

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 1 - H63-DEPARTMENT OF EDUCATION

- 1.3 CONFORM TO FUNDING / AMEND** (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 13-14, the base student cost has been determined to be \$2,101; that the per pupil count is projected to be 698,924 and projects the average per pupil funding. Provides for the distribution of funds to the SC Public Charter School District. Requires the B&C Board, Office of Research and Statistics 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.

PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING / AMEND proviso to direct that any institution of higher learning sponsoring a public charter school shall also receive EFA funds.

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 Division of Budget and Analyses 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 \$2,101. In Fiscal Year 2013-14, the total pupil count is projected to be 698,924. The average per pupil funding is projected to be \$5,147 state, \$1,185 federal, and \$4,855 local. This is an average total funding level of \$11,187 excluding revenues of local bond issues. For ~~Fiscal Year 2013-14~~ 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 Budget and Control Board, Research and Statistics Division, 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 Budget and Control Board, Research and Statistics Division, shall also post on their website the 135-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 Budget and Control Board, Research and Statistics Division, including the projected numbers and the exact numbers.

- 1.9 DELETE** (Disabled/Preschool Children) Directs that funds for 3 and 4 year old preschool disabled children shall be distributed based on the district's index of taxpaying ability and that 5 year old disabled students shall continue to be funded under the EFA.
- PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *The proviso is not necessary as the funding associated with it no longer exists.* Requested by Department of Education.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

~~1.9. (SDE: Disabled/Preschool Children) The state funding for free appropriate public education provided for the three and four year old disabled children served under Act 86 of 1993, shall be distributed based on the district's index of taxpaying ability as defined in Section 59-20-20(3). Five year old disabled children shall continue to be funded under the Education Finance Act of 1977.~~

1.14 DELETE (Teachers/Temporary Certificates) Allows the use of teacher salary funds for teachers holding temporary certificates as requested by a school board. Directs that temporary certifications cannot be continued more than twice.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The proviso is not necessary because the department has not issued temporary teaching certificates since 2006.* Requested by Department of Education.

~~1.14. (SDE: Teachers/Temporary Certificates) Of the funds provided for teacher salaries funds may be used to pay salaries for those teachers holding temporary certificates which shall remain valid for the current school year if the local board of education so requests. The State Department of Education shall submit to the General Assembly by March first of the current fiscal year a report showing by district the number of temporary certificates by category; including an enumeration of the certificates carried forward from the previous year. No temporary certificate shall be continued more than twice.~~

1.21 DELETE (Assessment) Suspends PSAT/PLAN for the current fiscal year and allocates savings to the EFA. Authorizes assessment funds to be carried forward to pay for state assessment activities and for scoring of the spring PACT assessment.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The proviso is not necessary because the General Assembly uses EIA funds for assessment programs.* Requested by Department of Education.

~~1.21. (SDE: Assessment) For the current fiscal year PSAT/PLAN shall be suspended and savings generated from suspension of PSAT/PLAN Reimbursement shall be allocated to the Education Finance Act. The department is authorized to carry forward into the current fiscal year, prior year state assessment funds for the purpose of paying for state assessment activities not completed by the end of the fiscal year including the scoring of the spring statewide accountability assessment.~~

1.23 AMEND (School Bus Purchase) Requires certain specifications be met when purchasing school buses.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to require the department only purchase school buses that are equipped with Wi-Fi technology. Direct that newly purchased buses go first to rural districts that have submitted a locally approved plan to the State Board of Education to ensure that school buses will be secured and parked at a central public location so that students may access the Wi-Fi. Require school districts to adopt local board policies on: designation of public locations; access only for educational purposes and on district approved devices; password protection for students and faculty use; and a method to notify students and their families of the Wi-Fi availability. Direct the department to prepare a report that outlines which districts received buses and how the increased access impacted students and submit the report to the Chairmen of the Senate Finance and House Ways and Means Committees and to the K-12 Technology Committee.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

1.23. (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 in the procurement of school buses. If the department uses the specifications of Georgia or North Carolina, 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. The department is directed to purchase only school buses equipped with Wi-Fi technology. Disbursement of newly purchased school buses shall first go to rural districts submitting a locally approved plan to the State Board of Education that will ensure that at designated non-school times, buses are secured and then parked at a central, easily accessible, public location so that students may access the Wi-Fi. Further, school districts must adopt local board policies regarding the designation of these public locations, that access shall only be for educational purposes and on district approved devices and password protected to ensure only students and faculty may use the connection and the method by which all students and their families receive notice. The department shall submit a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the K-12 Technology Committee outlining which districts received buses and how the increased access has impacted students.

1.41 **DELETE** (High School Reading Initiative) Expands the SC Reading Initiative to the high school level to improve the reading ability of high school students reading below grade level for ninth and tenth grade students.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The proviso is not necessary as the funding associated with it no longer exists. Proviso 1.84 (Summer Reading Camps) obviates the need for this proviso.* Requested by Department of Education.

~~**1.41.** (SDE: High School Reading Initiative) The funds appropriated for the High School Reading Initiative are to be used to expand the South Carolina Reading Initiative to the high school level by providing research based targeted assistance in improving and accelerating the reading ability of ninth and tenth grade students scoring Not Met on the eighth grade PASS reading and research tests or not passing the English I end of course test as ninth graders.~~

1.44 **DELETE** (Governor's School Reporting) Requires reporting of the use of non-recurring funding appropriated to the Governor's School for Science & Mathematics and the Governor's School for the Arts and Humanities.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**1.44.** (SDE: Governor's School Reporting) The Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics are required to submit reports as to how the non-recurring funding appropriated in this act is expended. The report must be submitted to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by the end of the fiscal year.~~

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

- 1.46 DELETE** (Education and Economic Development Act Carry Forward) Authorizes the department, school districts and special schools to carry forward prior year EEDA funds.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The proviso is not necessary because the General Assembly uses EIA funds for these EEDA programs. Proviso 1A.60 provides carry forward authority for EIA funds for the EEDA.* Requested by Department of Education.

~~1.46. (SDE: Education and Economic Development Act Carry Forward) Funds provided for the Education and Economic Development Act may be carried forward into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools.~~

- 1.57 CONFORM TO FUNDING / AMEND** (South Carolina Public Charter School District Funding) Provides for the allocation of S.C. Public Charter School District funds per weighted pupil: \$1,700 for virtual charter schools and \$3,250 for brick and mortar charter schools. Limits the amount which must be carried forward to not more than 10% of the prior year appropriation.
PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING / AMEND proviso to include charter schools sponsored by institutions of higher education in the allocation of Public Charter School District funds.

1.57. (SDE: 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 \$1,700 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 \$3,250 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.

- 1.58 AMEND** (Governor's Schools Capacity) Directs the Governor's Schools for the Arts and Humanities and for Science and Mathematics to use their FY 13-14 funds to bring the schools 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.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "Fiscal Year 2013-14" to "the current fiscal year." Requested by Department of Education.

1.58. (SDE: Governor's Schools Capacity) For ~~Fiscal Year 2013-14~~ the current fiscal year, funds appropriated to the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics must be used to bring the schools up to full capacity, to the extent possible. Each 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 how the funds have been utilized and how many additional students have been served.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

- 1.60 DELETE** (One Year Suspension of Programs) Suspends the SAT/ACT Improvement program for Fiscal Year 2013-14 and directs that the funds be allocated to districts based on weighted pupil units.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The funding was deleted in Fiscal Year 2011-2012.* Requested by Department of Education.

~~1.60. (SDE: One Year Suspension of Programs) The following program will be temporarily suspended for Fiscal Year 2013-14: SAT/ACT Improvement. Funds appropriated to this program must be allocated to districts based on the number of weighted pupil units.~~

- 1.61 DELETE/MOVE** (EEDA Regional Education Centers) Requires at least \$108,500 of EEDA funds be used for the Regional Education Centers.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso and MOVE to EIA. *See new proviso 1A.rec.* Requested by Department of Education.

~~1.61. (SDE: EEDA Regional Education Centers) Funds appropriated from the EEDA for Regional Education Centers must not be less than \$108,500.~~

- 1.62 AMEND** (Impute Index Value) Provides a methodology for the Department of Revenue to use for calculating the index of taxpaying ability for Fiscal Year 13-14.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “Fiscal Year 2013-14” to “the current fiscal year.” Requested by Department of Education.

~~1.62. (SDE: Impute Index Value) For Fiscal Year 2013-14 the current fiscal year and for the purposes of calculating the index of taxpaying ability the Department of Revenue shall impute an index value for owner-occupied residential property qualifying for the special four percent assessment ratio by adding the second preceding taxable year total school district reimbursements for Tier 1, 2, and Tier 3(A) and not to include the supplement distribution. The Department of Revenue shall not include sales ratio data in its calculation of the index of taxpaying ability. The methodology for the calculations for the remaining classes of property shall remain as required pursuant to the EFA and other applicable provisions of law.~~

- 1.66 DELETE** (Next Generation Science Standards) Prohibits the department, the EOC, or the State Board of Education from spending funds on the Next Generation Science Standards initiative.

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

~~1.66. (SDE: Next Generation Science Standards) No funds shall be expended in the current fiscal year by the Department of Education, the Education Oversight Committee, or the State Board of Education to participate in, implement, adopt or promote the Next Generation Science Standards initiative.~~

- 1.69 AMEND** (School Enrollment Policy) Requires school districts with an open enrollment policy that had previously accepted students who live outside the district to an academic magnet school to continue to accept these students and their siblings for enrollment under the same terms and conditions.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “Fiscal Year 2013-14” to “the current fiscal year.” Requested by Department of Education.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

1.69. (SDE: School Enrollment Policy) For ~~Fiscal Year 2013-14~~ *the current fiscal year*, any school district with an open enrollment policy for all schools or certain schools which had previously accepted certain students residing outside of the district to an academic magnet school in the district must continue to accept these students and their siblings for enrollment at the academic magnet school under the same terms and conditions these students were previously permitted to attend the school.

- 1.70** **AMEND** (District Funding Flexibility) Requires districts to use funding flexibility to ensure that every school has district approved safety precautions in place
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “Fiscal Year 2013-14” to “the current fiscal year.” Requested by Department of Education.

1.70. (SDE: District Funding Flexibility) For ~~Fiscal Year 2013-14~~ *the current fiscal year*, districts must utilize funding flexibility provided herein to ensure that district approved safety precautions are in place at every school.

- 1.71** **DELETE** (Alternative Fuel School Bus Pilot) Permits the department or any school district to enter into a pilot program to operate school buses using alternative fuels.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Requested by Department of Education.

1.71. (SDE: Alternative Fuel School Bus Pilot) ~~For the current fiscal year, the State Department of Education or any school district of the state is permitted to enter into an agreement to pilot school buses operated using alternative fuels.~~

- 1.77** **CONFORM TO FUNDING / AMEND** (Digital Instructional Materials) Provides the methodology for the department to use to allocate digital instructional materials. Requires districts submit requests to the State Board by August 15th and directs that funds not encumbered by January 15th be distributed to school districts that have not previously received an allocation. Directs that these funds are not subject to flexibility.
PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING / AMEND proviso to state that Digital Instructional Materials includes the digital equivalent of materials and devices.

1.77. (SDE: Digital Instructional Materials) Utilizing the funds appropriated for digital instructional materials, the Department of Education shall determine a per pupil amount using the prior year’s 135 ADM. These funds shall be made available to all school districts using the following procedure:

(1) The Department of Education shall create a digital instructional materials list composed of those items which have been requested by districts and that have received Board approval;

(2) Districts may request that the State Board of Education review digital instructional materials for inclusion on the list when the material has been reviewed by the district, received approval by the local board of trustees for use in its district and been found to reflect the substance and level of performance outlined in the state adopted grade specific educational standards, contain current content information, and are cost effective;

(3) Within thirty days of receiving the request, the State Board of Education must approve or disapprove the district’s request. Those materials receiving approval shall be placed

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

on the department's approved digital instructional materials list. Once items are placed on the approved list, all districts may choose items from that list; ~~and~~

(4) On a form provided by the department, a district may request an allocation by denoting the number of students, grade level, and subject for which the digital materials will be used. Districts may only request digital materials in one subject area and may not receive textbooks for the students using digital materials in that subject area; *and*

(5) Digital Instructional Materials shall include the digital equivalent of materials and devices.

District requests must be submitted to the State Board of Education for consideration not later than August fifteenth of the current fiscal year. Any funds appropriated for digital instructional materials which have not been encumbered by January fifteenth, shall be distributed to school districts which have not previously received an allocation. These districts shall receive a per pupil allocation which must be used for technology infrastructure needed to prepare the district for using digital instructional materials. These funds shall not be subject to flexibility.

1.79 CONFORM TO FUNDING / AMEND (Summer Reading Camps) Provides for the allocation of funds provided for summer reading camps.

PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING / AMEND proviso to allocate 20% to the department to provide bus transportation to the camps; \$700,000 to support community partnerships where local Boys and Girls Clubs or other community organizations would collaborate with local school districts to provide after school programs or summer reading camps to provide instructional support to struggling readers in elementary schools that have a poverty index of 50% or greater; direct the EOC to document and evaluate the partnerships; and allocate the remainder of the funds on a per pupil allocation to each school district based on the number of student who meet certain criteria

1.79. (SDE: Summer Reading Camps) For the current fiscal year, funds appropriated for summer reading camps must be allocated as follows: (1) ~~\$300,000~~ 20% to the Department of Education to provide bus transportation for students attending the camps; ~~and~~ (2) \$700,000 to support community partnerships whereby local Boys and Girls Clubs or other community organizations would collaborate with local school districts to provide after school programs or summer reading camps that utilize volunteers, mentors or tutors to provide instructional support to struggling readers in elementary schools that have a poverty index of 50 percent or greater. The Education Oversight Committee will document and evaluate the partnerships and the impact of the partnerships on student academic success and make recommendations on the characteristics of effective partnerships and on methods of duplicating effective partnerships throughout the state; and (3) the remainder on a per pupil allocation to each school district based on the number of students who scored Not Met 1 on the third grade reading and research assessment of the prior year's Palmetto Assessment of State Standards administration. The reading camps must provide an educational program offered in the summer by each local school district for students who are substantially not demonstrating reading proficiency at the end of third grade. The camp must be six to eight weeks long for four or five days each week and include at least five and one-half hours of instructional time daily. The camps must be taught by compensated, licensed teachers who have demonstrated substantial success in helping students comprehend grade-appropriate texts. Schools and districts should partner with county or school libraries, community organizations, faith-based institutions, pediatric and family practice medical personnel, businesses, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. In addition, a

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

district may offer summer reading camps for students who are not exhibiting reading proficiency in prekindergarten through grade two and may charge fees based on a sliding scale pursuant to Section 59-19-90 of the 1976 Code, as amended.

1.80 AMEND (Educational Credit for Exceptional Needs Children) Provides for a tax credit for the amount a person contributes for an exceptional needs child to a nonprofit scholarship funding organization, within specific parameters.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to clarify that the tax credit the person is entitled to for contributing to a nonprofit scholarship funding organization is against income taxes imposed pursuant to Chapters 6 [SC INCOME TAX ACT] or 11 [INCOME TAX ON BANKS] of Title 12 [TAXATION], or against bank taxes imposed pursuant to Chapter 11 of Title 12. Further define exceptional needs child as one who has been evaluated by either a psycho-educational specialist, a licensed school psychologist, a licensed clinical psychologist, or a licensed neuro psychologist who determines that the student needs special education and related services. Require the department establish an application process to determine the amount of credit available to be claimed; direct that priority for the credit will be determined by receipt of the application; and require contributions to be made on or before June 30, 2015. Delete the requirement that if a husband and wife file separate returns, they each may only claim one-half of the tax credit. Update tax year reference to 2014 and direct that a person may make a claim on or after January 1, 2015.

1.80. (SDE: Educational Credit for Exceptional Needs Children) (A) As used in this proviso:

(1) 'Independent school' means a school, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.

(2) 'Parent' means the natural or adoptive parent or legal guardian of a child.

(3) 'Qualifying student' means a student who is a South Carolina resident and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the current school year.

(4) 'Resident public school district' means the public school district in which a student resides.

(5) 'Tuition' means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school and school-related transportation.

(6) 'Eligible school' means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

(a) offers a general education to primary or secondary school students;

(b) does not discriminate on the basis of race, color, or national origin;

(c) is located in this State;

(d) has an educational curriculum that includes courses set forth in the state's diploma requirements and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;

(e) has school facilities that are subject to applicable federal, state, and local laws; and

(f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools or the South Carolina Independent Schools Association.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

(7) 'Nonprofit scholarship funding organization' means a charitable organization that:

(a) is exempt from federal tax under Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the Code;

(b) allocates, after its first year of operation, at least ninety-five percent of its annual contributions and revenue received during a particular year to provide grants for tuition, transportation, or textbook expenses (collectively hereinafter referred to as tuition) or any combination thereof to children enrolled in an eligible school meeting the criteria of this section, and incurs administrative expenses annually, after its first year of operation, of not more than five percent of its annual contributions and revenue for a particular year;

(c) allocates all of its funds used for grants on an annual basis to children who are 'exceptional needs' students as defined herein;

(d) does not provide grants solely for the benefit of one school, and if the Department of Revenue determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this section may be disallowed;

(e) does not have as a member of its governing board any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this section from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member; and

(f) does not have as a member of its governing board any person who has been convicted of a felony, or who has declared bankruptcy within the last seven years.

(8) 'Person' means an individual, partnership, corporation, or other similar entity.

(9) 'Transportation' means transportation to and from school only.

(B) A person is entitled to a tax credit against income taxes imposed pursuant to Chapter 6 or Chapter 11, Title 12 or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of money the person contributes to a nonprofit scholarship funding organization up to the limits of this proviso if:

(1) the contribution is used to provide grants for tuition, transportation, or textbook expenses or any combination thereof to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(2) the person does not designate a specific child or school as the beneficiary of the contribution.

(C) Grants may be awarded by a scholarship funding organization in an amount not exceeding ten thousand dollars or the total cost of tuition, whichever is less, for students with 'exceptional needs' to attend an independent school. An 'exceptional needs' child is defined as a child;

(1) (a) who has been designated by the South Carolina Department of Education to meet the requirements of CFR 34 C.F.R. Part A Section 300.8; or

(b) who has been evaluated by either a psycho-educational specialist, a licensed school psychologist, a licensed clinical psychologist, or a licensed neuro psychologist who determines that the student needs special education and related services; and

(2) the child's parents or legal guardian believe that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.

(D) (1) (a) The tax credits authorized by subsection (B) may not exceed cumulatively a total of eight million dollars for contributions made on behalf of 'exceptional needs' students. If the Department of Revenue determines that the total of such credits claimed by all taxpayers

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

exceeds this amount, it shall allow credits only up to those amounts on a first come, first serve basis.

(b) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department will determine priority for the credit. Contributions must be made on or before June 30, 2015, in order to claim the credit.

(2) A taxpayer may not claim more than sixty percent of their total tax liability for the year in contribution towards the tax credit authorized by subsection (B). This credit is not refundable.

~~(3) If a husband and wife file separate returns, they each may only claim one half of the tax credit that would have been allowed for a joint return for the year.~~

~~(4)~~ (3) The person shall apply for a credit under subsection (B) on or with the tax return for the period for which the credit is claimed.

~~(5)~~ (4) The Department of Revenue shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (B). Also, the department shall develop a method of informing taxpayers if either of the credit limits are met at any time during the ~~2013~~ 2014 tax year.

~~(6)~~ (5) A person may claim a credit under subsection (B) for contributions made on or after January 1, ~~2014~~ 2015.

(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the deduction or credit authorized by this section to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(F) Except as otherwise provided, neither the Department of Education, the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this proviso.

(G) (1) The Education Oversight Committee, as established in Chapter 6, Title 59, is responsible for determining if an eligible school meets the criteria established by subsection (A)(6), and shall publish an approved list of such schools meeting this criteria below. For this purpose, it also shall promulgate regulations further enumerating the specifics of this criteria. In performing this function, the Education Oversight Committee shall establish an advisory committee made up of not more than nine members including parents, and representatives of independent schools and independent school associations. The advisory committee shall provide recommendations to the Education Oversight Committee on the content of these regulations and any other matters requested by the Education Oversight Committee.

(2) (a) By the first day of August for the current fiscal year, the Education Oversight Committee, on its website available to the general public, shall provide a list with addresses and telephone numbers of nonprofit scholarship funding organizations in good standing which provide grants under this proviso, and a list of approved independent schools which accept grants for eligible students and which in its determination are in compliance with the requirements of subsection (A)(6).

(b) Student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by an eligible school receiving or entitled to receive scholarship grants under this proviso must be transmitted to the Education Oversight Committee which in turn shall publish this information on its website with the most recent scores by category included.

(3) Any independent school not determined to be an eligible school under the provisions of this proviso may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

(4) The Education Oversight Committee, after consultation with its nine-member advisory committee, may exempt an independent school having students with exceptional needs who receive scholarship grants pursuant to this proviso from the curriculum requirements of subsection (A)(6)(d).

(H) (1) Every nonprofit scholarship funding organization providing grants under subsection (C), shall cause an outside auditing firm to conduct a comprehensive financial audit of its operations in conformity with generally accepted accounting principles and shall furnish the same within thirty days of its completion and acceptance to the Secretary of State and Department of Revenue which must be made available by them on their website for public review.

(2) Every independent school accepting grants for eligible students shall cause to be conducted a compliance audit by an outside entity or auditing firm examining its compliance with the provisions of this proviso, and shall furnish the same within thirty days of its completion and acceptance to the Secretary of State and Department of Revenue which must be made available by them on their website for public review.

1.82 **DELETE** (CDEPP Expansion) Allows First Steps or the department to transfer CDEPP expansion funds to the other entity for expansion use if they determine by October 1st they will not spend the full amount. Requires they provide a report by February 1st on how many additional 4K programs have opened and the number of additional students served. Prohibits public school districts that receive these funds from building or adding additional space to accommodate students in a new 4K program.

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

~~1.82. (SDE: CDEPP Expansion) If by October first, First Steps or the Department of Education determine they will not expend the full amount of the CDEPP expansion funds allocated to each they are permitted to transfer any unspent funds to the other, provided that they will be used for expansion. First Steps and the Department of Education must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than February 1st how many additional 4K programs have opened and how many additional students have been served. A public school district receiving funds pursuant to the provisions of the CDEPP expansion cannot build or add additional space, to include the addition of mobile units and also to include displacing currently enrolled students out of their current classrooms or schools, to accommodate students in a new 4 K program.~~

1.im **ADD** (Instructional Materials Flexibility Pilot Program) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to use instructional materials funds to conduct the Instructional Materials Flexibility Pilot Program that will consist of up to 6 school districts. Direct that these school districts shall receive a direct allocation of funds for instructional materials per terms defined through the pilot program.

1.im. (SDE: Instructional Materials Flexibility Pilot Program) The Department of Education may use funds appropriated for instructional materials to conduct the Instructional Materials Flexibility Pilot. The Instructional Materials Flexibility Pilot will consist of up to six school districts admitted to the program by a process defined by the Department of Education. Districts participating in the pilot will opt out of the state system for receiving instructional materials in order to be allowed to receive a direct allocation of funds for instructional materials per the terms defined through the pilot.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

- 1.asap** **ADD** (Academic Standards Adoption Procedure) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to prohibit funds from being spent to revise or adopt academic standards by the department, the EOC, or the State Board of Education if the department did not develop the changes being considered. Require the department and the EOC notify the General Assembly and the Governor of any plans and intent to initiate a change to an existing academic standard, including a cyclical review.

1.asap. (SDE: Academic Standards Adoption Procedure) No funds shall be expended in the current fiscal year to revise or adopt any academic standards by the Department of Education, the Education Oversight Committee, or the State Board of Education if the changes being considered were not developed by the Department of Education. Furthermore, upon initiating a change to an existing academic standard, including a cyclical review, the Education Oversight Committee and the Department of Education shall provide notice of their plans and intent to the General Assembly and the Governor.

- 1.fs** **ADD** (First Steps CDEPP Carry Forward) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize First Steps to use prior year carried forward CDEPP funds for technology and data system upgrades. Require a report be submitted by December 1, 2014 to the Office of State Budget and the Chairmen of the Senate Finance and House Ways and Means Committees on the expenditure of these funds.

1.fs. (SDE: First Steps CDEPP Carry Forward) For Fiscal Year 2014-15, First Steps may use unexpended CDEPP funds carried forward from the prior fiscal year for technology and data system upgrades. No later than December 1, 2014, First Steps must report to the Office of State Budget, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on the expenditure of the funds to include the following information: expenditures on data system upgrades, expenditures on technology services and infrastructure and expenditures on personnel and training.

- 1.gsia** **ADD** (Governor's Schools Informational Access to Students) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require school districts to permit both Governor's Schools to work with individual schools and their staff in order to share information with students and families about educational opportunities offered at the Governor's Schools through school visits, informational presentations and posters. Require the Governor's Schools to report to the Chairmen of the Senate Finance and House Ways and Means Committees by June 30, 2015, on results of these efforts. Direct the Governor's Schools to work with districts, the department, and School Report Card administrators to ensure the SAT scores of the school's students are included in the students' resident district School Report Card.

1.gsia. (SDE: Governor's Schools Informational Access to Students) For the current fiscal year, school districts must permit both the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics to collaborate with individual schools and their staff to share information with students and families about the educational opportunities offered at the respective Governor's Schools, through avenues including school visits, informational presentations, and posters. By June 30, 2015, the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of these Informational Access efforts. Further, the two Governor's Schools will work with districts, the Department of Education and School Report Card

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

administrators, to ensure that SAT scores of current Governor's Schools' students are included in the School Report Card of those students' resident schools and districts.

- 1.aft** **ADD** (Alternative Fuel Transportation) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the department to use up to 10% of School Bus Lease/Purchase appropriations to lease or purchase alternative fuel or dual fuel school buses. Authorize the department and school districts to enter into agreements to purchase alternative fuel and fueling stations and authorize school districts to lease or purchase school buses that use alternative fuel or dual fuel. Require the department report by June 1, 2015 to the Chairmen of the Senate Finance and House Ways and Means Committees on how many alternative fuel buses were purchase, the cost of each bus, and the type and cost of the alternative fuel used.

1.aft. (SDE: Alternative Fuel Transportation) For the current fiscal year, of the funds appropriated for School Bus Lease/Purchase, the Department of Education is directed to use up to ten percent to lease or purchase school buses that are designed to use alternative fuel or are dual fuel. The department or any school district of this state is permitted to enter into an agreement to purchase alternative fuel and any needed fueling stations. School districts of this state are permitted to enter into an agreement to lease or purchase school buses that are designed to use alternative fuel or dual fuel. By June 1, 2015, the department must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee how many alternative fuel or dual fuel buses were purchased, the cost of each bus, the type of alternative fuel used and the cost of the alternative fuel.

SECTION 1A - H63-DEPARTMENT OF EDUCATION-EIA

- 1A.2** **DELETE** (Services for Students with Disabilities) Directs the expenditure of funds appropriated for Services for Students with Disabilities.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Funding is no longer available.* Requested by Department of Education.

~~1A.2. (SDE-EIA: XII.A.1 Services for Students with Disabilities) The money appropriated in Part 1A, Section 1, XII.A.1. for Services for Students with Disabilities shall be used only for educational services for pupils with moderate to severe intellectual disabilities.~~

- 1A.4** **AMEND** (African-American History) Authorizes African-American curricula development funds to be carried forward and used for the same purpose.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to require at least 70% of the funds carried forward be used to develop additional instructional materials by nonprofit organizations selected through a competitive bidding process. Direct that priority be given to organizations that have already produced materials currently being used in schools and outreach programs that reflect African-American culture and history and support literacy efforts. Requested by Education Oversight Committee.

1A.4. (SDE-EIA: XII.A.3. African-American History) Funds provided for the development of the African-American History curricula may be carried forward into the current fiscal year to be expended for the same purpose. For Fiscal Year 2014-15 not less than 70 percent of the funds carried forwarded must be expended for the development of additional instructional

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

materials by nonprofit organizations selected through a competitive bids process by the Department of Education. Priority must be given to organizations that have already produced materials that are currently being used by schools and outreach programs that reflect African-American culture and history and that support literacy efforts.

1A.9 AMEND (Disbursements/Other Entities) Directs a quarterly disbursement by the Department of Revenue directly to other state agencies referenced in the appropriations act with four exceptions listed that receive their full appropriations at the start of the fiscal year. Grants conforming funding authority to the Comptroller General.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct DOR, from available revenue, to provide the full amount of the funds authorized for Teacher Supplies to the Department of Education at the beginning of the fiscal year, .

1A.9. (SDE-EIA: XII.F.2-Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, S.C. Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, XII.F.2. Other State Agencies and Entities shall be disbursed on a quarterly basis by the Department of Revenue directly to the state agencies and entities referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology, which shall receive their full appropriation at the start of the fiscal year from available revenue. The Comptroller General's Office is authorized to make necessary appropriation reductions in Part IA, Section 1, XII.F.2. to prevent duplicate appropriations. If the Education Improvement Act appropriations in the agency and entity respective sections of the General Appropriations Act at the start of the fiscal year do not agree with the appropriations in Part IA, Section 1, XII.F.2. Other State Agencies and Entities, the "other funds" appropriations in the respective agency and entity sections of the General Appropriations Act will be adjusted by the Comptroller General's Office to conform to the appropriations in Part IA, Section 1, XII.F.2. Other State Agencies and Entities. Further, the Department of Revenue is directed to provide the full appropriation of the funding appropriated in Part IA, Section 1, XII.C.2 Teacher Supplies to the Department of Education at the start of the fiscal year from available revenue.

1A.11 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 2013 tax return.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update tax return reference to "2014."

1A.11. (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

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

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 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 non-retention of receipts in any instances where a similar instrument is utilized. Any district requiring receipts must notify any teacher from whom receipts have not been submitted between November twenty-fifth and December sixth that receipts must be submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement.

Any classroom teacher, including a classroom teacher at a South Carolina private school, that is not eligible for the reimbursement allowed by this provision, may claim a refundable income tax credit on the teacher's ~~2013~~ 2014 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 ~~2013~~ 2014 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.19 AMEND** (Assessment) Authorizes assessment funds to be carried forward to pay for state assessment activities and for scoring of the spring PACT assessment.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that PSAT/PLAN reimbursements resume in the current fiscal year. Requested by Education Oversight Committee.

1A.19. (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 state assessment activities not completed by the end of the fiscal year including the scoring of the spring statewide accountability assessment. PSAT/PLAN reimbursements shall resume in the current fiscal year.

- 1A.32 AMEND** (Incentive for National Board Certification After June 30, 2010) Provides for the National Board Certification Incentive for teachers certified by the National Board or who completed the application process on or after July 1, 2010.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to suspend the salary supplement for new applicants for FY 14-15 and require the department submit a report on the long term costs of the program to the Senate Finance and House Ways and Means Committees by January 1, 2015. Direct that school districts are not prohibited from offering National Board certified teachers a local salary supplement nor are teachers or teacher

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

specialists prohibited from seeking National Board certification. Requested by Department of Education.

1A.32. (SDE-EIA: Incentive for National Board Certification After June 30, 2010) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who complete the application process on or after July 1, 2010 shall be paid a \$5,000 salary supplement in the year of achieving certification. The special schools include the Governor's School for Science and Math, 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 1. The \$5,000 salary supplement shall be added to the annual pay of the teacher, not to exceed ten years of the national certificate. However, the \$5,000 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer whereby teachers who are United States citizens or permanent resident aliens apply to the National Board for Professional Teaching Standards for certification on or after July 1, 2010. Should the program not be suspended, up to nine hundred applications shall be processed annually. Of the funds appropriated in Part IA, Section 1, XII.C.2. for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of teachers applying to the National Board for Professional Teaching Standards for certification.

New applications for the salary supplement prescribed in this proviso are suspended for Fiscal Year 2014-15. The Department of Education shall submit a report on the long-term costs of the program to the Senate Finance Committee and the House Ways and Means Committee by January 1, 2015. This proviso does not prohibit school districts from offering a local salary supplement for National Board certified teachers nor does it prohibit a teacher or teacher specialist from seeking National Board certification.

1A.35 **DELETE** (Carry Forward) Directs that EIA funds carried forward from the prior fiscal year and from FY 13-14, not otherwise appropriated or authorized, must be carried forward and the first \$1,000,000 be provided to Clemson University by July 15th for a summer reading pilot program for low income elementary school students. Directs Clemson to work in conjunction with the EOC to determine program outcomes and authorizes Clemson to retain no more than 15% to complete the study. Requires \$200,000 be provided to each school designated as a Palmetto Priority School in the prior year which did not receive EIA technical assistance funds, and directs that if there are not enough funds, each district's share will be reduced on a pro-rata basis. Directs any remaining balance be spent for school bus fuel costs, National Board Supplements, and Instructional Materials.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**1A.35.** (SDE-EIA: Carry Forward) EIA carry forward from the prior fiscal year and Fiscal Year 2013-14 and not otherwise appropriated or authorized must be carried forward and expended first to provide Clemson University with \$1,000,000 no later than July fifteenth to fund a summer reading pilot program for low income elementary school students. Clemson University will work in conjunction with the Education Oversight Committee to determine the outcomes of the program. Clemson University is authorized to retain no more than fifteen percent of the funds to complete the study. Funds also must be expended to provide \$200,000~~

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

~~to each school that was designated by the department as a Palmetto Priority School in the prior year but did not receive an allocation of EIA technical assistance funds in the prior fiscal year to improve teacher recruitment and retention, to reduce the district's dropout rate, to improve student achievement in reading/literacy, or to train teachers in how to teach children of poverty as stipulated in the school's renewal plan. If funds are not sufficient to provide \$200,000 to each qualifying school, the \$200,000 shall be reduced on a pro rata basis. Any balance remaining must be expended for school bus fuel costs, National Board Supplements, and Instructional Materials.~~

1A.36 **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.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement that the center is also charged with developing curricula for add-on certification for teachers who specialize in teaching children of poverty. Direct CHE, with the increased funds provided, to fund a new center in FY 14-15 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. Requested by Education Oversight Committee.

1A.36. (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, non-traditional or alternative learning opportunities. ~~The center also is charged with developing a sequence of knowledge and skills and program of study for add-on certification for teachers specializing in teaching children of poverty.~~ 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.37 **CONFORM TO FUNDING / 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. Directs the department to transfer \$350,000 to the S.C. Autism Society for the Autism Parent-School Partnership Program if there are sufficient funds available to meet IDEA maintenance of effort. **PROVISO SUBCOMMITTEE RECOMMENDATION:** CONFORM TO FUNDING / AMEND proviso to change "Fiscal Year 2013-14" to "current fiscal year" and delete the directive that \$350,000 be transferred to the S.C Autism Society. Requested by Department of Education.

1A.37. (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.34 for ~~Fiscal Year 2013-14~~ 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

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

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, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor. ~~The department is directed to transfer \$350,000 to the South Carolina Autism Society for the Autism Parent School Partnership Program, as long as sufficient funds are available to meet the IDEA maintenance of effort.~~

- 1A.38 AMEND** (Career Cluster Industry Partnerships) Requires the department to use \$800,000 to provide direct grants to private sector statewide trade associations or education foundations that provides nationally certified programs in career and technology education in certain career clusters. Requires organizations awarded these funds to submit a semi-annual financial report that has been audited by a third party accounting firm in addition to the final report due August 1st.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to specify that the semi-annual report is a programmatic and financial report and that the final report must be audited by a third party accounting firm. Requested by Department of Education.

1A.38. (SDE-EIA: Career Cluster Industry Partnerships) From the funds appropriated to the Department of Education, \$800,000 must be provided as direct grants to the private sector statewide trade association or educational foundation providing nationally certified programs in career and technology education representing the automotive, construction, engineering, healthcare, mechanical contracting/construction, and hospitality tourism career clusters. Organizations applying for a grant must do so by July first and the Department of Education must award a minimum of one grant of at least \$150,000 in at least four of these specified career clusters to be used exclusively for career and technology education. The recipient industry organization must conduct end-of-course exams graded by a national industry organization and must include in their grant request how the money will be spent to further industry-specific career technology education; a description and history of their program nationally and within South Carolina; estimates of future employment growth in their industry; and the national scope of their program. By August first of the following year, the organization must submit to the department a report detailing how the grant increased industry/employer awareness; the number of increased schools using the industry-based curriculum and partnered with the industry organization; the increased number of students in the program; and an overview and analysis of the organization's statewide student competition. The grant must be used for career awareness programs for that industry cluster; statewide student competitions leading to national competitions; teacher development and training; post-secondary scholarships in industry-specific degree programs; student recruitment into that career cluster programs; programs to educate middle and high school Career or Guidance Counselors about the industry; service to disadvantaged youth; and administering business/employer awareness and partnerships which help lead to experience-based, career-oriented experiences including internships, apprenticeships, mentoring, co-op education and service learning. The Office of

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

Career and Technology Education of the department will develop goals with each career cluster on the number of new schools using the industry-based curriculum and partnered with that career cluster organization. These funds may not be used to supplant or replace, in whole or in part, other existing resources/assets sourced outside the present grant being used to provide the same services or programs. Organizations may carry-over grants for up to three years when a large project is identified in the grant application to be used at a future date; otherwise excess funds must be returned to the state. Organizations awarded must submit a semi-annual programmatic and financial report on the last day of December ~~that has been audited by a third party accounting firm~~ in addition to the final report due August first that has been audited by a third party accounting firm.

1A.42 **AMEND** (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary for FY 13-14 is \$48,858 and directs the department to continue to use the FY 2012-13 schedule. Requires a local district board of trustees to provide a step increase for all eligible certified teachers.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change the projected SE average teacher salary from “\$48,858” to “\$48,892.” Direct the department to continue to use the FY 2012-13 schedule in FY 2014-15. Requested by Department of Education.

1A.42. (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 Division of Budget and Analyses. For the current school year the Southeastern average teacher salary is projected to be ~~\$48,858~~ \$48,892. 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 ~~2013-14~~ 2014-15.

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.43 **AMEND** (PowerSchool Dropout Recovery Data) Requires the department use PowerSchool and data collection funds to start collecting data from schools and school districts on the number of student who had dropped out and then reenrolled in a public school or in adult education to pursue their high school diploma. Directs the EOC, working with the department, to determine how to calculate a dropout recovery rate and require the rate be reported on the annual school and district report cards. Requires the department report the dropout recovery rate to the Senate Education and House Education and Public Works Committees.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement that a report be submitted on implementation of a dropout recovery rate. Requested by Department of Education.

1A.43. (SDE-EIA: PowerSchool Dropout Recovery Data) With the funds appropriated to the Department of Education for PowerSchool and data collection, the department will begin in the current fiscal year to collect data from schools and school districts on the number of students who had previously dropped out of school and who reenrolled in a public school or adult education to pursue a high school diploma. The Education Oversight Committee working with the Department of Education will determine how to calculate a dropout recovery rate that will be reflected on the annual school and district report cards. ~~The Department of Education shall report to the Senate Education Committee and the House Education and Public Works Committee on the implementation of a dropout recovery rate.~~

1A.48 **DELETE** (Next Generation Science Standards) Prohibits the department, the EOC, or the State Board of Education from spending funds on the Next Generation Science Standards initiative.

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

1A.48. (SDE-EIA: Next Generation Science Standards) ~~No funds shall be expended in the current fiscal year by the Department of Education, the Education Oversight Committee, or the State Board of Education to participate in, implement, adopt or promote the Next Generation Science Standards initiative.~~

1A.49 **AMEND** (National Board Certification Incentive) Provides for the National Board Certification Incentive for teachers certified by the National Board or who completed the application process prior to July 1, 2010.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to suspend the salary supplement for new applicants for FY 14-15 and require the department submit a report on the long term costs of the program to the Senate Finance and House Ways and Means Committees by January 1, 2015. Direct that school districts are not prohibited from offering National Board certified teachers a local salary supplement nor are teachers or teacher specialists prohibited from seeking National Board certification. Requested by Department of Education.

1A.49. (SDE-EIA: XII.C.2-National Board Certification Incentive) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants. The special schools include the Governor's School for Science and Math, 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 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010, may receive a loan equal to the amount of the application fee. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 shall have one-half of the loan principal amount and interest forgiven when the required portfolio is submitted to the national board. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 who attain certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous appropriation act. Funds collected from educators who are in default of the National Board loan shall be retained and carried forward by the department. The department may retain up to ten percent of the funds collected to offset the administrative costs of loan collection. All other funds shall be retained by the department and used for National Board loan purposes. Of the funds appropriated in Part IA, Section 1, XII.C.2 for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of the loan program for teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010. In addition, teachers who have applied prior to July 1, 2010 and are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.

Provided, further, that in calculating the compensation for teacher specialists, the Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.

New applications for the salary supplement prescribed in this proviso are suspended for Fiscal Year 2014-15. The Department of Education shall submit a report on the long-term costs of the program to the Senate Finance Committee and the House Ways and Means Committee by January 1, 2015. This proviso does not prohibit school districts from offering a local salary supplement for National Board certified teachers nor does it prohibit a teacher or teacher specialist from seeking National Board certification.

1A.52 AMEND (Technology Academy Pilot) Directs the department to use available assessment funds to enter into an agreement with a provider who provides Microsoft IT Academy certification to pilot the Microsoft Technology Academy and to report to specific committees of the General Assembly by February 1, 2014 on the number of high schools that participated in the pilot along with the number of students who earned the Microsoft Office Specialists certification.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete reference to entering into an agreement with a provider who provides Microsoft IT Academy

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

certification and instead direct the department, for FY 2014-15, to use the funds to “continue” to offer the opportunity to participate in the “existing IT certification” pilot project.

1A.52. (SDE-EIA: Technology Academy Pilot) For Fiscal Year ~~2013-14~~ 2014-15 the Department of Education is directed to ~~enter into an agreement with a provider who provides Microsoft IT Academy certification to pilot the Microsoft Technology Academy utilizing use~~ available Modernize Vocational Equipment funds. ~~The department must~~ to continue to offer high schools across the state the opportunity to participate in the existing IT certification pilot project. The department must report by February 1, ~~2014~~ 2015 to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee, and the Senate Education Committee on the number of high schools that participated in the pilot and the number of students participating in the program and earning the Microsoft Office Specialists certification certifications.

1A.55 **AMEND** (Aid to Districts Draw Down) Requires school districts, 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 districts to submit updated plans to the department by September 1, 2013 and requires the department report to the Chairmen of specific committees by September 30, 2013, on any districts that did not submit an updated plan.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2014-15” and to specify that school districts, Palmetto Unified District and DJJ must work with law enforcement on an updated school safety plan. Requested by Department of Education.

1A.55. (SDE-EIA: XII.A.1 - Aid to Districts Draw Down) For Fiscal Year ~~2013-14~~ 2014-15, in order to draw down funds appropriated in Part IA, Section 1, XII.A.1, Aid to Districts, a ~~school district~~ 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, 2013. The department must report to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee and the Chairman of the Senate Education Committee by September 30, 2013, on any districts that failed to submit an updated plan.

1A.57 **AMEND** (Academic Enrichment Activities) Authorizes school districts to use High Achieving Students appropriations for academic enrichment activities.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2014-15.”

1A.57. (SDE-EIA: Academic Enrichment Activities) For Fiscal Year ~~2013-14~~ 2014-15 school districts may use funds appropriated for High Achieving Students for academic enrichment activities.

1A.58 **AMEND** (South Carolina Success Program) Directs the department to use Assessment/Testing funds to issue a RFP to provide a statewide “South Carolina Success Program” which is to be available to all public school districts and to open enrollment charters.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

Allows up to \$3,500,000 of local assessment funds to be used for this purpose. 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. Requires the RFP be issued by July 5, 2013 and that the program be implemented by August 15, 2013.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement that a request for proposal be issued. Authorize school districts to use assessment funds for the S.C. Success Program, as piloted in the previous year.

~~1A.58. (SDE-EIA: South Carolina Success Program) From the funds in specific appropriations Assessment/Testing, the Department of Education shall issue a request for proposal to provide a statewide South Carolina Success Program, a program to be available to all public school districts and open enrollment charters in the State of South Carolina. The department may use up to \$3,500,000 of the local assessment funds for this 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. ~~To ensure effective implementation of the program in conjunction with the beginning of the academic school year, the Department of Education shall issue a request for proposal to carry out the requirements of this provision no later than July 5, 2013. Implementation of the program must begin no later than August 15, 2013.~~~~

1A.rec **ADD** (EEDA Regional Education Centers) **PROVISO SUBCOMMITTEE RECOMMENDATION: ADD** moved proviso to require at least \$108,500 of EEDA funds be used for the Regional Education Centers. *Moved from general education section, proviso 1.61.* Requested by Department of Education

1A.rec. (SDE-EIA: EEDA Regional Education Centers) Funds appropriated from the EEDA for Regional Education Centers must not be less than \$108,500.

1A.ta **ADD** (Teach for America SC) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require school districts that partner with Teach For America SC to annually provide by September 1st, information on the prior year's academic achievement of students directly taught by Teach For America corps members and direct that the information provided protect the identity of individual students and include appropriate state assessment data. Requested by Education Oversight Committee.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

1A.ta. (SDE-EIA: Teach for America SC) Because Teach For America SC receives EIA funds in the current fiscal year, school districts that partner with Teach For America SC are required to provide to Teach For America SC by September 1 annually, information on the prior year's academic achievement of students who were directly taught by Teach For America corps members. The information must be in a format that protects the identity of individual students and must include state assessment data as appropriate.

1A.mve ADD (Modernize Vocational Equipment) PROVISO SUBCOMMITTEE RECOMMENDATION: ADD new proviso to direct the EOC to convene an advisory panel to prioritize funding for the modernization of vocational equipment. Direct the panel to review existing vocational equipment allocations and expenditures and recommend statewide funding priorities for career and technical education. Requested by Education Oversight Committee.

1A.mve. (SDE-EIA: Modernize Vocational Equipment) To prioritize funding for the modernization of vocational equipment, the Education Oversight Committee will convene an advisory panel composed of directors of career and technology centers, individuals of the South Carolina Technical College system, and business leaders from local chambers of commerce. The panel will review the existing allocation and expenditure of funds for vocational equipment and recommend statewide funding priorities for career and technical education.

1A.scas ADD (South Carolina Autism Society) PROVISO SUBCOMMITTEE RECOMMENDATION: ADD new proviso to direct that the direct that EIA funds appropriated for Partnerships be transferred quarterly from the EOC to the South Carolina Autism Society for the Autism Parent-School Partnership Program. Require the Society, beginning October 10, 2014, provide a quarterly accounting report to the Chairmen of the Senate Finance and House Ways and Means Committees and to the EOC. Fiscal Impact: Conform to funding.

1A.scas. (SDE-EIA: South Carolina Autism Society) Funds appropriated in Section 1A, XII.F, Partnerships must be transferred quarterly from the Education Oversight Committee, to the South Carolina Autism Society for the Autism Parent-School Partnership Program. Beginning October 10, 2014, 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.tdp ADD (Technology/Device Pilot) PROVISO SUBCOMMITTEE RECOMMENDATION: ADD new proviso to authorize the department to use carry forward funds, non-recurring funds and funds allocated to purchase Instructional Materials to pilot a program in selected schools that will provide students, teachers, and necessary staff with handheld devices in order to offer expanded learning opportunities. Require 10% of the funds dedicated for the pilot be used to ensure students have curriculum access regardless of their home internet capabilities and 90% be used for acquiring the devices. Require districts who want to participate in the pilot to submit a plan to the department by August 1, 2014 that outlines which schools and students they want to participate and to outline their implementation plan. Require the department provide a report by December 15, 2014 to the Chairmen of the Senate Finance, Senate Education, House Ways and Means, and House Education and Public Works Committees that outlines the implementation and use in the districts selected.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

1A.tdp. (SDE-EIA: Technology/Device Pilot) For Fiscal Year 2014-15, the Department of Education is authorized to use carry forward funds, non-recurring funds and funds allocated for the purchase of Instructional Materials to pilot a program in selected school districts around the state that will provide students, teachers and select necessary staff with handheld devices in order to offer expanded learning opportunities to include virtual course delivery and blended learning opportunities in the classroom. The devices must upload information using internet connectivity at school in order to ensure that all students will have access to the curriculum without regard to their home internet access capabilities. Of the funds used for the pilot, ten percent may be used for professional development and ninety percent must be used for acquisition of devices. Districts desiring to participate in the pilot must submit a plan to the Department of Education no later than August 1, 2014 outlining which schools and students they desire to participate in the pilot and shall further outline the implementation plan as it will best fit and serve the students in their district. By September 1, 2014 the department shall notify the districts selected to participate in the pilot. 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.

SECTION 117 - X90-GENERAL PROVISIONS

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

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that the pilot projects for new technologies can include 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. Requested by Education Oversight Committee.

117.29. (GP: School Technology Initiative) From the funds appropriated/authorized for the K-12 technology initiative, the Department of Education, in consultation with the Budget and Control Board's Division of State Information Technology, 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 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.

117.94 **AMEND** (Funds Transfer to ETV) Requires certain funds appropriated to the B&C Board for Legislative & Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council for training to be transferred to ETV during July of 2013 for them to continue to provide services as they were provided in the prior fiscal year.

**PROVISO SUBCOMMITTEE
PUBLIC EDUCATION AND SPECIAL SCHOOLS
RECOMMENDATIONS FOR FY 2014-15
TO THE HOUSE WAYS AND MEANS COMMITTEE**

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year reference to "2014."

117.94. (GP: Funds Transfer to ETV) In the current fiscal year funds appropriated in Part IA to the Budget and Control Board in Section 101 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, ~~2013~~ 2014 for the continuation of services as provided in the prior fiscal year.

117.108 AMEND (First Steps Reauthorization) Reauthorizes First Steps for Fiscal Year 2013-14.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to "2014-15."

117.108. (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 ~~2013-14~~ 2014-15.

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