

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

SECTION 1 - H630 - DEPARTMENT OF EDUCATION

1.3 **AMEND FURTHER** (SDE: State Aid Classrooms) States the General Assembly’s intent to fully implement the EFA via the State Aid to Classrooms allocation and provide for the allocation of those funds. Updates the average per pupil funding projections and the estimated teacher salary schedule. Provides for the distribution of funds to the SC Public Charter School District. Requires the Revenue and Fiscal Affairs Office post each school district’s projections on their website and for each school district to also post their numbers. Requires the department and the EOC provide links to this information on their websites. Provides pupil classification weightings. **WMC:** AMEND proviso to delete the intent to implement the EFA via State Aid to Classrooms allocation. Updates the total pupil count and funding per pupil. Updates the State Minimum Teacher Salary Schedule. Provides a calculation to determine allocation of funds based on the total number of weighted pupil units. Provides flexibility to each district to expend the funds. Directs the department to annually document the expenditure of funds by each district. Directs the State Auditor to select a vendor to review each district’s annual audit and requires the audit to be posted on the district’s website. Update the weights for student’s with disabilities. Directs that up to 10 percent of funds appropriated may be carried forward and be allocated to districts, the South Carolina Public Charter School District, and institutions of higher education that authorize charter schools. Directs that unexpended funds shall revert to the general fund or EIA Fund.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND further to update the state minimum teacher salary schedule. Amends the ratio to from “11.2” to “10.5” students per teacher. Updates the salary and fringe benefits for teachers with a master’s degree and 12 years experience. Requires schools to meet the statewide minimum salary schedule and provide annual step increases. Specifies that no local match is required for the State Aid to Classroom EIA distributions for base funding rolled up from previous fiscal year. Directs that RFA, instead of DOE, document expenditures on an online financial dashboard and to notify the department if a district, authorizer, or special school district fails to submit expenditure data. Includes three and four year old students with disabilities, registered in brick and mortar charter schools, be included in student counts to receive additional weighting. Revises pupil classification weighting as follows: reinserts Precareer and Career Technology and changes weight from “1.29” to “1.20”; changes Limited English Proficiency weight from “0.15” to “0.20”; and deletes the Speech Therapy weighting.

~~1.3. (SDE: State Aid to Classrooms) To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act via an allocation from the State Aid to Classrooms appropriation. The funds appropriated for State Aid to Classrooms shall be allocated as follows: 63.60 percent must be allocated based on the Education Finance Act formula and the differentiated student weightings in this act; 28.62 percent must be allocated based on the manner of distribution of EFA employer contributions in the prior fiscal year; and 7.79 percent must be allocated to fully implement the State Minimum Teacher Salary Schedule with a minimum starting teacher salary of \$36,000. The department is authorized to adjust the percentage allocation related to EFA employer contributions to accommodate for the disbursement of the state retirement funds and any other related employee allocation sent to districts. For the current fiscal year, the total pupil count is projected to be 764,037 761,855, which includes traditional school districts, charter school authorizers, and the special school districts. For the current fiscal year, the total pupil count for traditional school districts is projected to be 714,073, the total pupil count for the~~

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

charter authorizers is projected to be 47,061, and the total pupil count for the special districts is projected to be 721. These funds represent an average per pupil of ~~\$3,887~~ \$4,834 in State Aid to Classrooms. The average per pupil funding is projected to be ~~\$6,902~~ \$7,629 state, ~~\$1,202~~ \$1,274 federal, and ~~\$7,423~~ \$7,859 local. This is an average total funding level of ~~\$15,527~~ \$16,762 excluding revenues of local bond issues. ~~It is the intent of the General Assembly that the consolidation of the Education Finance Act and Education Finance Act – Employer Contributions appropriations, and the subsequent allocation of the State Aid to Classrooms appropriation back to these categories, should not significantly alter the application of funding formulas or maintenance of effort requirements referencing the Education Finance Act and Education Finance Act – Employer Contributions.~~

The funds allocated from State Aid to Classrooms for implementing the revised State Minimum Teacher Salary Schedule shall be distributed to school districts using the EIA Teacher Salary Supplement methodology. The resulting estimated teacher salary schedule is as follows:

YRS EXP	CLASS 8	CLASS 7	CLASS 1	CLASS 2	CLASS 3
	DR DEGREE	MASTERS DEGREE	MASTERS DEGREE	BACHELORS DEGREE	BACHELORS DEGREE
		+ 30 HRS		+ 18 HRS	
0	48,076	44,576	41,076	37,576	36,000
	2.12%	2.29%	2.50%	2.73%	2.86%
1	48,593	44,813	41,377	37,838	36,119
	2.10%	2.28%	2.48%	2.71%	2.85%
2	48,924	44,888	41,525	37,994	36,313
	2.09%	2.28%	2.47%	2.70%	2.83%
3	49,236	44,957	41,664	38,107	36,462
	2.07%	2.27%	2.46%	2.69%	2.82%
4	49,578	45,058	41,831	38,280	36,667
	2.06%	2.27%	2.45%	2.68%	2.80%
5	49,870	45,125	41,962	38,388	36,806
	2.05%	2.27%	2.44%	2.67%	2.79%
6	51,134	46,074	42,911	39,273	37,691
	1.99%	2.22%	2.39%	2.61%	2.73%
7	52,400	47,022	43,859	40,127	38,546
	1.95%	2.17%	2.33%	2.56%	2.66%
8	53,665	47,972	44,808	41,012	39,431
	1.90%	2.13%	2.28%	2.50%	2.60%
9	54,930	48,921	45,757	41,867	40,285
	1.85%	2.09%	2.23%	2.45%	2.55%
10	56,196	49,870	46,707	42,753	41,171
	1.81%	2.05%	2.19%	2.40%	2.49%
11	57,461	50,818	47,655	43,607	42,025
	1.77%	2.01%	2.14%	2.35%	2.44%
12	58,726	51,768	48,604	44,492	42,911
	1.73%	1.97%	2.10%	2.30%	2.39%
13	59,991	52,716	49,553	45,346	43,765
	1.70%	1.93%	2.06%	2.25%	2.34%
14	61,256	53,665	50,502	46,233	44,650
	1.66%	1.90%	2.02%	2.21%	2.29%
15	62,522	54,614	51,450	47,087	45,504
	1.63%	1.87%	1.98%	2.17%	2.25%
16	63,787	55,563	52,400	47,972	46,390

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

	1.59%	1.83%	1.95%	2.13%	2.20%
17	65,052	56,511	53,348	48,825	47,244
	1.56%	1.80%	1.91%	2.09%	2.16%
18	65,693	57,066	53,873	49,305	47,706
	1.55%	1.78%	1.89%	2.07%	2.14%
19	66,339	57,628	54,401	49,787	48,173
	1.53%	1.77%	1.87%	2.05%	2.12%
20	66,993	58,194	54,935	50,275	48,646
	1.52%	1.75%	4.0%	4.0%	4.0%
21	67,654	58,766	55,474	50,767	49,122
	1.50%	1.73%	1.84%	2.01%	2.08%
22	68,320	59,343	56,019	51,264	49,603
	1.49%	1.71%	1.82%	1.99%	2.06%
23	68,993	59,927	56,570	51,768	50,089
	1.47%	1.70%	1.80%	1.97%	2.04%

The State Minimum Teacher Salary Schedule for the current fiscal year is as follows:

	<u>CLASS 8</u>	<u>CLASS 7</u>	<u>CLASS 1</u>	<u>CLASS 2</u>	<u>CLASS 3</u>
	<u>DR</u>	<u>MASTERS</u>	<u>MASTERS</u>	<u>BACHELORS</u>	<u>BACHELORS</u>
<u>YRS</u>	<u>DEGREE</u>	<u>DEGREE</u>	<u>DEGREE</u>	<u>DEGREE</u>	<u>DEGREE</u>
<u>EXP</u>		<u>+ 30 HRS</u>		<u>+ 18 HRS</u>	
0	52,076	48,576	45,076	41,576	40,000
	8.32%	8.97%	9.74%	10.65%	11.11%
1	52,593	48,813	45,377	41,838	40,119
	8.23%	8.93%	9.67%	10.57%	11.08%
2	52,924	48,888	45,525	41,994	40,313
	8.18%	8.91%	9.63%	10.53%	11.01%
3	53,236	48,957	45,664	42,107	40,462
	8.12%	8.90%	9.60%	10.50%	10.97%
4	53,578	49,058	45,831	42,280	40,667
	8.07%	8.88%	9.56%	10.45%	10.91%
5	53,870	49,125	45,962	42,388	40,806
	8.02%	8.86%	9.53%	10.42%	10.87%
6	55,134	50,074	46,911	43,273	41,691
	7.82%	8.68%	9.32%	10.19%	10.61%
7	56,400	51,022	47,859	44,127	42,546
	7.63%	8.51%	9.12%	9.97%	10.38%
8	57,665	51,971	48,808	45,012	43,431
	7.45%	8.34%	8.93%	9.75%	10.15%
9	58,930	52,921	49,757	45,866	44,285
	7.28%	8.18%	8.74%	9.55%	9.93%
10	60,196	53,870	50,707	46,753	45,171
	7.12%	8.02%	8.56%	9.36%	9.71%
11	61,460	54,818	51,655	47,606	46,024
	6.96%	7.87%	8.39%	9.17%	9.52%
12	62,726	55,767	52,604	48,492	46,911
	6.81%	7.73%	8.23%	8.99%	9.32%
13	63,991	56,716	53,553	49,346	47,765
	6.67%	7.59%	8.07%	8.82%	9.14%
14	65,256	57,665	54,501	50,232	48,650
	6.53%	7.45%	7.92%	8.65%	8.96%

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

15	66,522	58,614	55,451	51,086	49,504
	6.40%	7.32%	7.77%	8.50%	8.79%
16	67,787	59,563	56,400	51,971	50,390
	6.27%	7.20%	7.63%	8.34%	8.62%
17	69,052	60,511	57,348	52,825	51,244
	6.15%	7.08%	7.50%	8.19%	8.47%
18	69,693	61,067	57,872	53,304	51,706
	6.09%	7.01%	7.43%	8.11%	8.39%
19	70,339	61,628	58,401	53,787	52,173
	6.03%	6.94%	7.35%	8.03%	8.30%
20	70,993	62,194	58,935	54,275	52,646
	5.97%	6.87%	7.28%	7.96%	8.22%
21	71,653	62,765	59,474	54,767	53,121
	5.91%	6.81%	7.21%	7.88%	8.14%
22	72,320	63,343	60,019	55,264	53,603
	5.85%	6.74%	7.14%	7.80%	8.06%
23	72,993	63,927	60,570	55,767	54,089
	5.80%	6.67%	7.07%	7.73%	7.98%
	<i>CLASS 8</i>	<i>CLASS 7</i>	<i>CLASS 1</i>	<i>CLASS 2</i>	<i>CLASS 3</i>
	<i>DR</i>	<i>MASTERS</i>	<i>MASTERS</i>	<i>BACHELORS</i>	<i>BACHELORS</i>
<i>YRS</i>	<i>DEGREE</i>	<i>DEGREE</i>	<i>DEGREE</i>	<i>DEGREE</i>	<i>DEGREE</i>
	<i>EXP</i>		<i>+30 HRS</i>		<i>+18 HRS</i>
0	50,076	46,576	43,076	39,576	38,000
	4.16%	4.49%	4.87%	5.32%	5.56%
1	50,593	46,813	43,377	39,838	38,119
	4.12%	4.46%	4.83%	5.29%	5.54%
2	50,924	46,888	43,525	39,994	38,313
	4.09%	4.46%	4.82%	5.26%	5.51%
3	51,236	46,957	43,664	40,107	38,462
	4.06%	4.45%	4.80%	5.25%	5.49%
4	51,578	47,058	43,831	40,280	38,667
	4.03%	4.44%	4.78%	5.22%	5.45%
5	51,870	47,125	43,962	40,388	38,806
	4.01%	4.43%	4.77%	5.21%	5.43%
6	53,134	48,074	44,911	41,273	39,691
	3.91%	4.34%	4.66%	5.09%	5.31%
7	54,400	49,022	45,859	42,127	40,546
	3.82%	4.25%	4.56%	4.98%	5.19%
8	55,665	49,971	46,808	43,012	41,431
	3.73%	4.17%	4.46%	4.88%	5.07%
9	56,930	50,921	47,757	43,866	42,285
	3.64%	4.09%	4.37%	4.78%	4.96%
10	58,196	51,870	48,707	44,753	43,171
	3.56%	4.01%	4.28%	4.68%	4.86%
11	59,460	52,818	49,655	45,606	44,025
	3.48%	3.94%	4.20%	4.59%	4.76%
12	60,726	53,767	50,604	46,492	44,911
	3.41%	3.86%	4.11%	4.50%	4.66%
13	61,991	54,716	51,553	47,346	45,765
	3.33%	3.79%	4.04%	4.41%	4.57%

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

14	63,256	55,665	52,501	48,232	46,650
	3.26%	3.73%	3.96%	4.33%	4.48%
15	64,522	56,614	53,451	49,086	47,504
	3.20%	3.66%	3.89%	4.25%	4.40%
16	65,787	57,563	54,400	49,971	48,390
	3.14%	3.60%	3.82%	4.17%	4.31%
17	67,052	58,511	55,348	50,825	49,244
	3.07%	3.54%	3.75%	4.10%	4.23%
18	67,693	59,067	55,872	51,304	49,706
	3.04%	3.50%	3.71%	4.06%	4.19%
19	68,339	59,628	56,401	51,787	50,173
	3.01%	3.47%	3.68%	4.02%	4.15%
20	68,993	60,194	56,935	52,275	50,646
	2.99%	3.44%	3.64%	3.98%	4.11%
21	69,653	60,765	57,474	52,767	51,122
	2.96%	3.40%	3.61%	3.94%	4.07%
22	70,320	61,343	58,019	53,264	51,603
	2.93%	3.37%	3.57%	3.90%	4.03%
23	70,993	61,927	58,570	53,767	52,089
	2.90%	3.34%	3.54%	3.86%	3.99%

As further used in this act, references to the Education Finance Act or EFA funds shall be interpreted to mean the 63.60 percent of funds appropriated for State Aid to Classrooms and allocated for the Education Finance Act and, where appropriate, the 28.62 percent of State Aid to Classrooms allocated for Education Finance Act Employer Contributions.

For the purpose of maintaining consistency when calculating maintenance of effort, references to the base student cost shall be interpreted as the base student cost resulting from the 63.60 percent of funds appropriated for State Aid to Classrooms and allocated for the Education Finance Act and, where appropriate, the 28.62 percent of State Aid to Classrooms allocated for Education Finance Act Employer Contributions, and other any other items normally included in the base student cost calculation.

For the purpose of maintaining consistency when calculating the Base Student Cost, the base student cost calculation shall include funds from State Aid to Classrooms consisting of the 63.60% of funds appropriated for State Aid to Classrooms allocated based on the Education Finance Act formula and the 7.79% that are allocated to fully implement the State Minimum Teacher Salary Schedule.

For the current fiscal year, the funds appropriated for State Aid to Classrooms represent the State's contribution to the Aid to Classrooms program for direct instruction of students in kindergarten through grade twelve in our state, which is seventy-five percent of the total cost of having a statewide student-teacher ratio of 11.2 students per teacher funding one teacher salary for every 10.5 students. The salary cost used to determine the amount of funding required for the state effort is based on that of a teacher having a master's degree and twelve years of experience, which equates to ~~\$52,604~~ \$50,604 on the statewide minimum salary schedule for the current fiscal year. The total teacher cost and including fringe benefits is ~~\$69,153~~ \$66,524 including fringe benefits. The state minimum salary schedule for Teacher Salaries calculation of teachers for every student ratio includes those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the State. School districts are required to meet the statewide minimum salary schedule in the current fiscal year and are required to provide the annual step increase pursuant to Section 59-20-50. No school district is required to increase teacher salaries

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

above the amount necessary to meet the statewide minimum salary schedule as prescribed in this act. For the current fiscal year, the provisions of Section 59-20-50(3) of the 1976 Code, as amended, are suspended.

To allocate the funds, the department will calculate the total number of weighted pupil units (WPU) in each school district and in the State. The funds appropriated herein for State Aid to Classrooms ~~are seventy-five percent~~ represent the state share of the total Aid to Classrooms program, ~~and which is seventy-five percent.~~ The local ~~share~~ required effort is twenty-five percent of the total program. The total Aid to Classrooms funding for each district is calculated based on the district's percentage of the total statewide weighted pupils multiplied by the total Aid to Classrooms program. The district's local share is calculated by multiplying the total local share ~~multiplied~~ by the district's imputed index of taxpaying ability, which is the district's relative fiscal capacity compared to that of all other districts in the State. The State Aid to Classrooms amount allocated to each district will be determined by subtracting the calculation of the district's local share from the calculation of the district's total Aid to Classrooms projected funding. The Statewide Public Charter School District and any approved institution of higher education authorizing charter schools shall receive one hundred percent of the Aid to Classrooms funding from the State. For Fiscal Year 2022-23, each district will receive either the amount determined by this new methodology or the actual state funding received in Fiscal Year 2021-22 from State Aid to Classrooms, EIA - Aid to Districts, EIA - Students at Risk of School Failure, Allocations EIA - Teacher Salaries, Allocations EIA - Employer Contributions, and EIA - South Carolina Public Charter Schools as its base the same funding received it received in the previous fiscal year from State Aid to Classrooms, EIA - Aid to Districts, EIA - Students at Risk of School Failure, Allocations EIA - Teacher Salaries, Allocations EIA - Employer Contributions, and EIA - South Carolina Public Charter Schools. For Fiscal Year 2022-23, no local match is required for the State Aid to Classroom EIA distributions for the base funding rolled up from the previous fiscal year. Any additional money in State Aid to Classrooms will be distributed utilizing the new funding methodology in this provision.

To provide flexibility, each district may expend the funds as determined by the local school board of trustees to meet the educational needs of students as defined in Section 59-1-50, Chapter 18, Title 59, and as delineated in a child's Individualized Education Program (IEP). Pursuant to Section 59-20-80, each school board of trustees must make available by September first of each fiscal year its annual budget that includes state, local, and federal investments in education. The budget must be available on the district's website. The department, in collaboration with local school districts, will provide a template that each district must use in reporting its budget.

To provide transparency, ~~the Department of Education~~ Revenue and Fiscal Affairs will document annually, through an online financial dashboard, the expenditure of all state, local, and federal funds by each district ~~in compliance with federal and state laws~~ and other relevant data. To ensure that the public reporting meets the needs of educators, parents, citizens, and policymakers, the department, in conjunction with Revenue and Fiscal Affairs, will convene a group of educators, parents, citizens, and policymakers to ~~approve~~ provide recommendations regarding the items and the design of the dashboard by January 1. District expenditures for the prior fiscal year must be published on the department's website for public disclosure by January 1.

If a traditional school district, charter school authorizer, or special school district fails to submit expenditure data needed for the online financial dashboard, the Revenue and Fiscal Affairs Office will notify the Department of Education. Within thirty days of such notification, the Department of Education must then withhold ten percent of all state payments to the district or authorizer until the district or authorizer complies and all payments will then be made.

To ensure accountability, each district's annual audit that is submitted to the Department of Education pursuant to Section 59-17-100 must be conducted using ~~a vendor~~ an auditing firm

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

from an approved list provided by the State Auditor. The State Auditor will develop standards and criteria for determining qualifying ~~vendors~~ auditors. Each district's annual audit must be available on the district's website.

For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school shall receive and distribute state ~~EFA Aid to Classroom~~ funds to the charter school ~~as determined by one hundred percent of the current year's base student cost, as funded by the General Assembly multiplied by the weighted pupils enrolled in the charter school, which must be subject to adjustment for student attendance.~~ Students enrolled in charter schools authorized by the South Carolina Public Charter School District or an institution of higher education will receive in addition to the base weight of 1.00 or in addition to the disability weight of 2.60 an additional weight based upon the type of charter school that they attend. These additional funds must support the provision of educational services for children served by a charter school that does not receive local revenues. These students are also eligible to receive additional weights for personalized instruction. The department will make any necessary adjustments to account for the state share for Charter and Special Districts.

Three and four year old students with a disability, who are eligible for services under IDEA and enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or registered IHE, shall be included in student counts solely for the purposes of receiving the additional weighting for students attending a brick and mortar charter school.

For Fiscal Year 2022-23, special districts, career centers, and alternative schools will receive the amount received in the prior fiscal year from these funds.

The Revenue and Fiscal Affairs Office, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Revenue and Fiscal Affairs Office, shall also post on their website the one hundred thirty-five day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Revenue and Fiscal Affairs Office, including the projected numbers and the exact numbers.

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

(1) K-12 pupils or base students including homebound students	1.00
Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code shall receive a weighting of 2.10.	
(2) Weights for students with disabilities as prescribed in Section 59-20-40(1)(c) Special Programs <u>as documented by their Individualized Education Plan (IEP)</u>	<u>2.60</u>
(3) Precareer and Career Technology	1.29 <u>1.20</u>
<u>(4) Charter school students</u>	
<u>(a) Enrolled in brick and mortar school</u>	<u>1.25</u>
<u>(b) Enrolled in virtual charter school</u>	<u>0.65</u>
(4) <u>(5)</u> Additional weights for personalized instruction:	
(a) Gifted and Talented	0.15
(b) Academic Assistance	0.15
(c) Limited English Proficiency	0.20 <u>0.15</u>
(d) Pupils in Poverty	0.20- <u>0.50</u>
(e) <u>Dual Credit Enrollment</u> Speech Therapy	<u>0.15</u>

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

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

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

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

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

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

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

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

Up to ten percent of any funds appropriated for State Aid to Classrooms at the end of the fiscal year may be carried forward into the subsequent fiscal year and allocated to school districts, the South Carolina Public Charter School District, and an institution of higher education that authorizes charter schools pursuant to this provision. The additional funds must first support increases in student enrollment and any balance may be allocated proportionately utilizing weighted pupil units to districts. Any additional unexpended funds shall revert to the general fund or to the EIA Fund.

1.7 DELETE/MOVE (SDE: Governor's School for Science & Math) Authorizes the Governor's School for Science and Mathematics to carry forward unexpended funds and to spend those funds at the direction of the school's board of trustees.

WMC: DELETE proviso and MOVE to new 10.1. *The Governor's School for Science & Mathematics was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT deletion.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1.7. (SDE: Governor’s School for Science & Math) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or generated by the Governor’s School for Science and Mathematics may be carried forward and expended in the current fiscal year pursuant to the direction of the board of trustees of the school.~~

1.21 DELETE/MOVE (SDE: Governor’s School Leave Policy) Authorizes the Governor’s Schools to promulgate regulations governing annual and sick leave policy for faculty and staff respective to the individual school calendars.

WMC: DELETE proviso and MOVE to new 9.1 and 10.2. *The Governor’s Schools for the Arts & Humanities and Science & Mathematics were removed from the SDE budget and are displayed as separate agencies.*

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1.21. (SDE: Governor’s School Leave Policy) The South Carolina Governor’s School for the Arts and Humanities and the South Carolina Governor’s School for Science and Mathematics are authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their respective board of directors. This policy shall address their respective school calendars in order to comply with the instructional needs of students attending both special schools.~~

1.24 AMEND (SDE: School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. Requires school districts to report the student teacher ratio for every classroom to the department at the 45 and 135 day mark and directs the department to report this information to the General Assembly. *Note: Companion EIA proviso is 1A.14.*

WMC: AMEND proviso to update school year reference to “2022-2023.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.24. (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery Act funds, and funds received from the Children’s Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor funds required for debt service or bonded indebtedness. All school districts must report the student teacher ratio for every classroom to the Department of Education at the forty-fifth and the one hundred and thirty-fifth day mark. The department shall report this information to the General Assembly for the ~~2021-2022~~ 2022-2023 school year.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district’s per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food service, and

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

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

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

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

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

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

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

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

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

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

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

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

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

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

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

- 1.27 DELETE/MOVE** (SDE: Governor’s School for the Arts and Humanities Carry Forward) Authorizes the Governor’s School for the Arts and Humanities to carry forward unexpended funds and to spend those funds at the discretion of the school’s board of trustees.
WMC: DELETE proviso and MOVE to new 9.2. *The Governor’s School for the Arts & Humanities was removed from the SDE budget and is displayed as a separate agency.*
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1.27. (SDE: Governor’s School for the Arts and Humanities Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or generated by the Governor’s School for the Arts and Humanities may be carried forward and expended in the current fiscal year pursuant to the discretion of the Board of Trustees of the School.~~

- 1.28 DELETE/MOVE** (SDE: Governor’s Schools’ Fees) Authorizes the Governor’s schools to charge, collect, expend and carry forward student fees as governed by their respective Board of Directors. Directs that no student will be denied admittance due to financial inability to pay. Requires both schools to conspicuously publish a fee schedule on their websites.
WMC: DELETE proviso and MOVE to new 9.3 and 10.3. *The Governor’s Schools for the Arts & Humanities and Science & Mathematics were removed from the SDE budget and are displayed as separate agencies.*
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1.28. (SDE: Governor’s Schools’ Fees) The South Carolina Governor’s School for the Arts and Humanities and the South Carolina Governor’s School for Science and Mathematics are authorized to charge, collect, expend, and carry forward student fees as approved by their respective Board of Directors. The purpose and amount of any such fees will be to maintain program quality in both academics and residential support. No student will be denied admittance or participation due to financial inability to pay. The respective Board of Directors shall promulgate administrative policy governing the collection of all student fees. Both schools shall conspicuously publish a fee schedule on their respective websites.~~

- 1.31 DELETE/MOVE** (SDE: SCGSAH Certified Teacher Designation) Authorizes the Governor’s School for the Arts and Humanities, the Charleston School of the Arts, and the Greenville Fine Arts Center to employ non-certified classroom teachers in literary, visual and performing arts subject areas.
WMC: DELETE proviso and MOVE to new 9.4. *The Governor’s School for the Arts & Humanities was removed from the SDE budget and is displayed as a separate agency.*
HOU: ADOPT deletion.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1.31. (SDE: SCGSAH Certified Teacher Designation) Because of the unique nature of the South Carolina Governor’s School for the Arts and Humanities, the Charleston School of the Arts, and the Greenville County Fine Arts Center, the schools are authorized to employ at its discretion noncertified classroom teachers teaching in the literary, visual and performing arts subject areas who are otherwise considered to be appropriately qualified in a ratio of up to one hundred percent of the entire teacher staff.~~

- 1.42 AMEND** (SDE: Administrative Costs Report Posting) Requires school districts to report and post their administrative costs as defined by In\$ight on their website; and provide the department with an electronic copy in conjunction with required financial audit reports.
SFC SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete “base student” and insert “State Aid to Classrooms.”

1.42. (SDE: Administrative Costs Report Posting) School districts must report the amount of funds spent on administrative costs, as defined by In\$ight in the prior fiscal year and post the report on the districts website. School districts shall provide an electronic copy of this report to the Department of Education in conjunction with the financial audit report required by Section 59-17-100, of the 1976 Code. If a district fails to meet these requirements, they must be notified in writing by the department that the district has sixty days to comply with the reporting requirement. If the district does not report within sixty days, the department is authorized to reduce the district’s ~~base student~~ *State Aid to Classrooms* cost by one percent until such time as the requirement is met. Once in compliance, any funds withheld will be returned to the district.

- 1.43 DELETE/MOVE** (SDE: Governor’s Schools Residency Requirement) Requires a parent or guardian to prove they legally reside in this State if they have a student attending either the Governor’s School for the Arts and Humanities or the Governor’s School for Science and Mathematics. Prohibits either Governor’s School from admitting students whose parent or guardian is not a legal resident of this State.
WMC: DELETE proviso and MOVE to new 9.5 and 10.4. *The Governor’s Schools for the Arts & Humanities and Science & Mathematics were removed from the SDE budget and are displayed as separate agencies.*
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1.43. (SDE: Governor’s Schools Residency Requirement) Of the funds appropriated, the Governor’s School for the Arts and the Humanities and the Governor’s School for Science and Mathematics are to ensure that a parent(s) or guardian(s) of a student attending either the Governor’s School for the Arts and the Humanities or the Governor’s School for Science and Mathematics must prove that they are a legal resident of the state of South Carolina at the time of application and must remain so throughout time of attendance. The Governor’s School for the Arts and the Humanities and Governor’s School for Science and Mathematics may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.~~

- 1.47 AMEND** (SDE: EFA State Share) Provides a supplement to a school district that receives zero EFA state funding by an amount based on 70% of the least state EFA funded school district.
SFC SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete “the EFA financial requirement” and insert “State Aid to Classrooms.”

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

1.47. (SDE: EFA State Share) A school district that does not recognize a State share of ~~the EFA financial requirement~~ State Aid to Classrooms shall be supplemented with an amount equal to seventy percent of the school district with the least State financial requirement.

1.55 **AMEND FURTHER** (SDE: Full-Day 4K) Provides guidelines for participation in and funding for the SC Early Reading Development and Education Program (CERDEP). *Note: Companion EIA proviso is 1A.29.*

WMC: AMEND proviso to direct public and private providers be funded for instructional costs at a minimum rate of \$4,800 per enrolled student. Allows private providers transporting students to and from school to be eligible for reimbursement at a minimum of \$587 per child. Authorizes SDE and First Steps to utilize carry forward funds and federal funds as a supplement for materials and equipment. Allows funding appropriated for CERDEP to be carried forward and expended for the same purposes. Changes report date of the annual evaluation of the South Carolina Child Development Education Pilot Program from “January fifteenth” to “March first.” Updates fiscal year references to “2022-23.” Requested by First Steps.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND further to direct First Steps and DOE to provide an equitable distribution above the minimum between public and private providers. Directs First Steps and SDE to provide a report to the Governor and Chairmen of Senate Finance and House Ways and Means quarterly.

1.55. (SDE: Full-Day 4K) Beginning with the current fiscal year, eligible students residing in any school district may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the availability of space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds.

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

Public and private providers shall be funded for instructional costs at a minimum rate of \$4,800 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for a reimbursement at a minimum of \$587 per eligible child transported. First Steps and the Department of Education must provide an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. All providers who are reimbursed are required to retain records as

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward funds and federal funds to supplement the amount expended for materials and equipment. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool based on the one hundred and thirty-five day student average daily membership. For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive reimbursement for these children if funds are available. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

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

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

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

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

any funds carried forward from the prior fiscal year to CERDEP. For eligible children residing in school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in CERDEP.

For the current fiscal year, the Office of First Steps may expend: (1) up to \$2,000,000 to pilot a program to provide higher reimbursement rates to high-quality child care centers. The reimbursement rate for students enrolled by child care providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to \$100,000 to provide one-time supplemental, needs-based incentive grants in an amount not to exceed \$30,000 for newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible students in a public, private, or Head Start setting during the prior fiscal year. These grants are designed to address building renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and staffing costs, and/or other obstacles currently preventing their participation in the program. The First Steps Board of Trustees shall develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are used solely to address documented barriers to program participation. Providers receiving this one-time supplement shall be expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March 15; and (3) up to \$1,000,000 may be used to provide grants to public-private partnerships to address building renovations and designs necessary to get the building and classrooms into compliance with licensing regulations and other obstacles that prevent participation in CERDEP following guidelines developed by the Office of First Steps. Providers participating in this pilot shall be expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps.

If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures, available funds may be used to fund an extended program and to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. If a district chooses to fund summer enrollment, the program funding shall conform to the funding in this act for full year programs; however, it shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this act and end of year adjustments shall be based on the one hundred and thirty-five-day student average daily membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty days. Funds may also be used to provide parent engagement, professional development and quality evaluations of programs. No later than April first, the Department of Education and the Office of First Steps shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants. The Office of

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

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

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

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

For Fiscal Year ~~2021-22~~ 2022-23, in response to the COVID-19 crisis, children who were eligible to participate in the Child Early Reading Development and Education Program in the prior fiscal year but did not participate, shall be eligible to participate in the program during Fiscal Year ~~2021-22~~ 2022-23, subject to classroom availability and funding. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

- 1.58 DELETE/MOVE** (SDE: Governor’s Schools Informational Access to Students) Requires school districts to permit both Governor’s Schools to work with individual schools and their staff in order to share information with students and families about educational opportunities the Governor’s Schools offer. Requires the Governor’s Schools to report to the Chairmen of the Senate Finance and House Ways and Means Committees by June 30, on results of these efforts. **WMC:** DELETE proviso and MOVE to new 9.6 and 10.5. *The Governor’s Schools for the Arts & Humanities and Science & Mathematics were removed from the SDE budget and are displayed as separate agencies.* **HOU:** ADOPT deletion. **SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion.

~~1.58. (SDE: Governor’s Schools Informational Access to Students) For the current fiscal year, school districts must permit both the Governor’s School for the Arts and Humanities and the Governor’s School for Science and Mathematics to collaborate with individual schools and their staff to share information with students and families about the educational opportunities offered at the respective Governor’s Schools, through avenues including school visits, informational presentations, and posters. By June thirtieth, of the current fiscal year, the Governor’s School for the Arts and Humanities and the Governor’s School for Science and Mathematics must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of these Informational Access efforts. Further, the two Governor’s Schools will work with districts, the Department of Education and School Report Card administrators, to ensure that SAT scores of current Governor’s Schools’ students are included in the School Report Card of those students’ resident schools and districts.~~

- 1.79 AMEND FURTHER** (SDE: Teacher Salaries/SE Average) States that the projected Southeastern average teacher salary for FY 2020-21 is \$53,426. Requires a local district board of trustees to provide a step increase for all eligible certified teachers. Directs that if additional state funds fill the gap, the requirement that school districts maintain local salary supplements per teacher at no less than their prior year level is suspended. Directs that the salaries of specified personnel must be increased by not less than \$1,000 and requires districts to use the district salary schedule used in the prior fiscal year as the basis for providing the increase. *Note: Companion EIA proviso is 1A.36.*

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

WMC: AMEND proviso to change the Southeastern average teacher salary from “\$53,426” to “\$55,898.” Updates the fiscal year reference to “2022-23.” Directs that school districts must maintain local salary supplements for each teacher no less than their prior fiscal year level. Directs that the minimum salary schedule specified in Proviso 1.3 is increased by “\$4000.” Deletes the requirement of using the salary schedule from the prior fiscal year as the basis for the increase.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND further to reinsert the directive that if additional state funds fill the gap, the requirement that school districts maintain local salary supplements per teacher at no less than their prior year level is suspended. Deletes the directive that the minimum salary schedule specified in Proviso 1.3 is increased by “\$4000.”

1.79. (SDE: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers’ salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year, the Southeastern average teacher salary is projected to be ~~\$53,426~~ \$55,898. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using *at a minimum* the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. For Fiscal Year ~~2021-22~~ 2022-23, the requirement that school districts ~~must~~ maintain local salary supplements per teacher no less than their prior fiscal year level is suspended if additional State funds fill the gap.

~~Furthermore, pursuant to Proviso 1.3 and funds appropriated for State Aid to Classrooms, each cell in the State Minimum Teacher Salary Schedule that is used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the districts of the state, is increased by four thousand dollars.~~

~~Funds allocated by Proviso 1.3 for implementing a revised state minimum salary schedule for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state by not less than one thousand dollars. Districts must use the district salary schedule utilized the prior fiscal year as the basis for providing the increase.~~

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

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

WMC: AMEND proviso to delete disbursement through the EFA formula. Updates the fiscal year reference to “2022-23.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

1.80. (SDE: School District Hold Harmless) If there is not an increase in state support for school districts that is disbursed ~~through the Education Finance Act formula~~ pursuant to Proviso 1.3 in this act, any district that must use reserve funds to pay for teacher pay raises, to include step increases, shall be held harmless from the local school district's reserve fund requirement provisions in the Fiscal Accountability Act for Fiscal Year ~~2021-22~~ 2022-23 and upon approval by the Department of Education.

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

WMC: AMEND proviso to update fiscal year reference to "2022-23."

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.83. (SDE: Standards-Based Assessments Suspended) In Fiscal Year ~~2021-22~~ 2022-23, the provisions of Section 59-18-325(C)(3) of the 1976 Code requiring science standards-based assessments of students in grade eight and social studies standards-based assessments of students in grades five and seven are suspended. Of the funds available due to the suspension of these assessments, \$500,000 must be used by the Department of Education to fund educator professional development regarding the South Carolina Computer Science and Digital Literacy Standards. The remainder of the funds shall be used to pay for industry certification/credentials as approved to measure College/Career Readiness for purposes of the state accountability system.

1.84 **DELETE** (SDE: Master's Plus Thirty) Requires the department to continue to process the master's plus thirty certificate classification in the same manner as in the prior school year. Directs that educators that earn a master's degree with 60 or more semester hours of coursework will remain eligible for the classification. Requested by the Department of Education.

WMC: DELETE proviso.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

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

1.85 **AMEND** (SDE: COVID-19 Emergency Powers) Authorizes the Superintendent of Education to exercise certain emergency powers in response to the COVID-19 public health emergency and provide a report to the Senate Finance Committee, the House of Representatives Ways and Means Committee, the Senate Education Committee, and the House of Representatives Education and Public Works Committee by August 1, 2021.

WMC: AMEND proviso to update calendar date reference to "2022."

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

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

(B) The State Superintendent of Education is authorized to carry forward any cash balances maintained by the Department of Education. The superintendent is further authorized to transfer any appropriations within the department to assist local school districts to use summer reading camps and all other available tools to ensure appropriate time is spent by students to keep them on grade level and satisfy their learning needs adjusting operations in response to COVID-19.

(C) On or before August 1, ~~2021~~ 2022, the State Superintendent of Education shall provide a report to the Senate Finance Committee, the House of Representatives Ways and Means Committee, the Senate Education Committee, and the House of Representatives Education and Public Works Committee concerning the emergency powers exercised in this provision.

1.86 **AMEND FURTHER** (SDE: Formative Assessment Data) Requires districts to ensure that all students in first through ninth grades are assessed using a state approved interim assessment tool during the fall, winter, and spring. Directs school districts to provide 2020-2021 and 2021-2022 interim and formative assessment data scores by grade and school to the department. Directs the department to compile the information and submit a comprehensive report to the General Assembly by January 31st. Directs that any school district that fails to provide the data shall have 10% of their EFA funding withheld until the data is provided.

WMC: AMEND proviso to change grades from through “ninth” to through “eighth” grades required to take the state approved interim assessment and update school year references to “2021-2022” and “2022-2023.” Requested by the Department of Education.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND further to delete “EFA” and insert “State Aid to Classrooms.”

1.86. (SDE: Formative Assessment Data) For the ~~2021-2022~~ 2022-2023 school year, districts must ensure all students in first through ~~ninth~~ eighth grades are assessed using a state approved interim assessment tool during the fall, winter, and spring. School districts shall provide all ~~2020-2021~~ 2021-2022 and ~~2021-2022~~ 2022-2023 interim and formative assessment data scores by grade and school to the Department of Education. The department is directed to compile the information received and submit a comprehensive report regarding performance on such assessments to the General Assembly by January 31 of the current fiscal year. Any school district failing to provide this data to the department shall have ten percent of their ~~EFA~~ State Aid to Classrooms funding withheld until the data is provided.

1.87 **DELETE** (SDE: School District Employees Data) Requires school districts provide a report to the department by October 1, 2021, that details school, district administration, and Career Centers employees and directs that the report specify job duties and indicate the number of individuals who primarily provide classroom instruction. Directs the department compile this information and submit a comprehensive report to the General Assembly.

SFC SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

1.87. (SDE: School District Employees Data) ~~By October 1, 2021, school districts shall provide a report detailing school, district administration, and Career Centers employees to the Department of Education. The report shall specify job duties and indicate the number of individuals whose primary job is to provide classroom instruction. The department is directed to~~

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

~~compile the information received into a comprehensive report and submit such report to the General Assembly.~~

- 1.88 DELETE** (SDE: Governor’s Schools Transfer Plan) Directs the Governor’s Schools for the Arts and Humanities and for Science and Mathematics to work with the Executive Budget Office, in consultation with the department, to develop a plan to operate their respective schools independently from the department. Directs that the plans should include proposed program structure, the amount of funding to be transferred from the department, and personnel required to perform HR and accounting functions. Directs that a report be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees by December 1, 2021.
WMC: DELETE proviso.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~**1.88.** (SDE: Governor’s Schools Transfer Plan) The Governor’s School for the Arts and Humanities and the Governor’s School for Science and Mathematics shall each work with the Department of Administration, Executive Budget Office, in consultation with the Department of Education, to develop a plan to operate their school independently from the Department of Education. The plans should include, but are not limited to, proposed program structure, the amount of personal services, operating expenses, and employer contributions funding which will be transferred from the Department of Education, and personnel required to perform human resource and accounting functions. A report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Governor by December 1, 2021.~~

- 1.91 AMEND FURTHER** (SDE: Public School Virtual Program Funding) Allows school districts to offer a virtual education program for up to 5% of its student population based on the most recent 135 ADM count without impacting the state funding it receives. Direct the department to establish guidelines and parameters for the virtual program and require districts to submit their virtual program plans to the State Board of Education for approval. Require participating districts to report certain information to the department. Direct that for every student participating above the 5% threshold, the district shall not receive 47.22% of the State per pupil funding provided pursuant to proviso 1.3. Direct that the 5% threshold shall not apply to students whose IEP or 504 status requires they participate in a program administered in a virtual format.
WMC: AMEND proviso to update fiscal year reference to “2022-23.”
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: AMEND further to delete language relating to the amount of funds withheld for the per pupil funding for students participating in the virtual program from the EFA portion and the state minimum teacher salary schedule portion of State Aid to Classrooms.

~~**1.91.** (SDE: Public School Virtual Program Funding) For Fiscal Year ~~2021-22~~ 2022-23, school districts shall be permitted to offer a virtual education program for up to five percent of its student population based on the most recent 135 day ADM count without impacting any state funding. The Department of Education shall establish guidelines for the virtual program and parameters students must meet in order to participate in the virtual program. School districts must submit their plans for the virtual program to the State Board of Education for approval.~~

School districts offering a virtual program must report their ADM counts for students participating in their virtual program and the number of students participating face to face for the 5th, 45th, 90th, and 135th day to the Department of Education.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

For every student participating in the virtual program above the five percent threshold, the school district will not receive 47.22% of the State per pupil funding provided to that district as reported in the latest Revenue and Fiscal Affairs revenue per pupil report pursuant to Proviso 1.3. This amount shall be withheld from ~~the EFA portion of the State Aid to Classroom's district allocation and, if necessary, the state minimum teacher salary schedule portion of State Aid to Classrooms.~~

The five percent threshold shall not apply to students whose IEP or 504 status requires their participation in a program administered in a virtual format.

- 1.92** **AMEND** (SDE: Capital Funding for Disadvantaged Schools) Directs that Capital Funding for Disadvantaged Schools be prioritized as follows: (A) Directs that \$15,000,000 be made available first to local districts with an ADM that is less than 5,000 and is located within a Tier IV ranked county which chooses to consolidate with another district in the same county or to a district under state takeover and is consolidating school buildings as directed by the state superintendent. Provides for the use of the funds. Requires eligible districts submit a preliminary plan and consolidation timeline by August 1 to the department for review and approval. Directs districts to forward the approved final plan to the local legislative delegation with a request to enact local legislation to effect consolidation. Provides for the allocation of funds upon approval of the consolidation plan. Directs the department to set aside the remaining funds to create a source of funding for local school district infrastructure based on need. Directs the department submit recommendations by December 31st to the Senate Finance and House Ways and Means Committees to establish program guidelines for award criteria, conditions for awards and match requirements. Authorizes unexpended funds to be carried forward and used for the same purpose. **WMC:** AMEND proviso to change the amount of funds made available to local school districts from "\$15,000,000" to "\$25,000,000" when consolidating with another school district. Deletes the average daily membership requirement based on student count, county rank, and the consolidation choice with a school district in the same county or district that is under state takeover. Directs the DOE to submit a report documenting the number of applications received and approved, types of infrastructure, and projected and final project costs to the General Assembly by June 30 of each year. **HOU:** ADOPT proviso as amended. **SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

1.92. (SDE: Capital Funding for Disadvantaged Schools) The funds appropriated for Capital Funding for Disadvantaged Schools shall be prioritized by the Department of Education pursuant to subsections (A) and (B).

(A) Up to ~~\$15,000,000~~ \$25,000,000 of the funds shall be made available first to a local school district or districts ~~with an average daily membership that is less than 5000, based on the most recent student count received by the department, and that is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B) for 2018 which chooses to consolidate with another school district located in the same county, or to a school district that is under state takeover and is consolidating school buildings as directed by the State Superintendent of Education~~ that is consolidating with another school district. The funds may be used to support costs directly related to the consolidation which shall include, but are not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology and other factors for which the district or districts demonstrates are necessary to complete consolidation. On or before August 1, the eligible districts must submit a preliminary plan and timeline for pursuing consolidation, including the use of the consolidation funds requested, to the Department of Education for review and approval. When the department has approved the final plan, the districts shall forward the plan to the local legislative delegation outlining the specific request

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

that local legislation be enacted to effect the consolidation. The legislation may include, but is not limited to, composition of the consolidated board, transition procedures, and disposition and/or assumption of district assets and liabilities. Upon approval of a consolidation plan, the department shall make an initial allocation to the impacted districts and shall allocate remaining funds upon enactment of legislation formally consolidating the districts for the benefit of the consolidated district.

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

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

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

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

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

- 1.94** **AMEND** (SDE: Retired Teacher Salary Negotiation) Allows school districts to negotiate salaries below the salary schedule when hiring retired teachers for the 2021-22 school year.
WMC: AMEND proviso to update school year reference to "2022-23."
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1.94. (SDE: Retired Teacher Salary Negotiation) With funds appropriated for State Aid to Classrooms, when hiring retired teachers for the ~~2021-22~~ 2022-23 school year, school districts uniformly may negotiate salaries below the school district salary schedule.

- 1.96** **ADD** (SDE: Capital Improvement Payments) **WMC:** ADD new proviso to allow school districts to utilize fees from developmental impact fees to pay debt service on capital improvement plan projects.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.96. (SDE: Capital Improvement Payments) In the current fiscal year, any school district that is allocated state funds pursuant to this act may utilize any fees derived from developmental impact fees to pay debt service on projects included in the capital improvements plan for which the fees were imposed.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

- 1.97** **ADD** (SDE: Magnet School Athletics) **WMC:** ADD new proviso to allow students from magnet schools that share a physical campus to participate in a sport not offered at their school of enrollment. Directs that the athletic competition classification cannot be modified. Prohibits a school from expending funds for membership dues to an organization that prevents a student from playing or changes the classification as a result of this provision.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.97. (SDE: Magnet school athletics) From funds authorized or appropriated, a public magnet school that shares a physical campus with another public magnet school must allow any student enrolled at a school on that physical campus to participate in an athletic sport not offered at the school in which the student is enrolled, provided the student meets all age and academic requirements for participation. For the purposes of athletic competition classification, schools with students participating pursuant to this provision must not have their school enrollments joined or modified due to compliance with this provision, nor shall any school be subjected to a change in athletic competition classification as a result of compliance. All public schools and all public school districts receiving funds authorized or appropriated are prohibited from expending any funds to pay membership dues or other funds to any organization that prevents a student from playing sub-varsity or varsity athletics or changes or alters a school's athletic competition classification or competition status as a result of any school or school district's compliance with this provision. This provision shall not limit the ability of any magnet school student, provided the student meets all age and eligibility requirements, to otherwise elect to participate in sub-varsity or varsity athletics at the student's zoned or resident school.

- 1.98** **DELETE NEW PROVISO** (SDE: Basic Skills for Admission to Teacher Preparation Program/Praxis Core) **WMC:** ADD new proviso to allow a college or university educator preparation provider to develop a plan to ensure proficiency in reading, writing, and mathematics in teacher candidates and direct that the plan be submitted to the State Board of Education for approval. Directs the State Board of Education and the Commission on Higher Education to establish proposal criteria and direct that the State Board must approve the plan before it can be implemented. Directs that if an applicant does demonstrate proficiency in the required basic skills to qualify for full admission to the program, the college or university must offer the applicant appropriate academic assistance and support before they reapply for program assistance at a later date. Requires the department to study methods used in other states and provide recommendations to the State Board of Education no later than June 30, 2023.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*1.98. (SDE: Basic Skills for Admission to Teacher Preparation Program/Praxis Core) With funds appropriated to the department and to meet the requirements established in Sections 59-26-10, et. seq., of the 1976 Code, for final candidate admission to an undergraduate teacher preparation program, a college or university educator preparation provider may develop and submit for State Board of Education approval a plan for ensuring teacher candidate proficiency in reading, writing, and mathematics. The plan may include an option for candidates to demonstrate basic skills proficiency through multiple measures which may include scores on an approved basic skills assessment, grade point average, grades in benchmark courses, existing college or university assessments for determining undergraduate course placement, or other factors. The State Board of Education, working with the Commission on Higher Education, shall be authorized to establish proposal criteria and must approve a provider's plan prior to its implementation. In the event that an applicant does not demonstrate the required basic skills*~~

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

~~*proficiency to qualify for full admission to the preparation program, the college or university must offer the applicant appropriate academic assistance and support prior to the individual reapplying for program assistance at a later date. The department is directed to study methods used in other states for teacher candidates to demonstrate subject area knowledge for certification purposes and provide recommendations to the State Board of Education no later than June 30, 2023.*~~

- 1.99** **ADD** (SDE: Noncertified Teacher Hiring) **WMC:** ADD new proviso to allow a school district to hire noncertified teachers in critical need and subject areas. Requires noncertified teachers to have a baccalaureate or graduate degree from an accredited university in the subject they are hired to teach. Requires teachers to undergo a background check. Defines “noncertified teacher.” Requires the district to provide the department with information about the noncertified teacher and notify the department if they terminate a noncertified teacher.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1.99. (SDE: Noncertified Teacher Hiring) For the 2022-23 school year, a school district may hire noncertified teachers in critical needs geographic areas and subject areas if a certified teacher is not available. All noncertified teachers must possess baccalaureate degrees or graduate degrees from a regionally accredited college or university in the subject they are hired to teach. Districts must require that all noncertified teachers must undergo a background check pursuant to Sections 59-19-117 and 59-25-115. For purposes of this provision, “noncertified teacher” does not include applicants who meet eligibility requirements for the Career and Technology work-based certification in the respective fields. On a form prescribed by the department, districts must provide the Department of Education with the name of the noncertified teacher, school where the teacher is employed, and subject area in which the teacher was hired to teach. A district that terminates a registered noncertified teacher from employment shall notify the department of the termination and the reason for termination within ten days after the termination.

- 1.hsar** **ADD** (SDE: High School Assigned Readings) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require each school district to use appropriated funds to ensure all high schools publish the complete list of assigned readings on the school’s website by the 15th day of each semester or grading period. Directs that if a school district does not comply, the district Superintendent must appear before the local legislative delegation at a time determined by the delegation.

1.hsar. (SDE: High School Assigned Readings) Utilizing funds appropriated in this act, each school district is required to ensure all high schools in their district publish on the high school’s website the complete list of assigned readings for each school year by the fifteenth day of each semester or grading period. Any school district that is non-compliant with this listing must have their Superintendent appear before their local legislative delegation at a time established by the delegation.

- 1.gr** **ADD** (SDE: Graduation Requirements) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that SDE promulgate regulations to update current graduation requirements to include a half credit in personal finance. Requires the regulation to be submitted to the State Board of Education by September 30th.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

1.gr. (SDE: Graduation Requirements) Of the funds appropriated or authorized herein, and pursuant to Section 59-39-10 of the 1976 Code, the Department of Education, through the State Board of Education, is directed to promulgate regulations to update the current graduation requirements to include within the existing credits a required half credit in personal finance. The regulation shall be submitted to the State Board of Education for first reading by September 30th.

- 1.csmo ADD (SDE: Charter School Management Organizations) SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that a person paid or employed by an EMO or CMO shall not serve on the board of any charter school if the EMO or CMO is contracted to provide any services to the charter school. Directs that a person paid or employed by an EMO or CMO shall not serve on the board of any authorizer's board of a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning. Directs that any school in violation of these provisions shall have 50% of all appropriated state funds withheld until compliant.

1.csmo. (SDE: Charter School Management Organizations) A person paid or employed by an Education Management Organization (EMO) or a Charter Management Organization (CMO) shall not be allowed to serve on the board of any charter school sponsored by a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning if the EMO or CMO is contracted to provide any services to the charter school. Any school violating this provision shall have fifty percent of all appropriated state funds withheld until the school becomes compliant with this provision. A person paid or employed by an Education Management Organization (EMO) or a Charter Management Organization (CMO) shall not be allowed to serve on the board of any authorizer's board of a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning. Any authorizing board violating this provision shall have fifty percent of all appropriated state funds retained for operations withheld until the authorizer and its board becomes compliant with this provision.

- 1.fstp ADD (SDE: First Steps Transfer Plan) SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the Office of First Steps to collaborate with DOA, EBO and SDE to create a plan to operate independently from SDE. Provides for the requirements of the plan. Requires a report of the plan to be submitted to the Chairmen of Senate Finance and House Ways and Means Committees and the Governor by December 1, 2022.

1.fstp. (SDE: First Steps Transfer Plan) The Office of First Steps shall work with the Department of Administration, Executive Budget Office, in consultation with the Department of Education, to develop a plan to operate independently from the Department of Education. The plan should include, but is not limited to, proposed program structure, the amount of personal services, operating expenses, employer contributions funding which shall be transferred from the Department of Education, and personnel required to perform human resource and accounting functions. A report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor by December 1, 2022.

- 1.rp CONFORM TO FUNDING/ADD (SDE: READY Program) SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require funds for the READY program to be awarded by the SC First Steps to School Readiness Board of Trustees to First Steps local partnerships through a competitive and targeted grants process. Provides for the requirements of the grant awards. Directs that no more than 10% of the funds appropriated may be distributed to

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

any one county, and no more than 3% may be retained by the Office of First Steps. Requires an annual report to be provided to the General Assembly and the Governor by June 30, 2023.

1.rp. (SDE: READY Program) Funds for the Resources for Early Acceleration and Development in Youth (READY) program must be awarded by the South Carolina First Steps to School Readiness Board of Trustees to First Steps local partnerships through a competitive and targeted grants process. Grant awards must prioritize evidenced-based programs for children from birth through age three who live in rural communities and in communities where kindergarten readiness scores are consistently below the state average. Of the funds appropriated, no more than ten percent may be distributed to any one county, and no more than three percent may be retained by the Office of First Steps for administering, monitoring, and evaluating the program. An annual report on the state's investment in early learning and development must be provided by the Office of First Steps to the General Assembly and the Governor by June 30, 2023.

1.csa **ADD** (SDE: Charter School Accountability) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that only public or independent institutions of higher learning registered with SDE as of July 1, 2021, or approved by an application process developed by SDE, may register or operate as charter school sponsors during Fiscal Year 2022-23. Directs SDE during FY 2022-23 to develop a sponsor application process for public or independent institutions of higher learning who were not registered as charter schools sponsor and establishes criteria for the process. Provides for the requirements of the charter school sponsors and charter schools, including the transfer of sponsor process.

1.csa. (SDE: Charter School Accountability) In order to ensure funds allocated to charter schools promote quality school choices for parents and students and are expended to avoid the legal disputes, instability, fiscal challenges, and potential negative outcomes associated with charter hopping and charter shopping, only those public or independent institutions of higher learning registered with the State Department of Education, as of July 1, 2021, or approved by an application process developed by the State Board of Education pursuant to the Charter Schools Act after July 1, 2021, may register or operate as charter school sponsors during Fiscal Year 2022-23. During Fiscal Year 2022-23, the State Department of Education shall use funds allocated to it to develop a sponsor application process, which shall apply only to those public or independent institutions of higher learning who were not registered as charter school sponsors with the State Department of Education as of July 1, 2021, and which shall prioritize evidence that the institution of higher education has capacity to meet minimum requirements of a local education agency (LEA) as its primary criteria. No sponsor may receive funds in Fiscal Year 2022-23 for any charter school that attempts to transfer to that sponsor unless the transfer is approved by school's current sponsor in Fiscal Year 2021-22 as expressed in a vote at a public meeting by the current sponsor board of trustees or board of directors. Each current charter school sponsor shall adopt and implement policies, procedures, and practices that ensure good governance and are consistent with the charter school sponsor's powers and duties as an LEA as provided in the Charter Schools Act. Each charter school sponsor also shall submit a report on the performance of each of its sponsored charter schools and the sponsor's performance of its duties by June 30, 2023. Board members of charter schools or charter school sponsors are subject to removal pursuant to Section 59-19-60 of the 1976 Code to the same extent as other school district trustees in South Carolina or may be removed pursuant to any provision of the Charter Schools Act. Further, in the absence of any state law or regulation providing a process to transfer charters from one sponsor to another, no charter school may terminate its contract or charter for the purpose of transferring its charter or otherwise seek to transfer its charter from

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

one sponsor to another unless the charter school follows the following procedure. The charter school board of directors shall place the transfer request on a public meeting agenda and take action on the request in open session not later than August 30, 2022. The charter school board shall permit public testimony, pursuant to its rules. Upon an affirmative vote of the charter school board, the charter school shall submit a written request to the current sponsor to transfer its charter to a different sponsor before September 1, 2022. The transfer must be effective on June 30, 2023. The proposed new sponsor shall issue a written final decision approving or denying the request to transfer before October 31, 2022. The proposed new sponsor may deny the request for any reason that is not arbitrary, capricious, discriminatory, or otherwise violative of law. A copy of the final decision must be served on the charter school applying to transfer, the current sponsor, and the State Department of Education before November 5, 2022. If the proposed new sponsor approves the request to transfer, the current sponsor shall issue a final decision approving or denying the request to transfer before December 31, 2022. The sponsor may, but is not required to, permit the charter school to submit materials or information to support its transfer request, all of which must be submitted at least five business days before the board hearing. No hearing is required. If a sponsor fails to comply with this provision, the State Department of Education may compel the sponsor to comply with this provision by withholding the sponsor's fees related to the charter school seeking to transfer until a final decision is issued. Each step of the transfer process must be conducted with proper notice, public discussion, and a vote by the board during a public meeting in accordance with the Freedom of Information Act. The current sponsor shall deny a request to transfer to the proposed new sponsor if the current sponsor determines the charter school's request to transfer is to avoid accountability, prohibited by law, untimely, or other good cause to deny the transfer exists. Good cause to deny the charter school's transfer request includes, but is not limited to: (a) violations of the charter, contract, or applicable law that have not been resolved by the charter school; (b) receipt of the lowest performance level rating under the state or federal accountability system at any grade level during the past two academic years by the charter school seeking to transfer; (c) more than one transfer request by the charter school within a five-year period; or (d) the charter school has operated less than three years with the current sponsor. The final decision of the current sponsor regarding the request to transfer is appealable to the Administrative Law Court.

- 1.edd CONFORM TO FUNDING/ADD** (SDE: Education Data Dashboard) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the EOC to pilot an Education Data Dashboard. Requires the dashboard to interface with existing systems to provide information on district, school, and system progress and use existing data to document educational growth and financial expenditures.

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

- 1.ds CONFORM TO FUNDING/ADD** (SDE: Dyslexia Screener) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct SDE to utilize \$1,500,000 to create the Learning Ally - USC Literacy Screener Pilot Project.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

1.ds. (SDE: Dyslexia Screener) Of the funds appropriated to the Dyslexia Screener, \$1,500,000 shall be used by the State Department of Education to establish the Learning Ally - USC Literacy Screener Pilot Project.

1.ttp **ADD** (SDE: Teaching Transformation Pilot Program) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that \$1,000,000 be allocated to USC's College of Education for a pilot program to reinvent and transform the state's teaching profession. Provides for the goals, intentions, and requirements of the program. Directs the pilot program to be in partnership with selected SC Historically Black Colleges and Universities, and to be designed and developed in collaboration with national partners, Education Resources Strategies and Bank Street College. Requires the pilot program to be anchored in data collection underway by SC-TEACHER, with a grant funded by the Carnegie Corporation of New York and effective educator practices across the globe. Directs the pilot program to compliment and/or enhance the state's effective innovation in the issue of the state's teaching profession.

1.ttp. (SDE: Teaching Transformation Pilot Program) On or before July 31st of the current fiscal year, \$1,000,000 shall be allocated to the University of South Carolina's College of Education for the design and implementation of a pilot program to reinvent and transform the state's teaching profession. The goals of the pilot program are to:

- (1) diversify the PK-12th grade educator workforce;*
- (2) address teacher shortages through innovations in educator development; and*
- (3) accelerate student learning and systems of whole child education.*

The pilot program shall support at least three diverse school districts which shall include a minimum of one, with a maximum of two, large urban districts and a minimum of two, with a maximum of four, rural districts in order to:

(1) incentivize the recruitment and preparation of high quality educators including a focus on diversifying the teaching workforce for high-need students and stipends for student teachers/residents;

(2) support the development of a coherent and financially sustainable system, based on current school funding models, of teacher leadership that improves learning environments and educator retention and effectiveness; and

(3) produce several models of the school-university-community partnerships in South Carolina, testing evidence-based elements of a coherent system of teacher development including, but not limited to:

(a) prototyping a paid teacher residency for South Carolina, modeled from the medical profession, to develop well-prepared new recruits to teaching and new school designs to support teacher learning and leadership for whole child education;

(b) applying state of the art technology and tools that save time, not only to help teachers problem-solve instructional challenges, but also to teach students across schools and districts;

(c) reinventing the school day and/or school year calendar as teachers work on different contracts to create expanded and more personalized student learning as well as more opportunities for educators to lead;

(d) reducing teaching loads for some of the state's top teachers, including over six thousand who are National Board certified, so they can lead without leaving the classrooms; and

(e) rethinking the teacher salary schedule to:

(i) include opportunities for additional pay for increased responsibility, leadership roles, and expanded impact; and

(ii) prototype a menu of financial and nonfinancial incentives for effective educators to work in priority schools, subjects, and grade levels.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

State funding will support both an external evaluation of the pilot program as well as South Carolina districts participating in a national learning community of other school-university partnerships seeking to transform the educator workforce.

The pilot program to transform the teaching profession will be in partnership with selected South Carolina Historically Black Colleges and Universities which will be critical to recruiting and developing teachers of color. In addition, the pilot program will be designed and developed in collaboration with national partners, Education Resource Strategies and Bank Street College, bringing respective expertise in resource reallocations for innovative school staffing in public education and recruiting and preparing diverse teachers through teaching residences. The pilot program will be anchored in data collection underway by SC-TEACHER, with a grant funded by the Carnegie Corporation of New York, as well as in effective educator practices from across the globe.

The pilot program shall compliment and/or enhance the state's effective innovations in educator recruitment, induction, evaluation, and professional learning, and draw upon research evidence to create a transformative system of educator development including new ways to compensate teachers and principals that impact student learning and more efficient use of human capital across the State. Current teacher shortages cannot be addressed without transforming the teaching job and the profession itself.

1.bsc (SDE: Base Student Cost/EFA) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso that in FY 2022-23, references to Base Student Cost and EFA for reimbursement purposes shall have the same meaning in the previous fiscal year. Directs that references to Base Student Cost and EFA for withholding purposes means a State Aid to Classroom withholding. Directs SDE to make budget recommendations for changes to Base Student Cost or EFA references in the act.

1.bsc. (SDE: Base Student Cost/EFA) For Fiscal Year 2022-23, references to Base Student Cost and EFA for reimbursement purposes for other entities shall have the same meaning as in the previous fiscal year.

For Fiscal Year 2022-23, references to Base Student Cost and EFA for withholding purposes shall mean a withholding of State Aid to Classroom.

From funds appropriated to the Department of Education, the department will make recommendations in their annual budget request for any changes to Base Student Cost or EFA references in the annual appropriations act.

SECTION 1A - H630 - DEPARTMENT OF EDUCATION-EIA

1A.9 CONFORM TO FUNDING/AMEND (SDE-EIA: Teacher Supplies) Provides guidelines for distributing teacher supply reimbursement of up to \$275 each school year to offset the expenses teachers have incurred for teaching supplies and materials. Allows any classroom teacher, including those at a S.C. private school that are not eligible for this reimbursement, to claim a refundable income tax credit on their 2021 tax return.

WMC: AMEND proviso to increase the amount for teaching supplies and materials from “two hundred seventy-five” to “three” hundred dollars. Updates the tax year references to “2022.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING.

1A.9. (SDE-EIA: Teacher Supplies) All certified and non-certified public school teachers identified in PCS, certified special school classroom teachers, certified media specialists,

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

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

Any classroom teacher, including a classroom teacher at a South Carolina private school, that is not eligible for the reimbursement allowed by this provision, may claim a refundable income tax credit on the teacher's ~~2021~~ 2022 tax return, provided that the return or any amended return claiming the credit is filed prior to the end of the fiscal year. The credit is equal to ~~two hundred seventy-five~~ *three hundred* dollars, or the amount the teacher expends on teacher supplies and materials, whichever is less. If any expenditures eligible for a credit are made after December thirty-first, the teacher may include the expenditures on his initial return or may file an amended ~~2021~~ 2022 return claiming the credit, so long as the return or amended return is filed in this fiscal year. The Department of Revenue may require whatever proof it deems necessary to implement the credit provided by this part of this provision. Any person receiving the reimbursement provided by this proviso is ineligible to take the income tax credit allowed by this proviso.

- 1A.12 DELETE** (SDE-EIA: Technical Assistance) Sets the guidelines for the distribution and use of technical assistance funds to below average or at-risk schools as reflected on the most recent annual report card and according to the severity of not meeting satisfactory results.
SFC SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

1A.12. (SDE-EIA: Technical Assistance) ~~In order to best meet the needs of underperforming schools, funds appropriated for technical assistance must be used to provide~~

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

~~intensive support to schools and districts with an absolute rating of below average or at risk on the most recent annual school report card or with the lowest percentages of students meeting state standards on state assessments on the most recent state assessments or with the lowest high school graduation rates. The department will create a system of tiers of technical assistance for low performing schools and districts that will receive technical assistance. The tiers will be determined by factors that include, but are not limited to, length of time performance of the school or district has been at risk/below average, annual achievement ratings, annual growth ratings, school or district accreditation, and/or financial risk status. The tiers of technical assistance may include a per student allocation, placement of a principal mentor, transformation coach, instructional leader, replacement of the principal, reconstitution of a school, and declaration of a state of emergency. Low performing schools and districts shall be placed within the tiered technical assistance framework not later than December fifteenth.~~

~~Low performing schools shall receive a diagnostic review through the department. In addition, newly identified low performing schools and districts must be reviewed by an External Review Team in the year of designation, and every third year thereafter. These reports shall be made available on the Department of Education's website; any information pertaining to personnel matters or containing personally identifiable information shall be exempted. Based upon the recommendations in the review(s), low performing schools and districts must develop and submit to the Department of Education an updated school renewal or district strategic plan outlining goals for improvements. The amended plans must address specific strategies designed to increase student achievement and must include measures to evaluate the success of implementation of the plan.~~

~~With the funds appropriated to the Department of Education, and any experts placed in the school or district for technical assistance services, the department will assist low performing schools and districts in designing and implementing the strategies and measurement identified in the amended plans and in brokering for technical assistance personnel as stipulated in the plan. In addition, the department must monitor student academic achievement and progress on implementation and report their findings to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the local legislative delegation, and the Governor in the fall following the school or district designation as low performing. If the school or school district does not provide the evaluation information necessary to determine effective use, the principal of the school or the district superintendent may be subject to receiving a public reprimand by the State Board of Education if it is determined that those individuals are responsible for the failure to provide the required information.~~

~~Funds must be used by the department for implementation and delivery of technical assistance services. Using previous report card data and monitoring reports on the status of implementation of the school renewal plan, the department shall identify priority schools. Funds appropriated for technical assistance shall be used by the department to work with those schools identified as low performing and to support priority schools under the tiered system. These funds shall not be transferred to any other funding category by the school district without prior approval of the State Superintendent of Education and funds are not subject to agency flexibility provisions.~~

~~Reconstitution means the redesign or reorganization of the school, which may include the declaration that all positions in the school are considered vacant. Certified staff currently employed in priority schools must undergo an evaluation in the spring following the school's identification as a priority school and must meet determined goals to be rehired and continue their employment at that school. Educators who were employed at a school that is being reconstituted prior to July 2009, and to whom the employment and dismissal laws apply will not lose their rights in the reconstitution. If they are not rehired or are not assigned to another school~~

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

~~in the school district they have the opportunity for a hearing. However, employment and dismissal laws shall not apply to educators who are employed in the district and assigned to the priority schools July 1, 2009, in the event of a reconstitution of the school in which the educator is employed. Those rights are only suspended in the event of a reconstitution of the entire school staff. Additionally, the rights and requirements of the employment and dismissal laws do not apply to educators who on July 1, 2009, were on an induction or annual contract, that subsequently were offered continuing contract status after the effective date of this proviso, and are employed at a school that is subject to reconstitution under this proviso.~~

~~The reconstitution of a school could take place if the school has been identified as a priority school that has failed to improve satisfactorily. The decision to reconstitute a school shall be made by the State Superintendent of Education in consultation with the principal the school board of trustees, and the district superintendent. The decision to reconstitute a school shall be made by April first, at which time notice shall be given to all employees of the school. The department, in consultation with the district superintendent, shall develop a staffing plan and a budget for each reconstituted school.~~

~~The State Superintendent of Education may declare a state of emergency in a district if the accreditation status is probation or denied, if a majority of the schools fail to show improvement, if the district is classified as being in “high risk” status financially, or for financial mismanagement resulting in a deficit. The State Superintendent of Education may declare a state of emergency in a school if the accreditation status is probation or denied, or if the school fails to show improvement. Upon declaration of a state of emergency, the Superintendent may take over management of the school or district. Management of the school or district may include direct management, consolidation with another district, charter management, public/private management, or contracting with an educational management organization or another school district.~~

- 1A.14 AMEND** (SDE-EIA: School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. Requires school districts to report the student teacher ratio for every classroom to the department at the 45 and 90 day mark and directs the department to report this information to the General Assembly. *Note: Companion General Education proviso is 1.24.*
WMC: AMEND proviso to update school year reference to “2022-2023.”
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.14. (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery Act funds, and funds received from the Children’s Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor funds required for debt service or bonded indebtedness. All school districts must report the student teacher ratio for every classroom to the Department of Education at the forty-fifth and the one hundred and thirty-fifth day mark. The department shall report this information to the General Assembly for the ~~2021-2022~~ 2022-2023 school year.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

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

"InSite" means the financial analysis model for education programs utilized by the Department of Education.

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

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

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

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

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

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

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

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

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

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

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

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

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

- 1A.20 DELETE** (SDE-EIA: Certified Staff Technology Proficiency) Requires the department to approve district technology plans to ensure the incorporation of teacher technology competency standards requiring the demonstration of proficiency in each teacher’s professional development plan. Directs that evidence of compliance is a prerequisite for spending district technology funds. **WMC:** DELETE proviso. Requested by the Department of Education.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1A.20. (SDE-EIA: Certified Staff Technology Proficiency) To ensure the effective and efficient use of the funding provided by the General Assembly in Part IA, Section 1 VIII.D. for school technology in the classroom and internet access, the State Department of Education shall approve district technology plans that specifically address and incorporate certified staff technology competency standards and local school districts must require certified staff to demonstrate proficiency in these standards as part of each certified staff’s Professional Development plan. District adopted technology proficiency standards and plans should be, at minimum, aligned to the International Society for Technology in Education (ISTE) teacher standards. Evidence that districts are meeting the requirement is a prerequisite to expenditure of a district’s technology funds.~~

- 1A.24 DELETE** (SDE-EIA: Students at Risk of School Failure) Directs how to allocate EIA funds appropriated for students at academic risk of school failure shall be allocated to school districts for the current fiscal year. Requires that at least 85% of funds allocated for these students be spent on instruction and instructional support for students at academic risk. Allows instructional support to include family literacy and parenting programs. Defines students at risk. Directs that public charter schools, Palmetto Unified School District, and DJJ to also receive a proportionate per pupil allocation based on the number of students at academic risk served. **WMC:** DELETE proviso.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1A.24. (SDE-EIA: Students at Risk of School Failure) For the current fiscal year, EIA funds appropriated for students at academic risk of school failure, must be allocated to school districts based upon two factors: (1) poverty as determined for the poverty add on weight in Proviso 1.3; and (2) the number of weighted pupil units identified in the prior fiscal year as in need of academic assistance. At least eighty five percent of the funds must be spent on instruction and~~

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

~~instructional support for students at academic risk. Instructional support may include family literacy and parenting programs to students at risk for school failure and their families. Students at academic risk are defined as students who are not meeting grade level standards in English language arts/reading and mathematics as evidenced by summative state assessments in grades three through eight or students who are not on track to meeting or exceeding English language arts/reading or mathematics standards by the end of third grade. Public charter schools, the Palmetto Unified School District, and the Department of Juvenile Justice must also receive a proportionate per pupil allocation based on the number of students at academic risk of school failure served.~~

1A.29 AMEND FURTHER (Full-Day 4K) Provides guidelines for participation in and funding for the SC Early Reading Development and Education Program (CERDEP). *Note: Companion SDE proviso is 1.55.*

WMC: AMEND proviso to direct public and private providers be funded for instructional costs at a minimum rate of \$4,800 per enrolled student. Allows private providers transporting students to and from school to be eligible for reimbursement at a minimum of \$587 per child. Authorizes SDE and First Steps to utilize carry forward funds and federal funds as a supplement for materials and equipment. Allows funding appropriated for CERDEP to be carried forward and expended for the same purposes. Changes report date of the annual evaluation of the South Carolina Child Development Education Pilot Program from “January fifteenth” to “March first.” Updates fiscal year references to “2022-23.” Requested by First Steps.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND further to direct First Steps and DOE to provide an equitable distribution above the minimum between public and private providers. Directs First Steps and SDE to provide a report to the Governor and Chairmen of Senate Finance and House Ways and Means quarterly.

1A.29. (SDE-EIA: Full-Day 4K) Beginning with the current fiscal year, eligible students residing in any school district may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the availability of space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds.

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

Public and private providers shall be funded for instructional costs at a *minimum* rate of \$4,800 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

eligible for a reimbursement at a minimum of \$587 per eligible child transported. First Steps and the Department of Education must provide an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward funds and federal funds to supplement the amount expended for materials and equipment. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool based on the one hundred and thirty-five day student average daily membership. For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive reimbursement for these children if funds are available. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

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

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

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

conduct a research based review of the program's implementation and assessment of student success in the early elementary grades along with information, recommendations, and a timeline for how the state can increase the number of students served in high-quality programs.

For each school district that chooses not to participate in CERDEP, the district shall receive the same amount of EIA funds as allocated in the prior fiscal year for the provision of a half-day 4K program from the funds appropriated to the Department of Education for CERDEP or from any funds carried forward from the prior fiscal year to CERDEP. For eligible children residing in school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in CERDEP.

For the current fiscal year, the Office of First Steps may expend: (1) up to \$2,000,000 to pilot a program to provide higher reimbursement rates to high-quality child care centers. The reimbursement rate for students enrolled by child care providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to \$100,000 to provide one-time supplemental, needs-based incentive grants in an amount not to exceed \$30,000 for newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible students in a public, private, or Head Start setting during the prior fiscal year. These grants are designed to address building renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and staffing costs, and/or other obstacles currently preventing their participation in the program. The First Steps Board of Trustees shall develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are used solely to address documented barriers to program participation. Providers receiving this one-time supplement shall be expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to **School** Readiness. First Steps shall submit a report detailing its process, expenditures and expanded enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March 15; and (3) up to \$1,000,000 may be used to provide grants to public-private partnerships to address building renovations and designs necessary to get the building and classrooms into compliance with licensing regulations and other obstacles that prevent participation in CERDEP following guidelines developed by the Office of First Steps. Providers participating in this pilot shall be expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps.

If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures, available funds may be used to fund an extended program and to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. If a district chooses to fund summer enrollment, the program funding shall conform to the funding in this act for full year programs; however, it shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this act and end of year adjustments shall be based on the one hundred and thirty-five-day student average daily membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty days. Funds may also be used to provide parent engagement, professional development and quality

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

evaluations of programs. No later than April first, the Department of Education and the Office of First Steps shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants. The Office of First Steps is directed to determine if the provision of extended programs in private centers improves the ability of parents to enter the workforce or to pursue postsecondary training or industry credentials.

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

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

For Fiscal Year ~~2021-22~~ 2022-23, in response to the COVID-19 crisis, children who were eligible to participate in the Child Early Reading Development and Education Program in the prior fiscal year but did not participate, shall be eligible to participate in the program during Fiscal Year ~~2021-22~~ 2022-23, subject to classroom availability and funding. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

- 1A.30 DELETE** (SDE-EIA: Aid to Districts) Directs that Aid to Districts funds in program VII.A.1 be dispersed to school districts based on the number of weighted pupil units.
WMC: DELETE proviso.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1A.30. (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, VIII.A.1. Aid to Districts shall be disbursed monthly to school districts. For the current fiscal year, the remaining funds shall be allocated to districts based on the number of weighted pupil units.~~

- 1A.32 DELETE** (SDE-EIA: IDEA Maintenance of Effort) Directs that Aid to Districts funds be used to supplement support of programs and services for students with disabilities; to meet the estimated maintenance of effort for IDEA; or to resolve pending IDEA maintenance of effort litigation. Directs that IDEA maintenance of effort funds may not be transferred for any other purpose and are not subject to flexibility. Requires the department submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor by December first. Authorizes IDEA Maintenance Effort funds to be carried forward and used for the same purpose.
WMC: DELETE proviso.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~1A.32. (SDE-EIA: IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section VIII.A.1. Aid to Districts according to Proviso 1A.30 for the current fiscal year, in the event that there is a reduction in state funds or there are changes in the Education Finance Act/Base Student Cost formula that would reduce support for children with disabilities, the Department of Education is authorized to utilize funds appropriated in Section VIII.A.1. Aid to~~

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

~~Districts to ensure maintenance of state financial support for the IDEA. The department shall distribute these funds using the current fiscal year one hundred thirty five day Average Daily Membership or as directed by the United States Department of Education. Funds provided for these purposes may not be transferred to any other purpose and therefore are not subject to flexibility. For continued compliance with the federal maintenance of state financial support requirements of the IDEA, funding for children with disabilities must, to the extent practicable, be held harmless to budget cuts or reductions to the extent those funds are required to meet federal maintenance of state financial support requirements under the IDEA. In the event cuts to funds that are needed to maintain fiscal effort are necessary, when administering such cuts, the department must not reduce funding to support children with disabilities who qualify for services under the IDEA in a manner that is disproportionate to the level of overall reduction to state programs in general. By December first, the department must submit an estimate of the IDEA maintenance of state financial support requirement to the General Assembly and the Governor. For the current fiscal year, the department may carry forward IDEA Maintenance of Effort funds from the prior fiscal year and expend them in the same manner.~~

1A.36 AMEND FURTHER (SDE-EIA: Teacher Salaries/SE Average) States that the projected Southeastern average teacher salary for FY 2020-21 is \$53,426. Requires a local district board of trustees to provide a step increase for all eligible certified teachers. Directs that if additional state funds fill the gap, the requirement that school districts maintain local salary supplements per teacher at no less than their prior year level is suspended. Directs that the salaries of specified personnel must be increased by not less than \$1,000 and requires districts to use the district salary schedule used in the prior fiscal year as the basis for providing the increase. *Note: Companion General Education proviso is 1.79.*

WMC: AMEND proviso to change the Southeastern average teacher salary from “\$53,426” to “\$55,898.” Updates the fiscal year reference to “2022-23.” Directs that school districts must maintain local salary supplements for each teacher no less than their prior fiscal year level. Directs that the minimum salary schedule specified in Proviso 1.3 is increased by “\$4000.” Deletes the requirement of using the salary schedule from the prior fiscal year as the basis for the increase.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND further to reinsert the directive that if additional state funds fill the gap, the requirement that school districts maintain local salary supplements per teacher at no less than their prior year level is suspended. Deletes the directive that the minimum salary schedule specified in Proviso 1.3 is increased by “\$4000.”

1A.36. (SDE-EIA Teacher Salaries/SE Average) (SDE: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers’ salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year, the Southeastern average teacher salary is projected to be ~~\$53,426~~ \$55,898. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using at a minimum the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. For Fiscal Year ~~2021-22~~ 2022-23, the requirement that school districts ~~must~~ maintain local salary supplements per teacher no less than their prior fiscal year level is suspended if additional State funds fill the gap.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

~~*Furthermore, pursuant to Proviso 1.3 and funds appropriated for State Aid to Classrooms, each cell in the State Minimum Teacher Salary Schedule that is used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the districts of the state, is increased by four thousand dollars.*~~

Funds allocated by Proviso 1.3 for implementing a revised state minimum salary schedule for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state by not less than one thousand dollars. Districts must use the district salary schedule utilized the prior fiscal year as the basis for providing the increase.

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

- 1A.49 DELETE** (SDE-EIA: South Carolina Public Charter School Funding) Provides for the allocation of S.C. Public Charter School District funds for virtual and brick and mortar charter schools. Provides for the use of unexpended funds. Provides a timeline extension for ruling on charter school applications and requires the Public Charter School District provide an outcomes report on the extended time frame to the Senate Finance and House Ways and Means Committees. Requires charter schools that receive funds through this proviso to send the required information to the EOC and directs that if a school does not send the data, 1% of these funds will be withheld until they are compliant.
WMC: DELETE proviso.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

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

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

~~to meet the requirements of Section 59-40-60 and Section 59-40-70, of the 1976 Code, based on an applicant's proposal to address an existing achievement gap utilizing an evidence based educational program in an underserved geographical area of the state including, but not limited to, charter schools proposed to be located in any school district that is a plaintiff in the Abbeville law suit. The South Carolina Public Charter School District shall report to the Senate Finance Committee and the House Ways and Means Committee on the outcomes of this extended time for a hearing at the end of the application cycle.~~

1A.60 DELETE (SDE-EIA: National Board Certification Incentive) Directs that a \$7,500 salary supplement be paid to public school classroom teachers, including special schools, who are certified by the State Board of Education and the National Board for Professional Teaching Standards if they completed the application process before July 1, 2010 and a \$5,000 salary supplement if they completed the application process after July 1, 2010 as long as they maintain their national board certification. Authorizes these funds to be carried forward and expended for the same purpose. Directs that excess funds be distributed to school districts based on the EFA formula.

WMC: DELETE proviso. Requested by the Department of Education.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~**1A.60.** (SDE-EIA: National Board Certification Incentive) Public school classroom teachers, to include teachers employed at the special schools or classroom teachers who work with classroom teachers, to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants. The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, Governor's School for Agriculture at John de la Howe, School for the Deaf and the Blind, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teachers FTE and paid to the teacher in accordance with the districts payroll procedure. In addition, teachers who have applied prior to July 1, 2010 and are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.~~

~~For the current fiscal year the salary supplement will be \$5,000 for public school classroom teachers, to include teachers employed at the special schools or classroom teachers who work with classroom teachers, to include teachers employed at the special schools who are certified by the State Board of Education and who complete the application process on or after July 1, 2010, beginning in the year of achieving certification and applies uniformly to all teachers covered under Section 59-26-85(A)(2) of the 1976 Code. The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, Governor's School for Agriculture at John de la Howe, School for the Deaf and the Blind, Department of Juvenile Justice and Palmetto Unified School District 1. The \$5,000~~

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

~~salary supplement shall be added to the annual pay of the teacher, not to exceed the lesser of, the length of one national certificate cycle. However, the \$5,000 supplement shall be adjusted on a pro rata basis for the teachers FTE and paid to the teacher in accordance with the districts payroll procedure.~~

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

1A.65 **AMEND** (SDE-EIA: Digital Learning Plan) Directs that the department shall be responsible for the pilot program. Directs that e-Learning districts may use up to five e-Learning days to make-up short-term disruptions to in-person teaching and learning. Directs the EOC to evaluate the impact of alternative methods of instruction on student learning and on working with other agencies to expand access to remote instruction. Defines alternative methods of instruction. Requires the EOC to report annually to the Governor, General Assembly, Department of Education, and State Board of Education.

WMC: AMEND proviso to delete “pilot” and add “e-Learning Days.” Delete the evaluation of the impact of the pilot program of alternative methods of instruction and the annual report requirement. Requested by the Department of Education.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.65. (SDE-EIA: Digital Learning Plan) The implementation of the ~~pilot~~ *e-Learning* program ~~shall become~~ *is* the responsibility of the Department of Education. Those e-Learning school districts who meet the criteria for an e-Learning district as determined by the Department of Education may use up to five e-Learning days to allow for the make-up of short-term disruptions to in-person teaching and learning.

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

1A.66 **AMEND** (SDE-EIA: Teacher Recruitment Program) Provides for the allocation of \$750,000 of Rural Teacher Recruitment funds to USC’s College of Education (COE) to develop and implement a new teacher recruitment pilot program to be administered by the COE in partnership with the Center for Teaching Quality.

WMC: AMEND proviso to update fiscal year reference to “2022-23.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.66. (SDE-EIA: Teacher Recruitment Program) On or before September 30th of Fiscal Year ~~2021-22~~ *2022-23*, following the development of accountability metrics, \$750,000 of the funds appropriated in this act to the Department of Education for “Rural Teacher Recruitment” shall be allocated to the University of South Carolina’s College of Education (COE) for the development and implementation of a new teacher recruitment pilot program to be administered by the COE in partnership with the Center for Teaching Quality (CTQ). The purpose of the pilot

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

program shall be the employment of innovative and cost-effective teacher recruitment strategies, customized training for new teachers, and dedicated, ongoing mentoring support. The pilot program shall compliment and/or enhance the state’s ongoing rural teacher recruitment initiatives such as those supported pursuant to Proviso 1A.51 of this act. At minimum, the pilot program must assist no fewer than ten school districts to include at least four districts along the I-95 corridor and serve no fewer than 250 teacher candidates. The pilot program shall stipulate reasonable fees for participating candidates and districts and districts shall agree to release time for required on site mentors who shall be experienced, practicing teachers within the district for the purposes of co-teaching with and supporting candidates’ development. Within participating districts, the pilot program shall emphasize high-need schools and within selected schools, the emphasis shall be on developing teacher candidates teaching in high-need subject areas to include, but not be limited to, STEM and special education with all candidates receiving training in literacy skills. The pilot program design shall be based on emerging empirical evidence of effective teacher education as well as best practices from recent innovations in university-based and alternative certification and residency programs for the dual purpose of recruiting needed candidates with equal focus on retaining accomplished, experienced teachers utilizing, in part, a model which contains intensive mentoring and support for candidate teachers. Before any funds are disbursed to the COE, the COE and CTQ shall develop accountability metrics for the pilot program that must include, at minimum, employment outcome indicators such as job placement and retention statistics as well as survey instrumentation in order to measure candidate, mentor, and principal satisfaction with the pilot program. No later than June 30th, program data and evidence collected as a result of this accountability requirement must be shared in report form with the Department of Education, the Education Oversight Committee, the South Carolina Center for Educator Recruitment, Retention, and Advancement, the Commission on Higher Education, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee.

1A.67 **AMEND** (SDE-EIA: Bridge Program) Directs that \$1,400,000 of Rural Teacher Recruitment funds be transferred to SC State University to implement and enhance a BRIDGE program to recruit minority high school students along the I-95 corridor into the teaching profession. Directs SC State to use \$400,000 of these funds to partner with one or more higher education institutions to establish a similar bridge program.

WMC: AMEND proviso to update fiscal year reference to “2022-23.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

1A.67. (SDE: Bridge Program) Of the funds appropriated for “Rural Teacher Recruitment” in Fiscal Year ~~2021-22~~ 2022-23, \$1,400,000 shall be transferred to South Carolina State University for the implementation and enhancement of a BRIDGE program to recruit minority high school students along the I-95 corridor into the teaching profession by offering them, while still in high school, access to counseling, mentoring, on campus summer enrichment programs, and opportunities for dual enrollment credits at South Carolina State University for the purpose of preparing these students to major in education and to become future teachers along the I-95 corridor. South Carolina State University must utilize \$400,000 of these funds to partner with one or more institutions of higher education to establish a similar bridge program.

1A.70 **CONFORM TO FUNDING/AMEND** (SDE-EIA: Surplus) Requires and provides guidelines for the carry forward and expenditure of the EIA cash funds from the prior fiscal year and EIA funds not appropriated or authorized.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

WMC: AMEND proviso to revise the list of items for which EIA funds may be expended and update the Fiscal Year reference to “2022-23.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING.

1A.70. (SDE-EIA: Surplus) For Fiscal Year ~~2021-22~~ 2022-23, EIA cash funds from the prior fiscal year and EIA funds not otherwise appropriated or authorized must be carried forward and expended on the following items in the order listed:

1. SDE Grant Committee	\$ 3,000,000;
2. Charter School	\$ 33,216,180;
3. Computer Science Teacher Certification and Learning Opportunities	\$ 700,000;
4. Computer Science Certification and Professional Learning	\$ 1;
5. Instructional Materials	\$ 25,680,251;
6. Full Day 4K (OFS)	\$ 5,219,976;
7. Full Day 4K (SDE)	\$ 6,758,978;
8. Aid to Districts	\$ 10,821,877;
9. Pattison’s Academy (H630)	\$ 1,014,094;
10. Meyer Center (H630)	\$ 173,667;
11. The Continuum (H630)	\$ 1,500,000;
12. Carolina Collaborative for Alternative Preparation (H270)	\$ 450,000;
13. HYPE	\$ 500,000;
14. GED Incentive Program (DEW)	\$ 1,500,000;
15. Save the Children	\$ 1,000,000;
16. Greenville Children’s Museum	\$ 200,000;
17. Brookland Baptist Church Fifth Quarter	\$ 350,000;
18. Town of Kershaw First Steps Building Upgrades	\$ 300,000;
19. Roper Mountain Science Center	\$ 250,000; and
20. Reading Partners	\$ 250,000.
<u>1. SDE-Grant Committee</u>	<u>\$ 12,150,000;</u>
<u>2. Instructional Materials</u>	<u>\$ 100,000,000;</u>
<u>3. Pattison’s Academy (H630)</u>	<u>\$ 1,214,094;</u>
<u>4. Reading Partners</u>	<u>\$ 400,000;</u>
<u>5. Center for Educational Partnerships (H270)</u>	<u>\$ 1,500,000;</u>
<u>6. Working Conditions Survey (H470)</u>	<u>\$ 500,000;</u>
<u>7. Meyer Center</u>	<u>\$ 173,667; and</u>
<u>8. Capital Funding for Disadvantaged Schools</u>	<u>\$ 40,000,000.</u>

Any additional funds carried forward and not otherwise appropriated or authorized may be used for instructional materials and school bus purchase.

1A.71 ADD (SDE-EIA: National Board Certification Incentive) **WMC:** ADD new proviso to direct that a \$5,000 or \$7,500 salary supplement be paid to public school classroom teachers, including special schools, who are certified by the State Board of Education and the National Board for Professional Teaching Standards. Provides for the method of determining the supplement amount and requirements of teachers for obtainment and continued awarding. Defines special schools. Authorizes these funds to be carried forward and expended for the same purpose. Directs that

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

excess funds be distributed to school districts based on the EFA formula. Requested by the Department of Education.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.71. (SDE EIA: National Board Certification Incentive) Public school classroom teachers, to include teachers employed at the special schools or classroom teachers who work with classroom teachers, to include teachers employed at the special schools who are certified by both the State Board of Education and the National Board for Professional Teaching Standards (NBPTS), shall be paid an annual salary supplement of either \$7500 or \$5000. When all other criteria included in this provision are met, the amount of the supplement shall be determined by the teacher's date of application to NBPTS and the length of the national certificate as described below.

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

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

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

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

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

Public school classroom teachers who are certified by NBPTS shall enter a recertification cycle for their South Carolina certificate consistent with the length of the recertification cycle for National Board Certification. Teachers who are certified by NBPTS moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with the length of the recertification cycle for National Board Certification. The department is authorized to carry forward funds and only expend them for the same purpose. Appropriations in excess of applicable expenditures shall be distributed to school districts based on the EFA formula.

1A.72 AMEND NEW PROVISO (SDE-EIA: ARP Maintenance of Equity) WMC: ADD new proviso to allow the department to utilize funds to ensure maintenance of equity requirements under ARP. Requested by the Department of Education.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete "Section VIII.A.1. Aid to Districts" and replace with "State Aid to Classrooms - Maintenance of Effort and Equity" and to also utilize funds for maintenance of state financial support for IDEA.

1A.72. (SDE-EIA: ARP Maintenance of Equity): The Department of Education is authorized to utilize funds appropriated in ~~Section VIII.A.1. Aid to Districts~~ State Aid to

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

Classrooms - Maintenance of Effort and Equity to ensure Maintenance of Equity is met under the American Rescue Plan and maintenance of state financial support for IDEA.

- 1A.73** **ADD** (SDE-EIA: Evaluation of Alternative Instruction Methods) **WMC:** ADD new proviso to direct EOC to work with other agencies to expand access to remote instruction and evaluate the impact of alternative methods of instruction on student learning. Directs EOC to report annually to the Governor, General Assembly, DOE, and the State Board of Education on the effectiveness of the instruction.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.73. (SDE-EIA: Evaluation of Alternative Instruction Methods:) With funds appropriated, the Education Oversight Committee is responsible for evaluating the impact of alternative methods of instruction on student learning and working with other agencies to expand access to quality remote instruction which can be dispatched if necessary. Alternative methods of instruction may include, but are not limited to, online or virtual instruction, remote learning, and hybrid models. The Department of Education and school districts providing alternative methods of instruction must provide data as requested by the committee to evaluate the effectiveness of the instruction. The Education Oversight Committee shall report annually to the Governor, the General Assembly, the Department of Education, and the State Board of Education.

- 1A.74** **ADD** (SDE-EIA: Report Card) **WMC:** ADD new proviso to direct the department to produce school report cards by November 1. Requested by Department of Education.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

1A.74. (SDE-EIA: Report Card) For the current fiscal year, the department is directed to produce the school report cards by October 15.

- 1A.75** **AMEND NEW PROVISO** (SDE-EIA: Return of Local Control) **WMC:** ADD new proviso to direct that a school district who has been relinquished and returned to the local board of education after a state of emergency must provide a monthly update on their economic and academic conditions to SDE.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to direct that any school or district taken over by the State Superintendent of Education under a declared state of emergency pursuant to proviso 1A.12 in a previous fiscal year shall remain under management until the school or district improves and targets are met.

1A.75. (SDE-EIA: Return of Local Control) Utilizing funds appropriated to the Department of Education, any school or district declared under a state of emergency where management was taken over by the State Superintendent of Education pursuant to Proviso 1A.12 (Technical Assistance) in a previous fiscal year shall remain under such management until the Superintendent of Education deems the school or district has shown significant improvements and has met targets as set by the Superintendent of Education. Management of the school or district pursuant to proviso 1A.12 includes direct management, consolidation with another district, charter management, public/private management, or contracting with an educational management organization or another school district.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

After management of a school district formerly under a state of emergency declared by the State Superintendent of Education has been relinquished and returned to the local board of education, the school district must provide the State Board of Education with monthly updates on the economic and academic conditions within the district for the remainder of the current fiscal year.

SECTION 5 - H710 - WIL LOU GRAY OPPORTUNITY SCHOOL

- 5.4 CONFORM TO FUNDING/DELETE** (WLG: Educational Program Initiatives) Authorizes the school to utilize funds received from the Department of Education for vocational equipment on educational program initiatives.

SFC SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~5.4. (WLG: Educational Program Initiatives) Wil Lou Gray Opportunity School is authorized to utilize funds received from the Department of Education for vocational equipment on educational program initiatives.~~

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

- 6.10 DELETE** (SDB: Early Childhood Center) Authorizes the school to transfer \$500,000 appropriated for the Thackston Hall Roof Replacement project in Act 91 of 2015 to the Early Childhood Center Construction project.

WMC: DELETE proviso.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~6.10.(SDB: Early Childhood Center) The School for the Deaf and the Blind shall be authorized to redirect and transfer the \$500,000 appropriated for the Thackston Hall Roof Replacement in Act 91 of 2015 by Proviso 118.14(B)(5)(a) to the Early Childhood Center Construction project.~~

- 6.12 ADD** (SDB: Recruitment and Workforce) **WMC:** ADD new proviso to authorize the school to offer wages equal to or 10% above the school district in which it resides without being subject to the State Office of Human Resources approval, so long as offers are less than the maximum of pay bands 3 and 4.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: CHAIRMAN'S recommendation.

6.12. (SDB: Recruitment and Workforce) The School for Deaf and Blind is authorized to offer competitive wages equivalent to or 10% above the school district in which it resides for support services personnel. Offers resulting in the starting pay exceeding the midpoint, but less than the maximum of pay bands 3 and 4 are not subject to State Office of Human Resources approval.

SECTION 9 - H640 - GOVERNOR'S SCHOOL FOR THE ARTS AND HUMANITIES

- 9.1 ADD MOVED PROVISO** (GSAH: Leave Policy) **WMC:** ADD new proviso to authorize the Governor's School to promulgate regulations governing annual and sick leave policy for faculty and staff respective to the school calendar to meet the instructional needs of students. *Moved*

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

from proviso 1.21. The Governor's Schools for the Arts & Humanities and Science was removed from the SDE budget and is displayed as a separate agency.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

9.1 (GSAH: Leave Policy) The Governor's School for the Arts and Humanities shall be authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their board of directors. This policy shall address their school calendar in order to comply with the instructional needs of students attending the special school.

- 9.2 ADD MOVED PROVISO (GSAH: Carry Forward) WMC:** ADD new proviso to authorize the Governor's School to carry forward unexpended funds and to spend those funds at the discretion of the school's board of trustees. *Moved from proviso 1.27. The Governor's Schools for the Arts & Humanities and Science was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

9.2. (GSAH: Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or generated by the Governor's School for the Arts and Humanities may be carried forward and expended in the current fiscal year pursuant to the discretion of the board of trustees of the school.

- 9.3 ADD MOVED PROVISO (GSAH: Schools' Fees) WMC:** ADD new proviso to authorize the Governor's School to charge, collect, expend and carry forward student fees approved by its Board of Directors. Direct that no student will be denied admittance due to financial inability to pay. Require the school to conspicuously publish a fee schedule on its website. *Moved from proviso 1.28. The Governor's Schools for the Arts & Humanities and Science was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

9.3. (GSAH: Schools' Fees) The Governor's School for the Arts and Humanities shall be authorized to charge, collect, expend, and carry forward student fees as approved by their Board of Directors. The purpose and amount of any such fees shall be to maintain program quality in both academics and residential support. No student shall be denied admittance or participation due to financial inability to pay. The Board of Directors shall promulgate administrative policy governing the collection of all student fees. The school shall conspicuously publish a fee schedule on their website.

- 9.4 ADD MOVED PROVISO (GSAH: Certified Teacher Designation) WMC:** ADD new proviso to authorize the Governor's School, the Charleston School of the Arts, and the Greenville Fine Arts Center to employ non-certified classroom teachers in literary, visual and performing arts subject areas. *Moved from proviso 1.31. The Governor's Schools for the Arts & Humanities and Science was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

9.4. (GSAH: Certified Teacher Designation) Because of the unique nature of the Governor's School for the Arts and Humanities, the Charleston School of the Arts, and the Greenville County Fine Arts Center, the schools are authorized to employ, at its discretion, noncertified classroom teachers teaching in the literary, visual, and performing arts subject areas who are otherwise considered to be appropriately qualified in a ratio of up to one hundred percent of the entire teacher staff.

- 9.5 ADD MOVED PROVISO (GSAH: Residency Requirement) WMC:** ADD new proviso to require parent(s) or guardian(s) prove they legally reside in this state if they have a student attending the Governor's School. Prohibit the Governor's School from admitting students whose parent(s) or guardian(s) is not a legal resident of this state. *Moved from proviso 1.43. The Governor's Schools for the Arts & Humanities and Science was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

9.5. (GSAH: Residency Requirement) Of the funds appropriated, the Governor's School for the Arts and the Humanities shall ensure that a parent(s) or guardian(s) of a student attending the Governor's School must prove that they are a legal resident of the state of South Carolina at the time of application and must remain so throughout time of attendance. The Governor's School for the Arts and the Humanities may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

- 9.6 ADD MOVED PROVISO (GSAH: Informational Access to Students) WMC:** ADD new proviso to require school districts to permit the Governor's School to work with individual schools and their staff in order to share information with students and families about educational opportunities the Governor's School offers. Require the Governor's School to report to the Chairmen of the Senate Finance and House Ways and Means Committees by June 30, on results of these efforts. *Moved from proviso 1.58. The Governor's Schools for the Arts & Humanities and Science was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

9.6. (GSAH: Informational Access to Students) For the current fiscal year, school districts must permit the Governor's School for the Arts and Humanities to collaborate with individual schools and their staff to share information with students and families about the educational opportunities offered at the Governor's School through avenues including school visits, informational presentations, and posters. By June thirtieth of the current fiscal year, the Governor's School for the Arts and Humanities must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of these informational access efforts. Further, the Governor's School shall work with districts, the Department of Education, and School Report Card administrators to ensure that SAT scores of current Governor's School students are included in the School Report Card of those students' resident schools and districts.

SECTION 10 - H650 - GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS

- 10.1 ADD MOVED PROVISO (GSSM: Carry Forward) WMC:** ADD new proviso to authorize the Governor's School to carry forward unexpended funds and to spend those funds at the discretion

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

of the school's board of trustees. *Moved from proviso 1.7. The Governor's School for Science & Mathematics was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

10.1. (GSSM: Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or generated by the Governor's School for Science and Mathematics may be carried forward and expended in the current fiscal year pursuant to the direction of the board of trustees of the school.

- 10.2 ADD MOVED PROVISO** (GSSM: Leave Policy) **WMC:** ADD new proviso to authorize the Governor's School to promulgate regulations governing annual and sick leave policy for faculty and staff respective to the school calendar to meet the instructional needs of students. *Moved from proviso 1.21. The Governor's Schools for Science & Mathematics was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

10.2. (GSSM: Leave Policy) The Governor's School for Science and Mathematics shall be authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their board of directors. This policy shall address their school calendar in order to comply with the instructional needs of students attending the special school.

- 10.3 ADD MOVED PROVISO** (GSSM: Schools' Fees) **WMC:** ADD new proviso to authorize the Governor's School to charge, collect, expend and carry forward student fees approved by its Board of Directors. Direct that no student will be denied admittance due to financial inability to pay. Require the school to conspicuously publish a fee schedule on its website. *Moved from proviso 1.29. The Governor's Schools for Science & Mathematics was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

10.3. (GSSM: Schools' Fees) The Governor's School for Science and Mathematics shall be authorized to charge, collect, expend, and carry forward student fees as approved by their Board of Directors. The purpose and amount of any such fees shall be to maintain program quality in both academics and residential support. No student shall be denied admittance or participation due to financial inability to pay. The Board of Directors shall promulgate administrative policy governing the collection of all student fees. The school shall conspicuously publish a fee schedule on their website.

- 10.4 ADD MOVED PROVISO** (GSSM: Residency Requirement) **WMC:** ADD new proviso to require parent(s) or guardian(s) prove they legally reside in this state if they have a student attending the Governor's School. Prohibit the Governor's School from admitting students whose parent(s) or guardian(s) is not a legal resident of this state. *Moved from proviso 1.43. The Governor's Schools for Science & Mathematics was removed from the SDE budget and is displayed as a separate agency.*

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

10.4. (GSSM: Residency Requirement) Of the funds appropriated, the Governor’s School for Science and Mathematics shall ensure that a parent(s) or guardian(s) of a student attending the Governor’s School for Science and Mathematics must prove that they are a legal resident of the state of South Carolina at the time of application and must remain so throughout time of attendance. The Governor’s School for Science and Mathematics may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

- 10.5 ADD MOVED PROVISO** (GSSM: Informational Access to Students) **WMC:** ADD new proviso to require school districts to permit the Governor’s School to work with individual schools and their staff in order to share information with students and families about educational opportunities the Governor’s School offers. Require the Governor’s School to report to the Chairmen of the Senate Finance and House Ways and Means Committees by June 30, on results of these efforts. *Moved from proviso 1.58. The Governor’s Schools for Science & Mathematics was removed from the SDE budget and is displayed as a separate agency.*
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

10.5. (GSSM: Informational Access to Students) For the current fiscal year, school districts must permit the Governor’s School for Science and Mathematics to collaborate with individual schools and their staff to share information with students and families about the educational opportunities offered at the Governor’s School through avenues including school visits, informational presentations, and posters. By June thirtieth of the current fiscal year, the Governor’s School for Science and Mathematics must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of these informational access efforts. Further, the Governor’s School shall work with districts, the Department of Education, and School Report Card administrators to ensure that SAT scores of current Governor’s School students are included in the School Report Card of those students’ resident schools and districts.

SECTION 27 - H870 - STATE LIBRARY

- 27.1 AMEND** (LIB: Aid to Counties Libraries Allotment) Directs that funds appropriated for “Aid to County Libraries” is allotted on a per capita basis, using the 2010 Census, with a \$100,000 minimum amount to be received by each county.
WMC: AMEND proviso to update census year reference to from “2010” to “2020” and county allocation to from “\$100,000” to “\$150,000.”
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

27.1. (LIB: Aid to Counties Libraries Allotment) The amount appropriated in this section for “Aid to County Libraries” shall be allotted to each county on a per capita basis according to the official United States Census For ~~2010~~ 2020, as aid to the County Library. No county shall be allocated less than ~~\$100,000~~ \$150,000 under this provision. To receive this aid, local library support shall not be less than the amount actually expended for library operations from local sources in the second preceding year.

SECTION 117 - X900 - GENERAL PROVISIONS

- 117.158 AMEND** (GP: Homestead Exemption Fund) Suspends Section 11-11-156(C) [REIMBURSEMENT OF SCHOOL DISTRICTS FROM HOMESTEAD EXEMPTION FUND].

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

WMC: AMEND proviso to update fiscal year reference to “2022-23.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.158. (GP: Homestead Exemption Fund) For Fiscal Year ~~2021-22~~ 2022-23, Section 11-11-156(C) of the 1976 Code is suspended.

117.170 DELETE NEW PROVISO (GP: Historic Preservation Certification Fee) **WMC:** ADD new proviso to suspend the requirements of Section 12-6-3535(G) [INCOME TAX CREDIT FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE] for the current fiscal year.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*117.170. (GP: Historic Preservation Certification Fee) For the current fiscal year, the requirements of Section 12-6-3535(G) are suspended.*~~

117.171 DELETE NEW PROVISO (GP: Income Tax Relief) **WMC:** ADD new proviso to require funds set aside for income tax relief to be credited to an account at the State Treasurer’s Office.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*117.171. (GP: Income Tax Relief) For the current fiscal year, funds set aside for income tax relief must be credited to an account at the State Treasurer’s Office to be used for any such income tax relief as is passed by the General Assembly and signed into law.*~~

SECTION 118 - X910 - STATEWIDE REVENUE

118.18 RESTORE ORIGINAL PROVISO (SR: Tax Credits) Directs that rehabilitation expenses on a property located within half a mile of a public university with a student enrollment of at least 30,000 in a business district with a commercial vacancy rate of at least 10% qualifies for the SC Abandoned Buildings Revitalization Act tax credit if the building has been unoccupied for at least one year at the time of filing a notice to rehabilitate and if rehabilitation expenses are estimated to exceed \$25,000,000. Provides qualifications for tax credit eligibility.

WMC: DELETE proviso.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: RESTORE original proviso.

118.18. (SR: Tax Credits) For the income tax year that begins in the current fiscal year, rehabilitation expenses made at a property that is located within half a mile of a public university with an enrollment of at least 30,000 students in a business district that has a commercial vacancy rate of at least ten percent qualify for the tax credit provided under the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, if the building has been unoccupied for at least one year at the time of the filing of notice of intent to rehabilitate for the tax credit, and the estimated rehabilitation expenses are in excess of \$25,000,000 with respect to the entire abandoned building, without regard to any subdivision of the abandoned building into separate units or parcels. To qualify under this provision, a notice of intent to rehabilitate for the abandoned building site shall be filed during the current fiscal year, and the municipality or county in which the building site is located shall certify the building site pursuant to Section

**SENATE FINANCE COMMITTEE
K-12 EDUCATION SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2022-23**

12-67-160(A) of the 1976 Code making appropriate adjustments to such certification to be consistent with this provision. Qualifying rehabilitation expenses incurred with respect to such a property shall be eligible for the credit when placed in service; provided, however, that construction must begin on the property prior to the end of the current fiscal year. For purposes of this provision, construction shall be deemed to begin when the building permit is issued for the property. Except as provided herein, the act shall remain unchanged.