

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION
RECOMMENDATIONS FOR FY 2021-22
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 1 - H630 - DEPARTMENT OF EDUCATION

- 1.8 AMEND** (Educational Responsibility/Foster Care) Sets responsibilities and guidelines for placement of students in foster care, group homes, orphanages, or state operated health care facilities, including facilities for treatment of mental illness or chemical dependence and habilitation centers for persons with intellectual disabilities.
- PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to delete reference to the Governor's School for Agriculture at John De La Howe.

1.8. (SDE: Educational Responsibility/Foster Care) The responsibility for providing a free and appropriate public education program for all children including disabled students is vested in the public school district wherein a child of lawful school age resides in a foster home, group home, orphanage, or a state operated health care facility including a facility for treatment of mental illness or chemical dependence and habilitation centers for persons with intellectual disabilities or persons with related conditions located within the jurisdiction of the school district or alternative residences. The districts concerned may agree upon acceptable local cost reimbursement. If no agreement is reached, districts providing education shall receive from the district where the child last resided before placement in a facility an additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. If a child from out of state is residing in a facility owned and/or operated by a for profit entity, the district providing educational services shall be reimbursed by the for profit entity the local district's local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. ~~This also applies to the Governor's School for Agriculture at John de la Howe who also has the authority to seek reimbursement in any situation that the school district has participation in the placement of the student. The Governor's School for Agriculture at John de la Howe shall be reimbursed the local district's local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act.~~ Participation will be evidenced by a written agreement from the IEP team or 504 team, written referral, or the school district initiating the placement process. School districts providing the education shall notify the nonresident district in writing within forty-five calendar days that a student from the nonresident district is receiving education services pursuant to the provisions of the proviso. The notice shall also contain the student's name, date of birth, and disabling condition if available. If appropriate financial arrangements cannot be effected between institutions of the state, including independent school districts under the authority of the Department of Disabilities and Special Needs, and school districts, institutions receiving educational appropriations shall pay the local base student cost multiplied by the appropriate pupil weighting. Children residing in institutions of state agencies shall be educated with nondisabled children in the public school districts if appropriate to their educational needs. Such institutions shall determine, on an individual basis, which children residing in the institution might be eligible to receive appropriate educational services in a public school setting. Once these children are identified, the institution shall convene an IEP meeting with officials of the public school district in which the institution is located. If it is determined by the committee that the least restrictive environment in which to implement the child's IEP is a public school setting, then the school district in which the institution is located must provide the educational services. However, that school district may enter into contractual agreements with any other school district having schools located within a forty-five mile radius of the institution. The cost for educating such children shall be allocated in the following manner: the school district where the child last

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resided before being placed in an institution shall pay to the school district providing the educational services an amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act; the school district providing the educational services shall be able to count the child for all funding sources, both state and federal. The institution and school district, through contractual agreements, will address the special education and related services to be provided to students. Should the school district wherein the institution is located determine that the child cannot be appropriately served in a public school setting, then the institution may request a due process hearing pursuant to the procedures provided for in the Individuals with Disabilities Education Act.

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

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

- 1.21** **DELETE** (Status Offenders/John de la Howe) Designates that Status Offender Program funds are to be distributed to the John de la Howe School and spent on the expansion of residential programs and to include court ordered status offenders.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**1.21.** (SDE: Status Offenders/John de la Howe) The funds appropriated for the Status Offender Program shall be distributed to the Governor's School for Agriculture at John de la Howe to expand residential programs to include court ordered status offenders. Components of such a program shall include collaboration between the home school district and the residential school and treatment or related services to the families of students in placement.~~

- 1.25** **AMEND** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. Requires school districts to report the student teacher ratio for every classroom to the department at the 90 and 180 day

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mark and directs the department to report this information to the General Assembly. *Note: Companion EIA proviso is 1A.14.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that districts shall report the student teacher ratio to the department at the 45 and 135 day mark rather than at the 90 and 180 day mark. Requested by Department of Education.

1.25. (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor funds required for debt service or bonded indebtedness. All school districts must report the student teacher ratio for every classroom to the Department of Education at the ~~ninety and one hundred and eighty day~~ forty-fifth and the one hundred and thirty-fifth day mark. The department shall report this information to the General Assembly for the 2021-2022 school year.

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

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

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

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

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

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

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board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

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

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

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

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

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

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

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

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

1.56 AMEND (Full-Day 4K) Provides guidelines for participation in and funding for the SC Early Reading Development and Education Program (CERDEP). *Note: Companion EIA proviso is 1A.29. Provisos 1.68, 1.73, and 1.74 were deleted and merged into this proviso.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the prior year eligibility requirement; direct that beginning with the current fiscal year a student living in any school district may participate in CERDEP if space and funding is available; specify the annual family income threshold for eligibility. Allow parents or guardians the choice of enrollment in a participating public school, or a participating private provider which includes, but is not limited to, a child care center, a military child care facility, or a non-profit independent school. Direct that public and non-profit independent schools shall not be required to be approved, registered, or licensed by DSS in order to participate in CERDEP. Require the department and Office of First Steps ensure that providers deliver high-quality programs. Change instructional costs funding for public and private providers from "\$4,600" to "\$4,800" and funding for private providers transporting children to and from school from "\$574" to "\$587"

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per eligible child. Direct that a school district that does not participate in CERDEP, shall receive the same amount of EIA funds allocated in the prior fiscal year for half day 4K and require the department to develop and implement inter-district transfer policies that give parents or guardians the option for their eligible child to attend a participating out of district school. Allow First Steps to spend up to \$2,000,000 on a pilot program to provide higher reimbursement rates to high-quality child care centers; to spend up to \$100,000 to provide one-time, supplemental needs-based incentive grants, not to exceed \$30,000 each, for newly created or newly approved private providers that propose to expand service to ten or more eligible CERDEP children in certain communities; direct that the grants are intended to address building renovations to comply with licensing regulations and for materials, staffing costs, and other obstacles that would prevent their program participation; require First Steps Board of Trustees to develop and approve an application process that includes formal review and fiscal safeguards for the grants; require First Steps submit a report on the process, expenditures, and expanded enrollment to the Chairmen of the House Ways and Means and Senate Finance Committees by March 15; and allow First Steps to spend up to \$1,000,000 to provide grants to public-private partnerships to address building renovations and designs to comply with licensing regulations and other obstacles that prevent participation. Require private providers and public-private partnerships that receive the grants to participate in the program for at least three years. Direct that, if by August 1st, the department or First Steps determines appropriations will exceed expenditures, available funds may be used to fund an extended program, and to increase the length of the program. Provide guidelines for the program extension. Authorize the funds to also be used for professional development and program quality evaluations. Direct the department and First Steps to report to the Chairmen of the House Ways and Means and Senate Finance Committees by April 1 on the expenditure of these funds. Direct First Steps to determine if extended programs in private centers improves a parent's ability to enter the workforce or pursue postsecondary training or industry credentials. Direct the department and First Steps to share data by November 15 that identifies the total number of children enrolled in CERDEP and direct that if there is a documented waiting list and excess funds are available, authorize EBO to transfer funds between the department and First Steps. Direct the department and First Steps to work with the S.C. Head Start State Collaboration Office to inform parents of all publicly funded full-day 4K programs.

1.56. ~~(SDE: Full-Day 4K) Eligible students residing in a school district that met the poverty level for participation in the prior school year are eligible to participate in the South Carolina Early Reading Development and Education Program in the current school year. Beginning with the current fiscal year, eligible students residing in any school district 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 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.~~

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.

Beginning with the current fiscal year, public schools and non-profit independent schools participating in CERDEP are not required to be approved, registered, or licensed by the

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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.

Public and private providers shall be funded for instructional costs at a rate of ~~\$4,600~~ \$4,800 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for a reimbursement of ~~\$574~~ \$587 per eligible child transported. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool 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.

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

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

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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.

For each school district that chooses not to participate in CERDEP, the district shall receive the same amount of EIA funds as allocated in the prior fiscal year for the provision of a half-day 4K program from the funds appropriated to the Department of Education for CERDEP or from any funds carried forward from the prior fiscal year to CERDEP. 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.

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 child care centers. 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 \$100,000 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; and (3) up to \$1,000,000 may be used to provide grants to public-private partnerships to address building renovations and designs necessary to get the building and classrooms into compliance with licensing regulations and other obstacles that prevent participation in CERDEP following guidelines developed by the Office of First Steps. Providers participating in this pilot 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.

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

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eighty days. Funds may also be used to provide professional development and quality evaluations of programs. No later than April first, the Department of Education and the Office of First Steps 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.

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.

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.

- 1.58** **AMEND** (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.
- PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to direct that eligibility requirements for new students to participate in interscholastic athletics shall not be more restrictive than they were on January 1, 2020.

1.58. (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 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,

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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) 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.

1.60 **AMEND** (Reading/Literacy Coaches) Provides for the allocation and use of funds appropriated for Reading/Literacy Coaches to school districts. Requires the department publish guidelines defining reading/literacy coach minimum qualifications; develop procedures to monitor the use of these funds; and requires the funds to be retained and carried forward for the same purpose and not flexed. *Note: Companion EIA proviso is 1A.53.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct the department to retain up to \$14,000,000 to be spent on the Palmetto Literacy Project and provide support for schools participating in the project. Direct the department to hire and evaluate reading specialist/coaches annually. Direct that the remainder of Reading/Literacy Coaches funds be allocated to school districts not included in the project to support reading instruction and interventions. Delete the requirement that the department develop procedures to monitor the use of the funds and the authorization for the department to receive up to \$100,000 to implement the program. Delete the requirement that the department screen and approve the hiring of reading/literacy coaches at certain schools prior to disbursing the funds. Delete the authorization for the carried forward funds to be used for the same purpose and not flexed and instead allow any unspent funds to be carried forward for and used for summer reading camps.

1.60. (SDE: Reading/Literacy Coaches) (A) For the current fiscal year, of the funds appropriated for Reading/Literacy Coaches, the Department of Education shall retain up to \$14,000,000 to be expended for the Palmetto Literacy Project. The Department shall identify schools in the Palmetto Literacy Project that have one-third or more of its third-grade students scoring at the lowest achievement level on the statewide summative English language arts assessment. For each school identified and participating in the Palmetto Literacy Project in the

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prior school year, the Department of Education shall provide, at a minimum, the following support: provision of reading specialists, professional learning, and curriculum resources based on the science of reading. The reading specialist/coaches provided to the Palmetto Literacy Project schools shall be hired and evaluated annually by the Department of Education.

(B) The balance of funds appropriated to the Department for Reading/Literacy Coaches shall be allocated to school districts for schools not included in the Palmetto Literacy Project to support reading instruction and interventions which may include, but not be limited to, hiring reading/literacy coaches, interventionists, or professional development based on the science of reading. Expenditure of funding must be included in the district reading plan approved by the Department of Education.

~~(C) Funds appropriated for Reading/Literacy Coaches~~ These funds must be allocated to school districts by the Department of Education as follows: for each primary and elementary school, the school district shall be eligible to receive up to \$62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach.

~~(B)(D)~~ By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district except in the event that the district can request and receive a waiver from the Department of Education to expend the funds on interventionists who spend more than fifty percent of their time providing direct support to struggling readers in grades kindergarten through grade five. The school district must align the placement of coaches to the district reading plan that is approved by the department.

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

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

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

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

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

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

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

~~(H) For the current school year, the Department of Education shall screen and approve the hiring of any reading/literacy coach serving in a school in which one third or more of its third grade students scoring at the lowest achievement level on the statewide summative English/language arts assessment. No funds shall be disbursed to the district to fund the reading/literacy coach until the department has screened and approved the coach. Schools in which at least sixty percent of students scored at meets or exceeds expectations on the state summative assessment in English/language arts may submit, as part of their reading plan, a request to the department for flexibility to utilize their allocation to provide literacy support to students, which may include, but is not limited to: a reading coach, a literacy interventionist, or other supplemental services directed to students in need of interventions. This plan must be approved by the department annually as part of the district reading plan.~~

~~(H)~~ (H) The Department of Education shall require:

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

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

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

~~(K)~~ (J) ~~Funds appropriated for reading/literacy coaches shall be retained and Any unspent or unallocated funds may be carried forward to be used for the same purpose but may not be flexed and expended for Summer Reading Camps.~~

1.63 DELETE (South Carolina Community Block Grants for Education Pilot Program) Creates the South Carolina Community Block Grants for Education Pilot Program. Establishes criteria for awarding grants to encourage and sustain partnerships between a community and its local public school district or school to implement innovative, state-of-the-art education initiatives and models to improve student learning.

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

1.63. (SDE: South Carolina Community Block Grants for Education Pilot Program) ~~There is created the South Carolina Community Block Grants for Education Pilot Program. The purpose of this matching grants program is to encourage and sustain partnerships between a community and its local public school district or school for the implementation of innovative, state-of-the-art education initiatives and models to improve student learning. The initiatives and models funded by the grant must be well designed, based on strong evidence of effectiveness, and have a history of improved student performance.~~

~~The General Assembly finds that the success offered by these initiatives and programs is assured best when vigorous community support is integral to their development and implementation. It is the intent of this proviso to encourage public school and district communities and their entrepreneurial public educators to undertake state-of-the-art initiatives to improve student learning and to share the results of these efforts with the state's public education community.~~

~~As used in this proviso:~~

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~~(1) “Community” is defined as a group of parents, educators, and individuals from business, faith groups, elected officials, nonprofit organizations and others who support the public school district or school in its efforts to provide an outstanding education for each child. As applied to the schools impacted within a district or an individual school, “community” includes the school faculty and the School Improvement Council as established in Section 59-20-60 of the 1976 Code;~~

~~(2) “Poverty” is defined as the percent of students eligible in the prior year for the free and reduced price lunch program and or Medicaid; and~~

~~(3) “Achievement” is as established by the Education Oversight Committee for the report card ratings developed pursuant to Section 59-18-900 of the 1976 Code.~~

~~The Executive Director of the Education Oversight Committee is directed to appoint an independent grants committee to develop the process for awarding the grants including the application procedure, selection process, and matching grant formula. The grants committee will be comprised of seven members, three members selected from the education community and four members from the business community. The chairman of the committee will be selected by the committee members at the first meeting of the grants committee. The grants committee will review and select the recipients of the Community Block Grants for Education.~~

~~The criteria for awarding the grants must include, but are not limited to:~~

~~(1) the establishment and continuation of a robust community advisory committee to leverage funding, expertise, and other resources to assist the district or school throughout the implementation of the initiatives funded through the Block Grant Program;~~

~~(2) a demonstrated ability to meet the match throughout the granting period;~~

~~(3) a demonstrated ability to implement the initiative or model as set forth in the application; and~~

~~(4) an explanation of the manner in which the initiative supports the district’s or school’s strategic plan required by Section 59-18-1310 of the 1976 Code.~~

~~In addition, the district or school, with input from the community advisory committee, must include:~~

~~(1) a comprehensive plan to examine delivery implementation and measure impact of the model;~~

~~(2) a report on implementation problems and successes and impact of the innovation or model; and~~

~~(3) evidence of support for the project from the school district administration when an individual school applies for a grant.~~

~~The match required from a grant recipient is based on the poverty of the district or school. No matching amount will exceed more than seventy percent of the grant request or be less than ten percent of the request. The required match may be met by funds or by in kind donations, such as technology, to be further defined by the grants committee. Public school districts and schools that have high poverty and low achievement will receive priority for grants when their applications are judged to meet the criteria established for the grant program.~~

~~However, no grant may exceed \$250,000 annually unless the grants committee finds that exceptional circumstances warrant exceeding this amount.~~

~~The Education Oversight Committee will review the grantee reports and examine the implementation of the initiatives and models to understand the delivery of services and any contextual factors. The Oversight Committee will then highlight the accomplishments and common challenges of the initiatives and models funded by the Community Block Grant for Education Pilot Program to share the lessons learned with the state’s public education community.~~

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~~For the current fiscal year, funds allocated to the Community Block Grant for Education Pilot Program must be used to provide or expand high quality early childhood programs for a targeted population of at risk four year olds. High quality is defined as meeting the minimum program requirements of the Child Early Reading Development and Education Program and providing measurable high quality child teacher interactions, curricula and instruction. Priority will be given to applications that involve public private partnerships between school districts, schools, Head Start, and private child care providers who collaborate to: (1) provide high quality programs to four year olds to maximize the return on investment; (2) assist in making the transition to kindergarten; (3) improve the early literacy, social and emotional, and numeracy readiness of children; and (4) engage families in improving their children's readiness.~~

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

~~**1.65.** (SDE: First Steps 4K Technology) During the current fiscal year, South Carolina Office of First Steps to School Readiness is authorized to expend up to \$75,000 from the four year old kindergarten carry forward funds to purchase electronic devices for the administration of required school readiness assessments to children enrolled in the full day 4K program in private centers in the current fiscal year. The State Office of First Steps may purchase one device, which would be the property of the Office of First Steps, for every ten centers serving children in the program. The regional coordinators who provide support to the centers shall coordinate the usage of the devices among the centers. First Steps shall provide a report documenting its technology and materials expenditures to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 15 of the current fiscal year.~~

- 1.68** **DELETE** (CDEPP Unexpended Fund) Provides for the retention and expenditure of prior year CDEPP funds by First Steps. Requires a report be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees on how the funds were spent. *Note: Companion EIA proviso is 1A.56.*
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Merged into proviso 1.56.*

~~**1.68.** (SDE: CDEPP Unexpended Funds) For Fiscal Year 2020-21, the Office of First Steps to School Readiness is permitted to retain the first \$1,000,000 of any unexpended CDEPP funds of the prior fiscal year and expend these funds to enhance the quality of the full day 4K program in private centers and provide professional development opportunities. By August first, the Office of First Steps is directed to allocate any additional unexpended CDEPP funds from the prior fiscal year and any CDEPP funds carried forward from prior fiscal years that were transferred to the restricted account for the following purpose: Education Oversight Committee \$1,000,000 for the South Carolina Community Block Grants for Education Pilot Program.~~

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

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

~~For Fiscal Year 2020-21, the Office of First Steps may pilot a program to provide higher reimbursement rates to high quality centers in order to increase the numbers of First Steps participants. Utilizing up to \$1,000,000 of carry forward funding, the reimbursement rate for students enrolled by private 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.~~

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

- 1.69** **AMEND** (Technology Technical Assistance) Authorizes the department to withhold up to \$350,000 of K-12 Technology Initiative funds to provide technology assistance to school districts. Directs the department to develop a statewide technology plan for schools and districts. Provides directives for the new plan. Directs the department to present the plan, with cost projections, to the Governor and the Chairmen of the House Ways and Means and Senate Finance Committees by February 1, 2020.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the plan development requirement.

1.69. (SDE: Technology Technical Assistance) Of the funds appropriated *in VIII.D - Technology* for the K-12 Technology Initiative, the department is authorized to withhold up to \$350,000 in order to ~~develop a statewide technology plan for schools and districts. The plan must address, at a minimum, infrastructure and connectivity needs, online testing requirements, equipment, educational technology, digital literacy and a statewide learning management system to connect teachers and students. The plan must take into account the need for some districts to utilize a regional approach to services that may include, but is not limited to, purchasing, training and support services. This plan, including cost projections, shall be presented to the Governor,~~

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~~the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee by February 1, 2020. Remaining funds shall be used to provide technology technical assistance to school districts.~~

- 1.70** **AMEND** (Technology Technical Assistance) Directs the department to use funds to assist school districts in the Abbeville lawsuit in procuring technology to build capacity to offer online testing and increased access. Allows an online assessment waiver from the State Board of Education for the current fiscal year.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct the department to first use funds to assist districts in the Abbeville lawsuit and then other districts as needed. Direct districts submitting paper administrations of assessments to complete them according to department deadlines.

1.70. (SDE: Technology Technical Assistance) Funds appropriated to the Department of Education for Technology Technical Assistance must be used to increase the capacity of districts, first who are or were the original trial and plaintiff school districts in the Abbeville law suit, and then other districts that need such assistance. Funds shall be used by the department to assist school districts in procuring appropriate technology to include devices and infrastructure ~~in accordance with the recommendations made by the technology review team to begin~~ and to build capacity to offer online testing and increased access. For the current fiscal year districts and individual public charter schools may request a waiver from the State Board of Education from the requirement that all assessments be administered online; however, any paper administrations must be completed according to the deadlines set by the department.

- 1.73** **DELETE** (Military Child Care Centers) Allows First Steps to extend 4K provider eligibility to military child care settings that are regulated by the US Department of Defense. Requires state funds appropriated for use in military child care facilities to be used to expand services to CERDEP eligible children who live in school districts that were approved for participation in the prior fiscal year and directs that the funds may not be used to supplant existing federal child care investment.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Merged into proviso 1.56.*

1.73. (SDE: Military Child Care Centers) ~~During the current fiscal year, South Carolina First Steps to School Readiness may extend four year old kindergarten provider eligibility to military child care settings regulated by the United States Department of Defense. State funds appropriated for use in military child care facilities must be used to expand service to CERDEP eligible children residing in school districts approved for participation during the prior fiscal year and may not be used to supplant any existing federal child care investment.~~

- 1.74** **DELETE** (First Steps 4K Underserved Communities) Directs First Step to use CDEPP funds to develop a pilot program to expand 4K enrollment in underserved communities that were eligible in the most recent fiscal year and directs that newly created and/or approved private providers, under certain conditions, may receive up to \$30,000 in supplemental, needs-based incentives. Requires providers that receive the supplement to participate in the program for at least 3 years and directs that failure to do so will result in First Steps determining what portion of the funds must be returned. Directs First Steps to submit an expenditure and expanded enrollment report to the Chairmen of the House Ways and Means and Senate Finance Committees by March 15, 2020. Authorizes First Steps to initiate a pilot program consisting of public-private

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partnerships to provide CERDEP services in underserved communities serving multi counties and multi-districts. Authorizes First Steps to use up to \$1,000,000 of carry forward funds to provide grants to address building renovations and design to bring buildings and classrooms into compliance. Requires providers to participate in the program for at least 3 years and directs that if they fail to do so they must return a portion of the supplemental allocation at an amount determined by First Steps.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Merged into proviso 1.56.*

~~1.74. (SDE: First Steps 4K Underserved Communities) Using funds appropriated for the Child Early Reading and Development Education Program, South Carolina First Steps shall develop a pilot program to expand four year old kindergarten enrollment within underserved communities eligible for participation during the most recent fiscal year. Newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all of eligible students in a public, private, or Head Start setting during the prior fiscal year, may apply for up to \$30,000 in one time supplemental, needs based incentives designed to address building renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and staffing costs, and/or other obstacles currently preventing their participation in the First Steps 4K program. The First Steps Board of Trustees shall develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are used solely to address documented barriers to program participation. Providers receiving this one time supplement are expected to participate in the program and provide high quality, center based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March 15, 2020.~~

~~For Fiscal Year 2020-21, the Office of First Steps may pilot a program to provide CERDEP services in underserved communities serving multi counties and multi districts. 4K centers served by this pilot may provide CERDEP funded services to eligible children from non CERDEP districts but must also offer services to students from at least one school district eligible to participate in the CERDEP program. Utilizing up to \$1,000,000 of carry forward funding, First Steps may provide grants to participants in this pilot if they are public private partnerships to address building renovations and designs necessary to get the building and classrooms into compliance with licensing regulations and other obstacles that prevent participation in the CERDEP program following guidelines developed by SC First Steps. Providers participating in this pilot are expected to participate in the program and provide high quality, center based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to School Readiness.~~

- 1.80 AMEND** (Safe School Initiative) Directs the department and SLED to continue to support threat assessment teams and training in school districts. Requires each school to identify key staff to serve on the threat assessment team by August 15, 2019 and directs the department to work with stakeholders to provide team members with professional development. Exempts the Threat Assessment & School Safety Plans from Section 30-4-10 [FREEDOM OF INFORMATION ACT]. Directs the department and SLED to continue to provide the Governor and the General Assembly with school safety recommendations, including any projected costs or necessary statute changes.

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PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement that each school must identify key staff for the threat assessment team by August 15, 2019, and direct that each school shall continue to maintain a threat assessment team. Requested by Department of Education.

1.80. (SDE: Safe Schools Initiative) (A) For the current fiscal year, the Department of Education and the State Law Enforcement Division shall continue to support, through the state level Threat Assessment Team, school threat assessment teams and training in school districts. ~~By August 15, 2019, each school in the state must have identified key staff to serve on a threat assessment team.~~ Each school in the state shall continue to maintain a threat assessment team. The department shall work with stakeholders to provide professional development to staff ~~who will serve~~ serving on the team. The state level Threat Assessment Team shall continue to coordinate, collect and compile Threat Assessment & School Safety Plans from each school district with their input. These plans shall be exempt from the provisions of Section 30-4-10, et seq. of the 1976 Code. The Department of Education and the State Law Enforcement Division shall continue to provide the Governor and the General Assembly with recommendations regarding school safety which shall include any projected costs or necessary statute changes.

- 1.84** **AMEND** (School Safety Program) Directs that School Safety Program and School Resource Officers funds be used to hire certified law enforcement officers to serve as school resource officers for school districts without adequate resources to hire their own resource officers; provides eligibility requirements; authorizes a maximum of four SROs per district; and directs the department to provide funding directly to the local law enforcement agency for the SRO. Authorizes funds to be carried forward and used for the same purpose. *Note: Companion EIA proviso is 1A.70.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that the funds also be used to hire SROs in the public charter school district and schools authorized by an institution of higher learning. Delete the directive that no more than four certified SROs be awarded per district. Requested by Department of Education.

1.84. (SDE: School Safety Program) Funds appropriated for the School Safety Program and School Resource Officers shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource officer for school districts, including the South Carolina Public Charter School District and schools authorized by an institution of higher learning, that otherwise would lack the adequate resources to hire their own school resource officers. In making determinations of eligibility the department shall use the most recent index of taxpaying ability as the district's indicator of ability to pay, with districts of the lowest index of taxpaying ability receiving priority consideration. Districts must apply for funding through the department ~~and no districts shall receive an award of more than four certified school resource officer positions.~~ In making awards the department shall provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that will serve as a full-time school resource officer. The department is authorized to carry forward funds from the prior fiscal year and utilize these funds for the same purpose.

- 1.86** **CONFORM TO FUNDING / AMEND** (School Districts Capital Improvement) Provides a process for the allocation of funds appropriated in Proviso 112.1 [EXCESS DEBT SERVICE] to eligible school districts to fund school facility upgrades. (A) Directs that 25% be made available first to local districts with an ADM that is less than 1,500 and is located within a Tier IV ranked county which chooses to consolidate with another district in the same county. Provides for the use of

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the funds and authorizes the funds to be carried forward and used for the same purpose. (B) Directs that the remaining funds be distributed to eligible districts to fund shared school facility construction and upgrades in districts with poverty index of 70% or higher or an index of taxpaying ability less than .009. Defines eligible school facility projects and directs prioritization. (C) Requires the department submit an expenditure report to the Governor and the Chairmen of the Senate Finance, House Ways and Means, Senate Education, and House Education and Public Works Committees.

PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING / AMEND proviso to change reference from “Proviso 112.1” to “Section 112 - Debt Service.” Amend (A) to direct that any district with an ADM of less than 1,500 which has consolidated in the last five years shall be eligible to receive a share of the 25%. Amend to add a new (C) to allow any district that consolidated since Fiscal Year 2016-17 to resubmit details and request funds from the department for their consolidation efforts.

1.86. (SDE: School Districts Capital Improvement) The funds appropriated for school district capital improvements in ~~Proviso 112.1~~ Section 112 - Debt Service, shall be prioritized by the Department of Education pursuant to subsections (A) and (B).

(A) Twenty-five percent of the funds shall be made available first to a local school district or districts with an average daily membership that is less than one thousand five hundred, based on the most recent student count received by the department, and that is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B) for 2018 which chooses to consolidate with another school district located in the same county. Notwithstanding the average daily membership of less than one thousand five hundred, any district who may have consolidated in the last five years shall be included in the districts eligible to receive a share of the twenty five percent of these funds. 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 demonstrates are necessary to complete consolidation. Furthermore, the department is eligible to carry forward these funds and use them for the same purpose. 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) Any funds not used for the purposes of assisting districts eligible in (A) shall be distributed by the department to eligible districts for the purpose of funding shared school facility construction and upgrades in districts with a poverty index of seventy percent or higher or an index of taxpayer ability less than .009. For the purpose of this provision, “school facility” means only facilities necessary for instructional and related supporting purposes including, but not limited to, classrooms, libraries, media centers, laboratories, cafeterias, physical education spaces, related interior and exterior facilities, and the conduit, wiring, and powering of hardware installations for classroom computers or for area network systems. Eligible school facility projects shall include and be prioritized as follows: construction of shared high school and career and technology education facilities with priority given to districts that submit a plan for a facility that serves multiple school districts with average daily membership counts of less than one

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thousand five hundred and then for the following purposes: (a) health and safety upgrades; (b) technology upgrades inside school facilities; (c) upgrades associated with career and technology education programs; and (d) deferred maintenance needs as described in the district's capital improvement plan. For purposes of this provision, school facilities shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.

(i) The department shall develop and maintain an application process for school districts to request funding for qualified school projects and establish policies, procedures, and priorities for the making of grants pursuant to this provision. At least twice a year and upon receipt of applications pursuant to the application process adopted by the department, the department shall prioritize the eligible projects with the greatest need and shall submit a list of recommended grant awards to the State Board of Education. Grants shall be awarded upon an affirmative vote of the State Board.

(ii) The financial assistance provided to school districts 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.

(C) Any district consolidated since Fiscal Year 2016-17 may resubmit consolidation details and request funds from the Department of Education to enable access to funding necessary for consolidation efforts.

(D) Following the close of the fiscal year, the department shall submit a report on the expenditure of funds pursuant to subsections (A) and (B) for the preceding year to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee.

- 1.88** **AMEND** (School District Hold Harmless) Specifies that districts are held harmless from the Fiscal Accountability Act local school district reserve fund requirement for FY 2019-20, upon approval by the department, if there is not an increase in state support disbursed through the EFA formula pursuant to Proviso 1.3 and if the district must use their reserve funds to pay for teacher pay raises.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference from "2020-21" to "2021-22."

1.88. (SDE: School District Hold Harmless) If there is not an increase in state support for school districts that is disbursed through the Education Finance Act formula pursuant to Proviso 1.3 in this Act, any district that must use reserve funds to pay for teacher pay raises, to include step increases, shall be held harmless from the local school district's reserve fund requirement provisions in the Fiscal Accountability Act for Fiscal Year ~~2020-21~~ 2021-22 and upon approval by the Department of Education.

- 1.89** **AMEND** Educational Services for Children With Disabilities) Directs the department, in coordination with the Department of Health and Human Services, to provide certain data to specific committees in order to determine whether educational services are being delivered effectively and efficiently to children with disabilities by public schools and BabyNet and whether services or funding should be reformed. Directs that findings be submitted by January 15, 2020.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change the date for submission of the findings from "July 1, 2020" to "June 30th of the current fiscal year."

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1.89. (SDE: Educational Services for Children with Disabilities) In order to determine whether educational services provided to children with disabilities are delivered effectively and efficiently and whether services or funding should be reformed, the Department of Education, in coordination with the Department of Health and Human Services, shall provide data to the Joint Legislative and Citizens Committee on Children, Chairman of the Senate Finance Committee, Chairman of the Senate Education Committee, Chairman of the House Ways and Means Committee and Chairman of the House Education and Public Works Committee regarding services to exceptional needs children served by public schools and BabyNet as follows: (1) summary reports on the identification of students in need of services through IDEA Parts C and B to include the number of students qualifying for services by district; (2) information on services provided to students with IEPs in the least restrictive environment; (3) recommendations on updates to student weightings and funding in the current Education Finance Act; (4) how are these services funded with federal, state and local funds at the district level; and (5) prior school year outcome data for students with disabilities. The findings shall be submitted by ~~January 15, 2020~~ June 30th of the current fiscal year.

- 1.91** **AMEND** (Standard-Based Assessments Suspended) Suspends Section 59-18-325(C)(3) which requires science standards-based assessments in grade 8 and social studies standards-based assessments in grades 5 and 7. Directs the department to use \$500,000 of the funds available due to the assessment suspension to fund South Carolina Computer Science and Digital Literacy Standards educator professional development and to use the remaining funds to pay for industry certification/credentials as approved to measure College/Career Readiness.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update the fiscal year reference from “2020-21” to “2021-22.” Requested by Department of Education.

1.91. (SDE: Standards-Based Assessments Suspended) In Fiscal Year ~~2020-21~~ 2021-22, the provisions of Section 59-18-325(C)(3) requiring science standards-based assessments of students in grade eight and social studies standards-based assessments of students in grades five and seven are suspended. Of the funds available due to the suspension of these assessments, \$500,000 must be used by the Department of Education to fund educator professional development regarding the South Carolina Computer Science and Digital Literacy Standards. The remainder of the funds shall be used to pay for industry certification/credentials as approved to measure College/Career Readiness for purposes of the state accountability system.

- 1.93** **AMEND** (Master’s Plus Thirty) Requires the department to continue to process the master’s plus thirty certificate classification in the same manner as in the prior school year. Directs that educators that earn a master’s degree with 60 or more semester hours of coursework will remain eligible for the classification.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update school year reference from “2020-21” to “2021-22.”

1.93. (SDE: Master’s Plus Thirty) For school year ~~2020-21~~ 2021-22, the department shall continue to process the master’s plus thirty certificate classification in the same manner as the prior school year. Educators earning a master’s degree with sixty or more semester hours of graduate coursework will remain eligible for the master’s plus thirty credential classification.

- 1.94** **AMEND** (COVID-19 Emergency Powers) (A) Authorizes the Superintendent of Education to exercise certain emergency powers in response to the COVID-19 public health emergency. (B) Authorizes the Superintendent to promote and encourage districts to use summer reading camps

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and all available tools to keep students on grade level and to satisfy their learning needs. (C) Authorizes department cash balances to be carried forward and to transfer any department appropriations to assist local school districts adjusting operations. (D) Directs that the state teacher minimum salary schedule remains at the FY 2019-20 level and suspends step increases until the appropriations act for FY 2020-21 is enacted. (E) Directs that a report be provided by August 1, 2020 to the Senate Finance, the House Ways and Means, the Senate Education, and the House Education and Public Works Committees on any emergency powers that are exercised. **PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to delete (D) the suspension of teacher step increases and (D) the reporting requirement.

1.94. (SDE: COVID-19 Emergency Powers) (A) The Superintendent of Education is authorized to exercise the following emergency powers if she determines that any, or all, of them are necessary and appropriate measures in response to the COVID-19 public health emergency:

(1) waive statutory requirements concerning testing, assessments, and reporting including, but not limited to, those requirements contained in Chapter 18, Title 59; Article 3, Chapter 18, Title 59; and Section 59-155-160 of the 1976 Code;

(2) include all days of distance learning during which instruction was provided in good faith pursuant to a school district's distance learning plan as an instructional day required to meet the one hundred eighty instructional day requirement contained in Section 59-1-425; and

(3) provide maximum programmatic and 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 promote and encourage 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.

(C) 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 adjusting operations in response to COVID-19.

~~(D) The state teacher minimum salary schedule will remain at the Fiscal Year 2019-20 level. Step increases are suspended until the annual general appropriations act for Fiscal Year 2020-21 is enacted.~~

~~(E) On or before August 1, 2020, 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 subsection (A). The report shall identify the statutory requirements waived and the reason for which the waiver was granted and identify and describe any actions taken in regards to subsection (A)(3).~~

1.pc ADD (Basic Skills for Admission to Teacher Preparation Program/Praxis Core) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to allow a college or university educator preparation provider to develop a plan to ensure proficiency in reading, writing, and mathematics in teacher candidates and direct that the plan be submitted to the State Board of Education for approval. Authorize the State Board to establish proposal criteria and direct that the State Board must approve the plan before it can be implemented. Direct that if an applicant does demonstrate proficiency in the required basic skills to qualify for full admission to the program, the college or university must offer the applicant appropriate academic assistance and support before they reapply for program assistance at a later date.

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1.pc. (SDE: Basic Skills for Admission to Teacher Preparation Program/Praxis Core) With funds appropriated to the department and to meet the requirements established in Sections 59-25-10 et. seq. of the 1976 Code, for final candidate admission to an undergraduate teacher preparation program, a college or university educator preparation provider may develop and submit for State Board of Education approval a plan for ensuring teacher candidate proficiency in reading, writing, and mathematics. The plan may include an option for candidates to demonstrate basic skills proficiency through multiple measures which may include scores on an approved basic skills assessment, grade point average, grades in benchmark courses, existing college or university assessments for determining undergraduate course placement, or other factors. The State Board of Education shall be authorized to establish proposal criteria and must approve a provider's plan prior to its implementation. In the event that an applicant does not demonstrate the required basic skills proficiency to qualify for full admission to the preparation program, the college or university must offer the applicant appropriate academic assistance and support prior to the individual reapplying for program assistance at a later date.

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- 1A.3 AMEND** (Teacher Evaluations, Implementation/Education Oversight) Directs the Department of Education to annually oversee the evaluation for teachers under the ADEPT model for the School for the Deaf and Blind, the Governor's School for Agriculture at John de la Howe and DJJ.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete reference to "the Governor's School for Agriculture at John de la Howe."

1A.3. (SDE-EIA: Teacher Evaluations, Implementation/Education Oversight) The Department of Education is directed to oversee the evaluation of teachers at the School for the Deaf and the Blind, ~~the Governor's School for Agriculture at John de la Howe~~ and the Department of Juvenile Justice under the ADEPT model.

- 1A.4 AMEND** (Teacher Salaries/State Agencies) Provides for the distribution of funds as recommended by the department and funded by the General Assembly to adjust teacher pay based on the local school district where the agency is located for instructional personnel employed by a state agency not containing a school district.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to include and authorize the Governor's School for Agriculture at John de la Howe to increase the salaries of instructional personnel.

1A.4. (SDE-EIA: Teacher Salaries/State Agencies) Each state agency which does not contain a school district but has instructional personnel shall receive an appropriation as recommended by the Department of Education and funded by the General Assembly for teacher salaries based on the following formula: Each state agency shall receive such funds as are necessary to adjust the pay of all instructional personnel to the appropriate salary provided by the salary schedules of the school district in which the agency is located. Instructional personnel may include all positions which would be eligible for EIA supplements in a public school district, and may at the discretion of the state agency, be defined to cover curriculum development specialists, educational testing psychologists, psychological and guidance counselors, and principals. The twelve-month agricultural teachers located at Clemson University are to be included in this allocation of funds for base salary increases. The South Carolina Governor's School for the Arts and Humanities ~~and~~ the South Carolina Governor's School for Science and

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Mathematics, and the Governor's School for Agriculture at John de la Howe are authorized to increase the salaries of instructional personnel by an amount equal to the percentage increase given by the School District in which they are both located.

Teacher salary increases recommended by the Department of Education and funded in this Act shall be incorporated into each agency's EIA appropriation contained in Section 1, VIII.F.

- 1A.5 AMEND** (Work-Based Learning) Designates that \$75,000 of Work-Based Learning funds be used for professional development in career education activities and that \$500,000 be used for regional career specialists. Directs that the department provide an annual report to the Senate Finance and House Ways and Means Committees on career counseling specialists' accomplishments. Allows these funds to be carried forward for the same purpose.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update "WIA" to "WIOA."

1A.5. (SDE-EIA: Work-Based Learning) Of the funds appropriated in Part IA, Section 1, VIII.A.1. for the Work-Based Learning Program, \$75,000 shall be used by the ~~State~~ Department of Education to provide for regional professional development in contextual methodology techniques and integration of curriculum, and professional development in career guidance for teachers and guidance counselors and training mentors. Pilot-site delivery of contextual methodology training in mathematics will be supported by technology and hands-on lab activities. In addition, \$500,000 shall be allocated for Regional Career Specialists. Each Regional Career Specialist shall (1) be housed within the regional centers/~~WIA~~ WIOA geographic areas, (2) provide career development activities throughout all schools within the region, (3) be under the program supervision of the Office of Career and Technology Education, State Department of Education, and (4) adhere to an accountability and evaluation plan created by the Office of Career and Technology Education, State Department of Education. The Office of Career and Technology Education, State Department of Education, shall provide a report, in February of the current fiscal year to the Senate Finance Committee and the House Ways and Means Committee on accomplishments of the Career Counseling Specialists. Of the funds appropriated in the prior fiscal year, unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.

- 1A.7 AMEND** (Disbursement/Other Entities) Directs a quarterly disbursement by the Department of Revenue directly to other state agencies referenced in the appropriations act with four exceptions listed that receive their full appropriations at the start of the fiscal year. Grants conforming funding authority to the Comptroller General.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change conforming funding authority from the Comptroller General's Office to the Executive Budget Office.

1A.7. (SDE-EIA: Disbursements / Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, South Carolina Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, VIII.F. Other State Agencies and Entities shall be disbursed on a quarterly basis by the Department of Revenue directly to the state agencies and entities referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology, which shall receive their full appropriation at the start of the fiscal year from available revenue. The ~~Comptroller General's~~ Executive Budget Office is authorized to make necessary appropriation reductions in Part IA, Section 1, VIII.F. to prevent duplicate appropriations. If the Education Improvement Act

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appropriations in the agency and entity respective sections of the General Appropriations Act at the start of the fiscal year do not agree with the appropriations in Part IA, Section 1, VIII.F. Other State Agencies and Entities, the “other funds” appropriations in the respective agency and entity sections of the General Appropriations Act will be adjusted by the ~~Comptroller General’s~~ Executive Budget Office to conform to the appropriations in Part IA, Section 1, VIII.F. Other State Agencies and Entities. Further, the Department of Revenue is directed to provide the full appropriation of the funding appropriated in Part IA, Section 1, VIII.C.2. Teacher Supplies to the Department of Education at the start of the fiscal year from available revenue. The Department of Revenue is also directed to provide the first quarter appropriation of the funding appropriated in Part IA, Section 1, VIII.H. Charter School District to the Department of Education at the start of the fiscal year from available revenue.

- 1A.9** **AMEND** (Teacher Supplies) Provides guidelines for distributing teacher supply reimbursement of up to \$275 each school year to offset the expenses teachers have incurred for teaching supplies and materials. Allows any classroom teacher, including those at a S.C. private school that are not eligible for this reimbursement, to claim a refundable income tax credit on their 2019 tax return.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update the year references to “2021.” Requested by Department of Education.

1A.9. (SDE-EIA: Teacher Supplies) All certified and non-certified public school teachers identified in PCS, certified special school classroom teachers, certified media specialists, certified guidance counselors, and career specialists who are employed by a school district, a charter school, or lead teachers employed in a publically funded full day 4K classroom approved by the South Carolina First Steps to School Readiness, as of November thirtieth of the current fiscal year, based on the public decision of the school board may receive reimbursement of two hundred seventy-five dollars each school year to offset expenses incurred by them for teaching supplies and materials. Funds shall be disbursed by the department to School districts by July fifteenth based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of the school district and no later than May fifteenth annually, the district shall notify all individuals entitled to receive these funds the manner in which the funds will be dispersed. Funds may be disbursed to each teacher via check in a manner separate and distinct from their payroll check on the first day teachers, by contract, are required to be in attendance at school for the current contract year, or the funds may be disbursed to each teacher via direct deposit as long as the funds are handled in a manner to be separate and distinct from their payroll check. This reimbursement shall not be considered by the state as taxable income. Special schools include the Governor’s School for Science and Math, the Governor’s School for the Arts and Humanities, Wil Lou Gray Opportunity School, 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

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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.

Any classroom teacher, including a classroom teacher at a South Carolina private school, that is not eligible for the reimbursement allowed by this provision, may claim a refundable income tax credit on the teacher's ~~2019~~ 2021 tax return, provided that the return or any amended return claiming the credit is filed prior to the end of the fiscal year. The credit is equal to two hundred seventy-five dollars, or the amount the teacher expends on teacher supplies and materials, whichever is less. If any expenditures eligible for a credit are made after December thirty-first, the teacher may include the expenditures on his initial return or may file an amended ~~2019~~ 2021 return claiming the credit, so long as the return or amended return is filed in this fiscal year. The Department of Revenue may require whatever proof it deems necessary to implement the credit provided by this part of this provision. Any person receiving the reimbursement provided by this proviso is ineligible to take the income tax credit allowed by this proviso.

1A.14 AMEND (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. Requires school districts to report the student teacher ratio for every classroom to the department at the 90 and 180 day mark and directs the department to report this information to the General Assembly. *Note: Companion General Education proviso is 1.25.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that districts shall report the student teacher ratio to the department at the 45 and 135 day mark rather than at the 90 and 180 day mark. Requested by Department of Education.

1A.14. (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor funds required for debt service or bonded indebtedness. All school districts must report the student teacher ratio for every classroom to the Department of Education at the ~~ninety and one hundred and eighty day mark.~~ The forty-fifth and one hundred and thirty-fifth day mark, and the department shall report this information to the General Assembly for the 2021-2022 school year.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1A.29** **AMEND** (Full-Day 4K) Provides guidelines for participation in and funding for the SC Early Reading Development and Education Program (CERDEP). *Note: Companion General Education proviso is 1.56. Provisos 1A.56, 1.73, and 1.74 were deleted and merged into this proviso.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the prior year eligibility requirement; direct that beginning with the current fiscal year a student living in any school district may participate in CERDEP if space and funding is available; specify the annual family income threshold for eligibility. Allow parents or guardians the choice of enrollment in a participating public school, or a participating private provider which includes, but is not limited to, a child care center, a military child care facility, or a non-profit independent school. Direct that public and non-profit independent schools shall not be required to be approved, registered, or licensed by DSS in order to participate in CERDEP. Require the department and Office of First Steps ensure that providers deliver high-quality programs. Change instructional costs funding for public and private providers from “\$4,600” to “\$4,800” and funding for private providers transporting children to and from school from “\$574” to “\$587” per eligible child. Direct that a school district that does not participate in CERDEP, shall receive the same amount of EIA funds allocated in the prior fiscal year for half day 4K and require the department to develop and implement inter-district transfer policies that give parents or guardians the option for their eligible child to attend a participating out of district school. Allow First Steps to spend up to \$2,000,000 on a pilot program to provide higher reimbursement rates to high-quality child care centers; to spend up to \$100,000 to provide one-time, supplemental needs-based incentive grants, not to exceed \$30,000 each, for newly created or newly approved private providers that propose to expand service to ten or more eligible CERDEP children in certain communities; direct that the grants are intended to address building renovations to comply with licensing regulations and for materials, staffing costs, and other obstacles that would prevent their program participation; require First Steps Board of Trustees to develop and approve an application process that includes formal review and fiscal safeguards for the grants; require First Steps submit a report on the process, expenditures, and expanded enrollment to the Chairmen of the House Ways and Means and Senate Finance Committees by March 15; and allow First Steps to spend up to \$1,000,000 to provide grants to public-private partnerships to address building renovations and designs to comply with licensing regulations and other obstacles that prevent participation. Require private providers and public-private partnerships that receive the grants to participate in the program for at least three years. Direct that, if by August 1st, the department or First Steps determines appropriations will exceed expenditures, available funds may be used to fund an extended program, and to increase the length of the program. Provide guidelines for the program extension. Authorize the funds to also be used for professional development and program quality evaluations. Direct the department and First Steps to report to the Chairmen of the House Ways and Means and Senate Finance Committees by April 1 on the expenditure of these funds. Direct First Steps to determine if extended programs in private centers improves a parent’s ability to enter the workforce or pursue postsecondary training or industry credentials. Direct the department and First Steps to share data by November 15 that identifies the total number of children enrolled in CERDEP and direct that if there is a documented waiting list and excess funds are available, authorize EBO to transfer funds between the department and First

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Steps. Direct the department and First Steps to work with the S.C. Head Start State Collaboration Office to inform parents of all publicly funded full-day 4K programs.

1A.29. (SDE-EIA: Full-Day 4K) ~~Eligible students residing in a school district that met the poverty level for participation in the prior school year are eligible to participate in the South Carolina Early Reading Development and Education Program in the current school year. Beginning with the current fiscal year, eligible students residing in any school district 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 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.~~

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.

Beginning with the current fiscal year, 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.

Public and private providers shall be funded for instructional costs at a rate of ~~\$4,600~~ \$4,800 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for a reimbursement of ~~\$574~~ \$587 per eligible child transported. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool 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.

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

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

For each school district that chooses not to participate in CERDEP, the district shall receive the same amount of EIA funds as allocated in the prior fiscal year for the provision of a half-day 4K program from the funds appropriated to the Department of Education for CERDEP or from any funds carried forward from the prior fiscal year to CERDEP. 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.

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 child care centers. 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 \$100,000 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

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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; and (3) up to \$1,000,000 may be used to provide grants to public-private partnerships to address building renovations and designs necessary to get the building and classrooms into compliance with licensing regulations and other obstacles that prevent participation in CERDEP following guidelines developed by the Office of First Steps. Providers participating in this pilot 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.

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 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.

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.

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.

- 1A.42 AMEND** (Aid to Districts Draw Down) Requires school districts, Palmetto Unified District and DJJ, in order to draw down Aid to Districts funds, to work with local, and if necessary state, law enforcement agencies to ensure that they have an updated school safety plan. Requires notice of updated plans be submitted to the department by September 1st and requires the department report to the Chairmen of specific committees by September 30th on any districts that did not submit an updated plan.

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PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to require school districts, Palmetto Unified District, and DJJ to also work with fire marshals and, when necessary, the Office of the State Fire Marshal to ensure that districts have updated fire plans. Requested by Department of Education.

1A.42. (SDE-EIA: Aid to Districts Draw Down) For the current fiscal year, in order to draw down funds appropriated in Part IA, Section 1, VIII.A.1, Aid to Districts, school districts, Palmetto Unified District and the Department of Juvenile Justice must work with local law enforcement agencies and fire marshals, and when necessary, state law enforcement agencies and the Office of the State Fire Marshal in order to ensure that the district has an updated school safety ~~plan~~ and fire plans in place. The safety ~~plan~~ and fire plans must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated ~~plan~~ plans must be submitted to the Department of Education no later than September first, of the current fiscal year. In the current fiscal year, school districts may continue to negotiate with local law enforcement for the provision of School Resource Officers. The department must report to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee and the Chairman of the Senate Education Committee by September thirtieth, of the current fiscal year, on any districts that failed to submit an updated plan.

1A.48 **AMEND** (Public Charter Pupil Counts) Requires each charter school sponsored by the SC Public Charter School District or a registered Institution of Higher Education to submit student attendance reports for specific days to the Public Charter School District or Institution of Higher Learning and directs what information is to be included in the reports. Directs the district and institution to submit the data to the department which shall submit a quarterly report to the House Ways and Means, House Education and Public Works, Senate Finance, and Senate Education Committees. Directs the district and institution to also require each virtual charter school to collect certain enrollment and withdrawal information which shall be submitted to the department and subsequently provided to the same committees.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to remove the requirement that data be provided to the department and for the department to provide summary information to specific committees, and instead require the public charter school district and institutions of higher education to provide quarterly information to the committees. Requested by Department of Education.

1A.48. (SDE-EIA: Public Charter Pupil Counts) With funds appropriated to charter schools sponsored by either the South Carolina Public Charter School District or a registered Institution of Higher Education, the sponsor must require each charter school to submit a student attendance report for the 5th, 45th, 90th and 135th days. Reporting requirements shall include both Average Daily Membership and Weighted Pupil Unit membership. The South Carolina Public Charter School District or a registered Institution of Higher Education shall then provide the data ~~for each charter school to the Department of Education. Quarterly, the department will submit the information, quarterly,~~ to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee.

The South Carolina Public Charter School District or a registered Institution of Higher Education must also require each virtual charter school to collect the following information: (1) the reason or reasons why each student enrolled in the virtual charter school district from both the parent(s) and the referring school district; and (2) the reason or reasons why a student withdrew from the virtual charter school district. ~~This data must be provided to the Department~~

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~~of Education quarterly and must include the unique student identifier. The department, in turn, The South Carolina Public Charter School District or a registered Institution of Higher Education~~ will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the enrollment and withdrawal information on June 30th of the current fiscal year.

- 1A.49 AMEND** (South Carolina Public Charter School Funding) Provides for the allocation of S.C. Public Charter School District funds for virtual and brick and mortar charter schools. Provides for the use of unexpended funds. Provides a timeline extension for ruling on charter school applications and requires the Public Charter School District provide an outcomes report on the extended time frame to the Senate Finance and House Ways and Means Committees. Provides for the distribution of funds carried forward from Act 97 of 2017. Directs the EOC to submit a report to the General Assembly by June 1st to recommend one or more funding systems for charter schools. Requires charter schools that receive funds through this proviso to send the required information to the EOC and directs that if a school does not send the data, 1% of these funds will be withheld until they are compliant.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2021-22.” Delete the distribution of EIA funds carried forward from Act 97 of 2017. *Funds have been disbursed.* Requested by Department of Education. Delete the requirement that the EOC issue a report to the General Assembly recommending one or more funding systems for charter schools. Requested by EOC and SC Public Charter School District.

1A.49. (SDE-EIA: South Carolina Public Charter School Funding) The funds appropriated in Part IA, Section VIII.H.- South Carolina Public Charter School Statewide Sponsor must be allocated in the following manner to students at charter schools within the South Carolina Public Charter School District or within a registered Institution of Higher Education: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District or a registered Institution of Higher Education shall receive \$1,900 per weighted pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or a registered Institution of Higher Education shall receive \$3,600 per weighted pupil. Three and four year old students with a disability, who are eligible for services under IDEA and enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or registered IHE, shall receive \$3,600 per student for brick and mortar charter schools. Three and four year old students with a disability, who are eligible for serves under IDEA and enrolled in charter schools sponsored by the South Carolina Public Charter School District or a registered IHE, shall be included in student counts for the South Carolina Public Charter School District and registered IHE’s solely for purposes of funding under this proviso. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175. For Fiscal Year ~~2020-21~~ 2021-22, the timelines set forth for ruling on charter school applications are extended for sixty calendar days for all applications submitted to the South Carolina Public Charter School District if the district determines that an applicant should be permitted to amend its application to meet the requirements of Section 59-40-60 and Section 59-40-70, of the 1976 Code, based on an applicant’s proposal to address an existing achievement gap utilizing an evidence-based educational program in an underserved geographical area of the state including, but not limited to, charter schools proposed to be located in any school district that is a plaintiff

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in the Abbeville law suit. The South Carolina Public Charter School District shall report to the Senate Finance Committee and the House Ways and Means Committee on the outcomes of this extended time for a hearing at the end of the application cycle.

~~In addition, from the EIA funds appropriated in and carried forward from Act 97 of 2017, the Department of Education shall distribute to the South Carolina Public Charter School District, an amount equal to \$3,600 per pupil for three and four year old students with a disability, who were eligible for services under IDEA and who were enrolled in brick and mortar charter schools sponsored by the district or registered institution of higher education during the 2017-2018 School Year and for whom EIA funding previously was not provided. The district shall distribute the funds on a per pupil basis to the charter schools which provided the IDEA services and shall not retain any portion thereof. The schools shall submit documentation of the student count to both the district and the department before the funds are dispersed.~~

~~The Education Oversight Committee shall issue a report to the General Assembly recommending one or more funding systems for charter schools using such indicators as graduation rate and academic achievement data. At a minimum the report will break out graduation and achievement data by school. Any charter school receiving funding pursuant to this proviso must send the required information to the Education Oversight Committee by October 1 and the Education Oversight Committee shall issue its report to the General Assembly by June 1. Any school failing to report this information to the Education Oversight Committee shall have one percent of the funds received pursuant to this proviso withheld until they become compliant with the data submission requirements.~~

1A.53 AMEND (Reading/Literacy Coaches) Provides for the allocation and use of funds appropriated for Reading/Literacy Coaches to school districts. Requires the department publish guidelines defining reading/literacy coach minimum qualifications; develop procedures to monitor the use of these funds; and requires the funds to be retained and carried forward for the same purpose and not flexed. *Note: Companion General Education proviso is 1.60.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct the department to retain up to \$14,000,000 to be spent on the Palmetto Literacy Project and provide support for schools participating in the project. Direct the department to hire and evaluate reading specialist/coaches annually. Direct that the remainder of Reading/Literacy Coaches funds be allocated to school districts not included in the project to support reading instruction and interventions. Delete the requirement that the department develop procedures to monitor the use of the funds and the authorization for the department to receive up to \$100,000 to implement the program. Delete the requirement that the department screen and approve the hiring of reading/literacy coaches at certain schools prior to disbursing the funds. Delete the authorization for the carried forward funds to be used for the same purpose and not flexed and instead allow any unspent funds to be carried forward for and used for summer reading camps.

1A.53. (SDE-EIA: Reading/Literacy Coaches) (A) For the current fiscal year, of the funds appropriated for Reading/Literacy Coaches, the Department of Education shall retain up to \$14,000,000 to be expended for the Palmetto Literacy Project. The Department shall identify schools in the Palmetto Literacy Project that have one-third or more of its third-grade students scoring at the lowest achievement level on the statewide summative English language arts assessment. For each school identified and participating in the Palmetto Literacy Project in the prior school year, the Department of Education shall provide, at a minimum, the following support: provision of reading specialists, professional learning, and curriculum resources based on the science of reading. The reading specialist/coaches provided to the Palmetto Literacy Project schools shall be hired and evaluated annually by the Department of Education.

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(B) The balance of funds appropriated to the Department for Reading/Literacy Coaches shall be allocated to school districts for schools not included in the Palmetto Literacy Project to support reading instruction and interventions which may include, but not be limited to, hiring reading/literacy coaches, interventionists, or professional development based on the science of reading. Expenditure of funding must be included in the district reading plan approved by the Department of Education.

~~(C) Funds appropriated for Reading/Literacy Coaches~~ These funds must be allocated to school districts by the Department of Education as follows: for each primary and elementary school, the school district shall be eligible to receive up to \$62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach.

~~(B)~~(D) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district except in the event that the district can request and receive a waiver from the Department of Education to expend the funds on interventionists who spend more than fifty percent of their time providing direct support to struggling readers in grades kindergarten through grade five. The school district must align the placement of coaches to the district reading plan that is approved by the department.

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

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

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

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

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

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

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

~~(H) For the current school year, the Department of Education shall screen and approve the hiring of any reading/literacy coach serving in a school in which one third or more of its third grade students scoring at the lowest achievement level on the statewide summative~~

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~~English/language arts assessment. No funds shall be disbursed to the district to fund the reading/literacy coach until the department has screened and approved the coach. Schools in which at least sixty percent of students scored at meets or exceeds expectations on the state summative assessment in English/language arts may submit, as part of their reading plan, a request to the department for flexibility to utilize their allocation to provide literacy support to students, which may include, but is not limited to: a reading coach, a literacy interventionist, or other supplemental services directed to students in need of interventions. This plan must be approved by the department annually as part of the district reading plan.~~

~~(D)~~(H) The Department of Education shall require:

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

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

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

~~(K)~~(J) ~~Funds appropriated for reading/literacy coaches shall be retained and Any unspent or unallocated funds may be carried forward to be used for the same purpose but may not be flexed and expended for Summer Reading Camps.~~

1A.56 DELETE (CDEPP Unexpended Funds) Provides for the retention and expenditure of prior year CDEPP funds by First Steps. Requires a report be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees on how the funds were spent. *Note: Companion General Education proviso is 1.68.*

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Merged into proviso 1A.29.*

1A.56. (SDE-EIA: CDEPP Unexpended Funds) ~~For Fiscal Year 2018-19, the Office of First Steps to School Readiness is permitted to retain the first \$1,000,000 of any unexpended CDEPP funds of the prior fiscal year and expend these funds to enhance the quality of the full-day 4K program in private centers and provide professional development opportunities.~~

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

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

~~If by August first, the Department of Education or the Office of First Steps determines there will be funds available, funds shall be allocated on a per pupil basis for districts eligible for participation first, who have a documented waiting list, and funded an extended program per this proviso in the prior school year, then to districts to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. By August 1, the Department of Education and the Office of First Steps must collect the documented waiting lists and determine a process to notify parents of eligible students of available slots in all approved providers. If a district chooses to fund summer enrollment the program funding shall conform to the funding in this act for full year programs, however shall be~~

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~~reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this Act and end of year adjustments shall be based on the one hundred and thirty five day student average daily membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty days. Funds may also be used to provide professional development and quality evaluations of programs.~~

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

- 1A.63 DELETE** (Value-Added Accountability) Directs the department to use the education value-added assessment system to calculate the magnitude of student progress or growth at the school level for purposes of state and federal accountability. Allows local school districts to use the system to evaluate classroom teachers using student progress or growth. Directs that this teacher evaluation is to only be available to the specific teacher, principal and superintendent and shall not be a public record.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Requested by Department of Education.

~~**1A.63.** (SDE-EIA: Value-Added Accountability) With the funds appropriated for School Value Added Instrument in the current fiscal year the Department of Education shall use the education value added assessment system that was procured and administered in the prior fiscal year to calculate the magnitude of student progress or growth at the school level for purposes of state and federal accountability. At the discretion of the local school district, a district may use the education value added assessment system to evaluate classroom teachers using student progress or growth. The estimates of specific teacher effects on the educational progress of students will not be a public record and shall be made available only to the specific teacher, principal and superintendent. In the current fiscal year, the Department of Education is directed to procure a value added assessment system, which calculates student growth and includes the measurement of magnitude of growth, to be used in future school years that meets the requirements of the state and federal accountability system as defined in Chapter 18 of Title 59 of the 1976 Code.~~

- 1A.66 DELETE** (McCormick County Schools) Requires the Department of Revenue to directly allocate the Governor's School for Agriculture at John de la Howe funds under the Partnerships program to the McCormick County School District to create a school within a school program for at-risk students, including the Governor's School for Agriculture at John de la Howe students. Directs that the program must use an accelerated curriculum of multimedia/multimodal learning activities to ensure academic success and development of leadership and communication skills.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**1A.66.** (SDE-EIA: McCormick County Schools) The Department of Revenue must directly allocate the funds appropriated under VIII. F. Partnerships for the Governor's School for Agriculture at John de la Howe for teacher salaries to McCormick County School District to create a school within a school program to educate at risk students, including students at the~~

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~~Governor's School for Agriculture at John de la Howe who attend McCormick County schools. The program must use an accelerated curriculum which utilizes multimedia/ multimodal learning activities to ensure academic success and development of leadership and communication skills.~~

- 1A.67** **AMEND** (Grants Committee) Directs the grants committee, in FY 2020-21, to give priority to funding projects funded by the EOC Partnerships of Innovation in the prior fiscal year while keeping its established criteria. Directs the committee to accept applications per the established process not to exceed the amount appropriated. Directs the Superintendent to appoint an independent grants committee to develop the process for awarding the grants or directly purchasing services and directs that committee members serve 4 year terms. Requires the committee submit an annual report to the Governor and the Chairmen of the House Ways and Means and Senate Finance Committees by June 30, 2020. Requires grantees and service providers to participate in an external evaluation conducted by the EOC.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the directive that priority be given to projects funded by EOC Partnerships of Innovation in the prior fiscal year. Delete the directives that the Superintendent of Education appoint an independent grants committee, the terms of the members, and the selection of the chairman. Delete the matching amount requirements. Delete annual report year reference of "2020." Requested by Department of Education.

1A.67. (SDE-EIA: Grants Committee) Of the funds appropriated to the Department of Education for Innovation Grants, the grants committee, ~~in Fiscal Year 2020-21, shall give priority to funding projects funded by the Education Oversight Committee Partnerships of Innovation in the prior fiscal year while keeping with its established criteria.~~ Additionally, the committee shall accept applications per the established process for new grantees not to exceed the amount appropriated by the General Assembly.

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

- (1) a demonstrated ability to meet the match throughout the granting period;
- (2) a demonstrated ability to implement the initiative or model as set forth in the application;
- (3) identification of key measurable benchmarks in the education continuum that must be improved to raise student achievement and ensure all students graduate college, career and civic ready;
- (4) a demonstrated ability to be both replicable and scalable with priority given to those projects that focus on applied learning opportunities and experiences, especially in the STEM or STEAM fields;
- (5) blended and personalized learning focused on content mastery and experiential learning; and
- (6) innovative strategies to close student achievement gaps, with a focus on below average and unsatisfactory schools.

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~~No matching amount will exceed more than seventy percent of the grant request or be less than ten percent of the request. The required match may be met by funds or by in-kind donations, such as technology, to be further defined by the grants committee. Public school districts and schools that have high poverty and low achievement will receive priority for grants when their applications are judged to meet the criteria established for the grant program. The committee shall submit an annual report to the Governor, the Chairman of House Ways and Means and the Chairman of Senate Finance by June 30, 2020.~~

Grantees and service providers will be required to participate in an external evaluation as prescribed by the committee and agreed upon in the application and award process.

- 1A.69 AMEND** (Digital Learning Plan) Directs the EOC to implement a second year of a pilot program for alternative methods of instruction for make-up days. Provides the option for the five school districts that participated in the initial pilot program to continue to participate if they will assist the committee in reviewing and approving additional school districts and provide technical assistant and support to the new districts. Authorizes the committee to allocate funds to the five districts for providing technical support. Provides guidelines for participating districts. Requires participating districts report to the EOC by April 1, 2021. Requires the EOC to report a plan to the Governor, General Assembly, SDE and the State Board of Education by June 1, 2021.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirements for the implementation of the eLearning pilot program. Direct the EOC to evaluate the impact of alternative methods of instruction on student learning and on working with other agencies to expand access to remote instruction. Define alternative methods of instruction. Requires the EOC to report annually to the Governor, General Assembly, Department of Education, and State Board of Education. Requested by Education Oversight Committee.

~~**1A.69.** (SDE-EIA: Digital Learning Plan) The Education Oversight Committee is responsible for implementing the second year of a pilot program for alternative methods of instruction for make up days. The five school districts that participated in the initial pilot program in the prior fiscal year shall have the option of continuing to participate during the current fiscal year. As a condition of their continued participation, these five school districts shall assist the committee in reviewing and approving additional school districts to participate in the second year of the pilot program and shall provide technical assistance and support to new districts participating in the pilot. From funds available to the committee, the committee is authorized to allocate funds to the five districts for providing technical support to the new districts participating in the pilot program.~~

~~All districts participating in the pilot in the current fiscal year shall utilize alternative methods of instruction which may include, but are not limited to, online or virtual instruction for scheduled make up time. All make up time must reflect the number of hours of the make up days the instruction will cover. All make up time must meet state requirements for elementary and secondary school days. All districts shall continue to report to the Department of Education all days missed, reasons for the absences, days made up, and now the alternative method of instruction used. The Education Oversight Committee shall work with the Educational Television Commission (ETV) and the State Library to utilize and coordinate available ETV and State Library resources and explore alternative means of delivery to districts that may lack proper access to online instruction. All school districts shall report the following information to the Education Oversight Committee by April 1, 2021: method(s) of implementation utilized, advantages and disadvantages of the method(s) used, any feedback received from administrators, teachers, parents or guardians, and recommendations for how the program can be implemented statewide.~~

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~~By June 1, 2021 the Education Oversight Committee shall report to the Governor, the General Assembly, the Department of Education, and the State Board of Education a plan for implementing the eLearning program for make up days statewide.~~

With funds appropriated, the Education Oversight Committee is responsible for evaluating the impact of alternative methods of instruction on student learning and working with other agencies to expand access to quality remote instruction which can be dispatched if necessary. Alternative methods of instruction may include, but are not limited to, online or virtual instruction, remote learning, and hybrid models. The Department of Education and school districts providing alternative methods of instruction must provide data as requested by the committee to evaluate the effectiveness of the instruction. The Education Oversight Committee shall report annually to the Governor, the General Assembly, the Department of Education, and the State Board of Education.

- 1A.70 AMEND** (School Safety Program) Directs that School Safety Program and School Resource Officers funds be used to hire certified law enforcement officers to serve as school resource officers for school districts without adequate resources to hire their own resource officers; provides eligibility requirements; authorizes a maximum of four SROs per district; and directs the department to provide funding directly to the local law enforcement agency for the SRO. Authorizes funds to be carried forward and used for the same purpose. *Note: Companion General Education proviso is 1.84.*

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that the funds also be used to hire SROs in the public charter school district and schools authorized by an institution of higher learning. Delete the directive than no more than four certified SROs be awarded per district. Requested by Department of Education.

1A.70. (SDE-EIA: School Safety Program) Funds appropriated for the School Safety Program and School Resource Officers shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource officer for school districts, including the South Carolina Public Charter School District and schools authorized by an institution of higher learning, that otherwise would lack the adequate resources to hire their own school resource officers. In making determinations of eligibility the department shall use the most recent index of taxpaying ability as the district's indicator of ability to pay, with districts of the lowest index of taxpaying ability receiving priority consideration. Districts must apply for funding through the department and ~~no districts shall receive an award of more than four certified school resource officer positions.~~ In making awards the department shall provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that will serve as a full-time school resource officer. The department is authorized to carry forward funds and utilize these funds for the same purpose.

- 1A.72 AMEND** (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 the fiscal year reference to "2021-22."

1A.72. (SDE: Bridge Program) Of the funds appropriated for "Rural Teacher Recruitment" in Fiscal Year ~~2020-21~~ 2021-22, \$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.rce** **ADD** (Return to Covered Employment) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that the earnings limitation does not apply for a retired SCRS or PORS member hired by the Department of Education to provide services to support underperforming schools and districts. Limit the use of this provision to a maximum of twenty employees during the fiscal year. Require the department to submit a report on the number of employees hired under the provision to the Chairmen of the House Ways and Means and Senate Finance Committees by June 30. Requested by Department of Education.

1A.rce. (SDE: Return to Covered Employment) For compensation earned during the current fiscal year, the earnings limitation imposed pursuant to Sections 9-1-1790(A)(1) and 9-11-90(4)(a)(i) of the 1976 Code does not apply if the retired member is hired by the Department of Education to primarily provide services to the department for its tiered system of support for underperforming schools and districts. The department may only use this provision for a maximum of twenty employees during the fiscal year. The department shall report the number of employees hired under this provision to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by June 30.

- 1A.ksd** **ADD** (Kindergarten Start Dates) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to allow a district superintendent or charter school authorizer to submit a request to waive the minimum 180 attendance requirement for kindergarten students for scheduling assessments and provide timelines for the assessments. Requested by Department of Education.

1A.ksd. (SDE-EIA: Kindergarten Start Dates) A district superintendent or charter school authorizer may submit a request to the department to waive the minimum one hundred eighty-day school attendance requirement for kindergarten students for the purpose of scheduling a readiness assessment. Upon approval of the waiver request, the approved school may stagger administering the readiness assessment to kindergarten students during the first five days of the academic year.

- 1A.rcd** **ADD** (Report Card Date) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the department to produce school report cards by November 1. Requested by Department of Education.

1A.rcd. (SDE-EIA: Report Card Date) For the current fiscal year, the department is directed to produce the school report cards by November 1.

SECTION 6 - H750 - SCHOOL FOR THE DEAF AND THE BLIND

- 6.dm** **ADD** (Deferred Maintenance) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the school to establish a Deferred Maintenance Project for upkeep

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and maintenance of campus facilities and to transfer remaining balances from specific prior year appropriations.

6.dm. (SDB: Deferred Maintenance) The School for the Deaf and the Blind is authorized to establish a Deferred Maintenance Project for the upkeep and maintenance of campus facilities and to transfer remaining balances from The Early Childhood Center Construction (Part 1A Sec. 4 2012-13), Robertson Hall Wing Construction (Part 1B Sec. 90 90.20 B17 2012-13), Deferred Maintenance (Part 1A Sec. 4 2012-13).

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

7.4 DELETE (Reduction in Force Carry Forward) Authorizes unexpended personal service funds resulting from an August 2018 reduction in force to be used for deferred maintenance and renovation of agency assets.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Requested by Governor's School for Agriculture at John de la Howe.

~~**7.4.** (JDLHS: Reduction in Force Carry Forward) The Governor's School for Agriculture at John de la Howe is authorized to carry forward into the current fiscal year unexpended personal service funds resulting from the reduction in force implemented in August 2018. These funds shall be used for deferred maintenance and renovation of agency assets.~~