**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 60 TO TITLE 59 SO AS TO ENACT THE “SOUTH CAROLINA TRANSPARENCY IN EDUCATION ACT” TO REQUIRE THE DEPARTMENT OF EDUCATION TO POST CERTAIN INFORMATION REGARDING EDUCATIONAL MATERIALS AND PRODUCTS ON ITS INTERNET WEBSITE AND ON THE INTERNET WEBSITE OF THE OFFICE OF THE COMPTROLLER GENERAL.

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

SECTION 1. This act is known and may be cited as the “South Carolina Transparency in Education Act of 2011”.

SECTION 2. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 60

South Carolina Transparency in Education Act of 2011

Section 59‑60‑10. As used in this chapter:

(1) ‘Department’ means the Department of Education.

(2) ‘Product’ means an original, updated, or revised textbook, curriculum, material, or program.

Section 59‑60‑20. (A) The South Carolina Department of Education shall post on the Internet website maintained by the South Carolina Comptroller General’s Office the following information with respect to any award made pursuant to Chapters 29, 31, or 59, Title 59, and made to a person or entity that is not a school district or school for the purpose of developing, updating, or revising textbooks, curricula, or other instructional materials, whether in print or in electronic form, intended for preschool, kindergarten, elementary, or secondary education personnel or students within thirty days after the award:

(1) the amount of funds expended;

(2) the budget funding source;

(3) a copy of the proposal submitted by the entity that received the award and the subsequent agreement with the department; and

(4) other relevant information required by the Office of the Comptroller General.

(B) The department shall post on its Internet website the following information with respect to any product, whether developed by the department or by the award recipient or contractor, and whether in print or in electronic form, which is made available for use in, or consideration by, a school district or school of this State:

(1) a description of the product, including the ages of the students to be served either directly or through the training of education personnel, provided that the department shall provide more than the mere title of the product;

(2) a table of contents of the product; and

(3) a sample of the product, which is sufficiently broad to enable parents and teachers to evaluate the nature and methodology of the product.

(C) Internet website postings required pursuant to subsections (A) and (B) must be made at least one hundred eighty days before the instructional use of the product, whether the use is intended for preschool, kindergarten, elementary, or secondary personnel or students.

(D) Throughout the use of any product in the schools of this State, the department shall post on its Internet website an evaluation of the product completed by or at the direction of the department or by any South Carolina school or school district. This posting must be made within thirty days of the completion or receipt of the evaluation by the department.

Section 59‑60‑30. (A) During the period of public review of any product, whether in print or in electronic form, required by Article 5, Chapter 31, Title 59, the department shall post on its Internet website:

(1) a description of the product, including the ages of students to be served either directly or through the training of education personnel, provided that the department shall provide more than a mere title of the product;

(2) a table of contents of the product;

(3) a sample of the product, which is sufficiently broad to enable parents and teachers to evaluate the nature and methodology of the product;

(4) an evaluation, rating, or assessment of the product made by evaluating and rating committees pursuant to Article 5, Chapter 31, Title 59, including a report made by those committees to the department; and

(5) the minutes of a public hearing held on any product considered for use in the schools of this State.

(B) The department shall post on its Internet website and on the Internet website maintained by the Office of the Comptroller General the following information with respect to any contract entered into by the department for the purchase or rental of product, whether in print or electronic form, pursuant to Article 5, Chapter 31, Title 59 after the conclusion of the period of public review:

(1) the amount of funds expended;

(2) the budget funding source; and

(3) other relevant information required by the Office of the Comptroller General.

(C) A school of this State shall keep during regular school hours a set of products available in print for inspection for any parent or guardian of a child enrolled in that school. With respect to any digital product, a school shall instruct parents or guardians of children enrolled in the school how to access these materials and, if necessary, shall make school computers available to parents or guardians for that purpose during regular school hours.”

SECTION 3. This act takes effect upon approval by the Governor.

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