increase; specify that districts are to use the prior year's district salary schedule as its base; and direct school districts to use the additional funds from the Teacher Salary Supplement to provide 1% of the required 2% increase. *Note: Companion General Education Proviso is 1.95.*  
**HOU:** ADOPT new proviso.  
**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / AMEND new proviso

*1A.89. (SDE-EIA: Teacher Salaries Increase) For Fiscal Year 2018-19, the Department of Education is directed to increase the statewide salary schedule by ~~two XXX~~ percent and increase the starting salary to \$32,000. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a ~~two XXX~~ 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 Supplement appropriation to provide ~~one percent of~~ the required ~~two XXX~~ percent increase.*

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

- 1A.90 CONFORM TO FUNDING (Reading Partners) WMC:** ADD new proviso to direct the EOC to allocate \$250,000 of Partnerships for Innovation funds to Reading Partners and direct that the funds be used to increase the number of reading interventions for K-5 students in low-performing schools.  
**HOU:** ADOPT new proviso.  
**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

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1A.90. (SDE-EIA: Reading Partners) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$250,000 shall be allocated to Reading Partners and must be used to increase the number of reading interventions for students in low-performing schools in grades K-5.

**1A.cs ADD (Institutions of Higher Learning Charter Schools) SUBCOMMITTEE RECOMMENDATION:** ADD new proviso.

1A.cs. (SDE:EIA: Institutions of Higher Learning Charter Schools) For the current fiscal year, in addition to all the requirements of charter schools enumerated in Chapter 40 of Title 59, charter schools sponsored by a public institution of higher learning or an independent institution of higher learning and any public institution of higher learning or an independent institution of higher learning receiving State funding shall:

a) have their governing board of the charter schools subject to the Freedom of Information Act for all purposes related to charter school operations, the governing board of the charter schools shall be considered a public body for all purposes related to charter school operations;

b) not grant more than two new charters or replicate more than one existing charter in the current fiscal year;

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

(i) the transaction amount;

(ii) the name of the payee; and

(iii) a statement providing a detailed description of the expenditure indicating whether the expenditure is for administration or instruction.

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

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

d) Provide the description of school enrollment composition required in Section 59-40-60 (F) (9) and the financial audits required in Section 59-40-50(B)(3) to the State Board of Education. The State Board shall provide these to the General Assembly should they determine contents of the items provided merit legislative review.

e) Provide an annual report with such student data, including but not limited to, testing results, student attendance, and graduation rates, as the department may determine necessary.

These schools must report to the State Board of Education by June 30th of the current fiscal year on compliance with the components of this proviso.

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**1A.gc ADD (Grants Committee) SUBCOMMITTEE RECOMMENDATION: ADD new proviso.**

*1A.gc. (SDE-EIA: Grants Committee) With the funds appropriated to the Department of Education, the department shall establish an independent grants committee to support innovation pilot initiatives in public schools and school districts. The goal of the initiative is to invest in strategies or programs to improve student outcomes as described in the Profile of the South Carolina Graduate and to promote public-private partnerships between business, nonprofit organizations, institutions of higher education, local school systems and public schools.*

*The Superintendent of Education is directed to appoint an independent grants committee to develop the process for awarding the grants or directly purchasing services. The process shall include the application procedure, selection process, and matching grant formula if applicable. The grants committee must be comprised of seven members, three members selected from the education community and four members selected from the business community. The chairman of the committee shall be selected by the committee members at the first meeting of the committee. The suggested criteria for awarding the grants to schools or school districts or directly purchasing services must include, but are not limited to:*

*(1) a demonstrated ability to meet the match throughout the granting period;*

*(2) a demonstrated ability to implement the initiative or model as set forth in the application;*

*(3) identification of key measurable benchmarks in the education continuum that must be improved to raise student achievement and ensure all students graduate college, career and civic ready;*

*(4) a demonstrated ability to be both replicable and scalable with priority given to those projects that focus on applied learning opportunities and experiences, especially in the STEM or STEAM fields;*

*(5) blended and personalized learning focused on content mastery and experiential learning; and*

*(6) innovative strategies to close student achievement gaps, with a focus on below average and unsatisfactory schools.*

*The match required from a grant recipient shall be based on the poverty of the district or school. No matching amount will exceed more than seventy percent of the grant request or be less than ten percent of the request. The required match may be met by funds or by in-kind donations, such as technology, to be further defined by the grants committee. Public school districts and schools that have high poverty and low achievement will receive priority for grants when their applications are judged to meet the criteria established for the grant program. The committee shall submit its process to the Governor, the Chairman of House Ways and Means and the Chairman of Senate Finance by December 31, 2018.*

*Grantees and service providers will be required to participate in an external evaluation that is the financial responsibility of the Education Oversight Committee. The evaluation must document the results of the grants and examine the implementation of the initiatives and models to understand the delivery of services and any contextual factors. The evaluation will then highlight the accomplishments and common challenges of the initiatives and models funded to share the lessons learned with the state's public education community.*

**SECTION 5 - H710 - WIL LOU GRAY OPPORTUNITY SCHOOL**

**5.4 DELETE (Improved Forestry Practices) Allows the Trustees of the School to maintain and develop the school forest and to use the resulting revenues for the improvement and development of the forest and school.**

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**WMC:** DELETE proviso. *The school states that forestry services would be included under Proviso 5.8. Requested by Wil Lou Gray Opportunity School.*

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~5.4. (WLG: Improved Forestry Practices) The Trustees of the Wil Lou Gray Opportunity School may carry out improved forestry practices on the timber holdings of the school property and apply the revenues derived from them and any other revenue source on the property for the further improvement and development of the school forest and other school purposes.~~

**SECTION 7 - L120 - JOHN DE LA HOWE SCHOOL**

**7.5 DELETE NEW PROVISO** (Wilderness Camps) **HOU:** ADD new proviso to direct the school to follow the DSS regulations for Wilderness Therapeutic Camps for Children. Sponsor: Rep. Erickson.

**SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

~~7.5. (JDLH: Wilderness Camps) Of the funds appropriated to John De La Howe, the school must follow the Department of Social Services regulations for Wilderness Therapeutic Camps for Children.~~

**SECTION 8 - H670 - EDUCATIONAL TELEVISION COMMISSION**

**8.2 AMEND** (Spectrum Auction) Authorizes ETV to receive and retain up to \$35,000,000 of the proceeds from the FCC TV Auction and directs how ETV is to use the proceeds. Directs that proceeds above \$35 million must be transferred to the Department of Education and that \$5,000,000 of these funds be used for the Education Foundation Supplement with the remainder used for school bus purchases. Authorizes unexpended funds to be carried forward and used for the same purpose. Directs ETV to report to the Chairmen of the House Ways and Means and Senate Finance Committees by June 30<sup>th</sup> on the amount expended from the fund and the fund balance.

**WMC:** AMEND proviso to delete directive for proceeds above \$35,000,000. *ETV received \$43 million and \$8 million has been transferred to SDE.*

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**8.2. (ETV: Spectrum Auction)** The Educational Television Commission shall be authorized to receive and retain up to \$35,000,000 of the proceeds from the Federal Communication Commission TV Auction and place them in a segregated, restricted account. These proceeds shall be used to fund capital needs, including broadcast industry standards changes, existing equipment repair, maintenance and replacement needs, and operational costs. ~~Any proceeds received above \$35,000,000 must be placed into a segregated account and transferred to the Department of Education to be used as follows: \$5,000,000 for the Education Foundation Supplement and any remaining proceeds for school bus purchases.~~ Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose. No later than June thirtieth of the current fiscal year, ETV must report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee the amount of money expended from the fund and the balance of the fund.



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**8.daf** ADD (Delineate Agency Funding) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso.

*8.daf. (ETV: Delineate Agency Funding) In order to foster increased transparency and accountability, with the funds appropriated to the Educational Television Commission, the commission is directed to work with the Executive Budget Office to delineate the agency's funding by line items in the General Appropriations Bill beginning with the Governor's budget submission in the fall of the current fiscal year. The commission and the Executive Budget office are also directed to identify any provisos that would need to be adjusted and request changes to the Governor, Chairman of House Ways and Means Committee and Chairman of the Senate Finance Committee by November 30 of the current fiscal year.*

**SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION**

**93.28** ADD (OCAB Head Start Program) **HOU:** ADD new proviso to direct DOA to transfer \$30,000 from Executive Policy & Programs to OCAB Community Action Agency, Inc., Head Start Program to match grant funds for the purchase a 36-passenger bus for Head Start students. Sponsors: Reps. Ott and Cobb-Hunter.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

*93.28. (DOA: OCAB Head Start Program) Of the funds appropriated to the Department of Administration, III. Executive Policy & Programs, the department is directed to transfer \$30,000 to OCAB Community Action Agency, Inc., Head Start Program in order to match a grant award for the purchase of a 36-passenger bus to transport Head Start students.*

**SECTION 108 - F500 - PUBLIC EMPLOYEE BENEFIT AUTHORITY**

**108.el** ADD (Application of Earnings Limitation) **SUBCOMMITTEE CHAIRMAN'S RECOMMENDATION:** ADD new proviso.

*108.el. (PEBA: Application of Earnings Limitation) Compensation received in the current fiscal year by a retired member of the South Carolina Retirement System or the South Carolina Police Officers Retirement System as an employee, independent contractor, leased employee, joint employee or otherwise, to perform services for a participating employer of either system that have been performed by a direct employee of the employer at any time during the previous five fiscal years, is considered earnings from covered employment for the purposes of the earnings limitation set out in Section 9-1-1790(A) and Section 9-11-90(4)(a) of the 1976 Code, subject to the exceptions set forth therein.*

**SECTION 109 - R440 - DEPARTMENT OF REVENUE**

**109.10** AMEND (Educational Credit for Exceptional Needs Children) **SUBCOMMITTEE RECOMMENDATION:** AMEND proviso.

**109.10.** (DOR: Educational Credit for Exceptional Needs Children) (A) As used in this proviso:

(1) "Eligible school" means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

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(a) offers a general education to primary or secondary school students;  
(b) does not discriminate on the basis of race, color, or national origin;  
(c) is located in this State;  
(d) has an educational curriculum that includes courses set forth in the state's diploma requirements, graduation certificate requirements (for special needs children), and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;  
(e) has school facilities that are subject to applicable federal, state, and local laws;

(f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, or Palmetto Association of Independent Schools; and

(g) provides a specially designed program or learning resource center to provide needed accommodations based on the needs of exceptional needs students or provides onsite educational services or supports to meet the needs of exceptional needs students, or is a school specifically existing to meet the needs of only exceptional needs students with documented disabilities.

(2) "Exceptional needs child" means a child:

(a) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(b) who has been diagnosed within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child's unique needs.

(3) "Independent school" means a school, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.

(4) "Parent" means the natural or adoptive parent or legal guardian of a child.

(5) "Qualifying student" means a student who is an exceptional needs child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the applicable school year.

(6) "Resident public school district" means the public school district in which a student resides, or in the case of dependents of active military personnel, the public school district which the student may attend.

(7) "Transportation" means transportation to and from school only.

(8) "Tuition" means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(9) "Department" means the Department of Revenue.

(B) (1) There is created the Educational Credit for Exceptional Needs Children Fund that is separate and distinct from the State general fund. The fund shall be organized by the department as a public charity as defined by the Internal Revenue Code under sections 509(a)(1) through 509(a)(4) and consist solely of contributions made to the fund. The fund may not receive an appropriation of public funds. The fund shall receive and hold all contributions intended for it

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as well as all earnings until disbursed as provided in this chapter. Monies received in the fund shall be used to provide scholarships to exceptional needs children attending eligible schools.

(2) The amounts on deposit in the fund do not constitute public funds nor are the deposits property of the State. Amounts on deposit in the fund must not be commingled with public funds and the State shall have no claim to or interest in the amounts on deposit. Agreements or contracts entered into by or on behalf of the fund do not constitute a debt or obligation of the State.

(3) The public charity shall be governed by five directors, two appointed by the Chairman of the House Ways and Means Committee, one of which is based upon the recommendation of the South Carolina Association of Christian Schools and one which is based upon the recommendation of the Diocese of Charleston, two appointed by the Chairman of the Senate Finance Committee based upon the recommendations of the South Carolina Independent Schools Association and one appointed by the Governor based upon the recommendation of the Palmetto Association of Independent Schools. The directors of the public charity, along with the Director of the Department of Revenue, shall designate an executive director of the public charity.

(4) In concert with the public charity directors, the Department of Revenue shall administer the public charity, including, but not limited to, the keeping of records, the management of accounts, and disbursement of the grants awarded pursuant to this proviso. The public charity may expend up to two percent of the fund for administration and related costs. Neither the department or the public charity may expend public funds to administer the program.

**Information contained in or produced from a tax return, document, or magnetically or electronically stored data utilized by the Department of Revenue or the public charity in the exercise of its duties as provided in this proviso shall remain confidential and is exempt from disclosure pursuant to the Freedom of Information Act. Personally identifiable information, as described in the Family Educational Rights and Privacy Act and individual health records, or the medical or wellness needs of children applying for or receiving grants shall remain confidential and are not subject to disclosure pursuant to the Freedom of Information Act.**

(5) By June thirtieth of the current fiscal year, the Department of Revenue must report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Governor:

- (a) the number and total amount of grants issued to eligible schools in the fiscal year;
- (b) for each grant issued to an eligible school in the fiscal year, the identity of the school and the amount of the grant;
- (c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;
- (d) a copy of a compilation, review, or audit of the fund's financial statements, conducted by a certified public accounting firm and;
- (e) the criteria and eligibility requirements for scholarship awards.

(C) (1) Grants may be awarded in an amount not exceeding eleven thousand dollars or the total annual cost of tuition, whichever is less, to a qualifying student at an eligible school. **Tuition charged to qualifying students by eligible schools receiving grants may not exceed tuition charged to non-participating students.**

(2) Before awarding any grant, the public charity must receive written documentation from the qualifying student's parent or guardian documenting that the qualifying student is an exceptional needs child. Upon approving the application, the public charity must issue a check to the eligible school in the name of the qualifying student within either thirty days upon approval of the application or thirty days of the start of the school's semester.

(3) In the event that the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school must return a prorated amount of the grant to the public charity based on the

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number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(4) The public charity may not award grants solely for the benefit of one school.

(5) The department or the public charity may not release any personally identifiable information pertaining to students or donors or use information collected about donors, students, or schools for financial gain.

(6) The public charity shall develop a process to prioritize the awarding of grants to eligible incumbent grant recipients at eligible schools.

(D) (1) (a) Tax credits authorized by subsection (H)(1) and subsection (I) of this proviso annually may not exceed cumulatively a total of eleven million dollars for contributions to the Educational Credit for Exceptional Needs Children Fund.

(b) Tax credits authorized pursuant to subsection (H)(2) of this proviso annually may not exceed cumulatively a total of two million dollars for tuition payments made on behalf of qualifying students.

(c) If the department determines that the total of the credits claimed by all taxpayers exceeds either limit amount as contained in items (a) or (b), it shall allow credits only up to those amounts on a first come, first served basis.

(2) (a) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. Subject to the provisions of subitem (e), contributions must be made annually on or before June thirtieth, in order to claim the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(b) A taxpayer may not claim more than sixty percent of his total tax liability for the year in contribution toward the tax credit authorized by subsection (H)(1) or subsection (I). This credit is not refundable.

(c) If a taxpayer deducts the amount of the contribution on his federal return and claims the credit allowed by subsection (H)(1) or subsection (I), then he must add back the amount of the deduction for purposes of South Carolina income taxes.

(d) The department shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (H)(1) or subsection (I). The department shall also develop a method of informing taxpayers if the credit limit is met at any time during the fiscal year.

(e) A taxpayer only may claim a credit pursuant to subsection (H)(1) and subsection (I) for contributions made during the fiscal year.

(3) A corporation or entity entitled to a credit under subsection (H)(1) and subsection (I) may not convey, assign, or transfer the credit authorized by this proviso to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(E) (1) On or before August first, of the current fiscal year an independent school who participated in the program in the prior fiscal year and who desires to participate in the program in the current fiscal year must reapply to the Education Oversight Committee. The independent school must certify to the Education Oversight Committee that it continues to meet all program requirements and must provide to the committee student test score data from the prior school year by December thirty-first. If student test score data are not submitted by December thirty-first, then the Education Oversight Committee must remove the school from the program. The Education Oversight Committee must consult with the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, Palmetto Association of Independent Schools, or the Diocese of Charleston to verify that the school is still a member in good standing and that the school continues to serve exceptional needs children. An independent school who did not participate in the program in the prior fiscal year but desires to participate in the program in the current fiscal year must apply to

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the Education Oversight Committee. The Education Oversight Committee shall develop an application to be completed by the independent schools which must contain at least:

(a) the number and total amount of grants received in the preceding fiscal year;

(b) student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by the school receiving or entitled to receive scholarship grants pursuant to this chapter in the previous fiscal year. **The school must also provide individual student test scores on national achievement or state standardized tests, or both, for any student in grades 1 through 12 who received a grant from the program during the prior school year. The information will be used to provide program level reports to determine whether students participating in the program have experienced measurable improvement. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement;**

(c) a copy of a compilation, review, or compliance audit of the organization's financial statements as relating to the grants received, conducted by a certified public accounting firm; and

(d) a certification by the independent school that it meets the definition of an eligible school as that term is defined in subsection (A)(1) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(2) (a) The Education Oversight Committee may waive the August first deadline contained in subsection (E) upon good cause shown by an independent school.

(b) The Education Oversight Committee may waive some or all of the curriculum requirements contained in subsection (A)(1)(d) following consultation with the advisory committee.

(3) (a) By September 1, **2016 of the current fiscal year** the Education Oversight Committee shall publish on its website a comprehensive list of independent schools certified as eligible institutions. The list shall include for each eligible institution:

(i) the institution's name, addresses, telephone numbers, and, if available, website addresses; and

(ii) the score reports and compliance audits received by the committee pursuant to subsection (E)(1)(b) and (c).

(b) The Education Oversight Committee shall summarize or redact the score reports identified in item (3)(a)(ii) if necessary to prevent the disclosure of personally identifiable information.

(4) An independent school that does not apply for certification pursuant to this subsection must not be included on the list of eligible schools and contributions to that school shall not be allowed for purposes of the tax credits permitted by this proviso.

(5) An independent school that is denied certification pursuant to this section may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

**(6) Annually, the Education Oversight Committee will issue a report to the General Assembly documenting the impact of the Educational Credit for Exceptional Needs Children Program on student achievement. In addition, the report will include information on individual schools if at least 51 percent of the total enrolled students in the private school participated in the Educational Credit for Exceptional Needs Children Program in the prior school year. The report shall be according to each participating private school, and for participating students, in which there are at least 30 participating students who have scores for tests administered. If the Education Oversight Committee determines that the 30 participating-student cell size may be reduced without disclosing personally identifiable information of a participating student, the Education Oversight Committee may reduce the**

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**participating-student cell size, but the cell size must not be reduced to less than 10 participating students.**

(F) (1) The Education Oversight Committee shall establish an advisory committee made up of not more than nine members, including parents, and representatives of independent schools and independent school associations.

(2) The advisory committee shall:

(a) consult with the Education Oversight Committee concerning requests for exemptions from curriculum requirements; and

(b) provide recommendations on other matters requested by the Education Oversight Committee.

(G) Except as otherwise provided, the Department of Education, the Education Oversight Committee, and the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this chapter.”

(H) (1) A taxpayer is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12 for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to the Educational Credit for Exceptional Needs Children Fund up to the limits contained in subsection (D)(1)(a) of this proviso if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(2) (a) A taxpayer is entitled to a refundable tax credit against income taxes imposed pursuant to Chapter 6, Title 12 for the amount of cash and the monetary value of any publicly traded securities, not exceeding eleven thousand dollars per child, for tuition payments to an eligible school for an exceptional needs child within his custody or care who would be eligible for a grant pursuant to this proviso up to the limits contained in subsection (D)(1)(b) of this proviso.

(b) If a child within the care and custody of taxpayer claiming a tax credit pursuant to this item also receives a grant from the Educational Credit for Exceptional Needs Children Fund, then the taxpayer may only claim a credit equal to the difference of eleven thousand dollars or the cost of tuition, whichever is lower, and the amount of the grant.

**(c) A child within the care and custody of a taxpayer claiming a credit pursuant to this item may not be charged tuition in an amount that exceeds the tuition that is charged to non-participating students.**

(I) A taxpayer is entitled to a tax credit against income taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to the Educational Credit for Exceptional Needs Children Fund up to the limits contained in subsection (D)(1)(a) of this proviso if:

(1) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(2) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(J) The department shall conduct a comprehensive study of the Exceptional Needs Tax Credit program. The study shall examine the following:

~~(1) whether or not the students participating in the program have experienced measurable improvement as a result of participation;~~

**(2) the allocation of scholarship funds and tax credits among students, including the effect of funding limitations on the addition of new participants; the demographic and**

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socio-economic data of the participants and their families, including the distribution of scholarship funds by income ranges to be determined by the department of scholarship recipients, and/or their legal guardians, as applicable; and the geographical distribution of the participants. In reporting the information required by this sub-item, the department shall protect and shall not display, any personally identifiable information of scholarship recipients, their families or legal guardians, and/or taxpayers;

(3) the distribution of scholarship funds among all eligible schools;

~~(4) identification of the schools in which the most measurable improvement has occurred among students, with an analysis of the types of schools achieving the best results and best practices implemented by those schools; and~~

(3) any other aspect of the program that the department determines would be relevant and useful in making future policy decisions in regard to the program and its continued existence or expansion.

The department shall submit a report of its study to the General Assembly no later than January 15, ~~2018~~ of the current fiscal year.

**SECTION 117 - X900 - GENERAL PROVISIONS**

**117.33 DELETE** (Alternative Commitment to Truancy) Directs that school districts receiving funds from the Department of Education for an alternative school must identify alternatives to commitment for students whose truancy is nearing referral to court and present the alternatives to the court.

**WMC:** DELETE proviso. *Moved to EIA proviso IA.84.* Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~117.33. (GP: Alternative Commitment to Truancy) As part of its plan for an alternative school, a school district receiving funds from the Department of Education for an alternative school shall identify available alternatives to commitment for children whose truancy is approaching the level of being referred to family court. When proceeding under S.C. Code Section 59-65-50 to bring an individual case before the family court, the school district must present this plan as well as the district's efforts with respect to the individual child to the court. Each school district's plan under this proviso shall include possible assignment to alternative school for a non-attending child before petitioning the court.~~

**117.89 AMEND** (Funds Transfer to ETV) Requires funds appropriated to DOA for Legislative & Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council for City and Council municipal training to be transferred to ETV during July of 2017 for services as they were provided in the prior fiscal year.

**WMC:** AMEND proviso to change "2017" to "of the current fiscal year."

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**117.89. (GP: Funds Transfer to ETV)** In the current fiscal year funds appropriated in Part IA to the Department of Administration Section 93 for Legislative and Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council in Section 64 for State and Local Training of Law Enforcement, City and County municipal training

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services must be transferred to the Educational Television Commission (ETV) during July 2017 of the current fiscal year for the continuation of services as provided in the prior fiscal year.

**117.113 AMEND** (SCOIS Transfer) Directs that the authorities and responsibilities of SCOIS shall continue to be transferred from DEW to SDE.

**WMC:** AMEND proviso to specify that the authority to collect user fees to operate the program is included in the transfer of authority and responsibility.

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**117.113.** (GP: SCOIS Transfer) For the current fiscal year, the South Carolina Occupational Information System, its authority and responsibilities, to include the collections of user fees that must be used to operate the program, shall continue to be transferred from the Department of Employment and Workforce to the Department of Education.

**117.117 AMEND** (First Steps Reauthorization) Reauthorizes Act 99 of 1999 as amended by Act 287 of 2014 [FIRST STEPS] for Fiscal Year 2017-18.

**WMC:** AMEND proviso to update fiscal year reference to “2018-19.”

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**117.117.** (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, as amended by Act 287 of 2014 is reauthorized for the duration of Fiscal Year ~~2017-18~~ 2018-19.

**117.141 DELETE NEW PROVISO** (SDE State Transportation Operations) **WMC:** ADD new proviso to suspend Section 1-11-330 [DIVISION OF MOTOR VEHICLE MANAGEMENT; STATE DEPARTMENT OF EDUCATION VEHICLES EXEMPTED] for the current fiscal year. Direct the Department of Administration to evaluate all Department of Education transportation operations to determine safety improvement, efficiency, and cost savings measures and direct the Department of Education to coordinate with DOA to participate in certain vehicle related programs. Direct DOA to submit their findings and recommendation to the Chairmen of the Senate Finance and House Ways and Means Committees by January 1, 2019.

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

~~*117.141. (GP: SDE State Transportation Operations) For the current fiscal year, Section 1-11-330 of the 1976 Code is suspended. The Department of Administration shall evaluate all state transportation operations at the Department of Education to determine safety improvement, efficiency, and cost saving measures that may be realized by the department. The Department of Education is directed to coordinate with the Department of Administration to participate in the State Fuel Card Program, the Lease Fleet program for light duty vehicles, the Commercial Vendor Repair Program, and the State Maintenance Facility Repair program. The Department of Administration shall submit findings and recommendations to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January 1, 2019.*~~

**117.sel ADD** (SCRS Earnings Limitation Exemption) **SUBCOMMITTEE CHAIRMAN’S RECOMMENDATION:** ADD new proviso.



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*117.sel. (GP: SCRS Earnings Limitation Exemption) For the current fiscal year, former program participants of the Teacher and Employee Retention Incentive (TERI) program as of October 31, 2017, who are employed as an educator in a public school shall be retired for benefit purposes only and, for employment purposes, shall be active employees, retaining all other rights and benefits of an active employee except for grievance rights pursuant to Section 8-17-370 of the 1976 Code, and shall not be subject to the earnings limitation of Section 9-1-1790. The school-level positions classified as 'educators' shall be included in the Department of Education's Professional Certified Staff (PCS) system and published by the department.*

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**SPONSOR: SENATOR SHEHEEN**

**108.el** **ADD** (Application of Earnings Limitation) **REQUEST:** ADD new proviso to direct that the return to work earnings limitation provisions of Section 9-1-1790(A) and Section 9-11-90(4)(a) apply to retired members of SCRS and PORS that undertake an activity for a covered employer traditionally performed by employees of the covered employer, except where a retired member is otherwise exempt from the earnings limitation. Directs PEBA to determine whether an activity is traditionally performed by employees of the participating employer, taking into consideration various factors.

*108.el. (PEBA: Application of Earnings Limitation) Compensation received in the current fiscal year by a retired member of the South Carolina Retirement System or the South Carolina Police Officers Retirement System to undertake an activity for a participating employer of either system that has traditionally been performed by employees of the participating employer is considered earnings from covered employment for the purposes of the earnings limitation set out in Section 9-1-1790(A) and Section 9-11-90(4)(a) of the 1976 Code, subject to the exceptions set forth therein. In making a determination about whether the activity has been traditionally performed by employees of the participating employer, the Public Employee Benefit Authority shall consider whether there is evidence of the right to or exercise control over the retired members; the method of payment, whether by the job or by wage; who furnishes equipment to perform the activity; and the right to fire.*

**SPONSOR: SENATOR SHEHEEN**

**117.sel** **ADD** (SCRS Earnings Limitation Exemption) **REQUEST:** ADD new proviso to direct that an SCRS member that was a participant of the Teacher and Employee Retention Incentive (TERI) program on October 31, 2017 that returns to work as an educator in a public school may draw full service retirement benefits without being subject to the earnings limitation of \$10,000 annually. Direct that a retired member exempt from the earnings limitation under this proviso shall not accrue additional service credit as a result of contributions paid to the retirement system as a working retiree, and is not entitled to any rights or benefits granted active SCRS members. Fiscal Impact: GRS, the State's actuary, reports no fiscal impact to SCRS.

*117.sel. (GP: SCRS Earnings Limitation Exemption) For the current fiscal year, a South Carolina Retirement System (SCRS) member that was a program participant of the former Teacher and Employee Retention Incentive (TERI) program as of October 31, 2017 and is employed as an educator in a public school shall be retired for benefit purposes only and, for employment purposes, shall be an active employee, retaining all other rights and benefits of an active employee except for grievance rights pursuant to Section 8-17-37 of the 1976 Code, and shall not be subject to the earnings limitation of Section 9-1-1790. A retired member of SCRS whose re-employment is subject to this proviso shall not accrue additional service credit as a result of any working retiree contributions paid, and shall not be entitled to any other rights or benefits granted active SCRS members. The school-level positions classified as 'educators' for purposes of this proviso shall be included in the Department of Education's Professional Certified Staff (PCS) system and published by the department.*