S. 419 DRAFT AMENDMENT  V.1.2

(As approved by the subcommittee 4/10/19)

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act must be known and may be cited as the “South Carolina Career Opportunity and Access for All Act”.

PART I

Statewide College and Career Readiness Goal

SECTION 2. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

“Section 59-1-485. Recognizing that a vibrant workforce is critical to sustaining and growing the economy of this State by servicing existing industry and attracting new industry, the State of South Carolina must endeavor to increase the number of South Carolinians who are ready and able to fill jobs demanded by a dynamic and evolving economy. To achieve this purpose, the State of South Carolina establishes an overall statewide workforce readiness goal of at least sixty percent of all working-age South Carolinians having a post-secondary degree or recognized industry credentials before the year 2030. The General Assembly is encouraged to reexamine and revise this goal on an ongoing basis as needed.”

PART II

Student Empowerment

SECTION 3: Intentionally left blank

SECTION 4. Section 59-5-10 of the 1976 Code is amended to read:

“Section 59-5-10. (A)(1) The State Board of Education shall be composed of one member from each judicial circuit. The
members shall serve terms of four years and until their successors
are elected and qualify, except of those first elected, the members
from the fifth, tenth and fourteenth circuits shall serve terms of one
year; the members from the first, sixth, eighth and twelfth circuits
shall serve terms of two years and the members from the fourth,
seventh, ninth and eleventh circuits shall serve terms of three
years. The terms of all members **shall** commence on January
first following their election.

(2) The legislative delegations representing the counties of
each judicial circuit shall meet upon written call of a majority of
the members of the delegations of each judicial circuit at a time
and place to be designated in such call for the purpose of electing a
member of the Board to represent such circuit. A majority present,
either in person or by written proxy, of the members of the county
legislative delegations from a given circuit shall constitute a
quorum for the purpose of electing a member, but no person **shall**
may be declared elected who shall fail to receive a majority vote of
all the members of the county legislative delegations from the
circuit. The joint county legislative delegations of each circuit **shall**
must be organized by the election of a chairman and a secretary
and such joint legislative delegations shall, subject to the
provisions herein, adopt such rules as they **deem consider** proper to
govern the election. Any absentee may vote by written proxy.
When the election is completed, the chairman and secretary of the
joint county legislative delegations of each circuit shall
immediately transmit the name of the person elected to the
Secretary of State who shall forthwith issue to such person, after
he has taken the usual oath of office, a certificate of election as a
member of the State Board of Education. The Governor shall
thereupon issue a commission to such person and pending such
issuance the certificate of election **shall** must be a sufficient
warrant to such person to perform all of the duties and functions of
his office.

(3) Any vacancy **shall** must be filled in the same manner as
the original appointment for the unexpired portion of the term.

(4) Representation of a given judicial circuit on the State
Board of Education **shall** must be rotated among the counties of the
circuit, except by unanimous consent of all members of the county
legislative delegations from the circuit. No member shall succeed
himself in office except by unanimous consent of the members of
the county legislative delegations from the circuit. Members of the
legislative delegation of any county entitled to a member of the
board shall nominate persons for the office, one of whom **shall**
**must** be elected to the board.
(5) The board shall select its chairman and other officers to serve for such terms as the board may designate. Provided, the Superintendent of Education shall serve as secretary and administrative officer to the board. The board shall adopt its own rules and procedures. The chairman and other officers shall have such powers and duties as may be determined by the board not inconsistent with the law.

(6) At the initial meeting of the legislative delegations representing the counties of each circuit, it shall be determined by lot the sequence in which each county shall be entitled to nominate persons for the office.

(B) In addition to the members of the State Board of Education provided in subsection (A), the State Board of Education also shall include two nonvoting advisory members who are public school students appointed by the Governor for a one-year term. A nonvoting advisory member may not serve if he discontinues attending public school in this State. A vacancy must be filled for the remainder of the term. A person may serve no more than two years as a nonvoting advisory member. A nonvoting advisory member may not serve as chairman of the board.”

(C) Beginning in 2021, and in consultation with the Education and Economic Development Act Coordinating Council and the State Superintendent of Education, the State Board of Education shall, annually, before December first, provide a comprehensive report to the Governor and the General Assembly that specifically identifies key benchmarks within the 0-20 education and workforce pipeline for measuring progress of state agencies’ and other publicly funded entities’ efforts to meet those benchmarks. The State Board of Education through the State Superintendent of Education must provide recommendations regarding ways that state and local efforts can be improved, ways that collaboration and cooperation among state and local agencies and resources can be measurably improved, and efforts underway or being considered in other States that address the noted areas of concern. The State Superintendent also shall recommend legislation it considers necessary.”

PART III

SECTION 5. Intentionally left blank
PART IV

Enhancements to Workforce Preparation

Subpart I

Computer Science and Mathematics Coursework

SECTION 6. Article 1, Chapter 29, Title 59 of the 1976 Code is amended by adding:

"Section 59-29-250. (A) The purpose of this section is to expand access to computer science learning experiences to all students because computer science supports literacy, math, problem-solving, and technological skills, and advances productivity in every discipline, industry, and profession.

(B) The State Board of Education shall conduct, at least every five years, a cyclical review of grade appropriate standards for computer science and computational thinking and computer coding for grades 9-12. Experts and officials from higher education, business, and industry must be included in the development of the standards.

(C) Not later than the 2020-2021 School Year, each public high school and public charter high school must offer at least one computer science course which:

(1) is rigorous and standards-based;

(2) meets or exceeds the curriculum standards and requirements established by the State Board of Education;

(3) meets the needs of diverse students who will pursue postsecondary education or who will enter careers in computing and information technology upon graduation; and

(4) is made available in a traditional classroom setting, in a dual enrollment course, blended learning environment, online-based, or other technology-based format tailored to meet the needs of each participating student."
(D) Beginning in the 2020-2021 School Year, the Department of Education shall:

(1) establish qualifications for and employ staff whose responsibility is to coordinate and lead the South Carolina Computer Science Education Initiative;

(2) support K-12 academic and computer science teachers in designing interdisciplinary, project-based instruction and assignments that engage students in applying literacy, math, and computational thinking skills to solve problems;

(3) design career pathways that connect students to postsecondary programs, degrees, or postsecondary credentials in high-demand career fields including, but not limited to, cybersecurity, information systems, informatics, computer engineering, and software development as identified by the Department of Commerce;

(4) offer professional development and teacher endorsements to teachers who will teach computer science;

(5) the State Board of Education shall develop guidelines creating certification pathways for computer science teachers and the Department of Education also shall develop criteria for postsecondary computer science teacher preparation programs;

(6) provide information and materials which identify emerging career opportunities in computer science and related fields to parents, students, teachers, and guidance counselors; and

(7) assist districts in developing partnerships with business, industry, higher education, and communities to provide afterschool and extracurricular activities that engage students in computer science.

(E) Recognizing that successful implementation of computer science education requires effective instruction, the Department of Education shall develop guidelines for use by school districts and schools outlining the educational and degree requirements for computer science teachers."
Subpart II
Statewide Assessment Program Revisions

SECTION 7. Section 59-18-310(B)(1) of the 1976 Code is amended to read:

“(1) The statewide assessment program must include the subjects of English/language arts, mathematics, and science, and social studies in grades three through eight, as delineated in Section 59-18-320, and end-of-course tests for courses selected by the State Board of Education and approved by the Education Oversight Committee for federal accountability, which award units of credit in English/language arts, mathematics, and science, and social studies. A student’s score on an end-of-year assessment may not be the sole criterion for placing the student on academic probation, retaining the student in his current grade, or requiring the student to attend summer school. Beginning with the graduating class of 2010, students are required to pass a high school credit course in science and a course in United States history in which end-of-course examinations are administered to receive the state high school diploma. Beginning with the graduating class of 2015, students are no longer required to meet the exit examination requirements set forth in this section and State Regulation to earn a South Carolina high school diploma.”

SECTION 8. Section 59-18-320(A) and (B) of the 1976 Code is amended to read:

“(A) After the first statewide field test of the assessment program in each of the four academic areas, and after the field tests of the end of course assessments of high school credit courses, the Education Oversight Committee, established in Section 59-6-10, will review the state assessment program and the course assessments for alignment with the state standards, level of difficulty and validity, and for the ability to differentiate levels of achievement, and will make recommendations for needed changes, if any. The review will be provided to the State Board of Education, the State Department of Education, the Governor, the Senate Education Committee, and the House Education and Public Works Committee as soon as feasible after the field tests. The Department of Education will then report to the Education Oversight Committee no later than one month after receiving the
reports on the changes made to the assessments to comply with the recommendations.

(B) After review and approval by the Education Oversight Committee, and pursuant to Section 59-18-325, the standards-based assessment of mathematics, English/language arts, social studies, and science will be administered for accountability purposes to all public school students in grades three through eight, to include those students as required by the federal Individuals with Disabilities Education Improvement Act and by Title 1 of the Elementary and Secondary Education Act. To reduce the number of days of testing, to the extent possible, field test items must be embedded with the annual assessments. To ensure that school districts maintain the high standard of accountability established in the Education Accountability Act, performance level results reported on school and district report cards must meet consistently high levels in all four core content areas. For students with documented disabilities, the assessments developed by the Department of Education shall include the appropriate modifications and accommodations with necessary supplemental devices as outlined in a student’s Individualized Education Program and as stated in the Administrative Guidelines and Procedures for Testing Students with Documented Disabilities.”

SECTION 9. Section 59-18-325(C)(3) of the 1976 Code is amended to read:

“(3) Beginning with the 2017-2018 School Year, the department shall procure and administer the standards-based assessments of mathematics and English/language arts to students in grades three through eight. The department also shall procure and administer the standards-based assessment in science to students in grades four, and six, and eight, and the standards-based assessment in social studies to students in grades five and seven.”
SECTION 10. Chapter 156, Title 59 of the 1976 Code is amended by adding:

"Section 59-156-250. (A) Beginning with fiscal year 2018-2019, and with data and information submitted by the Office of First Steps to School Readiness, the State Department of Education, and the Department of Health and Human Services, the Education Oversight Committee as a component of an annual Kindergarten Readiness Program Report shall annually provide the following information, at the district and the state level:

(1) the number of four-year-olds eligible for the South Carolina Child Early Reading Development and Education Program, and the number of four-year-olds enrolled in, and the number funded, at the forty-fifth and one hundred thirty-fifth day of the program, provided this information must be reported by the school district and the Office of First Steps through its 4K providers, and must include the number of children served by state-funded public and private providers;

(2) kindergarten readiness assessment scores by district, differentiated by state-funded public and private 4K providers, and Head Start or ABC Voucher programs;

(3) the number of 4K classrooms and spaces added in each of the previous five school years by level of quality;

(4) the number of 4K classrooms provided that are considered to be high quality, and the basis for the determination;

(5) the number of spaces available to serve four-year-olds, the number of openings and number of children on a wait-list as of August 1st for 4K in the upcoming school year, and;

(6) a detailed plan for increasing the number of students served throughout the State, with an emphasis on districts in Tier III and IV counties as determined in Section 12-6-3360, and wait-list information in sub-item (5).

(B) Where reasonable and necessary, and to the extent possible, data and information for programs funded by local school districts and by the Education Improvement Act shall be provided and included in reporting required pursuant to this Section.

(C) Beginning January 15th, 2020, the Education Oversight Committee annually shall submit a Kindergarten Readiness Program Summary Report to the General Assembly; if funding is provided, a Kindergarten Readiness Comprehensive Analysis
Report at least every three years may be submitted to satisfy the reporting requirement. The information pursuant to subsections (A) and (B) must be included in the annual report submitted, and shall include year-over-year trend information.

SECTION 11.A. Section 59-104-20(G) of the 1976 Code is amended to read:

(E) A Palmetto Fellows Scholarship is available to an eligible resident student who attends or will attend an eligible four-year public or independent institution.

(F) For purposes of subsection (E):

(1) ‘Public or independent institution’ means a:

(a) South Carolina public institution defined in Section 59-103-5, excluding a public two-year or technical institution, and an independent institution as defined in Section 59-113-50, excluding an eleemosynary junior or independent two-year institution; or

(b) public or independent bachelor’s level institution chartered before 1962 whose major campus and headquarters are located within South Carolina.

(G) In addition to qualifications established by regulation, to qualify for a Palmetto Fellows Scholarship, a student shall:

(1) meet the following three criteria:

(a) a minimum score of 1200 on the Scholastic Aptitude Test (SAT) or an equivalent a score of 25 on the ACT score;

(b) a cumulative 3.5-4.0 grade point ratio on the Uniform Grading Scale at the end of the junior or senior year; and

(c) rank in the top six percent of the class at the end of the sophomore, junior, or senior year. When calculating eligibility for Palmetto Fellows Scholarships in schools where the top six percent of the graduating class is two students or less, the top two students must be considered for the scholarship regardless of class rank. The top six percent of the graduating class must meet all Palmetto Fellows Scholarship eligibility requirements in order to receive a scholarship. If the top six percent of the class is not a whole number of students, the Commission on Higher Education shall round up to the next whole number of students eligible; or

(2) meet the following two criteria:

(a) a minimum score of 1400 on the Scholastic Aptitude Test (SAT) or a score of 31 on the ACT an equivalent ACT score; and
(b) a cumulative 4.0 grade point ratio on the Uniform Grading Scale at the end of the junior or senior year.

(H) Notwithstanding another provision of law, a student who met the initial eligibility requirements to receive a Palmetto Fellows Scholarship Award as a senior in high school and has met the continuing eligibility requirements shall receive the award. A student who received a Palmetto Fellows Scholarship Award as a senior in high school but declined the award is eligible to reapply for the annual scholarship, providing he meets all of the initial and continuing academic eligibility requirements of the Palmetto Fellows program, if he transfers to a qualifying South Carolina institution of higher learning. The number of semesters or academic years a student attended an out-of-state institution are to be deducted from the number of semesters or academic years a student is eligible for the scholarship. All funding provided for Palmetto Fellows Scholarships regardless of its source or allocation must be used to implement the provisions of this subsection. A student who uses a Palmetto Fellows Scholarship to attend an eligible two-year institution shall receive a maximum of four continuous semesters, and may continue to use the scholarship to attend an eligible four-year institution, subject to maximum number of semesters for which the student may be eligible for the scholarship.

(I) Students receiving a Palmetto Fellows Scholarship to retain it and students currently enrolled in an eligible institution to receive such a scholarship must:

(1) earn a 3.0 cumulative grade point average on a 4.0 scale at the end of their freshman year and earn at least thirty credit hours, and;

(2) for each year after a student’s freshman year, must earn a 3.0 cumulative grade point average on a 4.0 scale and earn at least thirty credit hours each year for the maximum of semesters permitted at that institution by Section 59-149-60.

The cumulative grade point average calculation, for purposes of Palmetto Fellows scholarship eligibility, must be inclusive of the student’s grade point average at all public or independent institutions attended by the student.

(K) In the event SAT or ACT changes their respective scoring ranges, the Commission on Higher Education shall adjust the minimum scores required by this Chapter in order to ensure equivalency.
(L). The provisions of this SECTION do not apply to students in the senior class of the 2020-2021 School Year.

B. Section 59-104-25(A) of the 1976 Code is amended to read:

“(A) A resident student who is at least a sophomore junior attending a four-year public or private institution of higher learning in this State, who is majoring in science or mathematics as defined below, and who is receiving a Palmetto Fellows Scholarship for the current year, shall receive an additional Palmetto Fellows Scholarship stipend equal to the cost of attendance after applying all other scholarships or grants, not to exceed three thousand three hundred dollars each year for no more than three additional years of instruction, including his sophomore junior year, if the student enrolled in a four-year degree program, or for not more than four additional years of instruction, including his sophomore junior year, if enrolled in a five-year degree program or a 3 plus 2 program. A year is defined as thirty credit hours of instruction or its equivalent each year. To receive the additional Palmetto Fellows Scholarship stipend each year, the student must receive the underlying Palmetto Fellows Scholarship for that year and must be making acceptable progress each year toward receiving a degree in his science or mathematics major. In addition, during his freshman year and sophomore years, the student must have successfully completed a total of at least fourteen twenty credit hours of instruction in mathematics courses, or life and physical science courses, or a combination of both. For purposes of meeting the required minimum level of instruction in mathematics and life and physical science courses during a student’s freshman year and sophomore years, advanced placement courses in mathematics and life and physical sciences taken in high school on which the student scored high enough on the advanced placement test to receive credit at his institution and for which he received credit, count toward the fulfillment of this minimum requirement.”

SECTION 12.A. Section 59-149-50(A) of the 1976 Code is amended to read:

“(A) To be eligible for a LIFE Scholarship, a student must be either a student who has graduated from a high school located in this State having earned at least one unit of credit in mathematics
or computer science and one unit of credit in English/language arts which may be accomplished by dual credit during the senior year beginning July 1, 2024, a student who has completed at least three of the final four years of high school within this State, a home school student who has successfully completed a high school home school program in this State in the manner required by law, a student who has graduated from a preparatory high school outside this State, while a dependent of a parent or guardian who is a legal resident of this State and has custody of the dependent, or a student whose parent or guardian has served in or has retired from one of the United States Armed Forces within the last four years, paid income taxes in this State for a majority of the years of service, and is a resident of this State. These students also must meet the requirements of subsection (B) and be eligible for in-state tuition and fees as determined pursuant to Chapter 112, Title 59 and applicable regulations. In addition, the student must have graduated from high school with a minimum of a 3.0 cumulative grade average on a 4.0 scale and have scored 1100 or better on the Scholastic Aptitude Test (SAT) or have the equivalent ACT score or a score of 22 on the ACT; provided that, if the student is to attend such a public or independent two-year college or university in this State, including a technical college, the SAT/ACT requirement does not apply. If a student chooses to attend such a public or independent institution of this State and does not make the required SAT/ACT score or the required high school grade point average, as applicable, the student may earn a LIFE Scholarship after his freshman year if he meets the grade point average and semester credit hour requirements of subsection (B). For the purpose of meeting the rank criteria pursuant to this section, the existing high school rank of a South Carolina resident attending an out-of-state high school may be used provided it is calculated pursuant to a state-approved, standardized grading scale at the respective out-of-state high school. If the Commission on Higher Education determines that a state-approved standardized grading scale substantially deviates from the South Carolina Uniform Grading Scale, the state-approved standardized grading scale shall not be used to meet the eligibility requirements for the LIFE Scholarship.”

(B) Students receiving a LIFE Scholarship to retain it and students currently enrolled in an eligible institution to receive such a scholarship must:
(1) earn a 3.0 cumulative grade point average on a 4.0 scale at the end of their freshman year and earn at least thirty credit hours, each year.

(2) for each year after a student's freshman year, earn a 3.0 cumulative grade point average on a 4.0 scale and earn at least thirty credit hours each year for the maximum of semesters permitted at that institution by Section 59-149-60.

The cumulative grade point average calculation, for purposes of LIFE scholarship eligibility, must be inclusive of the student's grade point average at all public or independent institutions attended by the student.

(C) Students who were LIFE Scholarship recipients seeking a degree at such a public or independent institution of this State during their freshman or other year who failed to earn a the cumulative 3.0 grade point average as required by this subsection at the end of the term they attempted the requisite number of hours required by subsection (B) may regain eligibility if their cumulative grade average is a 3.0 at the end of the term they have attempted at least sixty hours if they are a sophomore or ninety hours if they are a junior.

(E) In the event SAT or ACT changes their respective scoring ranges, the Commission on Higher Education shall adjust the minimum scores required by this Chapter in order to ensure equivalency.

F. The provisions of this SECTION do not apply to students in the senior class of the 2020-2021 School Year.

B. Section 59-149-15(A) of the 1976 Code is amended to read:

“(A) A resident student who is at least a sophomore attending a four-year public or private institution of higher learning in this State, who is majoring in science or mathematics as defined below, and who is receiving a LIFE Scholarship for the current year, shall receive an additional LIFE Scholarship stipend equal to the cost of attendance after applying all other scholarships or grants, not to exceed two thousand five hundred dollars each year for no more than three additional years of instruction, including his sophomore year, if enrolled in a four-year degree program, or for not more than four additional years of instruction,
including his sophomore junior year, if enrolled in a five-year degree program or a 3 plus 2 program. In addition, during each of his freshman year and sophomore years, the student must have successfully completed a total of at least fourteen twenty credit hours of instruction in mathematics courses, or life and physical science courses, or a combination of both. A year is defined as thirty credit hours of instruction or its equivalent each year. To receive the additional LIFE Scholarship stipend each year, the student must receive the underlying LIFE Scholarship for that year and must be making acceptable progress each year toward receiving a degree in his science or mathematics major. For purposes of meeting the required minimum level of instruction in mathematics and life and physical science courses during a student’s freshman year and sophomore years, advanced placement courses in mathematics and life and physical sciences taken in high school on which the student scored high enough on the advanced placement test to receive credit at his institution and for which he received credit, count toward the fulfillment of this minimum requirement.”

C. Section 59-150-370(C) of the 1976 Code is amended to read:

“(C) A student is eligible to receive a SC HOPE Scholarship if he meets the criteria for receiving and maintaining the Legislative Incentives for Future Excellence (LIFE) Scholarship except that To be eligible to receive a SC HOPE Scholarship, a student must have graduated from high school with a minimum of a 3.3 cumulative grade point average on a 4.0 scale. A minimum Scholastic Aptitude Test (SAT) or ACT score and requisite class rank are not required for eligibility for the SC HOPE Scholarship. These SC HOPE Scholarships must be granted and awarded as provided in this section.”

D. The provisions of this SECTION do not apply to students in the senior class of the 2020-2021 School Year.
Subpart IV

Read to Succeed Initiative

SECTION 13. Chapter 155, Title 59 of the 1976 Code is amended by adding:

"Section 59-155-155. (A)(1) The State Board of Education shall approve no more than five reliable and valid early screening instruments for selection and use by school districts, pursuant to the district Universal Screening Process as defined in 59-33-510 (7) in kindergarten through third grade. The approved screening instruments shall at a minimum include literacy and numeracy.

(2) An early literacy screening instrument must:
(a) provide screening and diagnostic capabilities for monitoring student progress in reading;
(b) measure, at a minimum, phonological awareness, decoding and encoding, fluency, vocabulary, and comprehension; and
(c) identify students who have a reading deficiency, including identifying students with characteristics of dyslexia.

(3) An early numeracy screening instrument must provide screening and diagnostic capabilities.

(4) In determining which instruments to approve, the board shall consider, at a minimum, the following factors:
(a) the time required to conduct the instrument, with the intention of minimizing the impact on instructional time;
(b) the level of integration of results with instructional support for teachers and students;
(c) the timeliness in reporting results to teachers, administrators, and parents; and
(d) the level of integration of results with instructional support for teachers and pupils.

(B) A district shall administer one or more screening instruments in the first thirty days of the school year and repeat, if indicated, pursuant to the Universal Screening Process defined in 59-33-510 (7) which may be used to determine student progression in reading and numeracy in kindergarten through third grade. The department shall reimburse districts for the cost of the instrument or instruments selected upon receipt of assessment data used in the progress monitoring system and contingent upon funding being
provided by the General Assembly. All school districts must use one of the literacy and numeracy screening instrument or instruments selected by the department; however, no literacy or numeracy screening instrument or instruments must be used by school districts to determine whether a student will be promoted to the next grade level. For the purposes of this section, ‘literacy’ means ability to read and write and ‘numeracy’ means fluency in understanding numbers and mathematical operations. Classroom teachers also must be provided professional development by the department in administering instruments and in understanding the results so that the teacher can provide the appropriate evidence-based intervention.

(C) A school district may submit a waiver to the State Board of Education to use a screening instrument which is not on the approved list, but meets minimum technical, administration, and content criteria as determined by the department.

(D)(1) The department shall:

(a) create an online reporting system to monitor the effectiveness of the early literacy or numeracy screening assessment instruments; and

(b) require school districts annually to submit data requested by the department which may be used to determine whether the instruments accurately are identifying students in need.

(2) The online reporting system provided in item (1) must:

(a) track, screen, and monitor the reading and early numeracy progress of students in kindergarten through third grade toward third grade reading proficiency and mathematics proficiency at the state, district, and school levels; and

(b) create a consistent statewide reporting mechanism to identify students with a reading deficiency, including students with dyslexia.

(c) be used to receive the annual reporting required in 59-33.540.

SECTION 14. Section 59-155-110(4) of the 1976 Code is amended to read:

“(4) each student receives targeted, effective, comprehension comprehensive support from the classroom teacher and, if needed, supplemental support from a reading interventionist so that ultimately all students can comprehend grade-level texts;”
SECTION 15. Section 59-155-120(5) and (10) of the 1976 Code is amended to read:

“(5) ‘Reading interventions’ means individual or group assistance in the classroom and supplemental support based on curricular and instructional decisions made by classroom teachers who have proven effectiveness in teaching reading and an add-on literacy endorsement or reading/literacy coaches who meet the minimum qualifications established in guidelines published by the Department of Education. An intervention must be evidence-based and follow the multi-tiered system of supports or ‘MTSS’ as defined in 59-33-510 (3) and the Response to Intervention or ‘RTI’ process as defined in 59-33-510 (4).

(10) ‘Substantially fails to demonstrate third-grade reading proficiency’ means a student who does not demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the statewide summative reading assessment that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS) in English/language arts, qualifying the student as eligible for retention pursuant to 59-155-160(A).”

SECTION 16. Section 59-155-130(3) and (4) of the 1976 Code is amended to read:

“(3) working collaboratively with institutions of higher learning offering courses in reading and writing and those institutions of higher education offering accredited master’s degrees in reading-literacy to design coursework leading to a literacy teacher add-on endorsement by the State. The coursework must be founded on scientifically based reading practices and evidence-based interventions, including how to use the data to identify struggling readers and inform instruction;

(4) providing professional development on scientifically based reading practices and evidence-based interventions, including use of data to identify struggling readers and inform instruction in reading and coaching for already certified reading/literacy coaches and literacy teachers;”

SECTION 17. Section 59-155-140(B)(2)(a) is amended to read:

“(a) document the reading and writing assessment and instruction planned for all PK-12 students and the interventions in
prekindergarten through twelfth grade to be provided to all struggling readers who are not able to comprehend grade-level texts. Supplemental instruction shall be provided by teachers who have a literacy teacher add-on endorsement and offered during the school day and, as appropriate, before or after school in book clubs, through a summer reading camp, or both any combination of these strategies.”

SECTION 18. Section 59-155-150(B) of the 1976 Code is amended to read:

“(B) Any student enrolled in prekindergarten, kindergarten, first grade, second grade, or third grade who is substantially not demonstrating proficiency in reading, based upon formal diagnostic assessments or through teacher observations, the universal screening process as defined in 59-33-510 (7) and if indicated diagnostic assessments, and teacher observations, must be provided intensive in-class and supplemental reading intervention immediately upon determination. These assessments may be used to satisfy the screening requirements provided in Article 5, Chapter 33 of this title. The intensive interventions must be provided as through individualized and small group assistance based on the analysis of assessment data. All sustained interventions must be aligned with the district’s reading proficiency plan. These interventions must be at least thirty minutes in duration and be in addition to ninety minutes of daily reading and writing instruction provided to all students in kindergarten through grade three. The district must continue to provide intensive in-class intervention and at least thirty minutes of supplemental intervention until the student can comprehend and write text at grade-level independently. In addition, the parent or guardian of the student must be notified, in writing, of the child’s inability to read grade-level texts, the interventions to be provided, and the child’s reading abilities at the end of the planned interventions. The intensity and duration of the intervention must be appropriate to meet specific needs of each student to ensure that the student is on track to be reading on grade level by the end of the third grade. In addition to students enrolled in third grade and pursuant to 59-155-160(C), each district must offer Summer Reading Camp as an intervention for any student enrolled in first and second grade who is substantially not demonstrating proficiency in reading, based upon the universal screening process as defined in 59-33-510 (7) and if indicated diagnostic assessments, and teacher observations, at no cost to the student.
The results of the initial assessments and progress monitoring also must be provided to the Read to Succeed Office.”

SECTION 19. Section 59-155-160 of the 1976 Code is amended to read:

“Section 59-155-160. (A) Beginning with the 2017-2018 School Year, a student must be retained in the third grade if the student fails to demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the state summative reading assessment that equates to Not Met on the Palmetto Assessment of State Standards (PASS) beginning with the 2019-2020 School Year, a student must be retained in the third grade if the student fails to demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the state summative assessment in English/language arts which indicates that the student needs substantial academic support to be prepared for the next grade level. A student may be exempt for good cause from the mandatory retention but shall continue to receive instructional support and services and reading intervention appropriate for their age and reading level. Good cause exemptions include students:

(1) with limited English proficiency and less than two years of instruction in English as a Second Language program;
(2) with disabilities whose individual education plan indicates the use of alternative assessments or alternative reading interventions and students with disabilities whose Individual Education Plan or Section 504 Plan reflects that the student has received intensive remediation in reading for more than two years but still does not substantially demonstrate reading proficiency;
(3) who demonstrate third-grade reading proficiency on the spring or summer administration of an alternative assessment approved by the department board and which teachers may administer following the administration of the state assessment of reading;
(4) who have received two years of reading intervention and were previously retained;
(5) who through a reading portfolio document, the student’s mastery of the state standards in reading equal to at least a level above the lowest achievement level on the state reading assessment. Such evidence must be an organized collection of the student’s mastery of the state English/language arts standards that are assessed by the grade three state reading assessment. The Read to Succeed Office shall develop the assessment tool for the student.
portfolio; however, the student portfolio must meet the following minimum criteria:

(a) be selected by the student’s English/language arts teacher or summer reading camp instructor;

(b) be an accurate picture of the student’s ability and only include student work that has been independently produced in the classroom;

(c) include evidence that the benchmarks assessed by the grade three state reading assessment have been met. Evidence is to include multiple choice items and passages that are approximately sixty percent literary text and forty percent information text, and that are between one hundred and seven hundred words with an average of five hundred words. Such evidence could include chapter or unit tests from the district or school’s adopted core reading curriculum that are aligned with the state English/language arts standards or teacher-prepared assessments;

(d) be an organized collection of evidence of the student’s mastery of the English/language arts state standards that are assessed by the grade three state reading assessment. For each benchmark there must be at least three examples of mastery as demonstrated by a grade of seventy percent or above; and

(e) be signed by the teacher and the principal as an accurate assessment of the required reading skills who, through a reading portfolio, are documented to be reading on grade level and have mastered the third grade English/language arts standards. A student portfolio for promotion to fourth grade must meet the following criteria:

(a) consist only of grade-level work selected by the student’s teacher from portfolio requirements;

(b) be an accurate representation of the student’s reading ability and only include student work that has been independently produced in the classroom;

(c) include clear evidence that the standards assessed by the third grade English/language arts assessment have been met. This clear evidence:

(i) must include multiple choice items and passages that are approximately fifty percent literary text and fifty percent informational text, and that are at least an average of five hundred words; and

(ii) could include chapter or unit tests from the district or school’s adopted core reading curriculum that are aligned with the state English/language arts standards or district or teacher-prepared assessments that meet standards developed and reviewed by the department;
be an organized collection of evidence of the student’s mastery of the state English/language arts standards that are assessed by the third grade statewide English language arts assessment. For each standard, there must be at least five work samples of mastery where the student attained a grade of seventy or higher. Demonstrating mastery of each standard is required; and (e) be signed by the student’s teacher and the principal of the school, both attesting that the portfolio is an accurate assessment of the reading achievement level of the student and that the student possesses required reading skills to be promoted to fourth grade; and

(6) who successfully participate in a summer reading camp at the conclusion of the third grade year and demonstrate through either a reading portfolio or through a norm-referenced, alternative assessment, selected from a list of norm-referenced, alternative assessments approved by the Read to Succeed Office for use in the summer reading camps, that the student’s mastery of the state standards in reading is equal to at least a level above the lowest level on the state reading assessment in English/language arts.

(B) The superintendent of the local school district must determine whether a student in the district may be exempt from the mandatory retention by taking all of the following steps:

(1) The teacher of a student eligible for exemption must submit to the principal documentation on the proposed exemption and evidence that promotion of the student is appropriate based on the student’s academic record. This evidence must be limited to the student’s individual education program, alternative assessments, or student reading portfolio. The Read to Succeed Office must provide districts with a standardized form to use in the process.

(2) The principal must review the documentation and determine whether the student should be promoted. If the principal determines the student should be promoted, the principal must submit a written recommendation for promotion to the district superintendent for final determination.

(3) The district superintendent’s acceptance or rejection of the recommendation must be in writing and a copy must be provided to the parent or guardian of the child.

(4) A parent or legal guardian may appeal the decision to retain a student to the district superintendent if there is a compelling reason why the student should not be retained. A parent or legal guardian must appeal, in writing, within two weeks after the notification of retention. The letter must be addressed to the district superintendent and specify the reasons why the student should not be retained. The district superintendent shall render a
decision and provide copies to the parent or legal guardian and the
principal.
(5) Beginning September 1, 2019, each school district superintendent shall annually submit a report with the following information at the school and the district level for the academic year just completed, to its district board and to the department:
a. the total number of retention exemptions granted pursuant to this section;
b. the number of appeals made and the number of appeals granted pursuant to this section;
c. the academic outcome of students pursuant to (a) and (b), to include, but not limited to, state English/language arts summative assessment results in grades four through eight; and
d. the information in (a) - (c) for the current and the immediate two previous academic years.

(C)(1) Students eligible for retention under the provisions in Section 59-155-160(A) may enroll in a summer reading camp provided by their school district or a summer reading camp consortium to which their district belongs prior to being retained the following school year. Summer reading camps must be at least six weeks in duration with a minimum of four days of instruction per week and four hours of instruction per day, or the equivalent minimum hours of instruction in the summer. The camps must be taught by compensated teachers who have at least an add-on literacy endorsement or who have documented and demonstrated substantial success in helping students comprehend grade level texts. The Read to Succeed Office shall assist districts that cannot find qualified teachers to work in the summer camps. Districts also may choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and school districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith-based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student’s participation in the summer reading camp.

(2) A district may include in the summer reading camps students who are not exhibiting reading proficiency at any grade and do not meet the good cause exemption. Districts may charge fees for these students to attend the summer reading camps based
on a sliding scale pursuant to Section 59-19-90, except where a child is found to be reading below grade level in the first, second, or third grade and does not meet the good cause exemption.

(D) Retained students must be provided intensive instructional services and support, including a minimum of ninety minutes of daily reading and writing instruction, supplemental text-based instruction, and other strategies prescribed by the school district. These strategies may include, but are not limited to, instruction directly focused on improving the student’s individual reading proficiency skills through small group instruction, reduced teacher-student ratios, more frequent student progress monitoring, tutoring or mentoring, transition classes containing students in multiple grade spans, and extended school day, week, or year reading support. The intensity and duration of the intervention must be appropriate to meet the specific needs of each student to ensure the student is on track to be reading at or above grade level by the end of the school year. The school must report to the Read to Succeed Office through the online portal on the progress of students in the class at the end of the school year and at other times as required by the office based on the reading progression monitoring requirements of these students.

(E) If the student is not demonstrating third-grade reading proficiency by the end of the second grading period of the third grade:

(i) his parent or guardian timely must be notified, in writing, that the student is being considered for retention and a conference with the parent or guardian must be held prior to a determination regarding retention is made, and conferences must be documented;

(ii) within two weeks following the parent/teacher conference, copies of the conference form must be provided to the principal, parent or guardian, teacher and other school personnel who are working with the child on literacy, and summary statements must be sent to parents or legal guardians who do not attend the conference;

(iii) following the parent/teacher retention conference, the principal, classroom teacher, and other school personnel who are working with the child on literacy must review the recommendation for retention and provide suggestions for supplemental instruction; and

(iv) recommendations and observations of the principal, teacher, parent or legal guardian, and other school personnel who are working with the child on literacy must be considered when determining whether to retain the student.
(2) The parent or guardian may designate another person as an education advocate also to act on their behalf to receive notification and to assume the responsibility of promoting the reading success of the child. The parent or guardian of a retained student must be offered supplemental tutoring for the retained student in evidenced-based services outside the instructional day.

(F) For students in grades four and above who are substantially not demonstrating reading proficiency, interventions shall be provided by reading interventionists in the classroom and supplementally by teachers with a literacy teacher add-on endorsement or reading/literacy coaches. This supplemental support will be provided during the school day and, as appropriate, before or after school as documented in the district reading plan, and may include book clubs or summer reading camps, or any combination of these strategies.”

SECTION 20. Section 59-155-180 of the 1976 Code is amended to read:

“Section 59-155-180. (A) As a student progresses through school, reading comprehension in content areas such as science, mathematics, social studies, English/language arts, career and technology education, and the arts is critical to the student’s academic success. Therefore, to improve the academic success of all students in prekindergarten through grade twelve, the State shall strengthen its pre-service and in-service teacher education programs.

(B)(1) Beginning with students entering a teacher education program in the fall semester of the 2016-2017 School Year, all pre-service teacher education programs including MAT degree programs must require all candidates seeking certification at the early childhood or elementary level to complete a twelve credit hour sequence in literacy that includes a school-based practicum and ensures that candidates grasp the theory, research, and practices that support and guide the teaching of reading. The six components of the reading process that are comprehension, oral language, phonological awareness, phonics, fluency, and vocabulary will provide the focus for this sequence to ensure that all teacher candidates are skilled in diagnosing a child’s reading problems and are capable of providing an effective intervention. All teacher preparation programs must be approved for licensure by the State Department of Education to ensure that all teacher education candidates possess the knowledge and skills to assist effectively all children in becoming proficient readers. The
General Assembly is not mandating an increase in the number of credit hours required for teacher candidates, but is requiring that pre-service teacher education programs prioritize their missions and resources so all early and elementary education teachers have the knowledge and skills to provide effective instruction in reading and numeracy to all students.

(2) Beginning with students entering a teacher education program in the fall semester of the 2016-2017 School Year, all pre-service teacher education programs, including MAT degree programs, must require all candidates seeking certification at the middle or secondary level to complete a six credit hour sequence in literacy that includes a course in the foundations of literacy and a course in content-area reading. All middle and secondary teacher preparation programs must be approved by the department to ensure that all teacher candidates possess the necessary knowledge and skills to assist effectively all adolescents in becoming proficient readers. The General Assembly is not mandating an increase in the number of semester hours required for teacher candidates but rather is requiring that pre-service teacher education programs prioritize their mission and resources so all middle and secondary education teachers have the knowledge and skills to provide effective instruction in reading and numeracy to all students.

(C)(1) To ensure that practicing professionals possess the knowledge and skills necessary to assist all children and adolescents in becoming proficient readers, multiple pathways and strategies are needed for developing this capacity.

(2) A reading/literacy coach shall be employed in each elementary school. Reading coaches shall serve as job-embedded, stable resources for professional development throughout schools in order to generate improvement in reading and literacy instruction and student achievement. Reading coaches shall support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading coach shall:

(a) model effective instructional strategies for teachers by working weekly with students in whole, and small groups, or individually;
(b) facilitate study groups;
(c) train teachers in data analysis and using data to differentiate instruction;
(d) coaching and mentoring colleagues;
(e) work with teachers to ensure that research-based reading programs are implemented with fidelity;

(f) work with all teachers (including content area and elective areas) at the school they serve, and help prioritize time for those teachers, activities, and roles that will have the greatest impact on student achievement, namely coaching and mentoring in the classrooms; and

(g) help lead and support reading leadership teams. All reading coaches funded wholly or partially with state funds will serve as a stable resource for professional development throughout an elementary school to build master teachers of reading school-wide to improve student reading achievement. Reading coaches will support and provide initial and ongoing professional development to teachers in:

(i) administration and analysis of screening, formative, diagnostic, and summative English/language arts assessments to guide instruction;

(ii) scientifically based reading instruction, including phonological awareness, phonics, fluency, vocabulary, and comprehension, and the state’s English/language arts standards;

(iii) explicit and systematic instruction with more detailed explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback;

and

(iv) differentiated reading instruction and intensive intervention based on student needs.

(b) state-funded reading coaches must have the following minimum qualifications:

(i) a bachelor’s degree and advanced coursework or professional development in reading. The State Board shall prescribe, by regulation, any coursework or professional development that a State-funded reading coach is required to successfully complete;

(ii) three years of experience as a successful classroom literacy teacher;

(iii) exhibit knowledge of scientifically based reading research, special expertise in quality reading instruction and intervention, and data analysis;

(iv) strong knowledge base and experience in working with adult learners; and

(v) excellent communicators with outstanding presentation, interpersonal, and time management skills.

(c) The duties and responsibilities of a state-funded reading coach must include:
(i) collaborate with the principal to create a strategic plan for coaching that includes specific support for students in poverty;
(ii) facilitate school-wide professional development and study groups;
(iii) model effective reading instructional strategies for teachers;
(iv) coach and mentor teachers on a daily basis;
(v) facilitate data analysis discussions and support teachers with using data to differentiate instruction according to student need; and
(vi) work with all teachers, including Exceptional Student Education (ESE), content area, and elective areas, prioritizing their time to those teachers, activities, and roles that will have the greatest impact on student reading achievement, namely coaching and mentoring in classrooms.

(d) Reading coaches may not be required to perform administrative functions that will confuse their role for teachers.
(e) School districts shall monitor the implementation and effectiveness of the literacy coach and assure communication between the district, school administration, and the literacy coach throughout the year.

(f) Beginning with the 2019-2020 School Year, as a condition for receiving the state appropriations for reading coaches, the State Department of Education shall screen and approve the hiring of all reading coaches in a school which has more than one-third of its third grade students scoring at the lowest achievement level on the statewide summative English/language arts assessment. In addition, each reading coach employed in a school having more than one-third of its third grade students scoring at the lowest achievement level on the statewide summative English/language arts assessment and the principal shall attend professional development training provided by the department. The professional development for the principal and reading coach team must focus on the role of the reading coach in continuously improving reading to include the role of the reading coach and strategic plans for the coach to support teachers and scientifically based reading research and evidence-based interventions to be implemented in the school, to include specific support for students in poverty.

A school 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.

(3) The reading coach must not be assigned a regular
classroom teaching assignment, must not perform administrative
functions that deter from the flow of improving reading instruction
and reading performance of students and must not devote a
significant portion of his or her time to administering or
coordinating assessments. By August 1, 2014, the department must
publish guidelines that define the minimum qualifications for a
reading coach. Beginning in Fiscal Year 2014-2015,
reading/literacy coaches are required to earn the add-on
certification within six years, except as exempted in items (4) and
(5), by completing the necessary courses or professional
development as required by the department for the add-on. During
the six-year period, to increase the number of qualified reading
donors, The Read to Succeed Office shall identify and secure
courses and professional development opportunities to assist
educators in becoming reading coaches and in earning the literacy
add-on endorsement. In addition, the Read to Succeed Office will
establish a process through which a district may be permitted to
use state appropriations for reading coaches to obtain in-school
services from department-approved consultants or vendors, in the
event that the school is not successful in identifying and directly
employing a qualified candidate. Districts must provide to the
Read to Succeed Office information on the name and qualifications
of reading coaches funded by the state appropriations.

(4) Beginning in Fiscal Year 2015-2016 early childhood and
elementary education certified classroom teachers, reading
interventionists, and those special education teachers who provide
learning disability and speech services to students who need to
substantially improve their low reading and writing proficiency
skills, are required to earn the literacy teacher add-on endorsement
within ten five years of their most recent certification by taking at
least two courses or six credit hours every five years, or the
equivalent professional development hours as determined by the
South Carolina Read to Succeed Office, consistent with existing
recertification requirements. By August 1, 2019 and annually
thereafter, the State Board of Education is authorized to approve
guidelines for the professional development, coursework,
certification, and endorsement requirements for K-12 teachers
including special education teachers, interventionists, reading
specialists, and administrators whose responsibilities, either
directly or indirectly, substantially relate to reading and literacy
instruction, support, or interventions. The guidelines approved by
the Board shall also include the issuance of appropriate credit
to individuals who have completed an intensive and prolonged
professional development program like Reading Recovery, Project
Read, the South Carolina Reading Initiative, or another similar
program. Inservice hours earned through professional development
for the literacy teacher endorsement must be used for renewal of
teaching certificates in all subject areas. The courses and
professional development leading to the endorsement must be
approved by the State Board of Education and must include
foundations, assessment, content area reading and writing,
instructional strategies, and an embedded or stand-alone practicum.
Whenever possible these courses shall be offered at a professional
development rate which is lower than the certified teacher rate.
Early childhood and elementary education certified classroom
teachers, reading specialists, and special education teachers who
provide learning disability and speech services to students who
need to improve substantially their reading and writing proficiency
and who already possess their add-on reading teacher certification
can take a content area reading course to obtain their literacy
teacher add-on endorsement. Individuals who possess a literacy
teacher add-on endorsement or who have earned a master’s or
doctorate degree in reading are exempt from this requirement.
Individuals who have completed an intensive and prolonged
professional development program like Reading Recovery, Project
Read, the South Carolina Reading Initiative, or another similar
program should submit their transcripts to the Office of Educator
Licensure to determine if they have completed the coursework
required for the literacy teacher add-on certificate.

(5)—Beginning in Fiscal Year 2015-2016, middle and
secondary licensed classroom teachers are required to take at least
one course or three credit hours, or the equivalent professional
development hours, as determined by the South Carolina Read to
Succeed Office, to improve reading instruction within five years of
their most recent certification. The courses and professional
development must be approved by the State Board of Education
and include courses and professional development leading to the
literacy teacher add-on endorsement. Coursework and professional
development in reading must include a course in reading in the
content areas. Whenever possible these courses shall be offered at
a professional development rate which is lower than the certified
teacher rate. Individuals who possess a literacy teacher add-on
endorsement or who have earned a master’s or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive, prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts to the Office of Educator Licensure to determine if they have completed the coursework or professional development required for the literacy teacher add-on certificate.

(6) Beginning in Fiscal Year 2015-2016 principals and administrators who are responsible for reading instruction or intervention and school psychologists in a school district or school are required to take at least one course or three credit hours within five years of their most recent certification, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office. The course or professional development shall include information about reading process, instruction, assessment, or content area literacy and shall be approved by the Read to Succeed Office.

The Read to Succeed Office shall publish by August 1, 2014, the guidelines and procedures used in evaluating all courses and professional development, including virtual courses and professional development, leading to the literacy teacher add-on endorsement. Annually by January first, the Read to Succeed Office shall publish the approved courses and approved professional development leading to the literacy teacher add-on endorsement.

Beginning July 1, 2020, early childhood, elementary, and special education teacher candidates seeking their initial certification in South Carolina must earn a passing score on a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles as approved by the State Board of Education. The objective of this item is to ensure teacher candidates understand the foundations of reading and are prepared to teach reading to all students.

(6) The State Board of Education shall approve guidelines and procedures to allow in-service educators the option of utilizing the test in subitem (5) to exempt requirements established by the State Board pursuant to subitem (4). As part of this process, the board shall set a minimum cut score which an in-service educator must achieve in order to take advantage of this provision. An educator’s score on this assessment may not be used for evaluation purposes. Contingent upon funding by the General Assembly, this test shall be provided at no cost to the educator.
Beginning July 1, 2020 and annually thereafter, the Commission on Higher Education, in consultation with the Department of Education shall conduct an analysis to determine the effectiveness of each teacher education program in preparing teachers to diagnose a child’s reading problems and to provide small group and individual student interventions that are scientifically based and evidence-based. The department shall provide this information to the Learning Disorder Task Force in 59-33-550. At a minimum, the analysis must evaluate each teacher education program as it relates to preparing teachers with knowledge and expertise in the six components of the reading process:

(a) comprehension;
(b) oral language;
(c) phonological awareness;
(d) phonics;
(e) fluency; and
(f) vocabulary.

The commission shall report its findings of its analysis conducted pursuant to item (1) and recommendations for improving teacher education programs shall be reported to the Governor and to the General Assembly.”

SECTION 21: Intentionally left blank

SECTION 22. Article 3, Chapter 18, Title 59 is amended by adding:

“Section 59-18-365. (A) For the purposes of monitoring student progress and tracking growth toward college and career readiness and beginning with the 2020-2021 School Year, the Department of Education shall track student performance from kindergarten through grade twelve in reading and mathematics along a common, consistent scale that is nationally recognized and approved by the Education Oversight Committee. The department at least annually before August fifteenth shall provide the resulting measures of student performance to parents and teachers. These measures must be designed to help parents and teachers better understand what skills and concepts the student is ready to learn and help to form instruction, track growth, and identify appropriate resources for the students. The local school district also shall provide information on Lexile and Quantile measures on
interim/benchmark assessments administered at the local school
district or local school during the school year.

(B) The department shall provide online and printed resources
for assisting parents in improving student growth in reading and
mathematics to ensure all students graduate with the skills to be
college and career ready. The parent resources must include
information that identifies Lexile and Quantile scores recommended
for specific careers.

(C) The department shall provide resources to assist teachers in
using the common, consistent scale measures to improve the
teaching and learning of reading and mathematics.

(D) The formative assessments adopted pursuant to Section 59-
18-310(D) shall be linked to common, consistent scales in reading,
mathematics, or both. Formative assessments approved pursuant to
Section 59-18-310 must provide a common, consistent scale in
reading, mathematics, or both.

(E)(1) In kindergarten through second grade, local schools and
districts may select assessments designed to measure students’
reading and mathematical performance that report the common,
consistent scales. Those measures should then be reported to the
department, and also shared with students, parents, and teachers.

(2) In third grade through eighth grade, the statewide
assessment program in English/language arts and mathematics that
are administered pursuant to Section 59-18-325(C)(1) must provide
Lexile measures that report information on the student’s reading
ability and Quantile measures that describe the student’s
understanding of mathematical skills and concepts at the individual
student level.

(3) Assessments offered and administered at the high school
level pursuant to Section 59-18-325(A) and the end of course
assessments administered pursuant to Section 59-18-320(C) should
when available measure students’ reading ability and mathematical
understanding on these same Lexile and Quantile scales. Those
measures must be reported to the department and shared with
students, parents, and teachers.

(F) Before January 1, 2021, the department and State Board for
Technical and Comprehensive Education shall establish sufficient
common minimum admission scores standards to include high
school equivalency standards, that do not require a student to attend
or enroll in reading or mathematics remediation at the postsecondary
level.

SECTION 23: Intentionally left blank
SECTION 24. Section 59-18-1950(B)(1) of the 1976 Code is amended to read:

“(1) The Revenue and Fiscal Affairs Office, working with the Office of First Steps to School Readiness, the South Carolina Department of Education, the South Carolina Commission on Higher Education, the Department of Social Services, the South Carolina Technical College System, the Department of Commerce, the Department of Employment and Workforce, and other state agencies or institutions of higher education, shall develop, implement, and maintain a universal identification system that includes, at a minimum, the following information for measuring the continuous improvement of the state public education system and the college and career readiness and success of its graduates:

(a) students graduating from public high schools in the State who enter postsecondary education without the need for remediation;

(b) students graduating from public high schools in the State who enter postsecondary education with the need for remediation;

(c) working-aged adults in South Carolina by county who possess a postsecondary degree or industry credential;

(d) high school graduates who are gainfully employed in the State within five and ten years of graduating from high school; and

(e) outcome data regarding student achievement and student growth that will assist colleges of education in achieving accreditation and in improving the quality of teachers in classrooms.”

SECTION 25: Intentionally left blank

SECTION 26. Section 59-59-20 of the 1976 Code is amended to read:

“(A)(1) The Department of Education shall develop a curriculum, aligned with state content standards, organized around a career cluster system that must provide students with both strong academics and real-world problem solving skills. Students must be provided individualized educational, academic, and career-oriented choices and greater exposure to career information and opportunities. This system
must promote the involvement and cooperative effort of parents, teachers, and school counselors in assisting students in making these choices, in setting career goals, and in developing individual graduation plans to achieve these goals.

(B) School districts must lay the foundation for the clusters of study system in elementary school by providing career awareness activities. In the middle grades programs must allow students to identify career interests and abilities and align them with clusters of study for the development of individual graduation plans.

Finally, high school students must be provided guidance and curricula that will enable them to complete successfully their individual graduation plans, preparing them for a seamless transition to relevant employment, further training, or postsecondary study.

On or before August 1, 2022, the Department of Education, in collaboration with the Technical College System, the Commission on Higher Education, the Department of Employment and Workforce, and the Department of Commerce, shall develop a career pathways system that:

(a) aligns public education and postsecondary education systems and the career and technology education services provided within and across program providers;
(b) aligns with state and regional workforce needs;
(c) provides students, teachers, parents, and families with general information about career pathways and with strategies to support students in acquiring the academic, employability, and technical skills that employers demand; and
(d) promotes the involvement and cooperative effort of parents, teachers, and school counselors in assisting students in making these choices, in setting career goals, and in developing individual graduation plans to achieve these goals.

(2) After developing the career pathways system provided in subsection (A), the department shall develop a curriculum that:

(a) is aligned with state content standards, organized around the career pathways system and system of career clusters, which may be based on national career clusters, aligned with state and regional workforce needs as determined by the Department of Commerce;
(b) provides students with both strong academic and real-world problem-solving skills;
(c) provides students with individualized educational, academic, and career-oriented choices and greater exposure to career information and opportunities; and
(d) provides online and printed resources for assisting parents in improving student growth in reading and mathematics to
ensure all students graduate with the skills to be college and career ready. These parent resources must include information that identifies specific careers and the reading and mathematics demands expected in those careers.

(B)(1) In elementary school, districts shall establish a foundation for the career pathways system and career clusters by providing career awareness activities and, at least annually, informing students, parents, and teachers of the student’s progress toward having the academic skills in reading and mathematics needed as a foundation for a successful pathway through graduation and post-secondary study.

(2) In middle school, districts shall assist students in:
   (a) identifying career interests and abilities; and
   (b) developing individual graduation plans that align the interests and abilities of the student as identified pursuant to subitem (a) with related career pathways and clusters of study.

(3) In high school, districts shall provide guidance and curricula that will enable them to complete successfully their individual graduation plans, preparing them for a seamless transition to relevant employment, further training, or postsecondary study.”

SECTION 27. Section 59-59-50 of the 1976 Code is amended to read:

“Section 59-59-50. (A)(1) Before July 1, 2006, the Department of Education shall develop state models and prototypes for individual graduation plans and the curriculum framework for career clusters of study. These clusters of study may be based upon the national career clusters and may include, but are not limited to:

   (1) agriculture, food, and natural resources;
   (2) architecture and construction;
   (3) arts, audio-video technology, and communications;
   (4) business, management, and administration;
   (5) education and training;
   (6) finance;
   (7) health science;
   (8) hospitality and tourism;
   (9) human services;
   (10) information technology;
   (11) law, public safety, and security;
   (12) manufacturing;
   (13) government and public administration;
(14) marketing, sales, and service; (15) science, technology, engineering, and mathematics; and (16) transportation, distribution, and logistics. Beginning with the 2020-2021 School Year and every five years thereafter, the Department of Education shall:

(a) develop pathways under each career cluster; and
(b) develop programs of study under each pathway.

(2) In developing programs of study as provided in item (1) (b), the department shall emphasize the high-skill and in-demand pathways that the state Workforce Innovation and Opportunity Act plan and Coordinating Council for Workforce Development have identified as critical to the state’s workforce development system.

(B) The Department of Education is to include in the state models and prototypes for individual graduation plans and curriculum framework the flexibility for a student to develop an individualized plan for graduation utilizing courses offered within the clusters at the school of attendance. Any plan of this type is to be approved by the student, parent or guardian, and the school guidance staff.

(C) Before August 1, 2021, the Department of Education in collaboration with the Education and Economic Development Act Coordinating Council shall develop a pathway certification process for high schools and postsecondary institutions. To ensure students have seamless pathways to in-demand careers, the Regional Education Centers shall create alignment between public education and postsecondary education and employers."

SECTION 28: Section 59-59-60 of the 1976 Code is amended to read:

Before July 1, 2007, school districts shall:

(1) organize high school curricula around a minimum of three clusters of study and cluster majors. The curricula must be designed to provide a well-rounded education for students by fostering artistic creativity, critical thinking, and self-discipline through the teaching of academic content, knowledge, and skills that students will use in the workplace, further education, and life;

(2) promote increased awareness and career counseling by providing access to the South Carolina Occupational Information System for all schools. However, if a school chooses another occupational information system, that system must be approved by the State Department of Education
Beginning with the 2021-2022 School Year, school districts shall:

1. Organize high school curricula around a minimum of three career pathways that are targeted to the regional and state workforce needs. The district must offer at least one pathway in each career center or in each high school and at least one high-skill and in-demand pathway as identified in the state’s Workforce Innovation and Opportunity Act plan. Districts shall coordinate with other school districts to ensure that students have increased access to multiple pathways. Students approved to take coursework outside of their attendance zone, to include across district lines, may be transported by school bus at no cost to the student or school district provided the route information has been submitted to the department. The department is permitted to utilize state funds to initiate and foster cross district programs and may mandate that districts participate in such programs as a condition of receipt of state funding. The curricula must be designed to provide a well-rounded education as defined by the “Every Student Succeeds Act” to prepare students for multiple pathways, including postsecondary credentials, advanced coursework, IB and dual enrollment. The pathways must foster the life and career characteristics, world class knowledge, and skills identified in the Profile of the South Carolina Graduate;

2. Promote increased awareness and career counseling that focus on the regional and state workforce needs and on the careers that require a high school diploma, industry certification, postsecondary degree, or postsecondary credential; and

3. Review the pathways selected by the districts every two years and determine if a different pathway is more appropriate for local workforce needs. Districts shall report their process used in determining whether to keep or replace a pathway to the State Board of Education.”

SECTION 29. Section 59-53-30 of the 1976 Code is amended to read:

“Section 59-53-30. (A) Before August 1, 2021 the State Board for Technical and Comprehensive Education shall establish common minimum admission standards for institutions within its jurisdiction, and may differentiate based on areas of study for programs that award credit toward a degree, certificate, or diploma. For individuals who do not meet the minimum scores, the colleges shall provide information regarding continuing education programs...[419] 37
and other programs that do not award credit toward a degree, certificate, or diploma.

(B) Institutions of the South Carolina Technical Education System shall maintain open admissions policies unless determined to be economically unfeasible by the State Fiscal Accountability Authority and establish and maintain low tuition and fees in order to provide access to post-secondary education and insure that such educational opportunities shall not be denied to anyone.

(C) Upon request and justification and with the approval of the State Board of Education, the Board may authorize an institution within its jurisdiction to contract with local school districts to offer adult literacy courses and programs and secondary-level vocational career and technical education courses and programs.

(D) Upon request and justification and with the approval of the Commission on Higher Education, the Board may authorize an institution within its jurisdiction to offer two-year college parallel programs. The Commission on Higher Education shall approve all criteria for college parallel courses.”

SECTION 30. Section 59-150-360(A) and (F) of the 1976 Code is amended to read:

“(A)(1) A person who qualifies for in-state tuition rates pursuant to Chapter 112, Title 59 may receive tuition assistance to attend a technical college of this State or a public two-year institution of higher learning. A person who qualifies for in-state tuition rates pursuant to this title may attend an independent two-year institution of higher learning and receive lottery tuition assistance each year limited to the highest amount of tuition assistance received by students at public two-year institutions. In order to qualify as a first time entering freshman and before attempting twenty-four academic credit hours, a student must:

(4a) be a South Carolina resident for a minimum of one year;

(2b) be enrolled and maintain six credit hours each semester in a certificate, degree, or diploma program;

(3c) make reasonable progress toward completion of the requirements for the certificate, degree, or diploma program;

(4-d) if enrolled in a program awarding college credit, complete a Free Application for Federal Student Aid (FAFSA) application. If a student feels that he will definitely not qualify to receive federal financial aid, the student may complete a simple form of minimum questions created by the State Board for
Technical and Comprehensive Education and the Commission on Higher Education to determine if the student definitely will not qualify to receive federal financial aid. If it is determined that the student definitely will not qualify to receive federal financial aid, the student shall sign a form created by the State Board for Technical and Comprehensive Education and the Commission on Higher Education, and the student is exempted from completing the Free Application for Federal Student Aid. The State Board for Technical and Comprehensive Education and the Commission on Higher Education shall promulgate regulations to set thresholds for determining if a student definitely will not qualify to receive federal financial aid; and not be the recipient of a LIFE Scholarship.

(2) Regulations for implementation of this section are the responsibility of the South Carolina State Board for Technical and Comprehensive Education, for the technical college system, and the Commission on Higher Education, for the two-year public and private institutions. These regulations must be developed in a coordinated effort, provide for the allocation of funds based on the tuition assistance granted at each institution, and be interchangeable between each of the institutions affected.

(F) In order for a student seeking credit hours for a certificate, degree, or diploma to be eligible after attempting twenty-four academic credit hours the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale.”

SECTION 32: Chapter 43, Title 59 is amended by adding:

The General Assembly recognizes a need to increase the percentage of working-aged adults with a postsecondary degree or industry credential by encouraging closer partnerships between the State Board for Technical and Comprehensive Education and the State Board of Education in providing these programs. The State Board for Technical and Comprehensive Education in collaboration with the State Board of Education shall look at additional pathways of cooperation to better facilitate adult education in an efficient and cost effective manner. They shall provide a report detailing their findings, to include student participation, retention and completion numbers, to the General Assembly by June 1, 2020.
SECTION 33: Intentionally left blank

PART V

Educator Development and Satisfaction

Subpart I

Educator Preparation

SECTION 34. Article 11, Chapter 18, Title 59 of the 1976 Code is amended by adding:

"Section 59-18-1115. (A) The State Department of Education is directed to establish a pilot program by May 1, 2020 which will permit schools that have received an overall rating of 'Excellent' on the annual report card for at least two consecutive years to hire noncertified teachers in a ratio of up to ten percent of its entire teaching staff. In order to effect the establishment of the pilot, the State Board of Education, through the department, shall approve guidelines which at a minimum shall include the following:

1. A noncertified teacher must possess a baccalaureate or graduate degree in the subject he is hired to teach and must have at least five years of relevant workplace experience;
2. Procedures for non-certified teachers to participate in the evaluation process pursuant to 59-26-30(B)(4) and (5); and
3. Training required to ensure that the non-certified teachers are prepared to enter the classroom.

(B) Participation in the pilot program is optional, and the decision for participation rests solely with the Department and with the school principal upon approval of the district superintendent. Participating schools and districts are encouraged to collaborate on recruitment, training, and implementation of the pilot, and to assist the department with establishing best practices.

(C) The department shall establish a separate code in the professional coding system to capture non-certified teachers and shall continue to report this information on the school report cards.

(D) Beginning November 1, 2021, SDE is to submit an annual report to the General Assembly which shall include recommendations for improving, expanding, or continuing the pilot. At the end of the five-year pilot, the annual status report shall include a recommendation regarding continuance of the program."
Section 59-25-115 of the 1976 Code is amended by adding a subsection at the end to read:

( ) The department shall establish procedures for the registration and clearance of all non-certified educators working in any public school, to include a public charter school. Educators shall submit required documentation and fees to the department which shall include, but is not limited to: a completed registration form, associated fee, transcripts which shall be subject to review, FBI, SLED and NASDTEC Clearinghouse checks. An educator whose South Carolina educator certificate has been suspended or revoked shall not be employed as a non-certified teacher. If a non-certified teacher commits an offense covered by the Code of Conduct as promulgated by the State Board of Education the board is authorized to revoke the educator’s registration.

SECTION 35. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59-25-25. (A) The State Board of Education is authorized to approve alternative route providers and programs for educator preparation and certification. Educator preparation programs housed within an institution of higher education (IHE) may be approved as an alternative route provider and may submit a separate and distinct educator preparation program for alternative certification to the State Board of Education for approval. These alternative preparation programs are not required to be nationally accredited, but consistent with other alternative preparation programs, IHE-led alternative programs must include, but are not limited to, documented evidence of the following:

(1) budget and sources of revenue including fees paid by the candidates;
(2) organizational information including the names and qualifications of administrators, support staff, and faculty;
(3) entry requirements for candidates for each certification area program offered by the applicant;
(4) plans for curriculum offerings including delivery method and timeframe, field placements, field supervision plans, and assessments of success;
(5) partnerships with public schools for clinical experiences, if applicable, including signed memoranda of agreement with detailed responsibilities for the alternative route educator provider program and the school district;
evidence of annual successful teaching experience by the candidates and progress toward obtaining a professional certificate; ongoing monitoring of candidates’ performances in the classroom while in the alternative route program; and mentoring provided by the educator preparation program.

(B) The department annually shall report the total number of individuals employed in this State, by district, with certificates issued by IHE alternative programs to the State Board of Education and the General Assembly before March thirty-first of each year.”

SECTION 36. Section 59-26-20 of the 1976 Code is amended by adding a subsection at the end to read:

“( ) The State Board of Education, through the State Department of Education, and the Commission on Higher Education, shall develop and implement a plan for the cyclical evaluation process for all educator preparation providers and programs every seven years. The plan shall include requirements for initial and continuing approval and must include evidence of annual successful teaching experience of educators, differentiated by program. The Board shall include a process for revocation of program approval, continuous evaluation and upgrading of standards for program approval of undergraduate and graduate education training programs of colleges and universities in this State.

An educator preparation provider is defined as the entity responsible for the preparation of educators. An educator preparation program is defined as a sequence of academic courses and experiences leading to a degree and/or state certification.

SECTION 37. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59-26-35. (A) The State Board of Education, with the assistance of the Department of Education, the South Carolina Commission on Higher Education, and Revenue and Fiscal Affairs Office, shall develop and annually shall produce a teacher preparation data dashboard that shall provide, at a minimum, the following:

(1) number of undergraduate and graduate completions;
(2) placement and retention rates by district and region of the state;

(3) performance of candidates on basic skills examination;

(4) ability of program to recruit a strong, diverse cohort of candidates and prepare them to teach in the content areas of greatest need;

(5) quality of clinical experiences; and

(6) effectiveness of individuals who completed a provider’s program and are employed in a public school classroom. The information must be differentiated by provider and, where applicable, across content areas.

(B) The State Department of Education, each educator preparation provider, and each school district shall report all data as requested by the State Board of Education and necessary to produce the dashboard which shall be published on the Department’s website.”

SECTION 38. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59-26-120. (A) Using the Longitudinal Data System established pursuant to 59-18-1950, the State Department of Education annually before December first shall provide each college of education and state-approved educator preparation program with information regarding its graduates. Information must be provided to a college of education or educator preparation program regarding each of its individual educator graduates and alternative program participants and completers, and must include, but is not limited to:

(1) SCPASS and SC READY, or the succeeding assessment, scores aggregated by classroom, content, and/or grade, school, district, and learner demographic;

(2) Student learning objective data aggregated by classroom, content, and/or grade, school, district, and learner demographic;

(3) results of ADEPT Evaluation by individual educator graduate;

(4) records of employee certification by individual educator graduate; and

(5) other information requested by the programs designed to enhance the ability of the college of education or educator preparation program to provide improved education services.

(B) A college of education or educator preparation program receiving individualized information regarding its graduates pursuant to subsection (A) shall:
(1) develop and use a unique system for identifying each individual educator graduate for whom it receives such individualized information;  
(2) strictly maintain the confidentiality of all information that can be used to identify an individual educator graduate for whom it receives such information; and  
(3) not share such information with a third party without the express written consent of the educator.  
(C) Information provided to a college of education or educator preparation program pursuant to this section is not subject to the provisions of the Freedom of Information Act.”

Subpart II

Satisfaction Survey

SECTION 39. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59-25-52. (A) Recognizing that supportive working conditions for teachers make it more likely that teachers will continue with, and prosper in the profession, the Center for Educator Recruitment, Retention and Advancement (CERRA) shall use and update the teacher survey currently administered by the department. CERRA annually shall administer the uniform, confidential, and online survey of all public school teachers to evaluate teacher satisfaction. CERRA shall collect and analyze the survey information received and ensure publication of results pursuant to this Section. Among other things, the survey should assess teacher perceptions of:

(1) school administrative support and district administrative support;  
(2) student behavior;  
(3) decision making roles;  
(4) parental support;  
(5) amount of paperwork and routine duties;  
(6) availability of resources;  
(7) communication with principal;  
(8) cooperation among the staff;  
(9) staff recognition;  
(10) control in classroom;  
(11) influence over school policy;  
(12) student absenteeism;  
(13) student apathy; and
(14) violence.

(B) CERRA shall compile, analyze and report survey results for each school, district, and statewide. These reports must be:

(1) provided to the Education Oversight Committee and each school district board, school district superintendent, school principal, and school teacher; and

(2) published by the State Department of Education, CERRA, the Education Oversight Committee, each school district, and each school in a conspicuous place on the respective websites. A district only must publish the results for the district and a school only must publish the results for the school. Yearly results must be published online and maintained for ten years.”

Subpart III

Incentives

SECTION 40. Section 59-20-50 of the 1976 Code is amended to read:

“Section 59-20-50. (1) Notwithstanding the computations prescribed in Section 59-20-40, the level of state contributions to each district shall not be reduced to a per-pupil level of foundation program funds below that per-pupil level of state funding of programs for the fiscal years prior to implementation of this chapter which will be incorporated in the foundation program. Provided, no district shall receive annually an increase in state funds less than the full rate of the inflationary adjustment in the base student cost specified in Section 59-20-40(1)(b). This increase shall be computed annually over and above the amount actually received from the State for the foundation program in the prior fiscal year.

Provided, further, after the fiscal year 1982-83 no district shall receive annually an increase in state funds less than four-fifths of the inflationary adjustment in the base student cost specified in Section 59-20-40(1)(b). This increase shall be computed annually over and above the amount actually received from the State for the foundation program in the prior fiscal year.

Beginning July 1, 1994, no additional school district shall receive hold-harmless funds under this subsection due to decreases in student numbers or upward adjustments in the index of taxing ability.

(2) Notwithstanding any provisions of this chapter, any local school district may increase the local effort above the foundation
program funding level as deemed necessary to meet the aspirations of the people of the district.

(3) Eighty-five percent of the funds appropriated through state and local effort for each weighted classification shall be spent in direct and indirect aid in the specific area of the program planned to serve those children who generated the funds. Districts expending less than the required eighty-five percent of the appropriated amount shall be subject to a penalty the following fiscal year in the amount equal to the difference between the amount spent and the required eighty-five percent figure. However, this requirement shall not apply to the funds generated by children in the pupil classification “Speech Handicapped Pupils”.

(4)(a) Each school district shall pay each certified teacher or administrator an annual salary at least equal to the salary stated in the statewide minimum salary schedule for the person’s experience and class. No teacher or administrator employed in the same position, over the same time period, shall receive less total salary, including any normal incremental increase, than that teacher or administrator received for the fiscal year before the implementation of this article.

(b) The state minimum salary schedule must be based on the state minimum salary schedule index in effect as of July 1, 1984. Beginning with Fiscal Year 2019-2020, the minimum starting teacher salary for a teacher with no years of experience and a bachelor’s degree shall be at least thirty-five thousand dollars. The General Assembly shall establish the starting teacher salary, the salary schedule, and the Education Finance Act inflation factor each year in the annual Appropriations Act. Annual salary increases must be based on funding provided by the General Assembly in the annual Appropriations Act and provided through adjustments in the salary schedule to educators identified by the State Department of Education as eligible to receive the Education Improvement Act teacher salary supplement during Fiscal Year 2018-2019 as reported to the Revenue and Fiscal Affairs Office. In Fiscal Year 1985 the 1.000 figure in the index is $14,172. (This figure is based on a 10.27% increase pursuant to the South Carolina Education Improvement Act of 1984.) Beginning with Fiscal Year 1986, the 1.000 figure in the index must be adjusted on a schedule to stay at the southeastern average as projected by the Office of Research and Statistic of the Revenue and Fiscal Affairs Office and provided to the General Assembly during their deliberations on the annual appropriations bill. The southeastern average teacher salary is the average of the average teachers’.
salaries of the southeastern states. In projecting the southeastern
average, the office shall include in the South Carolina base teacher
salary all local teacher supplements and all incentive pay. Under
this schedule, school districts are required to maintain local salary
supplements per teacher no less than their prior fiscal level. In
Fiscal Year 1986 and thereafter teacher pay raises through
adjustments in the state’s minimum salary schedule may be
provided only to teachers who demonstrate minimum knowledge
proficiency by meeting one of the following criteria:
(1) holding a valid professional certificate;
(2) having a score of 425 or greater on the Commons
Examination of the National Teachers Examinations;
(3) meeting the minimum qualifying score on the
appropriate area teaching examination; or
(4) meeting the minimum standards on the basic skills
examinations as prescribed by the State Board of Education
provided in Section 59-26-20.

SECTION 41: Intentionally left blank

SECTION 42: Intentionally left blank

SECTION 43. Article 1, Chapter 19, Title 59 of the 1976 Code
is amended by adding:
“Section 59-19-360. The board of trustees of a local school
district may authorize the daily mileage reimbursement of a
teacher who must travel more than twenty-five miles each way
between home and school. This reimbursement may not exceed the
existing federal reimbursement rate for mileage.”

NEW SECTION XX

Section 49-25-XXX of the 1976 Code is amended by adding a
subsection at the end to read:
“( ) By October 1, 2019, each school district board of trustees
shall establish a policy for the schools under its jurisdiction, in
providing all full-time teachers assigned to a classroom with duty-
free time during each school day as required in this subsection.
The duty-free time provided under the policy:
shall be established pursuant to the local board policy and may vary by school within the district, and by grade
(2) shall be for the equivalent of at least thirty minutes on a daily basis, and may include flexible or rotating hours;
(3) may be during the lunch period, or at other times during the regular school day;
(4) may not withheld or reduced on a given day, except as occasionally reasonable and necessary to ensure safety and proper supervision of students; and
(5) may not include an option for additional pay in lieu of duty-free time.

SECTIONS 44-46: Intentionally left blank

PART VII

Local School Board Accountability

SECTION 47. Chapter 19, Title 59 of the 1976 Code is amended by adding:

“Article 5

Local School Governance

Section 59-19-710. The purpose of this article is to enhance local school governance by promoting the highest standards of ethical behavior.

Section 59-19-720. For purposes of this article, ‘board member’ means a person holding membership, whether by election or appointment, on a board of education, including a charter school board and the South Carolina Charter School District board, other than the State Board of Education.

Section 59-19-730. (A) The State Board of Education shall adopt a model code of ethics for local school board members before July 1, 2020. This model code of ethics also shall include appropriate consequences for violations of provisions of the model code of ethics. The State Board of Education periodically may adopt revisions to the model code of ethics as it considers necessary.
(B)(1) A local school board shall adopt a local code of ethics applicable to that board within three months after adoption of the model code of ethics by the State Board of Education. A local code must include, at a minimum, the model code of ethics.

(2) If the State Board of Education adopts a revision to the model code of ethics, a local school board shall adopt and incorporate the revision into its local code within three months of the adoption of the revision by the state board.

(3) A local school board only may adopt its local code of ethics or any changes to that local code at a regularly scheduled meeting.

(4) A local school board may not adopt or follow a code of ethics that prevents its members from discussing freely the policies and actions of the board outside of a board meeting. This does not preclude a local school board from adopting a policy in a regularly scheduled meeting that prohibits certain disclosures allowed by law.

(5) A local school board shall submit a copy of its local code of ethics and subsequent revisions to the State Department of Education within thirty days of adoption.

(6) Nothing contained in this section may be construed to repeal, replace, or preclude application of any other statute.

SECTION 49: Intentionally left blank

SECTION 50: Intentionally left blank

SECTION 51. Section 1-3-240(A) of the 1976 Code is amended to read:

“(A) Any officer of the county or State, an elected or appointed official of the State, a county, a municipality, or a political subdivision thereof, including candidates for the office, except:

(1) an officer whose removal is provided for in Section 3 of Article XV of the State Constitution;

(2) an officer guilty of the offense named in Section 8 of Article VI of the State Constitution; or
pursuant to subsection (B) of this section, an officer of the State appointed by the Governor, either with or without the advice and consent of the Senate; who is guilty of malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity must be subject to removal by the Governor upon any of the foregoing causes being made to appear to the satisfaction of the Governor. Before removing any such officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard.”

SECTION 52. Section 59-19-45 of the 1976 Code is amended to read:

“Section 59-19-45. (B) (A) Within one year of taking office, all persons elected, reelected, or appointed as members of a school district board of trustees after July 1, 1997, regardless of the date of their election, reelection, or appointment or reappointment, shall complete successfully an orientation program in the powers, duties, and responsibilities of a board member including, but not limited to, topics on policy development, personnel, superintendent and board relations, instructional programs, district finance, school law, ethics, nepotism, conflict of interest, and community relations. This program must be offered by a district or its designee, and completed by each board member within one year after his election, reelection, appointment, or reappointment. This program also must be offered by a district or its designee and completed by each board member within one year after the effective date of this act.

(A) (B)(1) The orientation shall be approved by the State Board of Education and conducted by public or private entities approved by the State Board of Education such as the South Carolina School Boards Association. By December 31, 2019, the State Board of Education shall adopt a model training program for training local school board members. The State Board of Education shall tri-annually review the training program as it considers necessary, and adopt revisions.

(2)(a) A local school board shall adopt a local training program applicable to that board within three months after adoption of the model training program by the State Board of Education. A training program must include, at a minimum, the model training program adopted by the State Board of Education.

(b) If the State Board of Education adopts a revision to the training program, a local school board shall adopt and incorporate...
the revision into its local training program within three months of
the adoption of the revision by the State Board of Education.

(c) A local school board only may adopt its local training
program or any changes to that local training program at a
regularly scheduled meeting.

(C) The provisions of this section also apply to members
of county boards of education appointed or elected after July 1,
1997, in the same manner the provisions of this section apply to
members of school district boards of trustees.

(D) The provisions of this section do not apply to a school
board trustee or county board of education member who was
serving in such office on July 1, 1997, and who is continuously
reelected or reappointed to office thereafter.

In addition to meeting other requirements provided by law, a
person serving on a school board shall sign a statement asserting
that he understands and is in compliance with, the South Carolina
Ethics law and the applicable local code of ethics, and the training
required under this Section.

(D) The State Department of Education shall reimburse a
school district or county board of education conducting an
orientation for a new board member as required by this section at
the rate of eighty dollars for a member, provided that the total
reimbursements by the department in one fiscal year must not
exceed ten thousand dollars. If the total projected cost of these
reimbursements for a year as determined by the department
exceeds ten thousand dollars, the eighty-dollar reimbursement for
each new member must be reduced proportionately. If funds are
not available for these reimbursements, the board member
orientation is not required but may be conducted at the option of a
school district or county board of education. The State Board of
Education shall establish guidelines and procedures for these
reimbursements.

(F) The State Department of Education must keep a record of
the school board trustees who complete the orientation program.
At the beginning of each calendar year, the local board shall certify
compliance with provisions of subsection (C) by all board
members, and publish this certification in the minutes of the next
regularly scheduled school board meeting.

SECTION 53. Intentionally left blank

SECTION 54. Intentionally left blank
SECTION 55. Intentionally left blank

SECTION 56. Intentionally left blank

SECTION 57. Intentionally left blank

SECTION 58. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SEC. XX Section 59-39-100 of the 1976 Code is amended to add a new subsection at the end:

(G) (1) Beginning with School Year 2019 - 2020, a district school board or charter school sponsor may establish a board policy to require all high school students without a scheduled class or classes for the remainder of a school day to remain at their assigned school until the end of that regular school day, unless the student:
(a) is actively participating in a college or career readiness activity, class, or course away from the school, including but not limited to work-based learning, an approved apprenticeship, internship, or externship, or a senior project;
(b) is actively involved in an ongoing community service project;
(c) regularly schedule for a volunteer or service activity, such as tutoring or mentoring another student;
(d) is gainfully employed; or
(e) provides a written request from his parent or guardian requesting an exemption from the requirement.
(2) The district board or charter sponsor policy established may require a uniform district-wide policy, or include provisions allowing each high school under its governance to establish a policy unique to its students’ needs that is uniformly applied within the school.
SECTION 59. This act takes effect upon approval by the Governor.

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