

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISIO SUBCOMMITTEE**

SECTION 1 - H63-DEPARTMENT OF EDUCATION

1.3 CONFORM TO FUNDING (EFA Formula/Base Student Cost Inflation Factor) States the General Assembly's intent to fully implement the EFA including an inflation factor to match the inflation wages of public school employees in the southeast; states that for FY 14-15, the base student cost has been determined to be \$2,120; that the per pupil count is projected to be 708,231, and projects the average per pupil funding. 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.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION...AMEND proviso to update the projections for FY 15-16 as follows: base student cost \$2,220; total pupil count, 714,394; average per pupil funding: \$5,536 state, \$1,185 federal, and \$5,371 local, for an average total funding level of \$12,092, excluding local bond issues. Delete the school year 2014-15 local match exemption for additional weightings for personalized instruction. Require the department report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by October 2, 2015, on the effects USDA community certification has had on the ability for individual districts and provide recommendations on using poverty data from the US Census Bureau to calculate a district's poverty allocation in lieu of direct certification.

1.3.(SDE: EFA Formula/Base Student Cost Inflation Factor) 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 to include an inflation factor projected by the Revenue and Fiscal Affairs Office to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year has been determined to be ~~\$2,120~~ \$2,220. For the current fiscal year, the total pupil count is projected to be ~~708,231~~ 714,394. The average per pupil funding is projected to be ~~\$5,290~~ \$5,536 state, ~~\$1,154~~ \$1,185 federal, and ~~\$4,996~~ \$5,371 local. This is an average total funding level of ~~\$11,440~~ \$12,092 excluding revenues of local bond issues. 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 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 students pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

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

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

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

(3) Precareer and Career Technology.....1.29

(4) Additional weights for personalized instruction:

(A) Gifted and Talented0.15

(B) Academic Assistance0.15

(C) Limited English Proficiency.....0.20

(D) Pupils in Poverty0.20

~~No local match is required for the additional weightings for personalized instruction in school year 2014-15. After the 2014-15 school year, a local match to conform with the Education Finance Act will be required.~~ 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:

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP) and International Baccalaureate (IB) 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.

For the ~~2014-15~~ 2015-16 school year, students in poverty will continue to be defined as students eligible for free/reduced lunch and/or Medicaid. The Department of Education will continue to use counts from the 2013-14 school year to determine poverty funding for the add-on weighting. The department shall report on the effects USDA community certification have had on the ability for individual districts no later than October 1, 2015, and shall provide recommendations on using poverty data from the United States Census Bureau to calculate a district's poverty allocation in lieu of direct certification to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

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, ~~2015~~ 2016. The department must provide districts with technical assistance with regard to student count changes in PowerSchool.

1.20 AMEND (School Bus Purchase) Requires procurement of school buses to meet specifications developed by the School Bus Specifications Committee and allows the department to use specifications from Georgia and North Carolina, but if it does, requires the department submit a

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

report to the Chairmen of the Senate Finance and House Ways and Means Committee that details the methodology used to determine the specifications were safe, more economical, and in the public interest when compared with the School Bus Specifications Committee specifications.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso change “Georgia or North Carolina” to “another state.”

1.20. (SDE: School Bus Purchase) Any procurement of school buses with funds appropriated in this act or any other appropriation bill must meet specifications developed by the School Bus Specification Committee as established by the State Superintendent of Education. The School Bus Specifications Committee shall allow for input from all school bus chassis and body manufacturers. However, if it is safe, more economical, and in the public interest, the department may use the school bus specifications of ~~Georgia or North Carolina~~ *another state* in the procurement of school buses. If the department uses the specifications of ~~Georgia or North Carolina~~ *another state*, the department must submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing the methodology by which the alternative specifications were determined to be safe, more economical, and in the public interest, when compared to the specifications set forth by the School Bus Specifications Committee.

1.28 **AMEND** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to prohibit a school district from transferring funds provided for the EEDA or for Career and Technology Education. Change the reference to students with “exceptional needs” to “disabilities who have Individualized Education Programs.” *Within the realm of education, the phrase “students with exceptional needs” includes students with disabilities as well as students who are in gifted and talented programs. Since the intent of this particular language is to have staffing ratios remain intact for students with disabilities, the language should be updated.* Requested by Department of Education. Companion to EIA proviso 1A.15.

1.28. (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, 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 required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with ~~exceptional needs~~ *disabilities who have Individualized Education Programs.*

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 non-instruction pupil services. No portion of the seventy-five percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and 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. Formative assessments for grades one, two, and nine, the foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

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

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

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

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

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

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

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.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.

- 1.43 AMEND** (Residential Treatment Facilities Student Enrollment and Funding) Establishes guidelines for educational, financial and accountability of students between responsible licensed residential treatment facilities, school districts, parents, and the department. **SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change reference to “Virtual School Program” to “virtual school program” and specify the program name of “(Virtual SC).” Allow a student to also be enrolled in a virtual charter school authorized by an approved institute of higher education. Specify that a facility school district is also responsible for compliance with the Individuals with Disabilities Act of 2004 (IDEA). Requested by Department of Education.

1.43. (SDE: Residential Treatment Facilities Student Enrollment and Funding) Each South Carolina resident of lawful school age residing in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code, (“students”) shall be entitled to receive educational services from the school district in which the RTF is located (“facility school district”). The responsibility for providing appropriate educational programs and services for these students, both with and without disabilities, who are referred, authorized, or placed by the State is vested in the facility school districts. For purposes of this proviso, an authorization must be pursuant to a physician’s determination of medical necessity. If clinically appropriate, the facility school district, the RTF, and the parent or guardian of a student referred or placed in a RTF may consider the appropriateness of providing the student’s education program virtually through enrollment in either the facility district’s virtual program, the South Carolina ~~Virtual School Program~~ *virtual school program* provided through the Department of Education (*Virtual SC*), or a virtual charter school authorized by the South Carolina Public Charter School District, or a virtual charter school authorized by an approved institute of higher education. This decision should be made jointly with the best interest of the student and what is clinically indicated being considered.

A facility school district must provide the necessary educational programs and services directly to the student at the RTF’s facility, provided that the RTF facility provides and maintains comparable adequate space for the educational programs and services consistent with all federal and state least restrictive environment requirements. Adequate space shall include appropriate electrical support and Internet accessibility. Unless the parent or legal guardian of the student seeks to continue the student’s enrollment in the resident school district under a medical homebound instruction program and the district approves, if appropriate, then, under these circumstances, the facility school district shall enroll the student and assume full legal and financial responsibility for the educational services including enrolling the student, approving the student’s entry into a medical homebound instructional program, if appropriate, and receiving and expending funds, unless the resident school district undertakes to carry out its educational responsibilities for the student directly. Alternatively, a facility school district may choose to provide the necessary educational programs and services by contracting with the RTF provided that the RTF agrees to provide educational services to the student at the RTF’s facility. Under

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

these circumstances, the facility school district must enroll the student and pay the RTF for the educational services provided. If the facility school district determines the educational program being offered by the RTF does not meet the educational standards outlines in the contract, the facility district shall be justified in terminating the contract.

The facility school districts are entitled to receive the base student cost multiplied by the Education Finance Act pupil weighting for Homebound pupils of 2.10, as set forth in Section 59-20-40 of the 1976 Code and any eligible categorical and federal funds. These funds may be retained by the facility school districts for the purpose of providing the educational programs and services directly to students referred or placed by the State or the facility school districts may use these funds to reimburse RTFs for the educational programs and services provided directly by the RTFs. A facility school district is entitled to reimbursement from a resident school district for the difference between (1) the reasonable costs expended for the educational services provided directly by the facility school district or the amount paid to the RTF and (2) the aggregate amount of federal and state funding received by the facility school district for that student. However, the reimbursement rate may not exceed \$45 per student per day. Facility school districts providing the educational services shall notify the resident district in writing within forty-five calendar days that a student from the resident district is receiving educational services pursuant to the provisions of the proviso. Reimbursements shall be paid within sixty days of billing, provided the facility district has provided a copy of the invoice to both the District Superintendent and the finance office of the resident district being invoiced. Should the facility school district be unable to reach agreement with the resident school district regarding reasonable costs differences, the facility school district shall notify the Department of Education's Office of General Counsel. The Department of Education shall facilitate a resolution of the dispute between the facility school district and the resident school district within forty-five days of the notice of dispute. If the issue of reasonable cost differences should remain unresolved, a facility school district shall have the right to file a complaint in a Circuit Court. Should a resident school district fail to distribute the entitled funding to the facility school district by the one hundred thirty-five day count, the Department of Education is authorized to withhold the equivalent amount of EFA funds and transfer those funds to the facility school district.

If a child from out of state is placed in a RTF by an out-of-state school district or agency, the child's home state remains responsible for the educational services. The facility school district may choose to provide the educational program to the child and, upon choosing to do so, shall contract with the appropriate entity for payment of educational serviced provided to the child. Out-of-state students provided educational services by a facility school district shall not be eligible for funding through the Education Finance Act.

If a child is placed in a RTF by the child's parent or guardian and is not referred, authorized, or placed by the State, the facility school district may choose to provide the educational program to the child, and upon doing so, must negotiate with the resident school district for services through medical homebound procedures. A facility school district is responsible for compliance with all child find requirements under Section 504 of the Rehabilitation Act of 1973 and *Individuals with Disabilities Act of 2004 (IDEA)*.

All students enrolled in the facility school districts shall have access to the facility school districts' general education curriculum, which will be tied to the South Carolina academic standards in the core content areas. All students with disabilities who are eligible for special education and related services under the Individuals with IDEA, as amended, and the State Board of Education (SBE) regulations, as amended, shall receive special education and related services in the least restrictive environment by appropriately certified personnel. Students in an RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned through their educational efforts.

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

With respect to students enrolled in the facility school districts, for accountability purposes, the assessment and accountability measures for students residing in RTFs shall be attributed to a specific school only if the child physically attends the school. The performance of students residing in a RTF who receive their educational program on site at the RTF must be reflected on a separate line on the facility school district's report card and must not be included in the overall performance ratings of the facility school district. The Department of Education shall examine the feasibility of issuing report cards for RTFs. For the current fiscal year, a facility school district shall not have the district's state accreditation rating negatively impacted by deficiencies related to the delivery of an educational program at a RTF.

RTFs shall notify the facility school district as soon as practical, and before admission to the RTF if practical, of a student's admission to the RTF. RTFs, the facility school districts and the Department of Education shall use their best efforts to secure and/or exchange information, including documents and records necessary to provide appropriate educational services and/or related services as necessary to assist the facility school district in determining the resident school district. The Department of Education, in collaboration with state placing agencies, RTFs, facility school districts, and resident school districts, shall implement a system to follow the release of students from a RTF and re-enrollment in public, private, or special schools to ensure these students, when appropriate, are not recorded as dropouts.

- 1.48** **DELETE** (Teaching Requirement for Certified School Employees) Directs that all certified personnel employed in a school district should, if feasible, teach at least two classes per week within the school district in which they are employed.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *This proviso was added when districts were furloughing certified staff members due to budget cuts but is no longer needed.* Requested by Department of Education.

1.48. (SDE: Teaching Requirement for Certified School Employees) ~~From the funds appropriated, all certified public school teachers, certified special school classroom teachers, certified media specialists, certified guidance counselors, certified full-time athletic directors, certified principals, certified assistant principals, and certified school district administrators that are employed by a school district should, if practicable, teach at least two classes per week within the school district they are employed.~~

- 1.62** **DELETE** (First Steps) Requires First Steps to submit its next external evaluation to the General Assembly by November 15, 2014 and to incorporate an update pertaining to the LAC June 2013 review of the initiative.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Report has been submitted.* Requested by First Steps to School Readiness.

1.62. (SDE: First Steps) ~~The South Carolina First Steps to School Readiness Board of Trustees shall incorporate findings of the Legislative Audit Council within the scope of the First Steps next external evaluation. The report shall be submitted to the General Assembly no later than November 15, 2014.~~

- 1.70** **DELETE** (Technology/Device Pilot) Authorizes the department to use carry forward funds and appropriated recurring and non-recurring Instructional Materials and Digital Instructional Materials funds to allow up to 6 school districts to apply to the Department of Education to participate in a technology device pilot for a specific program/grade level in middle or high schools. Requires the department prepare a report that outlines implementation and use in the

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

selected districts and submit it by December 15, 2014 to the Chairmen of the Senate Finance, Senate Education, House Ways and Means and House Education and Public Works Committees. **SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *The department states the pilot was technically for one year. Six districts implemented their plan in the 2014-15 school year.* Requested by Department of Education. Companion to EIA proviso 1A.57.

~~1.70. (SDE: Technology/Device Pilot) For the current fiscal year, the Department of Education is authorized to utilize carry forward funds from the prior fiscal year and appropriated funds from recurring and nonrecurring sources for the purchase of Instructional Materials and Digital Instructional Materials to allow middle and high schools in up to six school districts receiving approval from the State Board of Education to opt out of the state rental system and purchase instructional materials, digital instructional materials and the digital equivalent of materials and devices directly from a state approved vendor in an amount not to exceed the total allocation that the district would have received from these appropriations.~~

~~In order to best serve the middle and high schools and students within the school district, the school district must develop an implementation plan listing the instructional materials, digital instructional materials and the digital equivalent of materials and devices by grade level and subject and the implementation plan must be presented to the local school board in a public meeting for approval and made available to the public on the school district website prior to the public school board meeting.~~

~~The department must provide a certification form for a local school board on behalf of the school district to approve in a public meeting, have signed by the board chairman and district superintendent requesting approval for funding equivalent to the school district's allocation of appropriated funds for instructional materials and digital instructional materials based on the number of students in middle and high schools of the school district. The department must develop the certification form with the intent of assisting school districts with meeting State Board of Education approval.~~

~~Upon school board approval, and no later than July twenty fifth, the certification form and the detailed plan must be submitted to the department for State Board of Education approval. The State Board of Education must notify the school district of their decision to approve or disapprove no later than August fifteenth. If a school district does not receive State Board of Education approval the valid cause along with measurements necessary for the school district to meet approval must be provided to the local school board. The school district may make the required adjustments to their implementation plan and resubmit their certification form and plan to the State Board of Education for subsequent approval no later than ten days from the date of resubmission.~~

~~The school district may utilize no more than ten percent of the funds for professional development on the use of the acquisitions and must utilize no less than ninety percent of the funding received for the acquisition of instructional materials, digital instructional materials and the digital equivalent of materials and devices. If approved the school district is required to ensure that all students in the middle and high schools have access to the curriculum without regard to the student's home internet access capabilities.~~

~~The school district shall establish rules and policies that provide for the reasonable care and safety of the materials to include reasonable penalties for abuse, destruction, and loss and excluding ordinary wear and tear, provide for reimbursement by the pupils, their parents or legal guardians.~~

~~No later than December 15, 2014 the department shall provide a report outlining the implementation and use in the selected districts 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.~~

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

1.75 **AMEND** (Charter School Transition Funds) Requires local districts to provide transition funds to charter schools sponsored by the local school district and located in a district receiving transition funds. Provides for transition funds to be reduced pro rata if demand exceeds the school district's allotment.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to "2015-16."

1.75. (SDE: Charter School Transition Funds) For Fiscal Year ~~2014-15~~ *2015-16*, charter schools sponsored by a local school district and located in a district receiving transition funds must receive transition funds from the local district in an amount equal to any reduction in funds received by the school due to the changes in the Education Finance Act formula. If the amount of transition funds for the charter schools exceeds the school district's allotment of transition funds, transition funds will be reduced pro rata for all parties.

1.sbe **ADD** (Board of Education Funds) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to carry forward Board of Education funds and permit the State Board of Education to use these funds for innovative educational opportunities and projects. Require the board to develop guidelines and to publish them on their website. Requested by Department of Education.

1.sbe. (SDE: Board of Education Funds) For the current fiscal year, the Department of Education is authorized to carry forward funds appropriated in Part IA, Section I, II. Board of Education. The State Board of Education is permitted to utilize these funds for innovative educational opportunities and projects. The Board of Education shall develop guidelines and publish them on the board's website.

SECTION 1A - H63-DEPARTMENT OF EDUCATION-EIA

1A.10 **AMEND** (Teacher Supplies) Provides guidelines for distributing teacher supply reimbursement of up to \$275 each school year to offset the expenses they have incurred for teaching supplies and materials. Allows any classroom teacher, including those at a S.C. private schools that are not eligible for this reimbursement to claim a refundable income tax credit on their 2014 tax return.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update tax return reference to "2015."

1A.10. (SDE-EIA: XII.C.2-Teacher Supplies) All certified public school teachers, certified special school classroom teachers, certified media specialists, and certified guidance counselors who are employed by a school district or a charter school as of November thirtieth of the current fiscal year, based on the public decision of the school board may receive reimbursement of up to two hundred seventy-five dollars each school year to offset expenses incurred by them for teaching supplies and materials. Funds shall be disbursed by the department to School districts by July fifteenth based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of the school district these funds shall be disbursed 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. This reimbursement shall not be

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

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, John de la Howe School, 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 nonretention 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 ~~2014~~ 2015 tax return, provided that the return or any amended return claiming the credit is filed prior to the end of the fiscal year. The credit is equal to two hundred seventy-five dollars, or the amount the teacher expends on teacher supplies and materials, whichever is less. If any expenditures eligible for a credit are made after December thirty-first, the teacher may include the expenditures on his initial return or may file an amended ~~2014~~ 2015 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.

1A.15 AMEND (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to prohibit a school district from transferring funds provided for the EEDA or for Career and Technology Education. Change the reference to students with "exceptional needs" to "disabilities who have Individualized Education Programs." *Within the realm of education, the phrase "students with exceptional needs" includes students with disabilities as well as students who are in gifted and talented programs. Since the intent of this particular language is to have staffing ratios remain intact for students with disabilities, the language should be updated.* Requested by Department of Education.

1A.15. (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, 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 required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISIO SUBCOMMITTEE**

sub-function and service area level, except for four-year old programs and programs serving students with ~~exceptional needs~~ *disabilities who have Individualized Education Programs*.

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 noninstruction pupil services. No portion of the seventy-five percent may be used for 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 noninstruction 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 noninstructional 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. Formative assessments for grades one, two, and nine, 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.

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISIO SUBCOMMITTEE**

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.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.

- 1A.16 AMEND** (Teacher Salary Supplement) Directs the department to carry forward unobligated teacher salary supplement and employer contribution funds to be used for the same purpose. **SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to allow unexpended teacher salary supplement funds to be used for shortfalls in associated employer contributions funds. Requested by Department of Education.

1A.16. (SDE-EIA: Teacher Salary Supplement) The department is directed to carry forward prior year unobligated teacher salary supplement and related employer contribution funds into the current fiscal year to be used for the same purpose. Any unexpended funds in teacher salary supplement may be used to fund shortfalls in the associated employer contribution funding in the current fiscal year.

- 1A.18 AMEND** (Assessment) Authorizes assessment funds to be carried forward to pay for state assessment activities and for scoring of the spring statewide accountability assessment. Directs that PSAT reimbursements shall resume in the current fiscal year. **SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to specify that the funds shall also be used to pay for AP exams administered in the prior fiscal year and to pay for the administration of assessments specifically due to increased enrollment. *AP exams are administered late in the year.* Requested by Department of Education.

1A.18. (SDE-EIA: Assessment) The department is authorized to carry forward into the current fiscal year, prior year state assessment funds for the purpose of paying for AP examinations administered in the prior fiscal year, paying for administration of assessments specifically due to increased enrollment, and paying for state assessment activities not completed by the end of the fiscal year including the scoring of the spring statewide accountability assessment. Reimbursements shall resume in the current fiscal year for PSAT.

- 1A.33 AMEND** (Centers of Excellence) Directs that \$350,000 of Centers of Excellence funds must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand the training statewide through weekend college, non-traditional or alternative learning opportunities. Directs CHE, with the increased funds provided, to fund a new center in FY 2014-15 to provide professional development to enable teachers to create a college-going and career readiness culture that prepares students for postsecondary education and the world of work.

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement that CHE fund the new center.

~~1A.33. (SDE-EIA: Centers of Excellence) Of the funds appropriated for Centers of Excellence, \$350,000 must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand statewide training for individuals who teach children of poverty through weekend college, nontraditional or alternative learning opportunities. Furthermore, with increased funds provided, the Commission on Higher Education will fund a new center in Fiscal Year 2014-15 that will provide professional development to teachers to enable them to transform the P-12 experience to create a college-going and career readiness culture that prepares students for postsecondary education and the world of work.~~

1A.34 **AMEND** (IDEA Maintenance of Effort) Directs that Aid to Districts funds be used to meet the estimated maintenance of effort for IDEA. Directs that funds provided for IDEA maintenance of effort 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, 2013.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update year reference to "2015."

1A.34. (SDE-EIA: IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section XII.A.1 Aid to Districts according to Proviso 1A.32 for the current fiscal year, the department shall direct funds appropriated in Section XII.A.1 Aid To Districts to school districts and special schools for supplemental support of programs and services for students with disabilities, to meet the estimated maintenance of effort for IDEA. Funds provided for the maintenance of effort for IDEA may not be transferred to any other purpose and therefore are not subject to flexibility. The department shall distribute these funds using the current fiscal year one hundred thirty-five day Average Daily Membership. For continued compliance with the federal maintenance of efforts 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 effort 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 1, ~~2013~~ 2015, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor.

1A.38 **AMEND** (Career and Technology Education Consumables) Allows the department to use Career and Technology Education funds to purchase textbooks, instructional materials, and other consumables used in classroom instruction.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that a maximum of 25% of funds appropriated for Modernize Vocational Equipment, Career and Technology Education may be used for this purpose. Authorize Modernize Vocational Equipment and Tech Prep funds to be carried forward and used for the same purpose. *Setting a maximum percentage that could be used for instructional materials and consumables both recognizes the need for districts to have flexibility in spending these funds based on local needs while still maintaining funding designated to update and upgrade equipment necessary for quality CTE programs.* Requested by Department of Education.

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

1A.38. (SDE-EIA: Career and Technology Education Consumables) ~~Funds~~ *A maximum of twenty-five percent of the funds* appropriated for *Modernize Vocational Equipment*, Career and Technology Education may be utilized to purchase textbooks, instructional materials and other consumables used in classroom instruction. *The department may carry forward unexpended Modernize Vocational Equipment and Tech Prep funds to be used for the same purpose.*

1A.39 **AMEND** (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary for FY 2014-15 is \$48,892. Requires a local district board of trustees to provide a step increase for all eligible certified teachers. Directs the department to continue to use the FY 2012-13 statewide minimum teacher salary schedule in FY 2014-15.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change the projected SE average teacher salary from “\$48,892” to “\$49,796” and update fiscal year to “2015-16.” Requested by Department of Education.

1A.39. (SDE-EIA: XII.C.2. 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 ~~\$48,892~~ *\$49,796*. 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.

The statewide minimum teacher salary schedule used in Fiscal Year 2012-13 will continue to be used in Fiscal Year ~~2014-15~~ *2015-16*.

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 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.

Funds appropriated in Part IA, Section 1, XII.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(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.

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

1A.42 **DELETE** (Summer Exit Exam Cost) Authorizes certain funds to be used to offset the costs of conducting the summer administration of the Exit Exam.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The proviso is no longer needed. The requirement for an exit examination was eliminated through Act 155.* Requested by Department of Education.

1A.42. (SDE-EIA: Summer Exit Exam Cost) ~~Funds appropriated in Part IA, Section 1, XII.A.2 may be used to offset the costs of the summer administration of the Exit Examination. These funds may be expended to cover the costs related to developing, printing, shipping, scoring, and reporting the results of the assessments. Local school districts may absorb local costs related to administration.~~

1A.43 **DELETE** (Refurbishing Science Kits) Authorizes funds appropriated to purchase textbooks and other instructional materials to be used to refurbish science kits.

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Proviso language is added to amended 1.65 and New 1A.# Instructional Materials.* Requested by Department of Education.

~~1A.43. (SDE-EIA: Refurbishing Science Kits) Funds appropriated for the purchase of textbooks and other instructional materials may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state adopted textbook inventory, purchasing new kits from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs.~~

1A.48 AMEND (Technology Academy Pilot) Directs the department to use available Modernize Vocational Equipment funds to continue to offer high schools the opportunity to participate in an IT certification pilot project. Requires the department report to specific committees of the General Assembly by February 1, 2015, on the number of high schools and the number of students that participated in the pilot along with the number of students who earned certifications. **SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to update fiscal year reference to "2015-16;" delete reference to "pilot project;" delete reporting requirement; and direct the department to maintain information on the number of high schools and students participating as well as the number of students earning certifications. Requested by Department of Education.

~~1A.48. (SDE-EIA: Technology Academy Pilot) For Fiscal Year 2014-15 2015-16 the Department of Education is directed to use available Modernize Vocational Equipment funds to continue to offer high schools across the state the opportunity to participate in offer an IT certification pilot project. The department must report by February 1, 2015 to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee, and the Senate Education Committee shall maintain information on the number of high schools that participated in the pilot and the number of students participating in the program and earning certifications.~~

1A.50 AMEND (Aid to Districts Draw Down) Requires school districts, Palmetto Unified District and DJJ, in order to draw down Aid to Districts funds, to work with local, and if necessary state, law enforcement agencies to ensure that they have an updated school safety plan. Requires updated plans be submitted to the department by September 1, 2014 and requires the department report to the Chairmen of specific committees by September 30, 2014, on any districts that did not submit an updated plan. **SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change fiscal year references to "the current fiscal year." Requested by Department of Education.

~~1A.50. (SDE-EIA: XII.A.1 - Aid to Districts Draw Down) For Fiscal Year 2014-15 the current fiscal year, in order to draw down funds appropriated in Part IA, Section 1, XII.A.1, Aid to Districts, school districts, Palmetto Unified District and the Department of Juvenile Justice must work with local law enforcement agencies, and when necessary, state law enforcement agencies in order to ensure that the district has an updated school safety plan in place. The safety plan must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated plan must be submitted to the Department of Education no later than September 1, 2014 of the current fiscal year. The department must report to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance~~

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

Committee and the Chairman of the Senate Education Committee by September 30, 2014 *of the current fiscal year*, on any districts that failed to submit an updated plan.

- 1A.51 DELETE** (South Carolina Success Program) Directs the department to use Assessment/Testing funds for the South Carolina Success Program. Requires the program provide academic support to students and teachers to help ensure on grade level reading is achieved for grades PreK-8 by making online-delivered interactive reading assessments and research-based intervention programs available for use at school and home.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The department added the SC Success Program assessments to the formative adoption list for 2013-14. Requested by Department of Education.*

~~1A.51. (SDE-EIA: South Carolina Success Program) For Fiscal Year 2014-15, school districts of this state may use assessment funds for the South Carolina Success Program, as piloted in the previous fiscal year, to students in the district. This program shall provide academic support to students and teachers to help ensure on grade level achievement in reading by making available for grades PreK-8 an online-delivered, interactive reading assessment and research-based intervention program for use both at school and at home. This online program must automatically place students into an individualized on line curriculum and instruction, provide teachers and administrators with immediate reporting, provide recommendations for interventions and teacher lessons, and provide small group instruction lessons. The program must provide computer adaptive assessments at least eight times per year, and teachers, principals, and districts must have immediate on line reporting to identify those students who are not reading on grade level and those that are at risk of failing the state reading assessment pursuant to Section 59-18-310 of the 1976 Code, as amended. The program must make available to parents reporting and resources regarding student participation via a home portal.~~

- 1A.52 DELETE** (Pilot Assessment) Creates a pilot assessment and allows the EOC to select up to 5 school districts that have received an "Excellent" rating on their most recent state report card and an "A" on their most recent federal report card to participate in the pilot. Requires a district to request and receive approval from the EOC and the State Board of Education to use an alternative assessment in grades 3-8 to measure student performance on English language arts, math, and science and to use an alternative assessment in high school to measure college and career readiness. Requires the EOC, working with pilot school districts to devise an alternative state district and school report card. Requires the department to request changes to its ESEA waiver to permit alternative assessments.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~1A.52. (SDE-EIA: Pilot Assessment) In the current fiscal year and from funds appropriated, there is created a pilot assessment. The Education Oversight Committee may select no more than five school districts to participate in the pilot. To be eligible to participate in the pilot, a school district must have received an absolute rating of Excellent on its most recent state report card and a letter grade of "A" on the most recent federal report card. The district must request and receive approval from the Education Oversight Committee and the State Board of Education to use an alternative assessment to current state assessments in grades three through eight to measure student performance on English language arts, mathematics and science, and in high school the district may use alternative assessments to the High School Assessment program to measure college and career readiness, or any combination thereof. The alternative assessments must be aligned to college and career readiness standards as approved by the State Board of Education and the Education Oversight Committee. The district may use financial flexibility to absorb any~~

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISIO SUBCOMMITTEE**

~~additional costs of the alternative assessments with state, local or other funds. The district must still administer the Palmetto Assessment of State Standards in grades three through eight in social studies and the state end-of-course assessment program as funded with EIA revenues. Unless otherwise provided for in law, students graduating in the current fiscal year must still pass all exit exam requirements. The Education Oversight Committee, working with school districts in the pilot, must devise an alternative state district and school report card. In addition the Department of Education must request changes to its ESEA waiver to permit alternative and innovative approaches to assessment.~~

- 1A.56 AMEND** (EOC-South Carolina Autism Society) Directs that \$350,000 of the EIA funds appropriated for Partnerships, Education Oversight Committee (A85) be transferred quarterly from the EOC to the South Carolina Autism Society for the Autism Parent-School Partnership Program. Requires the Society, beginning October 10, 2015, provide a quarterly accounting report to the Chairmen of the Senate Finance and House Ways and Means Committees and to the EOC.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “\$350,000” to “500,000.”

1A.56. (SDE-EIA: EOC-South Carolina Autism Society) Of the funds appropriated in Section 1A, XII.F, Partnerships, Education Oversight Committee (A85), ~~\$350,000~~ \$500,000 must be transferred in quarterly installments from the Education Oversight Committee to the South Carolina Autism Society for the Autism Parent-School Partnership Program. Beginning October 10, ~~2014~~ 2015, the South Carolina Autism Society shall provide a quarterly accounting report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Education Oversight Committee.

- 1A.57 DELETE** (Technology/Device Pilot) Authorizes the department to use carry forward funds and appropriated recurring and non-recurring Instructional Materials and Digital Instructional Materials funds to allow up to 6 school districts to apply to the Department of Education to participate in a technology device pilot for a specific program/grade level in middle or high schools. Requires the department prepare a report that outlines implementation and use in the selected districts and submit it by December 15, 2014 to the Chairmen of the Senate Finance, Senate Education, House Ways and Means and House Education and Public Works Committees. **SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *The department states the pilot was technically for one year. Six districts implemented their plan in the 2014-15 school year.* Requested by Department of Education. Companion to general education proviso 1.70.

~~**1A.57.** (SDE-EIA: Technology/Device Pilot) For the current fiscal year, the Department of Education is authorized to utilize carry forward funds from the prior fiscal year and appropriated funds from recurring and nonrecurring sources for the purchase of Instructional Materials and Digital Instructional Materials to allow middle and high schools in up to six school districts receiving approval from the State Board of Education to opt out of the state rental system and purchase instructional materials, digital instructional materials and the digital equivalent of materials and devices directly from a state approved vendor in an amount not to exceed the total allocation that the district would have received from these appropriations.~~

~~In order to best serve the middle and high schools and students within the school district, the school district must develop an implementation plan listing the instructional materials, digital instructional materials and the digital equivalent of materials and devices by grade level and subject and the implementation plan must be presented to the local school board in a public~~

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

~~meeting for approval and made available to the public on the school district website prior to the public school board meeting.~~

~~The department must provide a certification form for a local school board on behalf of the school district to approve in a public meeting, have signed by the board chairman and district superintendent requesting approval for funding equivalent to the school district's allocation of appropriated funds for instructional materials and digital instructional materials based on the number of students in middle and high schools of the school district. The department must develop the certification form with the intent of assisting school districts with meeting State Board of Education approval.~~

~~Upon school board approval, and no later than July twenty fifth, the certification form and the detailed plan must be submitted to the department for State Board of Education approval. The State Board of Education must notify the school district of their decision to approve or disapprove no later than August fifteenth. If a school district does not receive State Board of Education approval the valid cause along with measurements necessary for the school district to meet approval must be provided to the local school board. The school district may make the required adjustments to their implementation plan and resubmit their certification form and plan to the State Board of Education for subsequent approval no later than ten days from the date of resubmission.~~

~~The school district may utilize no more than ten percent of the funds for professional development on the use of the acquisitions and must utilize no less than ninety percent of the funding received for the acquisition of instructional materials, digital instructional materials and the digital equivalent of materials and devices. If approved the school district is required to ensure that all students in the middle and high schools have access to the curriculum without regard to the student's home internet access capabilities.~~

~~The school district shall establish rules and policies that provide for the reasonable care and safety of the materials to include reasonable penalties for abuse, destruction, and loss and excluding ordinary wear and tear, provide for reimbursement by the pupils, their parents or legal guardians.~~

~~No later than December 15, 2014, the department shall provide a report outlining the implementation and use in the selected districts 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.~~

1A.59 AMEND (Carry Forward) Requires EIA funds carried forward from the prior fiscal year that are not appropriated or authorized to be carried forward and spent as follows: \$900,000 for EOC - Partnerships for Innovation; \$150,000 for Allendale County School District; \$5,929,553 for department school bus transportation costs; and any additional funds carried forward and not otherwise appropriated or authorized to be used for Instructional Materials.. Directs that if funds are available, districts may apply to the department to use the funds for the Technology/Device Pilot. Allows the funding items to be reduced pro rata if there are not sufficient monies to fund the items.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to "2015-16." Delete the allocations for the Allendale County School District, the school bus transportation costs, and the authority to use the funds for the Technology/Device Pilot.

1A.59. (SDE-EIA: Carry Forward) For Fiscal Year ~~2014-15~~ 2015-16, EIA funds carry forward from the prior fiscal year and not otherwise appropriated or authorized must be carried forward and expended on the following items:

1. EOC - Partnerships for Innovation - \$900,000; *and*
2. ~~Allendale County School District~~ \$150,000;

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

3. ~~3. \$5,929,553 must be used by the department for school bus transportation costs; and~~

4. ~~2. Any additional funds carried forward and not otherwise appropriated or authorized may be used for Instructional Materials. If funds are available, districts may make application to the Department of Education to utilize funds for the Technology/Device Pilot as described herein.~~

If excess EIA revenues are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

1A.61 AMEND (South Carolina Public Charter School District Funding) Provides for the allocation of S.C. Public Charter School District funds to charter schools within the Public Charter School District or at any approved higher education institution that sponsors a charter school per weighted pupil: \$1,900 for virtual charter schools and \$3,600 for brick and mortar charter schools. Limits the amount which must be carried forward to not more than 10% of the prior year appropriation. Directs that any funds exceeding 10% must be transferred to the Charter School Facility Revolving Loan Program.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete references to “approved institution of higher education sponsoring a public charter school. *Directives specifically related to institutions of higher education are in new proviso 1A.ihe.* Requested by Department of Education.

1A.61. (SDE-EIA: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section XI - South Carolina Public Charter School District must be allocated in the following manner to students at charter schools within the South Carolina Public Charter School District ~~or at any approved institution of higher education sponsoring a public charter school~~: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District ~~or institutions 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 institutions of higher education~~ shall receive \$3,600 per weighted pupil. 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.

1A.63 AMEND (Public Charter School District Hold Harmless) Requires the Public Charter School District use up to \$3 million of their carry forward funds to hold its schools harmless from any reduction in funds that result from EFA weightings changes in the current fiscal year.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2015-16.” Requested by Department of Education.

1A.63. (SDE-EIA: Public Charter School District Hold Harmless) For Fiscal Year ~~2014-15~~ 2015-16, the South Carolina Public Charter School District must use up to \$3,000,000 in prior year carry forward funds to hold its schools harmless from any reduction in funds as a result of changes to the EFA weightings in the current fiscal year.

1A.64 AMEND (TransformSC) Requires at least \$200,000 of Partnerships for Innovation funds appropriated to the EOC be allocated to the TransformSC public-private project.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “\$200,000” to “\$400,000.” Requested by Department of Education.

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

1A.64. (SDE-EIA: TransformSC) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, at least \$200,000 \$400,000 shall be allocated to the TransformSC public-private project.

1A.67 **AMEND** (Prekindergarten and Kindergarten Assessments) Requires all students entering a publicly funded prekindergarten or public kindergarten to be administered a readiness assessment, approved by the State Board of Education, within 45 days of the start of the school year and directs that the assessment focus on early language and literacy development and be aligned with kindergarten and 1st grade standards for English/language arts and math. Directs that assessment results be provided in writing to the parent or guardian. Requires the EOC to recommend the characteristics of the readiness assessment to the State Board of Education by July 30th and to seek input from First Steps Board of Trustees and other early childhood advocates and provide directives for procuring the assessment.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct the all “publicly funded” students entering a publicly funded Pre-K or K be administered a readiness assessment approved by the State Board of Education. Delete the requirements that the readiness assessment be approved by the state board; be aligned with K-1 standards for English/language arts and mathematics; and for the EOC to recommend the characteristics of the assessment to the state board. *Assessments were procured in September of 2014 for the 2014-15 school year. The department wants to continue the assessments for school year 2015-16.* Requested by Department of Education.

1A.67. (SDE-EIA: Prekindergarten and Kindergarten Assessments) For the current fiscal year, all publicly funded students entering a publicly funded prekindergarten or public kindergarten must be administered a readiness assessment approved by the State Board of Education that shall focus on early language and literacy development no later than the forty fifth day of the school year. ~~The readiness assessment must be approved by the State Board of Education. The approved readiness assessment must be aligned with kindergarten and first grade standards for English/language arts and mathematics.~~ The results of the assessment and the developmental intervention strategies recommended or services needed to address the child’s identified needs must be provided, in writing, to the parent or guardian. The readiness assessment may not be used to deny a student admission or to progress to kindergarten or first grade.

~~The Education Oversight Committee shall recommend the characteristics of the readiness assessment for children in prekindergarten and kindergarten, focused on early language and literacy development, to the State Board of Education no later than July thirtieth. Prior to submitting the recommendation to the State Board, the Education Oversight Committee shall seek input from the South Carolina First Steps to School Readiness Board of Trustees and other early childhood advocates. The State Board must move expeditiously to approve or modify the criteria submitted by the committee. Once approved, with the assistance of the Education Oversight Committee, the board shall develop a solicitation to be used in procuring the assessment. The solicitation must be forwarded to the Executive Director of the State Fiscal Accountability Authority who must immediately move to procure the readiness assessment in order to meet the forty five day requirement. The Executive Director is authorized to make changes to the solicitation with the consent of the Chairman of the State Board of Education and the Chairman of the Education Oversight Committee. The Department of Education must bear the costs of the procurement.~~

1A.ihe **ADD** (Public Charter School Funding-Institutions of Higher Education) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to provide for the allocation of Public Charter School District funds to charter schools authorized by an approved higher education institution

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

per weighted pupil: \$3,600 for students enrolled in brick and mortar charter schools and \$1,900 for virtual charter schools. Limit the amount which must be carried forward to not more than 10% of the prior year appropriation. Direct that any funds exceeding 10% must be transferred to the Charter School Facility Revolving Loan Program. *Separated out charter schools authorized by an approved institution of higher education from proviso 1A.61.* Requested by Department of Education.

1A.ihe. (SDE-EIA: Public Charter School District Funding-Institution of Higher Education) Pupils enrolled in a brick and mortar charter school authorized by an approved institution of higher education located in this state shall receive \$3,600 per weighted pupil and pupils enrolled in a virtual charter school authorized by an approved institution of higher education located in this state shall receive \$1,900 per weighted pupil from the funds appropriated in Part IA, Section XI - South Carolina Public Charter School - Institution of Higher Education. 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, of the 1976 Code.

1A.iom ADD (Interactive Online Music Program RFP) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the department to use instructional materials funds to work with the Information and Technology Management Office to issue a RFP to seek proposals from qualified private providers for an interactive online music program and access site license to all elementary schools; direct that the annual cost not exceed \$800,000; direct for the program to connect learning of music with other content areas, including reading, math, science and history. Require the program to meet state and national standards and include appropriate teacher training. *Separated out from proviso 117.27.* Requested by Education Oversight Committee.

1A.iom.(SDE-EIA: Interactive Online Music Program RFP) With the funds appropriated for instructional materials, the Department of Education shall work with the Information and Technology Management Office to issue a Request for Proposals (RFP). The purpose of the RFP shall be to seek proposals from qualified private providers to provide an interactive online music program that provides lesson plans, songs, videos, music lessons, on-line virtual world, auto-assessments, and access site license to all elementary schools at an annual cost not to exceed \$800,000 and that connects the learning of music with other content areas including reading, mathematics, science and history. The chosen program shall meet state and national standards and include appropriate teacher training.

SECTION 5 - H71-WIL LOU GRAY OPPORTUNITY SCHOOL

5.9 AMEND (Capacity) Directs that FY 2014-15 funds be used to bring the school up to full capacity, to the extent possible and to report by December 1st on how the funds have been used and how many additional students have been served.
SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2015-16.”

5.9. (WLG: Capacity) For Fiscal Year ~~2014-15~~ *2015-16*, funds appropriated to Wil Lou Gray Opportunity School must be used to bring the school up to full capacity, to the extent possible, and the school must report electronically to the Chairman of the Senate Finance

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

SECTION 6 - H75-SCHOOL FOR THE DEAF AND THE BLIND

6.13 **AMEND** (Capacity) Directs that FY 2014-15 funds be used to bring the school up to full capacity, to the extent possible and to report by December 1st on how the funds have been used and how many additional students have been served.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to "2015-16."

6.13. (SDB: Capacity) For Fiscal Year ~~2014-15~~ 2015-16, funds appropriated to the School for the Deaf and the Blind must be used to bring the school up to full capacity, to the extent possible, and the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

SECTION 8 - H67-EDUCATIONAL TELEVISION COMMISSION

8.wct **ADD** (Wireless Communications Tower) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct ETV to coordinate tower and antenna operations, approve all leases regarding antenna placement on state-owned property, coordinate new tower construction on state owned property, market excess capacity, generate revenue by leasing or selling excess capacity, and construct new facilities pm state owned property related to communications. Direct the revenue from the leases to be retained, expended, and carried forward to support agency operations. Direct ETV to report to the Chairman of the Senate Finance and House Ways and Means Committees by October 1 each year on all revenue collections and disbursements. *Moved from DOA section. See Legislative, Executive, and Local Government Subcommittee Recommendations for deleted proviso 93.17.*

8.wct. (ETV: Wireless Communications Tower) The Educational Television Commission is directed to coordinate tower and antenna operations within South Carolina state government. The commission shall (1) approve all leases regarding antenna placement on state owned towers and buildings, (2) coordinate all new tower construction on state owned property, (3) promote and market excess capacity on the State's wireless communications infrastructure, (4) generate revenue by leasing, licensing, or selling excess capacity on the State's wireless communications infrastructure, and (5) construct new communications assets on appropriate state owned property for the purpose of generating revenue pursuant to this proviso. All revenue from tower and antenna leases and contracts after July 1, 2001 must be remitted to a separate fund established by the commission which shall retain and expend such funds for agency operations. The commission shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year. Agencies owning tower and antenna assets will be allowed to recover expenses associated with implementing this proviso from this fund. The commission shall annually report to the Chairmen of the Senate Finance and House Ways and Means Committees by October first of each year all revenue collected and disbursed.

8.atp **ADD** (ETV: Antenna and Tower Placement) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that antenna and tower leases on a higher education institution's property must conform to the institution's master plan. *Moved from DOA section. See*

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

Legislative, Executive, and Local Government Subcommittee Recommendations for deleted proviso 93.22.

8.atp. (ETV: Antenna and Tower Placement) All leases for antenna and tower operations within institutions of higher learning campuses must conform to master plans for such property, as determined solely by the institution of higher learning.

8.sa **ADD** (Spectrum Auction) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize ETV, if they choose to enter the FCC TV Spectrum Auction and receive any proceeds, to retain the proceeds for the development of a capital reserve declining balance fund. Direct that the proceeds be used to fund critical capital needs, including an expected broadcast industry standards change, and to also be used for equipment repair, maintenance and replacement needs and for operational costs. Authorize unexpended funds to be carried forward and used for the same purpose. Direct ETV to report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees on their intent to enter the auction; auction dates; estimated potential revenue; and actual revenue received from the auction. Requested by Educational Television Commission.

8.sa. (ETV: Spectrum Auction) During the current fiscal year, if the Educational Television Commission opts to enter the Federal Communications Commission TV Spectrum Auction and subsequently receives any proceeds from the auction, the commission is authorized to receive and retain the proceeds for the development of a capital reserve declining balance fund. The proceeds shall be used to fund several critical capital needs at ETV, including an expected broadcast industry standards change. Proceeds shall also be deployed for existing equipment repair, maintenance and replacement needs and operational costs. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose. The commission shall report to the Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the intent to enter the auction; dates of the auction; potential revenue estimates; and actual received revenue.

SECTION 117 - X90-GENERAL PROVISIONS

117.27 **AMEND** (School Technology Initiative) Provides for the administration of K-12 technology initiative funds.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the authorization for the funds to also be used for interactive online music curriculum and access site license to all elementary schools at a cost of up to \$545,000 and that connects the learning of music with other content areas including reading, mathematics, science and history. *See new EIA proviso 1A.iom.* Requested by Education Oversight Committee.

117.27. (GP: School Technology Initiative) From the funds appropriated/authorized for the K-12 technology initiative, the Department of Education, in consultation with the Department of Administration, the State Library, the Educational Television Commission, and a representative from the Education Oversight Committee, shall administer the K-12 technology initiative funds. These funds are intended to provide technology, encourage effective use of technology in K-12 public schools throughout the state, conduct cost/benefit analyses of the various technologies, and should, to the maximum extent possible, involve public-private sector collaborative efforts. Funds may also be used to establish pilot projects for new technologies ~~including interactive online music curriculum that provides lesson plans, songs, videos music lessons, on-line virtual~~

**PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2015-16
TO THE PROVISO SUBCOMMITTEE**

~~world, auto-assessments, and access site license to all elementary schools at a cost not to exceed \$545,000 and that connects the learning of music with other content areas including reading, mathematics, science and history with selected school districts as part of the evaluation process. K-12 technology initiative funds shall be retained and carried forward to be used for the same purpose.~~

- 117.90 AMEND** (Funds Transfer to ETV) Requires funds appropriated to the DOA for Legislative & Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council for City and Council municipal training to be transferred to ETV during July of 2014 for them to continue to provide services as they were provided in the prior fiscal year.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year reference to "2015."

117.90. (GP: Funds Transfer to ETV) In the current fiscal year funds appropriated in Part IA to the Department of Administration Section 93 for Legislative & Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council in Section 64 for State & Local Training of Law Enforcement, City and County municipal training services must be transferred to the Educational Television Commission (ETV) during July 2014 2015 for the continuation of services as provided in the prior fiscal year.

- 117.103 DELETE** (First Steps Reauthorization) Reauthorizes First Steps for Fiscal Year 2014-15.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *First Steps has been reauthorized by separate legislation. Proviso no longer needed.*

117.103. (GP: First Steps Reauthorization) ~~Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2014-15.~~