

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION
RECOMMENDATIONS FOR FY 2024-25
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 1 - H630 - DEPARTMENT OF EDUCATION

1.2 **AMEND** (SDE: DHEC - Comprehensive Health Assessment) Requires school districts to seek reimbursement for health and social services provided in the Medicaid program. Prohibits reimbursements from being used to supplant existing funds.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to remove DHEC from title.

1.2. (SDE: ~~DHEC~~ - Comprehensive Health Assessment) All school districts shall participate, to the fullest extent possible, in the Medicaid program by seeking appropriate reimbursement for services and administration of health and social services. Reimbursements to the school districts shall not be used to supplant funds currently being spent on health and social services.

1.47 **CONFORM TO FUNDING/AMEND** (SDE: Full-Day 4K) Provides guidelines for participation in and funding for the SC Early Reading Development and Education Program (CERDEP). *Companion to EIA proviso 1A.26.*

PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/AMEND proviso to change a reference to CERDEP and expand the data collection. Requires certain data to be provided of four-year-olds in poverty served in formal education programs in public schools for more accurate reporting. Requested by the Education Oversight Committee.

1.47. (SDE: Full-Day 4K) (A) Eligible students residing in any school district or attending any charter school authorized by the South Carolina Public Charter School District or an approved institution of higher education may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the availability of space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

(B) A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds. No school district can be denied participation in CERDEP or be denied CERDEP funding pursuant to the terms of this provision.

(C) 4K programs in public schools and non-profit independent schools participating in CERDEP are not required to be approved, registered, or licensed by the Department of Social Services in order to participate in CERDEP. Instead, the Department of Education and the Office of First Steps are responsible for ensuring that providers deliver high-quality educational programs pursuant to Section 59-156-160.

(D) Public and private providers shall be funded for instructional costs at a minimum rate of \$5,100 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 reimbursement at a minimum of \$620 per eligible child transported. First Steps and

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the Department of Education must provide an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. 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 at a minimum of \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding at a minimum of \$10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward funds and federal funds to supplement the amount expended for materials and equipment. 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 based on the one hundred and thirty-five day student average daily membership. For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive reimbursement for these children if funds are available. The Department of Education is required to offer waivers allowing students with disabilities to be served in multi-categorical classroom settings based on similar cognition and abilities. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

(E) 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.

(F) 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~~ *Early Reading Development and Education Program (CERDEP)* and to issue findings in a report to the General Assembly by March first of each year. To aid in this evaluation, the Education Oversight Committee shall determine *and obtain* 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, *including average daily attendance data, so that consistent enrollment may be determined*. 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 *public or private provider including those funded by CERDEP, Head Start, SC Child Care Scholarships, EIA, Title I, district-funded,*

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and all other federal , state or local public sources. 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 along with information, recommendations, and a timeline for how the state can increase the number of students served in high-quality programs. To aid in the accurate reporting of four-year-olds in poverty served in formal education programs in public schools in South Carolina, the Department of Education must provide to the EOC data related to four-year-olds served in formal education programs funded with other state, local, or federal funds, including Title1 and EIA-District-funded programs, denoting full- or partial-day status.

(G) For eligible children residing in school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in CERDEP.

(H) For the current fiscal year, the Office of First Steps may expend: (1) up to \$2,000,000 to pilot a program to provide higher reimbursement rates to high-quality providers. The reimbursement rate for students enrolled by child care providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to \$250,000 to provide one-time supplemental, needs-based incentive grants in an amount not to exceed \$30,000 for newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible students in a public, private, or Head Start setting during the prior fiscal year. These grants are 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 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 shall be 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 shall 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.

(I) If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures, available funds may be used to fund an extended program and 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. If a district chooses to fund summer enrollment, the program funding shall conform to the funding in this act for full year programs; however, it 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.

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Funds may also be used to provide parent engagement, professional development, and quality evaluations of programs. No later than April first, the Department of Education and the Office of First Steps shall 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. The Office of First Steps is directed to determine if the provision of extended programs in private centers improves the ability of parents to enter the workforce or to pursue postsecondary training or industry credentials.

(J) On or before November 15, the Department of Education and the Office of First Steps shall share data that identifies the total number of children enrolled in CERDEP in both public and private providers. If available appropriations exceed the instructional costs of serving children enrolled in the program and if a waiting list of eligible children can be documented by the Department of Education and by the Office of First Steps, then the Executive Budget Office may authorize the transfer of funds between the Department of Education and the Office of First Steps.

(K) The Office of First Steps and the Department of Education shall collaborate with the South Carolina Head Start State Collaboration Office to inform parents of all publicly funded full-day 4K programs including Head Start by participating in PalmettoPreK and First5SC.

1.49 **AMEND** (SDE: Interscholastic Athletic Association Dues) Provides criteria which an interscholastic athletic association, body or entity must meet in order for a state supported school district or school within that district to be permitted to use funds to associate with the organization. Directs that eligibility requirements for new students to participate in interscholastic athletics shall not be more restrictive than they were on January 1, 2020.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to include additional criteria that needs to be meet in order for a state supported school district or school within that district to be permitted to use funds to associate with the organization. Directs that the one-year waiting period for home school students to participate on a member school's team is waived if the student is academically qualified.

1.49. (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 the constitution, rules, or policies of the association, body, or entity contain the following:

(1) 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)(a) 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

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provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) 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)(a) 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) 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;

(c) 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;

(4) 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; ~~and~~

(5) a multiplier system for the purpose of classification that takes into account a school's geographic location, student population, and performance in each sport in which it participates;

(6) a process and qualifications for a student attending a non-member private or public school to participate on a member school's team;

(7) a process for the completion of an annual accountability report that identifies key program area descriptions and expenditures and links those to key financial and performance results measures. This report must be posted on the entity's website by August 1 of each year;

(8) a process ensuring that all committees created or consulted by the entity for recommendation and voting purposes must be made available to the member schools prior to the discovery process beginning. All official recommendations made by any committee, subcommittee, or executive committee member must be made available to the member schools within ten business days of official recommendations. When a committee is created or consulted by the entity to study aspects that directly pertain to a specific sport and the sport has a professional ancillary organization, the organization shall have the opportunity to appoint representatives to the committee. This includes, but is not limited to, issues such as realignment, calendars, and athletes' health and safety. Ancillary sport organizations must be offered an opportunity to collectively engage with the directors of the entity and any committees created or consulted by the entity as part of the discovery processes when the ancillary organization is working to develop proposals for the attention of the entity;

(9) ensure that notice of an upcoming vote to add, delete, or amend the constitution, bylaws, rules and regulations, calendars, venues, and fees of the entity by the executive committee, all subcommittees within the executive committee, appellate panel, medical adversity committee, rules and regulations committees, and all other committees created by or partnered with by the entity, and/or commissioner is given to the member schools prior to a vote or entity decision;

(10) ensure that minutes of all meetings which include a vote by the executive committee or appellate panel of the entity must be available to the member schools within ten business days of the meeting's conclusion. These minutes must include the roll call vote cast by each member including votes to table a proposal. All formal recommendations regardless of approval that are

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presented at the time of these votes must also be made available along with the body making the recommendation. Minutes may be electronic if the entire meeting is recorded with both audio and video. Roll call votes may be recorded with electronic means; and

(5)(11) 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.

(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.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

(D) For the 2024-2025 School Year, the one-year waiting period for home school students to participate on a member school's team is waived as long as the home school student is academically qualified to participate in athletic events sponsored, approved, or authorized by the entity.

1.52 AMEND (SDE: Graduation Rates) Directs that if a high school has a graduation rate that is below 60%, the local school district board of trustees must provide a detailed report to the State Board of Education on a plan to increase the graduation rate in accordance with the EAA.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update the graduation rate from below 60% to 70% percent or less.

1.52. (SDE: Graduation Rates) For the current fiscal year, if a high school has a graduation rate ~~below sixty~~ of seventy percent or less, using appropriated funds a local school district board of trustees must provide a report detailing a plan to increase the graduation rate in accordance with the provisions of the Education Accountability Act to the State Board of Education.

1.70 AMEND (SDE: Teacher Salaries/SE Average) States that the projected Southeastern average teacher salary is projected to be \$58,048. Requires a local district board of trustees to provide a step increase for all eligible certified teachers. Requires districts to use the district salary schedule used in the prior fiscal year as the basis for providing the increase. Suspends the requirement that districts maintain local salary supplements per teacher no less than their prior fiscal year. *Companion to EIA proviso 1A.31.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND to update the Southeastern average teacher salary and the fiscal year reference.

1.70. (SDE: 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 ~~\$58,048~~ \$59,866. 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.

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 at a minimum 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. For Fiscal Year ~~2023-24~~ 2024-25, the requirement

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that school districts maintain local salary supplements per teacher no less than their prior fiscal year level is suspended.

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

- 1.73 DELETE** (SDE: COVID-19 Emergency Powers) Authorizes Superintendent of Education to provide maximum financial flexibility, including the authority to carry forward cash balances to local districts adjusting to operations due to COVID-19. Authorizes department cash balances to be carried forward and allows the superintendent to transfer any department appropriations to assist local school districts to use summer reading camps and all other available tools to ensure satisfaction of learning needs in response to pandemic learning loss. Requires the superintendent to provide a report on the emergency powers exercised to the Senate Finance Committee, the House of Representatives Ways and Means Committee, the Senate Education Committee, and the House of Representatives Education and Public Works Committee by August 1, 2023.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~1.73. (SDE: COVID-19 Emergency Powers) (A) The Superintendent of Education is authorized to provide maximum financial flexibility including, but not limited to, the authority to carry forward any cash balances to local school districts adjusting to operations in response to COVID-19.~~

~~(B) The State Superintendent of Education is authorized to carry forward any cash balances maintained by the Department of Education. The superintendent is further authorized to transfer any appropriations within the department to assist local school districts to use summer reading camps and all other available tools to ensure appropriate time is spent by students to keep them on grade level and satisfy their learning needs in response to pandemic learning loss.~~

~~(C) On or before August 1, 2023, the State Superintendent of Education shall provide a report to the Senate Finance Committee, the House of Representatives Ways and Means Committee, the Senate Education Committee, and the House of Representatives Education and Public Works Committee concerning the emergency powers exercised in this provision.~~

- 1.78 CONFORM TO FUNDING/AMEND** (SDE: Capital Funding for Schools) Outlines the allocation of Capital Funding for Schools appropriations by the Department of Education with distinct priorities. Directs up to \$20,000,000 is allocated for local school districts consolidating with others, covering consolidation-related costs contingent upon plan approval. States that an additional \$10,000,000 shall be expended for districts consolidating schools within themselves and \$20,000,000 shall be allocated for statewide K-12 school safety upgrades, including specific criteria for applications. Directs remaining funds to be set aside to create a state funding source for local school district infrastructure based on needs, with guidelines to be established considering factors like taxpaying ability and building conditions. Requires the department to be responsible for reporting annually to the General Assembly by June 30, detailing applications, approvals, and project costs. Allows funds to be carried forward and expended for the same purposes.

PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/AMEND proviso to delete items that direct appropriated funds to be utilized for consolidating school districts with others, within themselves, and for remaining funds to be set aside for the creation of a state funding source for local school district infrastructure. Amends title to delete “Capital” and add “Safety”. Deletes the requirement to submit recommendations on guidelines to the infrastructure program and deletes the requirement that the department to

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report on the funds and costs. Updates calendar year references. Requested by the Department of Education.

1.78. (SDE: ~~Capital Funding for Schools~~ *Safety*) (A) The funds appropriated for ~~Capital Funding for Schools~~ *Safety* shall be prioritized by the Department of Education pursuant to subsections ~~(A),(B), and (C)~~.

~~(A) Up to \$20,000,000 of the funds shall be made available first to a local school district or districts that is consolidating with another school district. The funds may be used to support costs directly related to the consolidation which shall include, but are not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology, and other factors for which the district or districts demonstrates are necessary to complete consolidation. On or before August 1, the eligible districts must submit a preliminary plan and timeline for pursuing consolidation, including the use of the consolidation funds requested, to the Department of Education for review and approval. When the department has approved the final plan, the districts shall forward the plan to the local legislative delegation outlining the specific request that local legislation be enacted to effect the consolidation. The legislation may include, but is not limited to, composition of the consolidated board, transition procedures, and disposition and/or assumption of district assets and liabilities. Upon approval of a consolidation plan, the department shall make an initial allocation to the impacted districts and shall allocate remaining funds upon enactment of legislation formally consolidating the districts for the benefit of the consolidated district.~~

~~(B) Up to \$10,000,000 of the funds shall be made available to a local school district consolidating at least three schools within a single district into a single school campus and consolidating other district owned educational buildings or buildings that support district functions into a single building. The funds may be used to support costs directly related to the consolidation and other factors for which the district demonstrates are necessary to complete consolidation.~~

~~(C) Up to \$20,000,000 of the funds shall be made available for the direct benefit of all children of South Carolina enrolled in K-12 schools by funding facilities upgrades aligned with school safety priorities. The department shall allocate these funds to the public school districts and charter school districts. Eligible school facility upgrades shall include: (a) classroom/internal door locks; (b) secure school entry points and access control; (c) window covers; (d) bulletproof glass or bulletproof film for windows; and (e) electronic or other technology. School facilities eligible for safety upgrades under this subsection are defined as locations with daily student attendance and shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.~~

(B) The department shall develop an application process for public and charter school districts to request funding for facilities upgrades aligned with school safety priorities and establish policies, procedures, and priorities for the making of grants pursuant to this subsection. Criteria for prioritizing the awarding of grants shall include, but not be limited to, percentage of students enrolled from low-income families, the age and condition of the existing school facilities to be upgraded as well as the ability to commence construction in a timely matter and the quality of the application. The criteria must also require that all proposed projects do not create new recurring annual expenses and comply with local, state, and federal building codes.

(C) Applications must be submitted to the department by September 1, ~~2023~~ 2024. Upon receipt of applications pursuant to the application process adopted by the department, the department shall prioritize the eligible projects with the greatest need using the established criteria and shall submit a list of recommended grant awards to the State Board of Education no

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later than November 30, ~~2023~~ 2024. Grants shall be awarded upon an affirmative vote of the State Board.

(D) The financial assistance provided pursuant to this provision must be used for the eligible school facility project. The department is responsible for establishing policies and procedures to ensure that funds are expended in a manner consistent with this provision. Unexpended funds may be carried forward to be expended for the same purposes by the department and grant recipients. Following the close of the fiscal year, the department shall submit a report of approved projects to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

~~(D) The remaining funds shall be set aside by the department to create a source of state funding for local school district infrastructure based on need. Additional funds may be appropriated by the General Assembly with either recurring or non-recurring funds from the General Fund, EIA, or lottery. Federal funds authorized by a federal agency or authorized by the General Assembly may also be included in this fund. The fund may also accept gifts from private sources.~~

~~The department shall submit recommendations to the Senate Finance Committee and the House Ways and Means Committee to establish guidelines for the program consisting of award criteria, conditions for the awards and any match requirements by December 31. Criteria shall include, but not be limited to, consideration of a district's index of taxpaying ability, consideration of a district's or county's per capita income and the age and condition of the district's existing academic buildings as well as the ability to commence construction in a timely matter and the quality of the application.~~

~~For purposes of this provision, school infrastructure shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.~~

~~(E) The Department of Education must submit to the General Assembly by June 30 of each year a report documenting, at a minimum, the number of applications received and approved, information on the types of infrastructure supported by these funds, and the projected and final costs of each project.~~

(E) Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department and school districts.

1.80 **AMEND** (SDE: Retired Teacher Salary Negotiation) (SDE: Retired Teacher Salary Negotiation) Allows school districts to negotiate salaries below the salary schedule when hiring retired teachers for the 2023-24 school year.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update school year reference.

1.80. (SDE: Retired Teacher Salary Negotiation) With funds appropriated for State Aid to Classrooms, when hiring retired teachers for the ~~2023-24~~ 2024-25 School Year, school districts uniformly may negotiate salaries below the school district salary schedule.

1.85 **AMEND** (SDE: Education Data Dashboard) (SDE: Education Data Dashboard) Directs the EOC to pilot an Education Data Dashboard. Requires the dashboard to interface with existing systems to provide information on district, school, and system progress and use existing data to document educational growth and financial expenditures.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete "pilot" and insert "maintain".

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1.85. (SDE: Education Data Dashboard) The Education Oversight Committee is directed to ~~pilot~~ maintain an Education Data Dashboard. The data dashboard must interface with existing systems to provide school districts, schools, policymakers, families, and the public with meaningful information on school district, school, and system progress. The Education Data Dashboard would use existing data to document educational attainment and growth as well as financial expenditures of state, local, and federal funds. The Department of Education and public school districts shall provide accountability and financial data as requested by the committee for the establishment of the dashboard.

- 1.88** **AMEND** (SDE: Surplus Property) (SDE: Surplus Property) Directs a school district to transfer or to offer for sale a lease a property which has been vacant for the previous four school years and has not been approved for use before July 1, 2023. Directs school districts to publish the list of properties on their website by September 15, 2023. Directs the district to transfer property by December 31, 2023 to a governmental subdivision or state agency that has provided written confirmation to accept the property for public use. States that if no subdivision or state agency accepts the property, the district is directed to offer the property for sale or lease at fair market value. Directs that 5% of state payments be withheld if a district fails to comply.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year references.

1.88. (SDE: Surplus Property) (A) A school district must transfer, or offer for sale or lease, any surplus real property or property which has been vacant, unused, or unused for direct student instruction for the previous four school years and is not currently included in any district capital improvement plan for future use on or before July 1, ~~2023~~ 2024. All school districts must publish on their website by September 15, ~~2023~~ 2024, a list of properties that qualify under this provision.

(B) A school district shall comply with the requirements of this provision by transferring such property to another governmental subdivision or state agency that has provided written confirmation of an intent to accept the property for public use by December 31, ~~2023~~ 2024. Any governmental subdivision or state agency providing such written confirmation must comply with all requirements related to the acquisition of real property or surplus property, and/or requirements related to the establishment of permanent improvement projects prior to accepting property transferred pursuant to this provision.

(C) If no governmental subdivision or state agency confirms an intent to accept the property, the district shall offer the property for sale or lease at fair market value as determined by a neutral appraiser and in compliance with existing law providing for sale or lease of such property by a school district. If a school district fails to comply with this provision, the Department of Education must withhold five percent of all state payments to the district until the district complies.

- 1.89** **AMEND** (SDE: Competency-Based Education) (SDE: Competency-Based Education) Allows districts to submit a waiver application to the department when seeking to implement competency-based education. Defines competency-based education. Directs the department to create evaluation criteria and guidelines. Directs a participating school to submit data for a biennial review on a form developed by the department. Requires a report summarizing the reviews to be distributed to the Governor and member of the General Assembly no later than June 30, 2024.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year reference.

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1.89. (SDE: Competency-Based Education) (A) In the current fiscal year, districts seeking to implement competency-based education may submit a waiver application to the State Board of Education in a format developed by the State Department of Education. For purposes of this proviso, competency-based education refers to a comprehensive learning approach for a student to master competencies and related standards along a personalized, self-paced, and flexible pathway. As part of the waiver application, districts may include in-person instruction, virtual instruction, self-guided learning, and experiential learning through approved off-campus educational opportunities in calculating instructional hours and may offer the required instructional days at any time during the school year, consistent with the law.

(B) Of the funds appropriated to the department, the State Department of Education shall create evaluation criteria and guidelines for schools that are operating under a waiver pursuant to this proviso. A participating school shall submit required data for a biennial cyclical review on a form developed by the department. A report summarizing the reviews including the waivers requested and how they hindered implementation must be distributed to the Governor and members of the General Assembly no later than June 30, ~~2024~~ 2025.

1.90 **DELETE** (SDE: First Steps Transfer Plan) Directs the Office of First Steps to work with DOA and EBO, in consultation with SDE, to develop a plan to operate independently from SDE. Includes plan requirements and directs that a report be submitted to the Chairmen of Senate Finance and House Ways and Means and the Governor by 12/1/23.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Requested by First Steps.

~~**1.90.** (SDE: First Steps Transfer Plan) The Office of First Steps shall work with the Department of Administration, Executive Budget Office, in consultation with the Department of Education, to develop a plan to operate independently from the Department of Education. The plan should include, but is not limited to, proposed program structure, the amount of personal services, operating expenses, employer contributions funding which shall be transferred from the Department of Education, and personnel required to perform human resource and accounting functions. A report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor by December 1, 2023.~~

1.91 **DELETE** (SDE: Career Readiness Assessments) Directs the EOC and State Board of Education to create a waiver by 7/1/23 for districts and high schools to request an exemption from reporting student performance on the career readiness assessment for the 2022-2023 school year if the student is taking the assessment a second time and when it is different from the assessment taken in 11th grade.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Requested by the Education Oversight Committee.

~~**1.91.** (SDE: Career Readiness Assessments) For the current fiscal year, the Education Oversight Committee and the State Board of Education are directed to create a waiver form by which school districts and high schools may request an exemption from reporting student performance on the career readiness assessment for the 2022-23 school year only for students who are taking the career readiness assessment for the second time and when the career readiness assessment is different from the career readiness assessment the student took in 11th grade. The exemption form must be available for schools no later than July 31, 2023.~~

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- 1.94** **AMEND** (SDE: Reporting Requirements) (SDE: Reporting Requirements) Suspends the college freshman reporting requirements of Section 59-101-130. Directs SDE and EOC to use existing data to report on the in-state and out-of-state college enrollment, persistence, and post-secondary completion of high school graduates from South Carolina. Requires SDE to streamline data collection timelines and processes. Extends legislatively mandated due dates for school, district, and state plans to June 30, 2024.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update the calendar year reference.

1.94. (SDE: Reporting Requirements) *(A)* For the current fiscal year, the college freshman reporting requirements of Section 59-101-130 are suspended. The Department of Education, in collaboration with the Education Oversight Committee, is authorized to use data that is already collected to report on the in-state and out-of-state college enrollment, college persistence, and post-secondary completion of South Carolina’s high school graduates.

(B) The Department of Education shall work to streamline data collection timelines and processes to reduce burden and increase efficiency of data collection and reporting. For the current fiscal year, legislatively mandated due dates for school, district, and state plans including, but not limited to, District Strategic and School Renewal Plans, Read to Succeed Reading Plans, Academic Recovery Plans, District ADEPT Plans, and School Turnaround Plans are extended at the discretion of the Department of Education, but shall be due by June 30, ~~2024~~ 2025.

- 1.98** **AMEND** (SDE: Read to Succeed Endorsement) Directs that the requirement for teachers and administrators to obtain the Read to Succeed endorsement as a requirement for recertification is suspended for 6th-12th grade teachers not teaching ELA, special education, and middle and secondary administrators.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete “2023-24” and insert “current”.

1.98. (SDE: Read to Succeed Endorsement) For the ~~2023-2024~~ *current* fiscal year, and with funds appropriated to the Department of Education, the requirement for teachers and administrators to obtain the Read to Succeed endorsement as a requirement for recertification is suspended for sixth through twelfth grade teachers who are not teaching English Language Arts or special education and middle and secondary administrators. Certified faculty and staff working outside of a school setting are exempt from having to earn the literacy endorsement to maintain certification.

- 1.aeg** **ADD** (SDE: Abstinence Education Grant) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that funds made available pursuant to Title V, Section 510 only may be awarded through a competitive grant process.

1.aeg. (SDE: Abstinence Education Grant) For the current fiscal year, funds made available to the State of South Carolina under the provisions of Title V, Section 510, only may be awarded to other entities through a competitive grant process.

- 1.aep** **ADD** (SDE: Abstinence-Until-Marriage Emerging Program) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the department to use the “Abstinence-Until-Marriage Emerging Programs” special item funds to award a 12 month grant for abstinence-until-marriage emerging programs to nonprofits that meet all the A-H Title V, Section

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510 definitions of Abstinence Education and to use a competitive bidding process and provide procedures for the awarding of the grant.

1.aep. (SDE: Abstinence-Until-Marriage Emerging Programs) (A) From the funds appropriated to the Department of Education in this act as a Special Item and titled “Abstinence-Until-Marriage Emerging Programs”, the department shall award a twelve-month grant for abstinence-until-marriage emerging programs. This funding shall be awarded by the department only to nonprofit 501(c)(3) agencies meeting all the A-H Title V, Section 510 definitions of Abstinence Education, as defined in the 2017 Social Security Act.

(B) Grants must be awarded utilizing a competitive grant process.

(C) Applicants must provide a budget and budget narrative to the department that explains how the funds will be used.

(D) Prior to application, proposed programs/curricula must be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirements for abstinence-until-marriage education programs.

(E) The department shall determine and develop the necessary application for awards.

(F) The programs implemented by the entity awarded a grant pursuant to this provision may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed. Organizations or individuals awarded grants must provide quarterly reports on expenditures and participation to the Department of Education and the Department of Social Services within forty days of the end of each quarter.

(G) Grantees failing to submit reports within forty days of the end of each quarter will be terminated.

1.apf **ADD (SDE: Abstinence-Until-Marriage Evidence-Based Programs Funding) PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the department to use “Continuation of Teen Pregnancy Prevention” funds to award contracts to separate private, non-profit 501(c)(3) entities to provide Abstinence Until Marriage teen pregnancy prevention programs and services that meets all A-H Title V, Section 510 definition of Abstinence Education; requires a competitive bidding process be used; and provides procedures for the awarding of contracts.

1.apf. (SDE: Abstinence Until Marriage Evidence-Based Programs Funding) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, grants must be awarded to separate private, nonprofit 501(c)(3) entities to provide Abstinence-Until-Marriage teen pregnancy prevention programs and services within the State that meet all of the A-H Title V, Section 510 definitions of Abstinence Education, as defined in the 2017 Social Security Act. Grants must be awarded utilizing a competitive grant process. Proposed programs/curricula must be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirement for abstinence-until-marriage education programs. Applicants must provide a budget for the proposed project for which the application is being made. Monies will be paid over a twelve month basis for services rendered. Unexpended funds shall be carried forward for the purpose of fulfilling the department's grant award notification. The programs implemented by the entity awarded a grant pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

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- 1.eoc** **ADD** (SDE: SC Future Makes and Tallo) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that funds appropriated to the Educational Oversight Committee be used for middle and high school students and technical and four-year college students to access SC Future Makers and Tallo.

1.eoc. (SDE: SC Future Makers and Tallo) With the funds appropriated to the Educational Oversight Committee, the committee shall disburse funds to support the opportunity for middle and high school students, technical college students, and four-year college students to access SC Future Makers and Tallo to discover careers, apprenticeships, or internships in careers in advanced manufacturing and logistics and supply change management.

- 1.abs.** **ADD** (SDE: Anti-Bullying/School Safety) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct school districts to implement a policy that prohibits the use of personal electronic devices by students during classroom instruction to receive state funds allocated for State Aid to Classrooms.

1.abs. (SDE: Anti-Bullying/School Safety) To receive state funds allocated for State Aid to Classrooms, a school district must implement a policy that prohibits the use of personal electronic communication devices by students during direct classroom instructional time. For purposes of this provision, a personal electronic communication device is considered to be a device not authorized for classroom use by a student, utilized to access the Internet, wi-fi, or cellular telephone signals.

- 1.das** **ADD** (SDE: District Accounting Systems and Best Practices) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the Department of Education to convene a study committee to examine and propose revisions to improve district accounting systems and best practices. Establishes the membership and duties of the committee. Directs the committee to provide a report of potential reforms by May 31, 2025 to the Governor, the Speaker of the House, and the President of the Senate.

1.das. (SDE: District Accounting Systems and Best Practices) (A) The Department of Education shall convene a study committee to examine and propose necessary revisions for improving district accounting systems and best practices.

(B) The study committee shall be comprised of the following individuals who each should have background and expertise in education finance:

- (1) one member appointed by the Governor; who shall serve as Chair of the task force;*
- (2) the State Superintendent of Education or their designee;*
- (3) the Chief Financial Officer of the State Department of Education;*
- (4) one member of the South Carolina House of Representatives appointed by the Chair of the House of Representatives Education and Public Works Committee;*
- (5) one member of the South Carolina Senate appointed by the Chair of the Senate Education Committee;*
- (6) one member appointed by the Chair of the House of Representatives Ways and Means Committee;*
- (7) one member appointed by the Chair of the Senate Finance Committee;*
- (8) one member appointed by the Chair of the Board of the Revenue and Fiscal Affairs Office;*

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(9) one member appointed by the Governor upon recommendation of the South Carolina Association of School Administrators;

(10) one member appointed by the Governor upon recommendation of the South Carolina School Boards Association; and

(11) one member appointed by the Governor upon recommendation of the South Carolina Association of School Business Officials.

(C) Members of the task force shall receive no compensation but may receive per diem and mileage from the South Carolina Department of Education as provided for boards and commissions.

(D) The task force must submit recommendations for potential reforms to the Governor, the Speaker of the House of Representatives, and the President of the Senate no later than May 31, 2025. Recommendations shall include, but not be limited to, the following areas:

(1) increased transparency for school district personnel, stakeholders, and policymakers;

(2) ensuring alignment to accounting standards across the State;

(3) ease of reporting;

(4) consolidation of multiple reports into a streamlined reporting format;

(5) consistency of data across districts; and

(6) increased efficiency for school district financial staff.

1.sds CONFORM TO FUNDING/ADD (SDE: School Bus Driver Supplement) PROVISO SUBCOMMITTEE RECOMMENDATION: ADD new proviso to direct SDE on the distribution of the School Bus Driver Bonus. Provides for the requirements of the distribution and requires any remaining funds to be returned to the EIA.

1.sds. (SDE: School Bus Driver Supplement) Funds appropriated for the School Bus Driver Retention Bonus must be allocated to school districts and awarded to school bus drivers as a salary supplement and retention bonus of up to \$2,500 for the 2024-25 School Year. Funds shall be awarded to each bus driver in three separate payments, not to exceed \$2,500 in total, based on the following: one-third to each school bus driver employed on August 15, 2024; one-third to each school bus driver continuously employed through December 15, 2024; and one-third to each school bus driver continuously employed through the end of the school year. The department shall determine the amount awarded to each school district based on the number of eligible bus drivers as of the payment dates included herein. Any remaining funds shall be returned to the EIA.

1.tsf. ADD (SDE: Charter School Transfer) PROVISO SUBCOMMITTEE RECOMMENDATION: ADD new proviso to allow a charter school to transfer its charter to a different authorizer if its current authorizer is operating under a warning of noncompliance with core requirements or standards, is on probation, or if it ceases operations. Directs that the authorizer cannot withhold any unspent appropriated funds owed to the charter and may not charge any fees to the charter when moving to another authorizer. Outlines responsibilities of receiving authorizer. Directs that if a charter school ceases to operate, its assets become the property of the department, and the department shall adopt and implement a closure protocol.

1.tsf. (SDE: Charter School Transfer) Of the funds appropriated or authorized herein, a charter school that is authorized or chartered by an institution of higher education, or entity owned by or affiliated with an institution of higher education, may transfer its charter to a different authorizer provided that its current authorizer is operating under a warning of

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noncompliance with any core requirements or significant noncompliance of other standards or is on probation by its accrediting body for degree-granting higher education institutions. Furthermore, a charter school may apply to transfer its charter to a different authorizer if its current authorizer ceases operations. An authorizer under warning, on probation, or ceasing operation shall not demand or withhold any unspent appropriated funds held by or owed to a charter school. Furthermore, the authorizer may not charge any fees associated with the school moving to another authorizer. The receiving authorizer may deny a transfer application made under this section, and the decision of the receiving authorizer to accept or deny a transfer application is final and may not be appealed. The receiving authorizer may require a transferring school to execute a new charter school contract or amend its charter for the time remaining on them or execute new ten-year charter and contract. The receiving authorizer is not bound by the terms or conditions of a transferring school's charter contract or charter. If a charter school ceases to operate for any reason as a result of this provision, then its assets become the property of the State Department of Education immediately upon closure and the State Department of Education shall be responsible for adopting and implementing a closure protocol to ensure an orderly closure in this situation.

1.cse **ADD** (SDE: Charter School Expenditures) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that a charter school authorizer shall not spend appropriated funds for any purpose than those authorized pursuant to Chapter 40, Title 59. Directs that the authorizer cannot withhold any unspent appropriated funds owed to the charter and may not charge any fees to the charter when moving to another authorizer. Outlines responsibilities of receiving authorizer. Directs that if a charter school ceases to operate, its assets become the property of the department, and the department shall adopt and implement a closure protocol.

1.cse. (SDE: Charter School Expenditures) Of the funds appropriated or authorized herein, a charter school authorizer shall not expend any state appropriated funds, or funds realized as a result of its operations, for any purposes other than those listed in Chapter 40, Title 59. If the Superintendent of Education discovers a violation of this provision, she may declare that the authorizer no longer has the authority to charter or authorize schools and all schools may apply to transfer to a different authorizer. Furthermore, the authorizer shall not demand or withhold any unspent appropriated funds held by or owed to a charter school that is leaving under the provisions of this item and may not charge any fees associated with the school moving to another authorizer. The receiving authorizer must agree to accept the charter school may deny a transfer application made under this section, and the decision of the receiving authorizer to accept or deny a transfer application is final and may not be appealed. The receiving authorizer may require a transferring school to execute a new charter school contract or amend its charter for the time remaining on them or execute new ten-year charter and contract. The receiving authorizer is not bound by the terms or conditions of a transferring school's charter contract or charter. If a charter school ceases to operate for any reason as a result of this provision, then its assets become the property of the State Department of Education immediately upon closure and the State Department of Education shall be responsible for adopting and implementing a closure protocol to ensure an orderly closure in this situation.

1.mil **ADD** (SDE: Military Dependent Enrollment) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that a charter school may offer enrollment preference to dependents of active-duty military personnel.

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1.mil. (SDE: Military Dependent Enrollment) Of the funds appropriated or authorized herein, a charter school may offer enrollment preference to dependents of active-duty military personnel.

SECTION 1A - H630 - DEPARTMENT OF EDUCATION-EIA

1A.9 CONFORM TO FUNDING/AMEND (SDE-EIA: Teacher Supplies) Provides guidelines for distributing teacher supply reimbursement of up to \$350 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 school that are not eligible for this reimbursement, to claim a refundable income tax credit on their 2023 tax return.

PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/AMEND proviso to update the reimbursement credit of teacher supplies to \$400 and update the calendar year reference.

1A.9. (SDE-EIA: Teacher Supplies) (A) 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 publicly 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 ~~\$350~~ \$400 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 disbursed. 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, Governor's School for Agriculture at John de la Howe, 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.

(B) 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

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income tax credit on the teacher's ~~2023~~ 2024 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 ~~\$350~~ \$400, 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 ~~2023~~ 2024 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.26 CONFORM TO FUNDING/AMEND (SDE-EIA: Full-Day 4K) Provides guidelines for participation in and funding for the SC Early Reading Development and Education Program (CERDEP). *Companion to 1.48*

PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/AMEND proviso to change a reference to CERDEP and expand the data collection. Requires certain data to be provided of four-year-olds in poverty served in formal education programs in public schools for more accurate reporting. Requested by the Education Oversight Committee.

1A.26. (SDE: Full-Day 4K) (A) Eligible students residing in any school district or attending any charter school authorized by the South Carolina Public Charter School District or an approved institution of higher education may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the availability of space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

(B) A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds. No school district can be denied participation in CERDEP or be denied CERDEP funding pursuant to the terms of this provision.

(C) 4K programs in public schools and non-profit independent schools participating in CERDEP are not required to be approved, registered, or licensed by the Department of Social Services in order to participate in CERDEP. Instead, the Department of Education and the Office of First Steps are responsible for ensuring that providers deliver high-quality educational programs pursuant to Section 59-156-160.

(D) Public and private providers shall be funded for instructional costs at a minimum rate of \$5,100 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 reimbursement at a minimum of \$620 per eligible child transported. First Steps and the Department of Education must provide an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider

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to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. 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 at a minimum of \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding at a minimum of \$10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward funds and federal funds to supplement the amount expended for materials and equipment. 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 based on the one hundred and thirty-five day student average daily membership. For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive reimbursement for these children if funds are available. The Department of Education is required to offer waivers allowing students with disabilities to be served in multi-categorical classroom settings based on similar cognition and abilities. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

(E) 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.

(F) 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~~ *Early Reading Development and Education Program (CERDEP)* and to issue findings in a report to the General Assembly by March first of each year. To aid in this evaluation, the Education Oversight Committee shall determine *and obtain* 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, *including average daily attendance data, so that consistent enrollment may be determined*. 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 *public or private provider including those funded by CERDEP, Head Start, SC Child Care Scholarships, EIA, Title I, district-funded, and all other federal, state, or local public sources*. 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

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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 along with information, recommendations, and a timeline for how the state can increase the number of students served in high-quality programs. To aid in the accurate reporting of four-year-olds in poverty served in formal education programs in public schools in South Carolina, the Department of Education must provide to the EOC data related to four-year-olds served in formal education programs funded with other state, local, or federal funds, including Title I and EIA-District-funded programs, denoting full- or partial-day status.

(G) For eligible children residing in school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in CERDEP.

(H) For the current fiscal year, the Office of First Steps may expend: (1) up to \$2,000,000 to pilot a program to provide higher reimbursement rates to high-quality providers. The reimbursement rate for students enrolled by child care providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to \$250,000 to provide one-time supplemental, needs-based incentive grants in an amount not to exceed \$30,000 for newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible students in a public, private, or Head Start setting during the prior fiscal year. These grants are 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 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 shall be 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 shall 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.

(I) If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures, available funds may be used to fund an extended program and 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. If a district chooses to fund summer enrollment, the program funding shall conform to the funding in this act for full year programs; however, it 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 parent engagement, professional development, and quality evaluations of programs. No later than April first, the Department of Education and the Office of First Steps shall report to the Chairman of the Senate Finance Committee and the Chairman of

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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. The Office of First Steps is directed to determine if the provision of extended programs in private centers improves the ability of parents to enter the workforce or to pursue postsecondary training or industry credentials.

(J) On or before November 15, the Department of Education and the Office of First Steps shall share data that identifies the total number of children enrolled in CERDEP in both public and private providers. If available appropriations exceed the instructional costs of serving children enrolled in the program and if a waiting list of eligible children can be documented by the Department of Education and by the Office of First Steps, then the Executive Budget Office may authorize the transfer of funds between the Department of Education and the Office of First Steps.

(K) The Office of First Steps and the Department of Education shall collaborate with the South Carolina Head Start State Collaboration Office to inform parents of all publicly funded full-day 4K programs including Head Start by participating in PalmettoPreK and First5SC.

1A.31 AMEND (SDE: Teacher Salaries/SE Average) States that the projected Southeastern average teacher salary is projected to be \$58,048. Requires a local district board of trustees to provide a step increase for all eligible certified teachers. Requires districts to use the district salary schedule used in the prior fiscal year as the basis for providing the increase. Suspends the requirement that districts maintain local salary supplements per teacher no less than their prior fiscal year. *Companion to General Education proviso 1.70.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND to update the Southeastern average teacher salary and the fiscal year reference.

1A.31. (SDE-EIA: Teacher Salaries/SE Average) *(A)* 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 ~~\$58,048~~ \$59,866. 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.

(B) 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 at a minimum 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. For Fiscal Year ~~2023-24~~ 2024-25, the requirement that school districts maintain local salary supplements per teacher no less than their prior fiscal year level is suspended.

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

1A.41 AMEND (SDE-EIA: EOC-South Carolina Autism Society) Directs that \$500,000 of the EIA funds appropriated for Partnerships, Education Oversight Committee (A85) be transferred quarterly from the EOC to the South Carolina Autism Society for the Autism Parent-School Partnership Program. Requires the society, on or before August 1, 2023, to provide an audit of the society's books from the previous fiscal year to the Chairmen of the Senate Finance and

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House Ways and Means Committees. Directs that the society provide an updated audit to the Chairmen on or before June 30, 2024.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year references.

1A.41. (SDE-EIA: EOC-South Carolina Autism Society) (A) Of the funds appropriated in Section 1A, VIII.F. Partnerships, Education Oversight Committee (A85), \$500,000 must be transferred in quarterly installments from the Education Oversight Committee to the South Carolina Autism Society for the Autism Parent-School Partnership Program. No more than ten percent of these funds may be used for central office related administrative purposes, with the remaining funds used to directly provide services through the Parent-School Partnership Program.

(B) On a quarterly basis, the South Carolina Autism Society shall submit to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee a comprehensive report concerning the society's finances. The report must include, but is not limited to:

- (1) All income derived during the quarter from any source;
- (2) An itemized list of all expenditures for the quarter, including the amount of each expenditure;
- (3) A list of employees, independent contractors hired by the society, and any other person or entity that provides goods or services to the society, including the amount paid to each; and
- (4) Any other such information that aids in fully understanding the fiscal health of the society.

(C) On or before August 1, ~~2023~~ 2024, the society shall provide the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee an audit of the society's books from the society's previous fiscal year. On or before June 30, ~~2024~~ 2025, the society shall provide an updated audit to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

1A.45 **AMEND** (SDE-EIA: 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 of the current fiscal year 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.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to require EOC to evaluate the allocated funds and their impact on the Rural Teacher Recruiting Incentive. Requires the evaluation to be submitted to the WMC, SFC, House and Senate Education Committees, and the Governor's Office by December 15th. Requested by the Education Oversight Committee.

1A.45. (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:

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(1) Eligible districts identified by CERRA as experiencing greater than eleven percent average annual teacher turnover, as reported on the districts' five most recent district report cards issued by the South Carolina Department of Education and are not one of the fifteen wealthiest districts based on the index of taxpaying ability, 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) 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.

(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.

(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.

(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 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

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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.

(G) The Education Oversight Committee is required to complete an evaluation of the impact of the funds and incentives related to the Rural Teacher Recruiting Incentive. A completed evaluation is due to the House Ways and Means Committee, the House Education Committee, the Senate Finance Committee, the Senate Education Committee, and the Governor's Office no later than December 15 of the current fiscal year.

- 1A.51 AMEND** (SDE-EIA: Career and Technology Education) Provides for the distribution and use of Career and Technology Education funds to school districts and multi-district career centers. Requires the district plan contain certain information on other available career and technical equipment and to include charter schools offering at least one career and technical education completer program. Authorizes school districts and career centers to carry forward these funds for the same purpose. Directs that \$125,000 be allocated to the Palmetto Partners for Science and Technology for robotics competition, curriculum, and support.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference.

1A.51. (SDE-EIA: Career and Technology Education) Of the funds appropriated for Career and Technology Education, multi-district careers centers that received funds in Fiscal Year ~~2022-23~~ 2024-25 from the State Aid to Classrooms line item shall receive in the current fiscal year at least \$2,750,000. The balance of funds appropriated for Career and Technology Education will be distributed to school districts and multi-district career centers based on the prior year actual student enrollment for career and technology education courses, with no district or multi-district career center receiving less than \$50,000. Funds may be expended for the purchase of career and technical equipment, the up fitting of facilities and the purchase of consumables, regional career specialists, and such evidence-based initiatives like High Schools that Work and Project Lead the Way. Each district must include in the district plan submitted to the Office of Career and Technology Education information on other career and technical equipment available. The district must include, at a minimum, equipment located at the career center and at the technical college, information on the alignment of equipment to current industry jobs and needs in the state as recommended by career and technical program advisory committees. District plans must include charter schools within the school district offering at least one career and technical education completer program. School districts and career centers may carry forward unexpended funds to be used for the same intended purposes to up fit career and technical facilities and replace career and technical program consumables. In addition, \$125,000 of the funds appropriated shall be allocated to the Palmetto Partners for Science and Technology for robotics competition, curriculum, and support.

- 1A.59 AMEND** (SDE-EIA: Teacher Recruitment Program) Provides for the allocation of \$750,000 of Rural Teacher Recruitment funds to USC's College of Education (COE) to develop and implement a new teacher recruitment pilot program to be administered by the COE in partnership with the Center for Teaching Quality.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete "Center for Teaching Quality" and add "Mira Education".

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1A.59. (SDE-EIA: Teacher Recruitment Program) On or before September 30th of the current fiscal year, following the development of accountability metrics, \$750,000 of the funds appropriated in this act to the Department of Education for “Rural Teacher Recruitment” shall be allocated to the University of South Carolina’s College of Education (COE) for the development and implementation of a new teacher recruitment pilot program to be administered by the COE in partnership with the ~~Center for Teaching Quality (CTQ)~~ *Mira Education*. The purpose of the pilot program shall be the employment of innovative and cost-effective teacher recruitment strategies, customized training for new teachers, and dedicated, ongoing mentoring support. The pilot program shall compliment and/or enhance the state’s ongoing rural teacher recruitment initiatives such as those supported pursuant to Proviso 1A.45 of this act. At minimum, the pilot program must assist no fewer than ten school districts to include at least four districts along the I-95 corridor and serve no fewer than 250 teacher candidates. The pilot program shall stipulate reasonable fees for participating candidates and districts and districts shall agree to release time for required on site mentors who shall be experienced, practicing teachers within the district for the purposes of co-teaching with and supporting candidates’ development. Within participating districts, the pilot program shall emphasize high-need schools and within selected schools, the emphasis shall be on developing teacher candidates teaching in high-need subject areas to include, but not be limited to, STEM and special education with all candidates receiving training in literacy skills. The pilot program design shall be based on emerging empirical evidence of effective teacher education as well as best practices from recent innovations in university-based and alternative certification and residency programs for the dual purpose of recruiting needed candidates with equal focus on retaining accomplished, experienced teachers utilizing, in part, a model which contains intensive mentoring and support for candidate teachers. For purposes of maximizing the impact of this pilot program in identifying qualified teacher candidates as required herein, subject area assessment requirements as they relate to permitted standard deviation tolerances shall mirror those of State Department of Education requirements for traditionally prepared candidates. The pilot program shall assess the certification outcomes of candidates in relation to these tolerances. Before any funds are disbursed to the COE, the COE and CTQ shall develop accountability metrics for the pilot program that must include, at minimum, employment outcome indicators such as job placement and retention statistics as well as survey instrumentation in order to measure candidate, mentor, and principal satisfaction with the pilot program. No later than June 30th, program data and evidence collected as a result of this accountability requirement must be shared in report form with the Department of Education, the Education Oversight Committee, the South Carolina Center for Educator Recruitment, Retention, and Advancement, the Commission on Higher Education, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee.

1A.60 **AMEND** (SDE-EIA: Bridge Program) Directs that \$1,400,000 of Rural Teacher Recruitment funds be transferred to SC State University to implement and enhance a BRIDGE program to recruit minority high school students along the I-95 corridor into the teaching profession. Directs SC State to use \$400,000 of these funds to partner with one or more higher education institutions to establish a similar bridge program.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference.

1A.60. (SDE: Bridge Program) Of the funds appropriated for “Rural Teacher Recruitment” in Fiscal Year ~~2023-24~~ 2024-25, \$1,400,000 shall be transferred to South Carolina State

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University for the implementation and enhancement of a BRIDGE program to recruit minority high school students along the I-95 corridor into the teaching profession by offering them, while still in high school, access to counseling, mentoring, on campus summer enrichment programs, and opportunities for dual enrollment credits at South Carolina State University for the purpose of preparing these students to major in education and to become future teachers along the I-95 corridor. South Carolina State University must utilize \$400,000 of these funds to partner with one or more institutions of higher education to establish a similar bridge program.

1A.64 AMEND (SDE-EIA: 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. Authorizes these funds to be carried forward and expended for the same purpose. Directs that excess funds be distributed to school districts based on the EFA formula.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the carry forward authority and the excess appropriations distribution to school districts.

1A.64. (SDE EIA: National Board Certification Incentive) (A) 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 both the State Board of Education and the National Board for Professional Teaching Standards (NBPTS), shall be paid an annual salary supplement of either \$7500 or \$5000. When all other criteria included in this provision are met, the amount of the supplement shall be determined by the teacher's date of application to NBPTS and the length of the national certificate as described below.

~~(A)(1)~~ A salary supplement of \$7500 shall be paid to National Board Certified Teachers (NBCTs) who made an initial application before July 1, 2010, and who hold a ten-year national certificate.

~~(B)(2)~~ A salary supplement of \$5000 shall be paid to NBCTs who made an initial application before July 1, 2010, and who hold a five-year national certificate.

~~(C)(3)~~ A salary supplement of \$5000 shall be paid to NBCTs who made an initial application after July 1, 2010, and who hold either a five-year or a ten-year national certificate.

(B) The salary supplement shall begin in the year the teacher achieves national certification, be added to the teacher's annual pay, and continue as long as the teacher is certified by both the State Board of Education and NBPTS and employed as a public school classroom teacher as described above. However, the supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the districts payroll procedure.

(C) The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, Governor's School for Agriculture at John de la Howe, School for the Deaf and the Blind, Department of Juvenile Justice, and Palmetto Unified School District 1.

(D) Public school classroom teachers who are certified by NBPTS shall enter a recertification cycle for their South Carolina certificate consistent with the length of the recertification cycle for National Board Certification. Teachers who are certified by NBPTS 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 the length of the recertification cycle for

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National Board Certification. ~~The department is authorized to carry forward funds and only expend them for the same purpose. Appropriations in excess of applicable expenditures shall be distributed to school districts based on the EFA formula.~~

1A.69 CONFORM TO FUNDING/AMEND (SDE-EIA: Developmental Education and Therapy Services) Directs that of the funds appropriated for Developmental Education and Therapy Services, \$486,486 shall be allocated to the Meyer Center; \$1,513,514 shall be allocated to Pattison’s Academy; and \$1,300,000 for Palmetto Excel.

PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/AMEND to update the amount allocated to SC Public Charter Schools for Palmetto Excel and increase the number of students served to 500. Requested by SC Public Charter School District.

1A.69. (SDE-EIA: Developmental Education and Therapy Services) Of the funds appropriated for Developmental Education and Therapy Services for students with multiple documented disabilities, \$486,486 shall be allocated to the Meyer Center, \$1,513,514 shall be allocated to Pattison’s Academy, and ~~\$1,300,000~~ \$5,900,000 shall be allocated to the SC Public Charter School District for Palmetto Excel. The funding allocated to the Public Charter School District is estimated to serve ~~450~~ 500 students. If less students are served, the money must be retained and not expended by the Public Charter School District on a pro rata basis.

1A.73 CONFORM TO FUNDING/AMEND (SDE-EIA: Foundational Literacy Skill Training) Directs SDE to provide training in foundational literacy skills to public school educators who work with students in kindergarten through third grade. Requires each school district to participate in the implementation of this training and requires the districts and SDE to create an implementation plan. Directs that select educators shall participate in foundational literacy skills training provided and paid for by the department. States that successful completion of the training satisfies the requirements of the literacy teacher endorsement and directs that those teachers shall receive a monetary stipend upon completion. Directs SDE to identify reliable and valid universal reading screeners as potential replacements for the readiness assessment and allows the screeners to be utilized by school districts to screen and monitor kindergarten through second grade student progress. Provides for the requirements of the screeners. Details the requirements of each district’s Reading Proficiency Plans. Defines “Foundational literacy skills”, “Science of Reading”, and “Structured Literacy”.

PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING/AMEND proviso to update the fiscal year reference and direct that SDE extend training to educators and aids working with children in CERDEP and to the staff of First Steps. Directs that school districts shall not recommend reading materials that employ the three-cueing model of reading, visual memory for teaching word recognition or reading based on meaning, structure and syntax, and visual cues. Allows SDE to carry forward and expend funds for the same purpose.

1A.73. (SDE-EIA: Foundational Literacy Skill Training) (A) Beginning with the current fiscal year, the Department of Education shall provide training in foundational literacy skills to public school educators working with students in kindergarten through grade three, pending the availability of funding and space. The Department of Education shall deliver professional development that has demonstrated success in establishing deep knowledge of evidence-based foundational literacy skills grounded in the science of reading and promoting student reading achievement. Beginning in the 2024-25 Fiscal Year with funds available, the Department of

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Education will extend the training to public school educators and class aides working with children in South Carolina Early Reading Development and Education program (CERDEP) and to staff of the Office of First Steps to School Readiness.

(B) Each school district shall participate in the implementation of this foundational literacy skills training. The department and school districts shall create an implementation plan to include educator cohorts to begin in the fall and spring of the ~~2023-24~~ 2024-25 school year, with a goal of state-wide implementation for every educator working with students in kindergarten through grade three certified in early childhood, elementary, and special education. Elementary administrators should also be included in the foundational literacy skills training.

(C) School districts shall not purchase, utilize, or recommend reading or literacy materials that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual cues.

(D) Selected educators shall participate in foundational literacy skills training provided and paid for by the Department of Education. Successful completion of this training shall satisfy the requirements of the literacy teacher endorsement. Educators who successfully complete the training, as determined by the department, shall receive a monetary stipend.

(E) The Department of Education shall identify reliable and valid universal reading screeners as potential replacements for the readiness assessment required under Section 59-155-150. The identified screeners may be selected and used by school districts to screen and monitor kindergarten through second grade student progress in foundational literacy skills, and to identify or predict those who may be at risk for poor reading outcomes. Each identified universal reading screener must:

(1) provide screening and diagnostic capabilities for monitoring student progress in reading;

(2) measure, at a minimum, phonological awareness, phonemic awareness, phonics, fluency, vocabulary, and comprehension; and

(3) identify students with a reading deficiency, including identifying students with characteristics of dyslexia.

(F) In its annual Reading Proficiency Plan, each district shall:

(1) document how the reading and writing curriculum, instruction, and assessment for all PK-5 students are aligned with the science of reading, structured literacy, and foundational skills. PK-5 textbooks or instructional materials that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual, which is also known as “MSV”, shall not be used in reading instruction;

(2) document the number of first and second grade students who are projected to score “Does Not Meet” on the statewide summative reading assessment;

(3) document how scientifically-based supplemental interventions are provided to struggling readers who fail to demonstrate grade-level proficiency as demonstrated by a score of “Meets or Exceeds Expectations”; and

(4) explain how the district will provide teacher training in the science of reading, structured literacy, and foundational literacy skills.

(G) As used in this provision:

(1) “Foundational literacy skills” means phonological awareness, phonemic awareness, phonics, fluency, vocabulary, and reading comprehension. This definition of foundational literacy skills specifically excludes the “Three-cueing system”, which is any model of teaching students to read based on meaning, structure and syntax, and visual cues, which may also be known as “MSV”.

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(2) “Science of Reading” means the body of research that identifies evidence-based approaches of explicitly and systematically teaching students to read, including foundational literacy skills that enable students to develop reading skills required to meet state standards in literacy.

(3) “Structured Literacy” means an evidence-based approach to teaching oral and written language aligned to the science of reading founded on the science of how children learn to read and characterized by explicit, systematic, cumulative, and diagnostic instruction in phonology, sound-symbol association, syllable instruction, morphology, syntax, and semantics.

(H) The Department of Education is authorized to carry forward and expend any balance of funds authorized in the prior fiscal year for training for the same purposes in the current fiscal year.

1A.she CONFORM TO FUNDING/ADD (SDE-EIA: Systematic Study of Higher Education) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct EOC to conduct a study on public higher education that analyzes enrollment trends based on the declining birth rate; assesses current and future campus infrastructure, including virtual technologies; examines graduation rates, and identify barriers to postsecondary education. Allows EOC to utilize experts, and states their procurements are exempt from certain purchasing procedures. Requires the final report to be due by June 30, with a potential six-month extension, subject to approvals.

1A.she. (SDE-EIA: Systematic Study of Higher Education) (A) With the funds appropriated to the Education Oversight Committee, the committee shall contract with state and national experts, consultants, and advisors to conduct a study that will ensure that South Carolina’s public higher education system can provide the workforce for the future. The report will identify and recommend strategies that will address the sustainability, accessibility, and affordability of public higher education for the citizens of the State. The study shall address, but not be limited to, the following topics and analysis: (1) analysis of the impact of the declining birth rate on the current and future enrollment trends in public higher education from State and regional perspectives; (2) assessment of the utilization of existing physical space/buildings on existing campuses and projections of additional capital projects needed given enrollment trends and utilization of virtual technologies; (3) analysis of the graduation rates and credentials and diplomas earned in public higher education institutions compared to the workforce needs of the state; (4) recommendations to improve the efficiency and effectiveness of our public higher education system; and (5) identification of barriers that prevent citizens from earning a postsecondary degree or credential, which must include an analysis of the cost of a postsecondary degree or credential compared to other states in our region. The thirty-three public institutions of higher education, the Commission on Higher Education, the South Carolina Technical College System, and the Department of Employment Workforce will collaborate with and provide data as requested by the committee.

(B) Procurements by the committee of any experts, consultants, and advisors including, but not limited to, accountants and attorneys, are exempt from the purchasing procedures of the South Carolina Consolidated Procurement Code in Chapter 35, Title 11, and any other provisions of the general law of this State in conflict with these directives. Procurements made by the committee pursuant to this provision shall be made with as much competition as is practicable under the circumstances. The committee shall submit the final report to the Governor, Speaker of the House of Representatives, Chairman of the House Ways and Means Committee, President of the Senate, and Chairman of the Senate Finance Committee by June 30, 2025. In the

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event that the committee needs an extension of up to six months, the extension can be granted upon the approval of the Governor, the President of the Senate, and the Speaker of the House.

- 1A.tcl CONFORM TO FUNDING/ADD** (SDE-EIA: Teacher Career Ladder) **PROVISO SUBCOMMITTEE RECOMMENDATION:** CONFORM TO FUNDING/ADD new proviso to direct SDE to utilize specific funds appropriated to create a career ladder compensation model for teacher advancement. Provides for the requirements of the model and directs the department to establish the criteria for which the funds can be expended and allocated to school districts. Allows for funds to be carried forward and used for the same purposes. Requires the department to report to the General Assembly and the Governor with the date from the model.

1A.tcl. (SDE-EIA: Teacher Career Ladder) With funds appropriated for National Board Certification, critical needs supplements, and teacher strategic compensation program, the Department of Education will create a career ladder compensation model to provide a path for teacher advancement and to improve learning outcomes. The career ladder compensation model should consider the recommendations of the Teacher Recruitment and Retention Task Force created by Proviso 1.114 of the 2022-23 General Appropriations Act and other evidence-based teacher compensation models. The department will establish the qualifying criteria defining the job duties for which the funds can be expended and allocated to school districts and provide technical assistance to school districts. Funds not expended in the current fiscal year may be carried forward and expended for the same purposes in the subsequent fiscal year. The department will report by June 30 to the General Assembly and to the Governor with data and evidence that the compensation model is recruiting and retaining teachers.

- 1A.rrp CONFORM TO FUNDING/ADD** (SDE-EIA: Review of Recruitment and Retention Programs) **PROVISO SUBCOMMITTEE RECOMMENDATION:** CONFORM TO FUNDING/ADD new proviso to create an ad hoc committee to review current EIA practices that focus on teacher retention and recruitment on their return on state investments, and for any duplication of efforts. Requires the committee to report their findings to the General Assembly in January of 2025 on the best way to manage these programs with positive results.

1A.rrp. (SDE-EIA: Review of Recruitment and Retention Programs) With funds appropriated, the Education Oversight Committee will convene an ad hoc committee to review current EIA structures and programs in place in South Carolina whose focus is teacher recruitment and retention. Each program will be reviewed, with a specific eye toward duplication of efforts and return on state investments. This ad hoc committee will make recommendations to the General Assembly in January 2025 as to the most efficient and effective way to manage and monitor teacher recruitment and retention structures/programs across South Carolina to increase teachers entering the teaching profession and to retain teachers, specifically in the first five years of teaching.

SECTION 7 - L120 - GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE

- 7.tel ADD** (JDLHS: Telepsychiatry) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the school to develop a contractual relationship with DMH and MUSC to provide psychiatric services from a licensed psychiatrist upon the request of a student or employee who provides mental health services to the student. Provides for the requirements of the service.

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7.tel. (JDLHS: Telepsychiatry) The Governor's School for Agriculture at John de la Howe shall establish and maintain, with the Department of Mental Health and the Medical University of South Carolina, a contractual relationship to provide psychiatric services from a licensed psychiatrist for its students upon the request of a student or the recommendation of a school employee who provides mental health services to students. The psychiatric services may be provided in person or through the use of telepsychiatry. The interactions between students and the psychiatrist shall be HIPPA compliant. Psychological fitness for continued attendance at the school shall be determined solely by the psychiatrist providing psychiatric services to a student. A student who receives psychiatric services from a psychiatrist may continue to receive those services in lieu of receiving services as provided for in this provision.

SECTION 8 - H670 - EDUCATIONAL TELEVISION COMMISSION

8.rpp **ADD** (ETV: Rural Information Access Pilot Project) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct ETV to work with ORS to develop a pilot project to address the need for increased public wi-fi in rural areas. Directs them to maximize federal dollars and leverage existing ETV resources and allows partnership with relevant state agencies.

8.rpp. (ETV: Rural Information Access Pilot Project) The Educational Television Commission shall work with the Office of Regulatory Staff to establish a pilot project supporting awareness of digital adoption and addressing the need for increased public wi-fi in rural and underserved counties. The initial pilot project will maximize federal dollars to the greatest extent possible and include, at a minimum, Orangeburg, Bamberg, Barnwell, and Allendale counties. The project will include leveraging existing SCETV broadcast and communications infrastructure to support public access to broadband, an awareness campaign to increase digital adoption in these counties, and local programming specifically for underserved and rural communities. Partners in the pilot project may include, but not be limited to, state agencies involved with digital access, school districts, colleges, and universities, including technical colleges, and local businesses.

SECTION 117 - X900 - GENERAL PROVISIONS

117.126 AMEND (GP: School Resource Officer Critical Needs) allow any Class 1 law enforcement officer who retired under PORS on or before December 31, 2017, to return to work with a public school district as a critical needs School Resource Officer without affecting their PORS monthly allowance. Directs the Law Enforcement Training Council to develop guidelines for these officers to be recertified and to not require them to be recertified through basic training.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year reference.

117.126. (GP: School Resource Officer Critical Needs) Any Class 1 law enforcement officer who retired under the Police Officers Retirement System on or before December 31, ~~2017~~ 2023, may return to employment with a public school district as a critical needs School Resource Officer without affecting the monthly retirement allowance that they are receiving from the Police Officers Retirement System. The Law Enforcement Training Council must develop guidelines and curriculum for these officers to be recertified and must not require recertification through basic training for those that have been inactive for a year or more.

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117.164 AMEND (GP: Millage Calculations) Allows a municipality additional and permanent adjustment to its general operating millage rate increase limitation due to population growth for any increase that would have happened in FY 2021-22 but was not known because of the delayed Census release. Directs the calculation to be made from the July 1, 2020 census population estimates.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update the fiscal year reference.

117.164. (GP: Millage Calculation) For Fiscal Year ~~2023-2024~~ 2024-25, a municipality is allowed an additional and permanent adjustment to its general operating millage rate increase limitation for population growth, calculated pursuant to Section 6-1-320, for any increase that would have been allowed in Fiscal Year 2021-2022 but was not known because of the delayed release of the 2020 Census. This adjustment must be calculated using the July 1, 2020 census population estimates, as originally published based on the 2020 Census, instead of the July 1, 2019 population estimates based on the 2010 Census.

117.170 DELETE (GP: Program Transfer) Directs DHEC to work with SDE, DOA, and EBO to transition the Abstinence-Until-Marriage Emerging Program and Evidence-Based Program to SDE no later than June 30, 2024. Authorizes EBO to make necessary permanent transfers to facilitate the program transfer. Requires DHEC to report the progress of the transition to the Chairmen of SFC and WMC by December 1, 2023.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**117.170.** (GP: Program Transfer) In Fiscal Year 2023-24, the Department of Health and Environmental Control shall work with the Department of Education and the Department of Administration, Executive Budget Office, to transition the Abstinence Until Marriage Emerging Program and Abstinence Until Marriage Evidence Based Program to the Department of Education effective no later than June 30, 2024. The Executive Budget Office is authorized to make necessary permanent transfers to facilitate the transfer of these programs. The Department of Health and Environmental Control shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, no later than December 1, 2023, on the progress of the transition and any necessary proviso and budgetary changes required by the General Assembly to complete the transfer of the programs.~~

117.174 AMEND (GP: JROTC Program) Directs that the Department of Education, collaborating with the Department of Veterans' Affairs, the Adjutant General, and EOC shall submit a report to the General Assembly, the Governor, and the State Board of Education by 2/1/24 on the status of JROTC programs in SC public schools.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year reference.

117.174. (GP: JROTC Program) By February 1, ~~2024~~ 2025, the Department of Education, in collaboration with the Department of Veterans' Affairs, the Adjutant General, and the Education Oversight Committee, shall submit a report to the General Assembly, the Governor, and the State Board of Education on the status of JROTC program offerings in South Carolina public schools. The report shall include recommendations for expanding JROTC program offerings to more South Carolina students.