

SENATE AMENDMENT

AMENDMENT NO. _____

Parrish/Landau
April 11, 2019

D

ADOPTED

TABLED

CARRIED OVER

FAILED

RECONSIDERED

R

Clerk of the Senate

ADOPTION NO. _____

BILL NO: S. 419

(Reference is to the original version.)

A

Senator HEMBREE proposed the following amendment (not yet finalized):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

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

Act”.

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PART I

T

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 postsecondary 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. 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~~ fails 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 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 be a sufficient warrant to such person to perform all of the duties and functions of his office.

(3) Any vacancy shall 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 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 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 ~~is~~ 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 shall also 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 provide a comprehensive report to the Governor and the General Assembly before December first that specifically identifies key benchmarks within the zero-to-twenty 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 shall 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 of Education shall also recommend any legislation he considers necessary."

PART III

Enhancements to Workforce Preparation

Subpart I

Computer Science and Mathematics Coursework

SECTION 4. 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) At least every five years, the State Board of Education shall conduct a cyclical review of grade appropriate standards for computer science, computational thinking, and computer coding for grades nine through twelve. 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 that:

- (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 the diverse students who will pursue postsecondary education or who will enter careers in computer and information technology upon graduation; and
- (4) is made available in a traditional classroom setting, dual enrollment course, blended learning environment, online-based format, 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 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) develop criteria for postsecondary computer science teacher preparation programs, in conjunction with the State Board of Education, which shall develop guidelines creating certification pathways for computer science teachers;

(6) provide information and materials that 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 5. Section 59-18-310(B)(1) of the 1976 Code is amended to read:

“(B)(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 6. Section 59-18-320(B) of the 1976 Code is amended to read:

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

“(3) ~~Beginning with the 2017-2018 School Year, the~~ 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.~~”

Subpart III

Early Childhood Literacy Reports

SECTION 8. Chapter 156, Title 59 of the 1976 Code is amended by adding:

“Section 59-156-250. (A) Beginning with fiscal year 2018-2019, the Education Oversight Committee as a component of a Kindergarten Readiness Program Report shall annually provide the following information, relying on 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, at the district and the state level:

(1) the number of four-year-old children eligible for the South Carolina Child Early Reading Development and Education Program and the number of four-year-old children enrolled in, and the number funded, at the forty-fifth and one hundred thirty-fifth day of the program, provided that this information must be reported by the school district and the Office of First Steps through its 4-K 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 4-K providers, and Head Start or ABC Voucher programs;

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

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

(5) the number of spaces available to serve four-year-old children, the number of openings available, and the number of children on a wait-list as of August first for 4-K 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 pursuant to item (5).

(B) As 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 15, 2020, the Education Oversight Committee shall annually submit a Kindergarten Readiness Program Summary Report to the General Assembly. If funding is provided, a Kindergarten Readiness Comprehensive

Analysis Report may be submitted at least every three years to satisfy the reporting requirement. The information pursuant to subsections (A) and (B) must be included in the annual report submitted, which shall also include year-over-year trend information.”

SECTION 9. A. Section 59-104-20 of the 1976 Code is amended to read:

“Section 59-104-20. (A) The Palmetto Fellows Scholarship Program is established to foster scholarship among the state’s post-secondary students and retain outstanding South Carolina high school graduates in the State through awards based on scholarship and achievement. Measures must be taken to ensure equitable minority participation in this program. Recipients of these scholarships are designated Palmetto Fellows. Each Palmetto Fellow shall receive a scholarship in an amount not to exceed six thousand seven hundred dollars. These scholarships in combination with all other grants and scholarships shall not exceed the cost of attendance at the institution attended. The commission shall promulgate regulations and establish procedures to administer the program and request annual state appropriations for the program.

(B) Students, either new or continuing, must not have been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a Palmetto Fellows Scholarship, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such scholarships after the expiration of one academic year from the date of the adjudication, conviction, or plea.

(C) Of the funds made available for higher education Palmetto Fellows Scholarships for any year, a percentage thereof must be allocated for students attending South Carolina independent colleges of higher learning in this State. This percentage must be equivalent to the percentage of the independent colleges’ share of the total South Carolina resident undergraduate full-time enrollment (FTE) of all public and independent higher education institutions in South Carolina based on the previous year’s data as determined by the Commission on Higher Education and the South Carolina Tuition Grants Commission.

(D) After expending funds appropriated for Palmetto Fellows Scholarships from all other sources, there is automatically appropriated from the general fund of the State whatever amount is necessary to provide Palmetto Fellows Scholarships to all persons meeting the requirements of this section.

(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.

(2) 'Resident student' means a:

(a) student who is either a member of a class graduating from a high school located in 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, or a student graduating 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; and

(b) student classified as a resident of South Carolina for in-state tuition purposes under Chapter 112 of this title at the time of enrollment at the institution.

(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 twenty-five 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 ~~an equivalent~~ a score of thirty-one on the ACT score; and

(b) a cumulative ~~4.0~~ 4.3 grade point ratio on the Uniform Grading Scale at the end of the junior or senior year.

(3) Qualifying scores must be certified by the high school on the Palmetto Fellows Scholarship application by the scholarship application deadline. For the purposes of meeting the rank criteria pursuant to this subsection, 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 Palmetto Fellows Scholarship.

(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 the maximum number of semesters for which the student may be eligible for the scholarship.

(I) The Commission on Higher Education shall, by regulation, define alternative qualifications for an exceptionally gifted student who is a resident of South Carolina and is accepted into an institution of higher learning without having attended or graduated from high school.

(J)(1) A student receiving a Palmetto Fellows Scholarship, in order to retain it, and a student currently enrolled in an eligible institution, in order to receive such a scholarship, must:

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

(b) for each year after his 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 number of semesters permitted at that institution by Section 59-149-60.

(2) For the purposes of Palmetto Fellows Scholarship eligibility, the cumulative grade point average calculation must be inclusive of the student's grade point average at all public or independent institutions attended by the student.

(K) In the event that either the SAT or ACT changes its respective scoring ranges, the Commission on Higher Education shall adjust the minimum scores required by this chapter in order to ensure equivalency.”

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

“Section 59-104-25. (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~~ two 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~~ three 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.”

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

SECTION 10. A. Section 59-149-15(A) of the 1976 Code is amended to read:

“Section 59-149-15. (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 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~~ two additional years of instruction, including his ~~sophomore~~ junior year, if enrolled in a four-year degree program, or for not more than ~~four~~ three 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 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.”

B. Section 59-149-50 of the 1976 Code is amended to read:

“Section 59-149-50. (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 a 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~~ 3.3 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~~ a score of twenty-two 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 or 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 or 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)(1) ~~Students~~ A student receiving a LIFE Scholarship, in order to retain it, and ~~students~~ a student currently enrolled in an eligible institution, in order to receive such a scholarship, must:

(a) earn a ~~3.0~~ 2.8 cumulative grade point average on a 4.0 scale at the end of his freshman year and earn at least thirty credit hours ~~each year;~~ and

(b) for each year after the 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 number of semesters permitted at that institution by Section 59-149-60.

D (2) 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.

R (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 cumulative ~~3.0~~ grade point average as required by subsection (B) 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.

A (D)(1) ~~Beginning with school year 2002-2003, an~~ An entering freshman at a four-year institution to be eligible for a LIFE Scholarship in addition to the other requirements of this chapter shall meet two of the following three criteria:

~~(1)(a)~~ have the grade point average required by this section;

F ~~(2)(b)~~ have the Scholastic Aptitude Test (SAT) or equivalent ACT score required by this section;

~~(3)(c)~~ be in the top thirty percent of his high school graduating class.

T (2) For home school students and students whose high school graduating class is less than fifty students, the Commission on Higher Education may define alternative criteria for students to meet the requirement of item ~~(3)(c)~~.

(3) After receipt of a LIFE Scholarship by an entering freshman ~~beginning with school year 2002-2003~~, a student shall meet the criteria established in this chapter to retain or regain the scholarship.

(4) For an exceptionally gifted student who is accepted into college without having attended high school, the Commission on Higher Education shall define alternative criteria for the student to qualify for a LIFE Scholarship.

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

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 a must have graduated from high school with a minimum of a 3.3 cumulative grade point average on a 4.0 scale to be eligible to receive an SC HOPE Scholarship. A~~
D 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.”

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

Subpart IV

A Read to Succeed Initiative

SECTION 11. Section 59-155-110(4) of the 1976 Code is amended to read:

F “(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;”

T SECTION 12. Sections 59-155-120(5) and (10) of the 1976 Code are 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 Section 59-33-510(3), and the Response to Intervention or ‘RTI’ process, as defined in Section 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 Section 59-155-160(A).~~”

SECTION 13. Sections 59-155-130(3) and (4) of the 1976 Code are amended to read:

“(3) working collaboratively with institutions of higher ~~learning~~ education 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 the use of data to identify struggling readers and inform instruction in reading and coaching for already certified reading/literacy coaches and literacy teachers;”

SECTION 14. Section 59-155-140(B)(2)(a) of the 1976 Code 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~~ must 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~~ through any combination of these strategies;”

SECTION 15. 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 Section 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 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 the 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 the third grade and pursuant to Section 59-155-160(C), each district must offer a summer reading camp as an intervention for any student enrolled in the first or second grade who is substantially not demonstrating proficiency in reading, based upon the universal screening process, as defined in Section 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 16. 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 Section 59-33-510(7), in kindergarten through the third grade. At a minimum, the approved screening instruments shall include literacy and numeracy.

(2) An early literacy screening instrument must:

- (a) provide screening and diagnostic capabilities for monitoring student progress in reading;
- (b) at a minimum, measure phonological awareness, decoding and encoding, fluency, vocabulary, and comprehension; and

(c) identify students who have a reading deficiency, including 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 State Board of Education 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 this process, if indicated, pursuant to the universal screening process defined in Section 59-33-510(7), which may be used to determine student progression in reading and numeracy in kindergarten through the third grade. The department shall reimburse districts for the cost of the instrument or instruments selected upon receipt of the 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 if a student will be promoted to the next grade level. For the purposes of this section, ‘literacy’ means the ability to read and write, and ‘numeracy’ means fluency in understanding numbers and mathematical operations. Classroom teachers must also be provided professional development by the department in administering instruments and in understanding the results so that the teachers 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 that 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 are accurately 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 the 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; and

(c) be used to receive the annual report required in Section 59-33-540.”

SECTION 17. 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 1 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 the fourth grade must:

(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;

(d) 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 in which 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 the required reading skills to be promoted to the 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 subitems (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 subitems (a) through (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:

(1)(a) 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;

(b) 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;

(c) 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

(d) 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 18. 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 in an elementary school to build master teachers of reading school-wide in order 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, 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 complete successfully;

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

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

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

(v) excellent communication skills, including outstanding presentation, interpersonal, and time management skills.

(c) The duties and responsibilities of a state-funded reading coach must include:

(i) collaborating with the principal to create a strategic plan for coaching that includes specific support for students in poverty;

(ii) facilitating school-wide professional development and study groups;

(iii) modeling effective reading instructional strategies for teachers;

(iv) coaching and mentoring teachers on a daily basis;

(v) facilitating data analysis discussions and supporting teachers with using data to differentiate instruction according to student needs; and

(vi) working with all teachers and 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, including Exceptional Student Education, content area, and elective areas.

(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 literacy coach throughout the year.

(f) Beginning with the 2019-2020 School Year, as a condition for receiving the state appropriation for reading coaches, the State Department of Education shall screen and approve the hiring of all reading coaches in a school that 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, and the principal of, 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 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, scientifically based reading research and evidence-based interventions to be implemented in the school, and specific support for students in poverty.

(g) A school in which at least sixty percent of students met or exceeded 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 annually approved by the department 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 coaches, 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 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 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 State Board of Education 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 will 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 the 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~~ 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 that teacher candidates understand the foundations of reading and are prepared to teach reading to all students.

~~(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 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 of Education pursuant to subitem (4). As part of this process, the board shall set a minimum cut score that 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.~~

~~(7) 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.~~

~~(D)(1) 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 Disorders Task Force in Section 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.

(2) The Commission on Higher Education shall report the findings of its analysis conducted pursuant to item (1) and recommendations for improving teacher education programs to the Governor and to the General Assembly.”

SECTION 19. Article 3, Chapter 18, Title 59 of the 1976 Code 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 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. At least annually, and before August fifteenth, the department shall provide the resulting measures of student performance to parents and teachers. These measures must be designed to help parents and teachers better understand which skills and concepts a student is ready to learn and help to form instruction, track growth, and identify appropriate resources for students. The local school district shall also 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 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 the second grade, local schools and districts may select assessments designed to measure students’ reading and mathematical performance on common, consistent scales. Those measures should then be reported to the department and also shared with students, parents, and teachers.

(2) In the third grade through the eighth grade, the statewide assessment program in English/language arts and mathematics that is 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, if available, measure students' reading ability and mathematical understanding on the 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 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 20. Section 59-18-1950(B)(1) of the 1976 Code is amended to read:

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

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

(d) 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; and

(e) students graduating from public high schools in the State who enter postsecondary education with a need for remediation.”

SECTION 21. Section 59-59-20 of the 1976 Code is amended to read:

~~“Section 59-59-20. (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. 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 of Education 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; and 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 a 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) 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. 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 individual students' progress toward having the academic skills in reading and mathematics needed as a foundation for a successful pathway through graduation and postsecondary 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 students to complete successfully their individual graduation plans, preparing them for a seamless transition to relevant employment, further training, or postsecondary study.”

SECTION 22. Section 59-59-50 of the 1976 Code is amended to read:

“Section 59-59-50. (A)(1) Beginning with the 2020-2021 School Year, and every five years thereafter, the Department of Education shall ~~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
 - (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 of Education 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 23. Section 59-59-60 of the 1976 Code is amended to read:

“Section 59-59-60. ~~Before July 1, 2007~~ Beginning with the 2021-2022 School Year, 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 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 that the route information has been submitted to the Department of Education. The Department of Education 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 an increased awareness of, 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 that focuses 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 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 24. 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 standards, the institutions shall provide information regarding continuing education programs 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 25. Section 59-150-360(A) and (F) of the 1976 are amended to read:

“Section 59-150-360. (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:

- ~~(1)~~(a) be a South Carolina resident for a minimum of one year;
- ~~(2)~~(b) be enrolled and maintain six credit hours each semester in a certificate, degree, or diploma program;
- ~~(3)~~(c) make reasonable progress toward completion of the requirements for the certificate, degree, or diploma program;
- ~~(4)~~(d) complete a Free Application for Federal Student Aid (FAFSA) application if enrolled in a program awarding college credit. 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
- ~~(5)~~(e) 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 26. Chapter 43, Title 59 of the 1976 Code is amended by adding:

“Section 59-43-40. 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.”

PART IV

Educator Development and Satisfaction

Subpart I

Educator Preparation

SECTION 27. Article 11, Chapter 18, Title 59 of the 1976 Code is amended by adding:

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

(1) a non-certified 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 are provided for non-certified teachers to participate in the evaluation process pursuant to Section 59-26-30(B)(4) and (5); and

(3) training is required to ensure that 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 of Education 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 program and to assist the Department of Education with establishing best practices.

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

(D) Beginning November 1, 2021, the Department of Education shall submit an annual report that includes recommendations for improving, expanding, or continuing the pilot program to the General Assembly. At the end of the five-year pilot program, the annual status report shall include a recommendation regarding continuance of the program.”

SECTION 28. Section 59-25-115 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“(1) The Department of Education 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 of Education, which shall include, but are not limited to:

- (a) a completed registration form;
- (b) any associated fee;
- (c) transcripts, which shall be subject to review; and
- (d) FBI, SLED, and the National Association of State Directors of Teacher Education and Certification

Clearinghouse checks.

(2) 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, then the State Board of Education is authorized to revoke the educator’s registration.”

SECTION 29. 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, an IHE-led alternative program must include, but is not limited to, documented evidence of the following:

- (1) its budget and sources of revenue, including fees paid by the candidates;
- (2) its 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) its plans for curriculum offerings, including delivery method and timeframe, field placements, field supervision plans, and assessments of success;
- (5) its 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;
- (6) evidence of annual successful teaching experience by the candidates and progress toward obtaining a professional certificate;
- (7) ongoing monitoring of candidates’ performances in the classroom while in the alternative route program; and
- (8) mentoring provided by the educator preparation program.

(B) The Department of Education 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 30. Section 59-26-20 of the 1976 Code is amended by adding an appropriately lettered item at the end to read:

“(i) 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 the annual successful teaching experience of educators, differentiated by program. The State Board of Education shall include a process for revocation of, continuous evaluation of, and upgrading of standards for the program approval of undergraduate and graduate education training programs of colleges and universities in this State.

(ii) 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 or state certification.”

SECTION 31. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59-26-35. (A)(1) The State Board of Education, with the assistance of the Department of Education, the South Carolina Commission on Higher Education, and the Revenue and Fiscal Affairs Office, shall develop and annually produce a teacher preparation data dashboard that shall provide, at a minimum, the following:

- (a) the number of undergraduate and graduate completions;
- (b) the placement and retention rates by district and region of the State;
- (c) the performance of candidates on a basic skills examination;
- (d) the ability of programs to recruit a strong, diverse cohort of candidates and prepare them to teach in the content areas of greatest need;
- (e) the quality of clinical experiences; and
- (f) the effectiveness of individuals who completed a provider’s program and are employed in a public school classroom.

(2) The information must be differentiated by provider and, if applicable, across content areas.

(B) The 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 of Education’s website.”

SECTION 32. 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 Section 59-18-1950, the Department of Education shall annually before December first provide information regarding their respective graduates to each college of education and state-approved educator preparation program. 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, or grade; school; district; and learner demographic;

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

(3) the results of the 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 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 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 33. 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 of Education. CERRA shall annually 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 the 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) the amount of paperwork and routine duties;
- (6) the availability of resources;
- (7) communication with the 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, for each 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 Department of Education, CERRA, the Education Oversight Committee, each school district, and each school in a conspicuous place on their 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 34. Section 59-20-50(4)(b) of the 1976 Code is amended to read:

“(b) The state minimum salary schedule must be based on the state minimum salary schedule index in effect as of July 1, 1984 ~~2019~~. 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 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 35. 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 federal reimbursement rate for mileage."

SECTION 36. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

"Section 59-25-60. 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. The duty-free time provided under the policy as required in this subsection:

- (1) shall be established pursuant to 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 be withheld or reduced on a given day, except as occasionally reasonable and necessary to ensure the safety and proper supervision of students; and
- (5) may not include an option for additional pay in lieu of duty-free time."

PART V

Local School Board Accountability

SECTION 37. Chapter 19, Title 59 of the 1976 Code is amended by adding:

“ARTICLE 7

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 the 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 shall also include appropriate consequences for violations of provisions of the model code of ethics. The State Board of Education may periodically 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, then local school boards shall adopt and incorporate the revision into their local code within three months of the adoption of the revision by the State Board of Education.

(3) A local school board may only 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 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 38. Section 1-3-240(A) of the 1976 Code is amended to read:

“Section 1-3-240. (A)(1) Any officer of the county or State, or an elected or appointed official of the State, of a county, of a municipality, or of a political subdivision thereof, including a candidate for office, 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, except:

(1)(a) an officer whose removal is provided for in Section 3 of Article XV of the State Constitution;
(2)(b) an officer guilty of the offense named in Section 8 of Article VI of the State Constitution; or
(3)(c) 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.~~

(2) 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 39. Section 59-19-45 of the 1976 Code is amended to read:

“Section 59-19-45. (A)(1) By December 31, 2019, the State Board of Education shall adopt a model training program for training local school board members. Every three years, the State Board of Education shall 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 its training program, then local schools board shall adopt and incorporate the revision into their local training programs within three months of the adoption of the revision by the State Board of Education.

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

(B) Within one year of taking office, all persons elected, re-elected, or appointed as members of a school district board of trustees after July 1, 1997, regardless of the date of their election, re-election, appointment, or reappointment, shall complete successfully ~~an orientation~~ a training 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, conflicts 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 must also be offered by a district or its designee and completed by each board member within one year after the effective date of this section.

~~(B) 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.~~

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

~~(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. At the beginning of each calendar year, a local school board shall certify compliance with the provisions of subsection (C) by all board members and publish this certification in the minutes of the next regularly scheduled school board meeting.~~

~~(E) 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.”~~

SECTION 40. Section 59-39-100 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“(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) is regularly scheduled 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.”

D
SECTION 41. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then 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.

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SECTION 42. Unless otherwise provided, this act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

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